School of Humanities and Languages

MODL5101, Interpreting in Legal Settings
Semester 1, 2014

1. Course Staff and Contact Details

Course Convenor

Name	Professor Sandra Hale	Room	MB207
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Consultation Time	By appointment by email		

Lecturer

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Consultation Time	By appointment by email		

Tutors

Name	Tutorial	Room	
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Chinese 2	Alisa Tian		alisa.tian@unsw.edu.au
Chinese 3	Alisa Tian		alisa.tian@unsw.edu.au
French	Yveline Piller		TBC
Japanese	Masako Ogawa		m.ogawa@unsw.edu.au
Korean	Dae Young Kim		daeyoung.kim@unsw.edu.au
Spanish	Sandra Hale/Erika Gonzalez		s.hale@unsw.edu.au; e.gonzalez@unsw.edu.au
Indonesian	Suzan Piper		s.piper@unsw.edu.au

2. Course Details

Units of Credit (UoC)	6
Course Description	Interpreting in legal settings requires the acquisition of highly specialised knowledge relating to the law, legal language and discourse, 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, and will develop the interpreting and linguistic skills necessary to work as professional legal interpreters. The course will combine theory and practice and will be informed by the results of research into legal interpreting. The course will consist of a one-hour lecture and a two-hour practical tutorial.

Course Aims		
	1.	To equip students with the knowledge and skills necessary to perform successfully as a professional interpreter in legal settings.
	2.	To teach students about the legal system, legal discourses and ethical requirements for legal interpreters.
	3.	To provide students with a thorough knowledge of the theories underpinning accurate interpreting in legal settings and develop their ability to explore the applications of relevant research to their own practice.
	4.	To develop students' practical bilingual interpreting skills and bilingual legal language
	5.	To equip them with the necessary tools to critically evaluate their own performance and to justify their interpreting choices.

Student Learning Outcomes		
	1.	Knowledge of the fundamental principles of the legal system

	2.	Knowledge of legal discourse and the strategic use of language in legal settings
	3.	Awareness of the potential impact of their interpreting choices on the outcome of legal cases
	4.	Understanding of the ethical requirements of legal interpreters and application of the code of ethics to solve potential dilemmas in the workplace
	5.	Knowledge of the theories that underpin accurate interpreting in legal settings and ability to apply those theories to critically evaluate their own performance and justify their interpreting choices
	6.	Familiarity with the research into legal interpreting and ability to apply research results to their own practice
	7.	Interpreting skills in the following modes: short and long consecutive, chuchotage/simultaneous and sight translation
	8.	Development of bilingual skills, especially legal discourses and legal terminology
Graduate Attributes	**1.**	A respect for ethical practice and social responsibility
	2.	An in-depth engagement with the relevant disciplinary knowledge in its interdisciplinary context
	3.	The capacity for analytical and critical thinking and for creative problem-solving
	4.	The skills of effective communication

3. Learning and Teaching Rationale

This course is a post graduate course for advanced bilinguals.

4. Teaching Strategies

This course has a one hour weekly lecture in English and language specific tutorials.

5. Course Assessment

Assessment Task	Length	Weight	Learning Outcomes Assessed	Graduate Attributes Assessed	Due Date
Continuous skills assessment	Students will be assessed in class four times per semester on their skills development in Sight Translation, Dialogue and consecutive interpreting	40	1, 2, 6, 7, 8	4	Throughout the semester
Theory assessment	Test covering content learned in the lectures	10	1, 3,5	1,2,3	Week 12
Final viva examination	Final skills based oral interpreting examination	50	1,2,6,7,8	4	During examination period

Please Note: In addition to fulfilling the above assessment requirements, students are expected to attend at least 80% of their lectures and tutorials in order to pass the course.

Formal Examination

This course has a viva examination which will be scheduled in the formal examination period from 13 – 30 June 2014. Students are expected to give their studies priority and this includes making themselves available for the entire examination period. Travel commitments made prior to the publication of the final examination timetable are not a valid reason for alternate assessment.

Grades

All results are reviewed at the end of each semester and may be adjusted to ensure equitable marking across the School.

