MODL5101

Interpreting in Legal Settings

Semester One // 2018

Course Overview

Staff Contact Details

Convenors

Name	Email	Availability	Location	Phone
Sandra Hale	s.hale@unsw.edu.au	Tuesdays 11:00-12:00 or by appointment by email	Morven Brown 207	+61 2 9385 1279

Tutors

Name	Email	Availability	Location	Phone
Alisa Tian	alisa.tian@unsw.edu.au	TBA	TBA	TBA
Yveline Piller	y.piller@unsw.edu.au	TBA	TBA	TBA
Suzan Piper	s.piper@unsw.edu.au	TBA	TBA	TBA
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Elizabeth Rhodes	elizabeth.rhodes@unsw.edu.au	TBA	TBA	TBA
Adela Ezcurra	e.ezcurra@unsw.edu.au	TBA	TBA	TBA

School Contact Information

School of Humanities and Languages

Location: School Office, Morven Brown Building, Level 2, 258

Opening Hours: Monday - Friday, 9am - 4:45pm

Phone: +61 2 9385 1681

Fax: +61 2 9385 8705

Email: hal@unsw.edu.au

Attendance Requirements

A student is expected to attend all class contact hours for a face-to-face (F2F) or blended course and complete all activities for a blended or fully online course.

A student who arrives more than 15 minutes late may be penalised for non-attendance. If such a penalty is imposed, the student must be informed verbally at the end of class and advised in writing within 24 hours.

If a student experiences illness, misadventure or other occurrence that makes absence from a class/activity unavoidable, or expects to be absent from a forthcoming class/activity, they should seek permission from the Course Authority, and where applicable, their request should be accompanied by an

original or certified copy of a medical certificate or other form of appropriate evidence.

A Course Authority may excuse a student from classes or activities for up to one month. However, they may assign additional and/or alternative tasks to ensure compliance. A Course Authority considering the granting of absence must be satisfied a student will still be able to meet the course's learning outcomes and/or volume of learning. A student seeking approval to be absent for more than one month must apply in writing to the Dean and provide all original or certified supporting documentation.

For more information about the attendance protocols in the Faculty of Arts and Social Sciences: https://www.arts.unsw.edu.au/current-students/academic-information/protocols-guidelines/

Academic Information

For essential student information relating to: requests for extension; review of marks; occupational health and safety; examination procedures; special consideration in the event of illness or misadventure; student equity and disability; and other essential academic information, see https://www.arts.unsw.edu.au/current-students/academic-information/protocols-guidelines/

Course Details

Credit Points 6

Summary of the Course

Interpreting in legal settings requires the acquisition of highly specialised knowledge relating to the law, legal language and discourses, legal interpreting theory and practical interpreting skills. This course will introduce students to the contextual knowledge needed to operate in diverse legal settings such as the courtroom, tribunals and the police. You will develop the interpreting and linguistic skills necessary to work as a professional legal interpreter. The course will combine theory and practice and will inform you about contemporary research into legal interpreting.

At the conclusion of this course the student will be able to

1. identify fundamental principles of the Australian legal system
2. analyse legal discourse and the strategic use of language in legal settings
3. explain the theories that underpin accurate interpreting in legal settings
4. apply legal interpreting theories and research to critically evaluate own performance and justify interpreting choices
5. apply interpreting skills in the following modes: short and long consecutive, chuchotage/simultaneous and sight translation
6. demonstrate awareness of the potential impact of interpreting choices on the outcome of legal cases

Teaching Strategies

This course includes lectures and interactive tutorials in which students undertake role plays and peer and self-evaluation in language-specific interpreting practice.

Assessment

Assessment Tasks

Assessment task	Weight	Due Date	Student Learning Outcomes Assessed
Continuous skills assessment	40%	Not Applicable	3,4,5
Court observation	5%	17/04/2018 04:00 PM	1,2,6
Theory quiz	10%	30/05/2018 09:00 AM	1,2,3,4
Final viva examination	45%	Not Applicable	2,4,5

Assessment Details

Assessment 1: Continuous skills assessment

Start date: Not Applicable

Details: Ongoing development of interpreting skills.Students will be assessed at least three times in the term as they carry out activities in class and receive written feedback of their performance a week later.

