



UNSW Course Outline

MODL5101 Interpreting in Legal Settings - 2024

Published on the 01 Feb 2024

General Course Information

Course Code : MODL5101

Year : 2024

Term : Term 1

Teaching Period : T1

Is a multi-term course? : No

Faculty : Faculty of Arts, Design and Architecture

Academic Unit : School of Humanities and Languages

Delivery Mode : Multimodal

Delivery Format : Standard

Delivery Location : Kensington

Campus : Sydney

Study Level : Postgraduate

Units of Credit : 6

Useful Links

[Handbook Class Timetable](#)

Course Details & Outcomes

Course Description

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 you 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. You must be bilingual in English and one of the languages offered in your Program.

Course Learning Outcomes

Course Learning Outcomes
CLO1 : identify fundamental principles of the Australian legal system
CLO2 : analyse legal discourse and the strategic use of language in legal settings
CLO3 : explain the theories that underpin accurate interpreting in legal settings
CLO4 : apply legal interpreting theories and research to critically evaluate own performance and justify interpreting choices
CLO5 : apply interpreting skills in the following modes: short and long consecutive, chuchotage/simultaneous and sight translation
CLO6 : demonstrate awareness of the potential impact of interpreting choices on the outcome of legal cases

Course Learning Outcomes	Assessment Item
CLO1 : identify fundamental principles of the Australian legal system	<ul style="list-style-type: none">• Court observation project
CLO2 : analyse legal discourse and the strategic use of language in legal settings	<ul style="list-style-type: none">• Viva examination• Court observation project
CLO3 : explain the theories that underpin accurate interpreting in legal settings	<ul style="list-style-type: none">• Continuous assessment
CLO4 : apply legal interpreting theories and research to critically evaluate own performance and justify interpreting choices	<ul style="list-style-type: none">• Continuous assessment• Viva examination
CLO5 : apply interpreting skills in the following modes: short and long consecutive, chuchotage/simultaneous and sight translation	<ul style="list-style-type: none">• Continuous assessment• Viva examination
CLO6 : demonstrate awareness of the potential impact of interpreting choices on the outcome of legal cases	<ul style="list-style-type: none">• Court observation project

Learning and Teaching Technologies

Moodle - Learning Management System

Assessments

Assessment Structure

Assessment Item	Weight	Relevant Dates
Continuous assessment	30%	Start Date: Not Applicable Due Date: Not Applicable
Court observation project	30%	Start Date: Not Applicable Due Date: 12/04/2024 11:58 PM
Viva examination	40%	Start Date: Not Applicable Due Date: weeks 9-11

Assessment Details

Continuous assessment

Assessment Overview

In-class assessment of interpreting skills (Dialogue interpreting and sight translation) and legal terminology test.

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.

Course Learning Outcomes

- CLO3 : explain the theories that underpin accurate interpreting in legal settings
- CLO4 : apply legal interpreting theories and research to critically evaluate own performance and justify interpreting choices
- CLO5 : apply interpreting skills in the following modes: short and long consecutive, chuchotage/simultaneous and sight translation

Detailed Assessment Description

Please refer to Moodle for more details.

Assessment information

Students will be assessed in class throughout the term

Assignment submission Turnitin type

This is not a Turnitin assignment

Court observation project

Assessment Overview

Observe two hearings in different courts or tribunals and write a 1000 word report.

Written feedback will be provided as well as oral in class.

Course Learning Outcomes

- CLO1 : identify fundamental principles of the Australian legal system
- CLO2 : analyse legal discourse and the strategic use of language in legal settings
- CLO6 : demonstrate awareness of the potential impact of interpreting choices on the outcome of legal cases

Detailed Assessment Description

See detailed instructions in Moodle

Assessment Length

1000 words

Submission notes

Detailed guidelines on Moodle

Assignment submission Turnitin type

This assignment is submitted through Turnitin and students can see Turnitin similarity reports.

Viva examination

Assessment Overview

Live interpreting examination simulating a dialogue in a legal setting.

Students will be assessed as they perform the interpreting task. Individual feedback will be provided after the completion of the course.

Course Learning Outcomes

- CLO2 : analyse legal discourse and the strategic use of language in legal settings
- CLO4 : apply legal interpreting theories and research to critically evaluate own performance and justify interpreting choices
- CLO5 : apply interpreting skills in the following modes: short and long consecutive, chuchotage/simultaneous and sight translation

Detailed Assessment Description

Please refer to Moodle for more details.