The proportion of marks lying in each grading range is determined not by any formula or quota system, but by the way that students respond to assessment tasks and how well they meet the objectives of the course. Nevertheless, since higher grades imply performance that is well above average, the number of distinctions and high distinctions awarded in a typical course is relatively small. At the other extreme, on average 6.1% of students do not meet minimum standards and a little more (8.6%) in first year courses. For more information on the grading categories see
https://my.unsw.edu.au/student/academiclife/assessment/GuideToUNSWGrades.html

Submission of Assessment Tasks

Assignments which are submitted to the School Assignment Box must have a properly completed School Assessment Coversheet, with the declaration signed and dated by hand. The Coversheet can be downloaded from
https://hal.arts.unsw.edu.au/students/courses/course-outlines/. It is your responsibility to make a backup copy of the assignment prior to submission and retain it.

Assignments must be submitted before 4:00pm on the due date. Assignments received after this time will be marked as having been received late.

Late Submission of Assignments

Late assignments will attract a penalty. Of the total mark, 3% will be deducted each day for the first week, with Saturday and Sunday counting as two days, and 10% each week thereafter.

The penalty may not apply where students are able to provide documentary evidence of illness or serious misadventure. Time pressure resulting from undertaking assignments for other courses does not constitute an acceptable excuse for lateness.

6. Attendance/Class Clash

Attendance

Students are expected to be regular and punctual in attendance at all classes in the courses in which they are enrolled. Explanations of absences from classes or requests for permission to be absent from classes should be discussed with the teacher and where applicable accompanied by a medical certificate. If students attend less than 80% of their possible classes they may be refused final assessment.

Students who falsify their attendance or falsify attendance on behalf of another student will be dealt with under the student misconduct policy.

Class Clash

A student who is approved a permissible clash must fulfil the following requirements:

a. The student must provide the Course Convenor with copies of lecture notes from those lectures missed on a regular basis as agreed by the Course Convenor and the student.

b. If a student does attend a lecture for which they had secured a permitted clash they will still submit lecture notes as evidence of attendance.

c. **Failure to meet these requirements is regarded as unsatisfactory performance in the course and a failure to meet the Faculty's course attendance requirement. Accordingly, Course Convenors will fail students who do not meet this performance/attendance requirement.**

d. Students must attend the clashed lecture on a specific date if that lecture contains an assessment task for the course such as a quiz or test. Inability to meet this requirement would be grounds for a Course Convenor refusing the application. If the student misses the said lecture there is no obligation on the Course Convenor to schedule a make-up quiz or test and the student can receive zero for the assessment task. It should be noted that in many courses a failure to complete an assessment task can be grounds for course failure.

7. Academic Honesty and Plagiarism

Plagiarism is presenting someone else's thoughts or work as your own. It can take many forms, from not having appropriate academic referencing to deliberate cheating.

In many cases plagiarism is the result of inexperience about academic conventions. The University has resources and information to assist you to avoid plagiarism.

The Learning Centre assists students with understanding academic integrity and how to not plagiarise. Information is available on their website: http://www.lc.unsw.edu.au/plagiarism/. They also hold workshops and can help students one-on-one.

If plagiarism is found in your work when you are in first year, your lecturer will offer you assistance to improve your academic skills. They may ask you to look at some online resources, attend the Learning Centre, or sometimes resubmit your work with the problem fixed. However, more serious instances in first year, such as stealing another student's work or paying someone to do your work, may be investigated under the Student Misconduct Procedures.

Repeated plagiarism (even in first year), plagiarism after first year, or serious instances, may also be investigated under the Student Misconduct Procedures. The penalties under the procedures can include a reduction in marks, failing a course or for the most serious matters (like plagiarism in an Honours thesis) or even suspension from the university. The Student Misconduct Procedures are available here:
http://www.gs.unsw.edu.au/policy/documents/studentmisconductprocedures.pdf