Assessment 2: Court observation

Start date: Not Applicable

Length: 500 words

Details: A 500-word written report of an observation of a court or tribunal.Oral feedback will be provided in class.

Additional details:

Students are to visit a court or tribunal during the semester and observe at least one hearing or trial. After the observation, students are to write a 500 word report describing what they observed and highlighting what they learned from the experience as well as how the theory has been or not been applied to the practice.

Turnitin setting: This assignment is submitted through Turnitin and students do not see Turnitin similarity reports.

Assessment 3: Theory quiz

Start date: 29/05/2018 08:00 PM

Details: An online quiz covering the information covered in the lectures.Individual feedback will be provided on the quiz items.

Assessment 4: Final viva examination

Start date: individual time slots for each student

Length: 30 minutes

Details: An individual oral examination simulating a real-life interpreted interaction.Students will be assessed as they perform the interpreting task. Individual feedback will be provided after the completion of the course.This is the final assessment for attendance purposes.

Submission of Assessment Tasks

Students are expected to put their names and student numbers on every page of their assignments.

Turnitin Submission

If you encounter a problem when attempting to submit your assignment through Turnitin, please telephone External Support on 9385 3331 or email them on externalteltsupport@unsw.edu.au. Support hours are 8:00am – 10:00pm on weekdays and 9:00am – 5:00pm on weekends (365 days a year). If you are unable to submit your assignment due to a fault with Turnitin you may apply for an extension, but you must retain your ticket number from External Support (along with any other relevant documents) to include as evidence to support your extension application. If you email External Support you will automatically receive a ticket number, but if you telephone you will need to specifically ask for one. Turnitin also provides updates on their system status on Twitter.

Generally, assessment tasks must be submitted electronically via either Turnitin or a Moodle assignment. In instances where this is not possible, it will be stated on your course's Moodle site with alternative submission details.

Late Assessment Penalties

An assessed task is deemed late if it is submitted after the specified time and date as set out in the course Learning Management System (LMS).

The late penalty is the loss of 5% of the total possible marks for the task for each day or part thereof the work is late. Lateness will include weekends and public holidays. This does not apply to a task that is assessed but no mark is awarded.

Work submitted fourteen (14) days after the due date will be marked and feedback provided but no mark will be recorded. If the work would have received a pass mark but for the lateness and the work is a compulsory course component, a student will be deemed to have met that requirement. This does not apply to a task that is assessed but no mark is awarded.

Work submitted twenty-one (21) days after the due date will not be accepted for marking or feedback and will receive no mark or grade. If the assessment task is a compulsory component of the course a student will automatically fail the course.

Special Consideration Applications

You can apply for special consideration when illness or other circumstances interfere with your assessment performance.

Sickness, misadventure or other circumstances beyond your control may:

* Prevent you from completing a course requirement,

* Keep you from attending an assessable activity,

* Stop you submitting assessable work for a course,

* Significantly affect your performance in assessable work, be it a formal end-of-semester examination, a class test, a laboratory test, a seminar presentation or any other form of assessment.

For further details in relation to Special Consideration including "When to Apply", "How to Apply" and "Supporting Documentation" please refer to the Special Consideration webstie:
https://student.unsw.edu.au/special-consideration

Academic Honesty and Plagiarism

Plagiarism is using the words or ideas of others and presenting them as your own. It can take many forms, from deliberate cheating to accidentally copying from a source without acknowledgement.

UNSW groups plagiarism into the following categories:

Copying: using the same or very similar words to the original text or idea without acknowledging the source or using quotation marks. This also applies to images, art and design projects, as well as presentations where someone presents another's ideas or words without credit.

