

Fact Sheet Interpreting in Court

This is a guide only. Our Fact Sheet is designed to help you, your Interpreter and the Deaf or hard of hearing person in Court settings.

Booking considerations

- Two hours is the minimum booking time.
- Some assignments exceeding one hour, may require two Interpreters to meet Occupational Health & Safety requirements and to avoid physical and mental fatigue. Please discuss with NICSS Bookings staff.
- Confirmed bookings cancelled under 24 hours notice (or one business day), are charged at 100% of the scheduled fee.

Preparation

- Ask the Interpreter when s/he would like to schedule breaks. Ideally breaks should be provided at least every 45-60 minutes. Interpreting requires a very high cognitive load and is mentally taxing.
- Ensure the Interpreter is comfortable and is provided with a chair, water, a table for taking notes and a place to put their personal belongings.
- Physical placement of the Auslan Interpreter is important. The Deaf person needs to see the Interpreter's facial expressions which are an important part of this visual language i.e. glare behind interpreter could impact.
- If there is anything to be read out, provide the Interpreter with a copy so s/he can follow. If it is difficult content, s/he will need to read through it before proceedings commence.



During proceedings

- Interpreters are required to interpret everything for the Defendant, to make them linguistically present. This includes questions and answers during evidence, any objections, legal arguments and other witness testimonies.
- Interpreters are required to interpret vulgar language, including expletives.
- Interpreters may need to seek clarification or ask for repetitions.
- A witness may not understand legal jargon when interpreted into Auslan. Interpreters must interpret accurately and cannot simplify the text or explain legal concepts. If there are no direct Auslan equivalents, the Interpreter may ask for an explanation which can then be interpreted into Auslan.
- Lawyers and witnesses need to speak clearly and at a reasonable pace and pause after each complete concept to allow the Interpreter time to interpret. If you cannot remember the question in full or understand its full meaning it is very likely the Interpreter will not either.

The National Interpreting and Communication Services (NICSS) respects the privacy of all persons who utilise its functions and services. We are bound by the Australian Privacy Principles (APPs) in the Privacy Act 1988 (which regulates how organisations may collect, use, disclose and store personal information and how individuals may access and correct personal information held about them. Also see NICSS Privacy Statement.