

**BOOKLET E**



# **ETHICS OF INTERPRETING AND TRANSLATING**

**A Guide to Obtaining NAATI Credentials**

Produced by the National Accreditation Authority for Translators and Interpreters Ltd

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## ETHICAL CONDUCT WITHIN THE TRANSLATION AND INTERPRETING PROFESSIONS

Interpreters and translators encounter a variety of ethical issues and questions in the course of their work. Ethical behaviour and the maintenance of high ethical standards are essential to good practice, in developing the profession and in maintaining positive opinions and perceptions.

While working as an interpreter or translator, ethical responsibilities overlap with your duty of care. That is the requirement to exercise the skill, care and diligence of a reasonable person performing similar work.

While the National Accreditation Authority for Translators and Interpreters Ltd (NAATI) does not prescribe the code of ethics for the profession, NAATI does wish to assure the community that accredited translators and interpreters are aware of the issues involved in professional ethics and of the need for practitioners to accept and observe a suitable code of conduct.

To that end, knowledge of ethical standards is an integral part of the NAATI credentialing system. If at any time NAATI considers that a practitioner has breached the applicable code of ethics, NAATI reserves the right to counsel and in certain circumstances suspend or remove a NAATI credential.

This Guide provides a source of information for acceptable professional practice and outlines the knowledge that is required by applicants for NAATI accreditation and recognition.

The ethical standards for interpreting and translating professionals in Australia are set out by the national professional bodies for translating and interpreting: the Australian Institute of Interpreters and Translators Inc. (AUSIT) and, for Auslan interpreters, the Australian Sign Language Interpreters' Association (ASLIA).

This Guide provides background information on these two primary codes of ethics:

1. AUSIT's *Code of Ethics and Code of Conduct* (AUSIT Code)
2. ASLIA's *Code of Ethics and Guidelines for Professional Conduct* (ASLIA Code)

It is important to be aware that the AUSIT Code has been adopted by the New Zealand Society for Translators and Interpreters (NZSTI). Different countries may determine their own codes of ethics. For work for specific international organisations, practitioners are expected to adhere to the International Association of Conference Interpreters (AIIC) Code of Ethics.

NAATI adopted both the AUSIT Code and the ASLIA Code as important elements in the accreditation testing process and several government and private interpreting and translating services and agencies have implemented them as an integral part of the contract that practitioners must sign before joining their service and adhere to while performing their assignments. These services and agencies include:

- TIS (Translating and Interpreting Service, the Department of Immigration's official language services division)
- Centrelink
- Refugee Review Tribunal
- Federal Attorney General's Department
- NSW Law Society
- NSW Health Care Interpreter Service
- Other major private suppliers of interpreters and translators.

## **GENERAL ETHICS PRINCIPLES**

Although the codes of ethics mentioned above may differ in some parts, they are generally concerned with similar underlying ethical principles.

The general principles contained in the different codes of ethics require translators and interpreters to:

- respect their clients' right to privacy and confidentiality
- disclose any real or perceived conflicts of interest
- decline to undertake work beyond their competence or accreditation levels
- relay information accurately and impartially between parties
- maintain professional detachment and refrain from inappropriate self-promotion
- guard against misuse of inside information for personal gain.

## **WHAT IS NAATI?**

The National Accreditation Authority for Translators and Interpreters Ltd (trading as NAATI) is the national standards and accreditation body for translators and interpreters in Australia. It is the only agency that issues accreditations for practitioners who wish to work in this profession in Australia.

NAATI's primary purpose is to strengthen inclusion and participation in Australian society by assisting in meeting its diverse and changing communication needs and expectations through:

- setting, maintaining and promoting high national standards in translating and interpreting, and
- implementing a national quality-assurance system for credentialing practitioners who meet those standards.

NAATI credentialing provides quality assurance to the clients of translators and interpreters and gives credibility to agencies that employ practitioners who are credentialed appropriately.

## **NAATI ACCREDITATION**

NAATI accreditation is the only credential officially accepted for the profession of translation and interpreting in Australia. All government translation and interpreting services require translators and interpreters to be NAATI-accredited whenever possible.

NAATI accreditation has been instrumental in providing quality assurance to recipients of translating and interpreting services and in giving credibility to agencies that employ accredited practitioners.

## **NAATI RECOGNITION**

Recognition is an award in a totally separate category from accreditation. It is granted only in languages for which NAATI does not test, and unlike accreditation, does not specify a level of proficiency.