Inappropriate paraphrasing: changing a few words and phrases while mostly retaining the original structure and information without acknowledgement. This also applies in presentations where someone paraphrases another's ideas or words without credit. It also applies to piecing together quotes and paraphrases into a new whole, without referencing and a student's own analysis to bring the material together.

Collusion: working with others but passing off the work as a person's individual work. Collusion also includes providing your work to another student before the due date, or for the purpose of them plagiarising at any time, paying another person to perform an academic task, stealing or acquiring another person's academic work and copying it, offering to complete another person's work or seeking payment for completing academic work.

Inappropriate citation: Citing sources which have not been read, without acknowledging the "secondary" source from which knowledge of them has been obtained.

Duplication ("self-plagiarism"): submitting your own work, in whole or in part, where it has previously been prepared or submitted for another assessment or course at UNSW or another university.

Correct referencing practices:

- Paraphrasing, summarising, essay writing and time management
- Appropriate use of and attribution for a range of materials including text, images, formulae and concepts.

Individual assistance is available on request from The Learning Centre (http://www.lc.unsw.edu.au/). Students are also reminded that careful time management is an important part of study and one of the identified causes of plagiarism is poor time management. Students should allow sufficient time for research, drafting and proper referencing of sources in preparing all assessment items.

UNSW Library also has the ELISE tool available to assist you with your study at UNSW. ELISE is designed to introduce new students to studying at UNSW but it can also be a great refresher during your study.

Completing the ELISE tutorial and quiz will enable you to:

- analyse topics, plan responses and organise research for academic writing and other assessment tasks
- effectively and efficiently find appropriate information sources and evaluate relevance to your needs
- use and manage information effectively to accomplish a specific purpose

- better manage your time
- understand your rights and responsibilities as a student at UNSW
- be aware of plagiarism, copyright, UNSW Student Code of Conduct and Acceptable Use of UNSW ICT Resources Policy
- be aware of the standards of behaviour expected of everyone in the UNSW community
- locate services and information about UNSW and UNSW Library

Some of these areas will be familiar to you, others will be new. Gaining a solid understanding of all the related aspects of ELISE will help you make the most of your studies at UNSW.
(http://subjectguides.library.unsw.edu.au/elise/aboutelise)

Course Schedule

Timetable

Date	Type	Content
Week 1: 26 February - 4 March	Lecture	Introduction to the course Introduction to the Australian legal system • Description of legal settings where interpreters work: legal conferences, police, tribunals, courts • Differences between criminal and civil jurisdictions • The Adversarial System • Common Law and Statute Law • The separation of powers • Hierarchy of courts Readings Hale, S. (2007). Community Interpreting. Basingstoke: Palgrave Macmillan (Chapter 3)
	Tutorial	• Discuss legal terminology used in lecture • Discuss legal systems in country/ies where the LOTE is spoken • Discuss different perceptions of law and order in the relevant countries and potential ethical dilemmas • Practice dialogue interpreting (Legal conferences)
Week 2: 5 March - 11 March	Lecture	The legal process Legal assumptions • The Criminal process • Burden of Proof • Standard of Proof • Types of offences • Liability and damages • Dispute resolution Readings The Law Handbook (Chapter 1: The legal system) (There are different editions available in the library, chose the relevant chapter)
	Tutorial	• Discuss terminology arising from the lecture