8. Course Schedule

To view course timetable, please visit: **http://www.timetable.unsw.edu.au/**

Week Commencing:	Topic	Lecture Content	Tutorial/Lab Content	Readings
Introduction to the course Introduction to the Australian legal system	W1: 4/3/2014	-Description of legal settings where interpreters work: legal conferences, police, tribunals,	-Discuss legal terminology used in lecture -Discuss legal systems in country/ies where the LOTE is	-Hale, S. (2007). Community Interpreting. Basingstoke: Palgrave Macmillan (Chapter 3)

		courts -Differences between criminal and civil jurisdictions -The Adversarial System -Common Law and Statute Law -The separation of powers -Hierarchy of courts	spoken -Discuss different perceptions of law and order in the relevant countries and potential ethical dilemmas -Practice dialogue interpreting (Legal conferences)	
The legal process Legal assumptions	W2: 11/3/2014	-The Criminal process -Burden of Proof -Standard of Proof -Types of offences -Liability and damages -Dispute resolution	-Discuss terminology arising from the lecture -Practice dialogue interpreting (legal conferences) -Practice sight translation (charges, summons, subpoenas)	-The Law Handbook (Chapter 1: The legal system) (There are different editions available in the library, chose the relevant chapter)
Working with the local police	W3: 18/3/2014	-The role of the police -The record of interview -The discourse of police interviewing -Research into police interpreting -Copspeak	-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)	-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/
Working with the federal police	W4: 25/3/2014	-International crime -The Crime Commission -Working for the federal police -Telephone intercepts -Transcribing recordings	-Discuss terminology arising from the lecture -Practice dialogue interpreting (police interviews, police investigations, drug and prostitution related crimes) -Practice transcription of oral speech -Practice Consecutive interpreting of police related topics	-Haworth, K. (2011). "Police interviews in the judicial process" in M. Coulthard & A. Johnson (eds), *The Routledge Handbook of Forensic Linguistics*. London/New York: Routledge, (pp169-181) -Australian Federal Police http://www.afp.gov.au/ -Australian Crime Commission http://www.crimecommission.gov.au/
Administrative Law: Tribunals	W5: 1/4/2014	The Migration Review Tribunal The Refugee Review Tribunal The Workers Compensation	-Discuss the Refugee convention and sight translate -Discuss terminology relating to tribunals:	-MRT/RRT Interpreters' Handbook (on BB9) -Become familiar with the contents of the following

		Commission The Consumer, Trader and Tenancy Tribunal The Administrative Appeals Tribunal The Social Security Tribunal The Guardianship Tribunal	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	websites: http://www.mrt-rrt.gov.au/default.aspx http://www.cttt.nsw.gov.au/default.html http://www.wcc.nsw.gov.au/Pages/Default.aspx http://www.aat.gov.au/ http://www.gt.nsw.gov.au/
The language of the courtroom: The language of questions	W6: 8/4/2014	-The discourse structure of court hearings and trials -Strategic use of language in courtroom questions -Differences between examination-in-chief and cross-examination -Rules of evidence -Question types -Discourse markers in questions -Interpreting questions accurately -Seeking clarification	-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	-Hale, S. (2004). *The discourse of court interpreting.* Amsterdam: JB (Chapters 3 & 4)
The language of the courtroom:	W7: 15/4/2014	-Different witness styles	-Practise interpreting	-Hale, S. (2004). *The*

the language of answers		-Impact of witness style on credibility -Issues of admissibility -Interpreting answers accurately -Seeking clarification	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	*discourse of court interpreting.* Amsterdam: JB (Chapters 5 & 6)
	22/4/14 MID SEMESTER BREAK			
	Week 8 - 29/4/14 PG WEEK OFF	COURT OBSERVATION		
Family Law	W9: 6/5/2013	The Family Law Act 1975 Amendments 1996 Divorce, residence, contact, parental responsibility, property settlement	-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)	-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/
The bilingual legal process	W10: 13/5/2013	Video: A matter of Interpretation – A look at all the steps involved in the	-Do a mock bilingual trial and practice all modes of interpreting	http://www.lawlink.nsw.gov.au/ -The Law Handbook (Chapter 19:

				Criminal Proceedings) (There are different editions available in the library, chose the relevant chapter)
The bilingual legal process	W11: 20/5/2013	Video: A matter of Interpretation - Discuss the strategic use of language in the courtroom Courtroom participants and their roles	-Do a mock bilingual trial and practice all modes of interpreting	-The Law Handbook (Chapter 18: Criminal Offences) (There are different editions available in the library, chose the relevant chapter)
Ethics of the profession	W12: 27/5/2013	Ethical considerations in legal interpreting The role of the legal interpreter	-Discuss ethical considerations and practice different scenarios where ethical dilemmas may arise -Practice all modes of interpreting	-Hale, S. (2007), chapter 4 -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/watc

				h?v=SgiofAJ-9FA
Research into Legal Interpreting	W13: 3/6/2013	Research issues and findings	-Discuss the applicability of research findings to the practice -Practice all modes of interpreting	-Hale S. (2006). Themes and methodological issues in Court Interpreting research. *Linguistica Antverpiensia*, vol.5, no., pp 205-228

9. Course Resources

Textbook Details

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

Journals

Translation & Interpreting. The international journal of translation and interpreting research www.trans-int.org
Target
Babel
The Translator
Interpreting
The international journal of Speech, Language and the Law

Additional Readings

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

Coulthard, M. & A. Johnson (eds), *The Routledge Handbook of Forensic Linguistics*. London/New York: Routledge

Hale, S. (2007). *Community Interpreting*. Basingstoke: Palgrave Macmillan

Lee, J. & Buzo, A. (2009). *Community Language Interpreting. A workbook*. Melbourne: Federation Press.

Russell, D. & S. Hale (2009). *Interpreting in legal settings*. Washington DC: Gallaudet University Press.

Valero-Garcés, C. & A. Martin (eds), *Crossing borders in community interpreting. Definitions and dilemmas.* Amsterdam: John Benjamins.

Websites

NSW Department of Justice and Attorney General
http://www.lawlink.nsw.gov.au/

Family Court of Australia http://www.familycourt.gov.au/
Refugee Review Tribunal/Migration Review Tribunal http://www.mrt-rrt.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/

10. Course Evaluation and Development

Courses are periodically reviewed and students' feedback is used to improve them. Feedback is gathered using various means including UNSW's Course and Teaching Evaluation and Improvement (CATEI) process.

11. Student Support

The Learning Centre is available for individual consultation and workshops on academic skills. Find out more by visiting the Centre's website at:
http://www.lc.unsw.edu.au

12. Grievances

All students should be treated fairly in the course of their studies at UNSW. Students who feel they have not been dealt with fairly should, in the first instance, attempt to resolve any issues with their tutor or the course convenors.

If such an approach fails to resolve the matter, the School of Humanities and Languages has an academic member of staff who acts as a Grievance Officer for the School. This staff member is identified on the notice board in the School of Humanities and languages. Further information about UNSW grievance procedures is available at:
https://my.unsw.edu.au/student/atoz/Complaints.html

13. Other Information

myUNSW

myUNSW is the online access point for UNSW services and information, integrating online services for applicants, commencing and current students and UNSW staff. To visit myUNSW please visit either of the below links:
https://my.unsw.edu.au
https://my.unsw.edu.au/student/atoz/ABC.html

OHS

UNSW's Occupational Health and Safety Policy requires each person to work safely and responsibly, in order to avoid personal injury and to protect the safety of others. For all matters relating to Occupational Health, Safety and environment, see
http://www.ohs.unsw.edu.au/

Special Consideration

In cases where illness or other circumstances produce repeated or sustained absence, students should apply for Special Consideration as soon as possible.

The application must be made via Online Services in myUNSW. Log into myUNSW and go to My Student Profile tab > My Student Services channel > Online Services > Special Consideration.

Applications on the grounds of illness must be filled in by a medical practitioner. Further information is available at:
https://my.unsw.edu.au/student/atoz/SpecialConsideration.html

Student Equity and Disabilities Unit

Students who have a disability that requires some adjustment in their learning and teaching environment are encouraged to discuss their study needs with the course convener prior to or at the commencement of the course, or with the Student Equity Officers (Disability) in the Student Equity and Disabilities Unit (9385 4734). Information for students with disabilities is available at: http://www.studentequity.unsw.edu.au

Issues that can be discussed may include access to materials, signers or note-takers, the provision of services and additional examination and assessment arrangements. Early notification is essential to enable any necessary adjustments to be made.