Recognition does not have equal status to accreditation, because NAATI has not had the opportunity to testify by formal assessment to a particular standard of performance. It is, in fact, intended to be an acknowledgment that, at the time of the award, the candidate has had recent and regular experience as a translator and/or interpreter. If granted after 1 October 2006, it also acknowledges that the recognised person has met the NAATI requirements for proficiency in English and has completed some basic training in translating and interpreting.

## **SETTING THE ETHICAL STANDARDS FOR THE PROFESSION**

AUSIT provides the translation and interpreting community with a professional organisation to promote the profession, improve the profile of translators and interpreters in the community and raise standards through professional development and the adoption of the AUSIT Code.

The AUSIT Code was initially developed by AUSIT in 1995 in consultation with NAATI and other stakeholders and is revised and updated on a regular basis. It is a compilation of rules and directives that interpreters and translators in Australia must follow while performing their duties. The core values provide a framework of expectations for the profession and industry.

For a printable version of the current AUSIT Code click here:

[http://ausit.org/AUSIT/Documents/Code\\_of\\_Ethics\\_Full.pdf](http://ausit.org/AUSIT/Documents/Code_of_Ethics_Full.pdf)

The ASLIA Code articulates ethical principles, values, and standards of conduct to specifically guide Australian Sign Language (Auslan) practitioners in their pursuit of professional practice. It is intended to provide direction to interpreters for ethical and professional decision-making in their day-to-day work. The ASLIA Code is the mechanism by which the public is protected in the delivery of service. It should not be considered as a prescriptive set of rules, but rather as a set of principles and values which should be inherent in professional practice.

For a printable version of the ASLIA Code please click here:

[http://www.aslia.com.au/images/stories/ASLIA\\_Documents/ASLIA\\_Code\\_of\\_Ethics.pdf](http://www.aslia.com.au/images/stories/ASLIA_Documents/ASLIA_Code_of_Ethics.pdf)

As ethical behaviour is important in maintaining standards in the interpreting and translating professions, NAATI examines knowledge and awareness of the Ethics of the Profession in its accreditation tests.

For translation accreditation tests this involves answering the questions about translating issues in writing and for interpreting tests questions relating to interpreting issues orally.

Candidates are presented with a scenario as it could be encountered by an interpreter or translator in the field and are then required to respond to these situations, based on the relevant code of ethics. In their answers candidates need to:

- **Identify** the relevant ethical principle. There is no need to provide the number under which the relevant principle is listed, but it has to be named, e.g. 'This question is related to the principle of *Accuracy* ...'
- **State** what the requirements of this principle are, e.g. '... according to which, a translator should ...'
- **Explain** how the situation places this principle at risk, and how this problem should be resolved.

When a candidate's answers are marked, the mark awarded will depend on whether the candidate has covered all of these points. The marking process penalises a candidate who raises irrelevant issues as part of their answer. It is important that answers are clear, concise and only address the ethical principle(s) directly related to the question asked.

NAATI does not prescribe maximum or minimum numbers of words for a response, but as a point of reference, it is recommended that candidates' answers to each question are approximately 100 to 150 words in length in translation tests or 1 to 2 minutes in interpreting tests.

Please note that in November 2012 the AUSIT National Council endorsed the adoption of a new code of Ethics. Until 1 January 2014 NAATI will accept candidates responding on the basis of either the current AUSIT code or the code that was superseded in November 2012, provided that the response consistently refers to only one of the codes. The only code that AUSIT has accessible on its website is the post November 2012 version.

## **ETHICS OF THE PROFESSION QUESTIONS IN NAATI ACCREDITATION TESTS**

The following are examples of Ethics of the Profession questions and possible answers.

### **For Paraprofessional and Professional Translator tests**

#### **Example One**

You have translated a business document for a company managed by a LOTE speaking person. You complete the translation but the client sends it back with numerous changes requested. The changes reflect the manager's house style preferences and change the semantic nature of the English original and affect the accuracy of the translation. What would you do and why?