		• Practice dialogue interpreting (legal conferences) • Practice sight translation (charges, summons, subpoenas)
Week 3: 12 March - 18 March	Lecture	Working with the local police • The role of the police • The record of interview • The discourse of police interviewing • Research into police interpreting • Copspeak Readings • Heydon, G. (2005). The Language of Police Interviewing. A critical analysis. Basingstoke: Palgrave Macmillan (Chapter 3) • Berk-Seligson, S.(2009) *Coerced confessions. The discourse of bilingual police interrogations.* Berlin/NY: Mouton de Gruyter • Kredens, K. & Morris, R. (2011). "Interpreting outside the courtroom" in M. Coulthard & A. Johnson (eds), *The Routledge Handbook of Forensic Linguistics*. London/New York: Routledge, (pp 455-469) • NSW Police Department http://www.police.nsw.gov.au/
	Tutorial	• Discuss terminology arising from the lecture • Practice dialogue interpreting (police record of interview) • Discuss difficulties in interpreting specifics of police interviewing • Practice sight translation (police statements, fact sheets, jurats)
Week 4: 19 March - 25 March	Lecture	Working with police • Australian Federal police • Video and discussion
	Tutorial	• Practice police dialogues • Practice sight translation • Practice telephone and video interpreting
Week 5: 26 March - 1 April	Lecture	The language of the courtroom: The language of questions The discourse structure of court hearings and trials • Strategic use of language in courtroom

		questions • Differences between examination-in-chief and cross-examination • Question types • Discourse markers in questions • Interpreting questions accurately • Seeking clarification Readings Hale, S. (2004). *The discourse of court interpreting*. Amsterdam: JB (Chapters 3 & 4)
	Tutorial	• Discuss question types and practice interpreting them into LOTE • Discuss pragmatic effect of discourse markers in courtroom questions and practice interpreting them • Practise sight translation (Bonds, bail applications, bail conditions) • Practice Consecutive interpreting of court related topics
Break: 2 April - 8 April		
Week 6: 9 April - 15 April		NO CLASSES - PG WEEK OFF
Week 7: 16 April - 22 April	Lecture	The language of the courtroom: the language of answers • Different witness styles • Impact of witness style on credibility • Issues of admissibility • Interpreting answers accurately • Seeking clarification Readings Hale, S. (2004). *The discourse of court interpreting*. Amsterdam: JB (Chapters 5 & 6)
	Tutorial	• Practise interpreting different witness answer styles • Practice court protocols for seeking clarification, repetition and other management skills • Practice simultaneous whispering interpreting (Chuchotage) • Practice Consecutive interpreting of court related topics
Week 8: 23 April - 29 April	Lecture	Court interpreting: practical protocols Video discussion • interpreter introduction

		• asking for clarification • expert evidence Reading Australian National Standards for working with interpreters in courts and tribunals - http://jccd.org.au/wp-content/uploads/2017/11/Recommended-National-Standards-for-Working-with-Interpreters-in-Courts-and-Tribunals.pdf The Law Handbook (Chapter 18: Criminal Offences) (There are different editions available in the library, chose the relevant chapter)
	Tutorial	Do a mock bilingual trial and practice all modes of interpreting
Week 9: 30 April - 6 May	Lecture	Ethics of the profession • Ethical considerations in legal interpreting • The role of the legal interpreter Readings Hale, S. (2007), chapter 4 The AUSIT Code of Ethics www.ausit.org Mikkelson, H. (2008). Evolving views of the court interpreter's role, in Valero Garces & Martin, eds. Hale, S. (2008), Controversies over the role of the court interpreter, in Valero Garces & Martin, eds. http://www.youtube.com/watch?v=Z_UhNAtSyto http://www.youtube.com/watch?v=YSzZpGcKLGI http://www.youtube.com/watch?v=SgiofAJ-9FA
	Tutorial	• Discuss ethical considerations and practice different scenarios where ethical dilemmas may arise • Practice all modes of interpreting
Week 10: 7 May - 13 May	Lecture	Administrative Law: Tribunals Readings • MRT/RRT Interpreters' Handbook • Become familiar with the contents of the following websites: • http://www.ncat.nsw.gov.au

		• http://www.aat.gov.au/migration-and-refugee-division
	Tutorial	• Discuss the Refugee convention and sight translate • Discuss terminology relating to tribunals: tribunal member, arbitrator, order, etc. • Practice interpreting in tribunal hearings • Sight translation of forms found at http://www.mrt-rrt.gov.au/Forms-and-brochures/Forms-and-brochures/default.aspx • Sight translation of definition of refugee • Extract terminology from the different websites
Week 11: 14 May - 20 May	Lecture	Family Law • The Family Law Act 1975 • Amendments 1996 • Divorce, residence, contact, parental responsibility, property settlement Readings The Law Handbook (Chapter 4: Family Relations) (There are different editions available in the library, chose the relevant chapter) Become familiar with the Family Court's website http://www.familylawcourts.gov.au/
	Tutorial	• Practice lawyer/client interviews relating to family law • Practice court hearing in the Family Court • Practice sight translation of Family Law related documents (see website)
Week 12: 21 May - 27 May	Lecture	Interpreting for victims and perpetrators of domestic violence and Sexual assault • Types of domestic violence and sexual offences • Introduction to ECAV • Importance of interpreters' ethics Readings http://www.ecav.health.nsw.gov.au
	Tutorial	Practice dialogues on sexual assault and domestic violence topics
Week 13: 28 May - 3 June	Lecture	Working with Australian Criminal Intelligence Commission

		• Overview of the Commission • How it fits into the NSW law enforcement landscape • Types of offences with which it deals • Legislative tools and techniques that at the Commission's disposal • The Commission's use of interpreting services • What is expected from interpreters and linguists • How interpreters are briefed and trained Readings https://www.acic.gov.au
	Tutorial	• Discuss terminology arising from the lecture • Practice dialogue interpreting (police interviews, police investigations, drug, financial, identity and prostitution related crimes) • Practice transcription of oral speech • Practice Consecutive interpreting of police related topics

Resources

Prescribed Resources

- Hale, S. (2004). *The discourse of court interpreting.* Amsterdam: John Benjamins P/C

Recommended Resources

- Durant, A. & Leung, J. (2016). *Language and Law.* London & NY: Routledge.
- Book – The law handbook : your practical guide to the law in New South Wales (2004)
- Coulthard, M. & A. Johnson (eds), The Routledge Handbook of Forensic Linguistics. London/New York: Routledge
- Barry, R.(ed). (2003). The law handbook: your practical guide to the law in New South Wales. Redfern: Redfern Legal Centre. (or later editions found in the library)
- Berk-Seligson, S. (2000). The bilingual courtroom. Chicago: Chicago University Press
- Berk-Seligson, S.(2009) Coerced confessions. The discourse of bilingual police interrogations. Berlin/NY: Mouton de Gruyter
- Hale, S. (2007). Community Interpreting. Basingstoke: Palgrave Macmillan
- Russell, D. & S. Hale (2009). Interpreting in legal settings. Washington DC: Gallaudet University Press.
- Lee, J. & Buzo, A. (2009). Community Language Interpreting. A workbook. Melbourne: Federation Press.
- Tipton, R. & Furmanek, O. (2016). *Dialogue Interpreting. A guide to interpreting in public services and the community.* London & NY: Routledge.
- Valero-Garcés, C. & A. Martin (eds), Crossing borders in community interpreting. Definitions and dilemmas. Amsterdam: John Benjamins.

- Recommended National Standards for Working with Interpreters in Courts and Tribunals

  http://jccd.org.au/wp-content/uploads/2017/08/Recommended-National-Standards-for-Working-with-Interpreters-in-Courts-and-Tribunals.pdf

- NSW Department of Justice and Attorney General

  http://www.lawlink.nsw.gov.au/

- NSW Civil and Administrative Tribunal

  http://www.ncat.nsw.gov.au

- Family Court of Australia http://www.familycourt.gov.au/

- NSW Police Department http://www.police.nsw.gov.au/

- Australian Federal Police http://www.afp.gov.au/

- Australian Crime Commission http://www.crimecommission.gov.au/

- AUSIT www.ausit.org

Course Evaluation and Development

Courses are periodically reviewed and students' feedback is used to improve them.

Feedback is gathered from students using myExperience. Students are encouraged to complete their surveys by accessing the personalised web link via the Moodle course site.

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