## Example Answer

*The principle involved is Accuracy which indicates that translators use their best judgements in remaining faithful at all times to the meaning of the text. This means optimal and complete message transfer into the target language preserving content and intent of the source text without omission or distortion.*

*Accuracy is always of primary concern and translations should reflect the original document's content and register accurately and faithfully. Any changes resulting in a different meaning, when compared to the English original, are unacceptable. I would contact the client and advise him/her that I can not make the requested changes. If the client insists, I would ask the client to re-write the English original in that house style and I could then do the translation from the revised original document. A translator should not be involved in producing a document that does not accurately reflect the meaning of the original document.*

(Pre November 2012 Code)

*The principle involved is Accuracy which indicates that translators shall not alter, make additions to, or omit anything from their assigned work.*

*Accuracy is always of primary concern and translations should reflect the original document's content and register accurately and faithfully. Any changes resulting in a different meaning, when compared to the English original, are unacceptable. I would contact the client and advise him/her that I can not make the requested changes. If the client insists, I would ask the client to re-write the English original in that house style and I could then do the translation from the revised original document. A translator should not be involved in producing a document that does not accurately reflect the meaning of the original document.*

## Example Two

Your uncle has had his Will drafted, signed and witnessed in English. The Will refers to property that exists in another country where English is not an official language. Your uncle requests that you, an accredited translator, translate the Will into the official language so it will be available when the time comes to deal with the authorities. What should you do and why?

## Example Answer

*The principles involved are Impartiality and Professional Conduct. That is translators frankly disclose all conflicts of interest, e.g. in assignments for relatives or friends and those affecting their employers, and translators maintain their integrity and independence at all times*

*I would have to decline the request as there might be a real or perceived conflict of interest, given the document is for a relative. As the request relates to a legal document, I would not want to risk having my translation not accepted when presented. I would explain my reasoning to my Uncle. If I did translate the document, I would ensure that as part of certifying the document I declared my relationship with the document owner.*

(Pre November 2012 Code)

*The principles involved are Impartiality and Professional Conduct. That is translators shall not accept, or shall withdraw from, assignments in which impartiality may be difficult to maintain because of personal circumstances, and translators shall frankly disclose all conflicts of interest, including assignments for relatives or friends.*

*I would have to decline the request as there might be a real or perceived conflict of interest, given the document is for a relative. As the request relates to a legal document, I would not want to risk having my translation not accepted when presented. I would explain my reasoning to my Uncle. If I did translate the document, I would ensure that as part of certifying the document I declared my relationship with the document owner.*

## For Paraprofessional and Professional Interpreter tests

### Example One

While interpreting in an interview between a police officer and a witness, the officer asks you for your comment on the client's background and whether he is telling the truth. How would you reply? Please give reasons for your answer.

#### Example Answer

*The first principle involved is Impartiality. This states that interpreters do not voice or write an opinion, solicited or unsolicited, on any matter. The second principle is Clarity of Role Boundaries, which states that interpreters draw attention to any situation where other parties misunderstand the interpreter role or have inappropriate expectations*

*I would explain to the police officer that as an interpreter my only role is to enable communication between two parties who do not speak a common language. As part of this process it is important that I do not express an opinion in relation to his question as this would mean that I do not maintain my independence in relation to the communication.*

(Pre November 2012 Code)

*The first principle involved is Impartiality. This states that interpreters shall not voice or write an opinion, solicited or unsolicited, on any matter or person in relation to an assignment. Another principle that applies to the situation is Professional Conduct, which states that interpreters should explain their role to those who are unaccustomed to an interpreter's role.*

*I would explain to the police officer that as an interpreter my only role is to enable communication between two parties who do not speak a common language. As part of this process it is important that I do not express an opinion in relation to his question as this would mean that I do not maintain my independence in relation to the communication.*

### Example Two

You are interpreting for a patient and a psychiatrist. The patient seems rather uncomfortable and does not respond with complete sentences. Their answers to the psychiatrist's questions do not make much sense. What would you do and why?

#### Example Answer

*This issue relates to Impartiality and Accuracy. Impartiality states that interpreters remain unbiased throughout the communication exchanged between the participants in any interpreted encounter. Accuracy states that an interpreter use their best professional judgement in remaining faithful at all times to the meaning of messages.*

*Because of these principles, the interpreter must not improve on the coherence of the patient's replies by making them more articulate than they are in the original. Whatever the client says must be interpreted for the psychiatrist, even if such a client's response bears no relation to the question or makes no sense. It is the psychiatrist who will take appropriate action, should this be required.*

(Pre November 2012 Code)

*This issue relates to Impartiality and Accuracy. The clause on impartiality states that interpreters are not responsible for what clients say, and they should not voice their opinion on anything concerned with an assignment. The clause on accuracy states that an interpreter is to relay accurately all that is said during the meeting without altering, adding or omitting anything.*

*Because of these clauses, the interpreter must not improve on the coherence of the patient's replies by making them more articulate than they are in the original. Whatever the client says must be interpreted for the psychiatrist, even if such a client's response bears no relation to the question or makes no sense. It is the psychiatrist who will take appropriate action, should this be required.*