Assessment Length

30 minutes

Assessment information

Viva examinations will be scheduled during the final week of the term

Assignment submission Turnitin type

This is not a Turnitin assignment

General Assessment Information

Grading Basis

Standard

Requirements to pass course

Students need to attempt all assessment items and receive a total combined mark of 50%

Course Schedule

Teaching Week/Module	Activity Type	Content
Week 1 : 12 February - 18 February	Lecture	<p>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 • Hierarchy of courts • Federal vs State jurisdictions • The criminal legal process Readings Hale, S. (2007). <i>Community Interpreting</i>. Basingstoke: Palgrave Macmillan (Chapter 3)</p>
	Tutorial	<ul style="list-style-type: none"> • 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) • Practise sight translation (charges, summons, subpoenas)
Week 2 : 19 February - 25 February	Lecture	<p>The language of the courtroom: questions & answers Courtroom Questions • The discourse structure of court hearings and trials • Strategic use of language in courtroom questions • Differences between examination-in-chief and cross-examination questions • Discourse markers in questions • Seeking clarification Courtroom Answers • Different witness styles • Impact of witness style on credibility • Issues of admissibility • Seeking clarification Readings Hale, S. (2004/2010). <i>The discourse of court interpreting</i>. Amsterdam: JB (Chapters 3-6) Liu, X., & Hale, S. (2018). Achieving accuracy in a bilingual courtroom: the effectiveness of specialised legal interpreter training. , 112(3), 299-321. May, A. et al. (2021). Socio-pragmatic aspects of legal questioning: police interviews, prosecutorial discourse and trial discourse. In Coulthard et al. (eds). (2021). <i>The Routledge Handbook of Forensic Linguistics</i>. London: Routledge. Wei Teng,J., Burn, A. & Crezee, I. (2018). I'm asking you again! Chinese student interpreters' performance when interpreting declaratives with tag question in the legal interpreting classroom. <i>Perspectives</i>, 26:5, 745-766.</p>
	Tutorial	<ul style="list-style-type: none"> • Discuss question types and practice interpreting them into LOTE • Discuss pragmatic effect of discourse markers in courtroom questions and practice interpreting them • Practise interpreting different witness answer styles • Practice court protocols for seeking clarification, repetition and other management skills • Practice simultaneous whispering interpreting (Chuchotage) in a court setting • Practise sight translation (Bonds, bail applications, bail conditions)
Week 3 : 26 February - 3 March	Lecture	<p>Working with the the Police and other law enforcement agencies • The different roles of the NSW Police and the AFT • The record of interview • The discourse of police interviewing • Research into police interpreting • Working with the Australian Criminal Intelligence Commission Readings Berk-Seligson, S.(2009) Coerced confessions. <i>The discourse of bilingual police interrogations</i>. Berlin/NY: Mouton de Gruyter Goodman-Delahunty, J., Martschuk, N., Hale, S., & Brandon, S. E. (2020). <i>Interpreted Police Interviews: A Review of Contemporary Research</i>. In B. H. Bornstein & M. Miller (Eds.), <i>Advances in Psychology and Law</i> (Vol. 5): Springer (pp 83-136). Hale, S., Goodmanâ€œ Delahunty,J., & Martschuk, N. (2020). <i>Interactional</i></p>

		<p>management in a simulated police interview: Interpreters' strategies. In M. Mason & F. Rock (Eds.), <i>The discourse of police interviews</i>. Chicago: The University of Chicago Press.</p> <p>Haworth, K. (2021). "Police interviews in the judicial process" in Coulthard, M. ; A. May and R. Sousa-Silva (eds). (2021). <i>The Routledge Handbook of Forensic Linguistics</i>. London/New York: Routledge.</p> <p>Heydon, G. (2005). <i>The Language of Police Interviewing. A critical analysis</i>. Basingstoke: Palgrave Macmillan (Chapter 3)</p> <p>Kredens, K. & Morris, R. (2011). "Interpreting outside the courtroom" in M. Coulthard & A. Johnson (eds), <i>The Routledge Handbook of Forensic Linguistics</i>. London/New York: Routledge, (pp 455-469)</p> <p>Mulayim, S. & Lai, M. (2017). <i>Ethics for Police Translators and Interpreters</i>. London & NY: CRC Press.</p> <p>Mulayim, S., Lai,M.& Norma, C. (2015). <i>Police Investigative Interviews and Interpreting. Context, Challenges and Strategies</i>. London & NY: CRC Press.</p>
	Tutorial	<ul style="list-style-type: none"> 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 : 4 March - 10 March	Lecture	<p>Interpreting for victims and perpetrators of domestic & family violence and Sexual assault & Family Law</p> <ul style="list-style-type: none"> Types of domestic violence and sexual offences Introduction to ECAV Importance of interpreters' ethics <p>The Family Law Act 1975</p> <ul style="list-style-type: none"> Amendments 1996 Divorce, residence, contact, parental responsibility, property settlement <p>Readings ECAV - http://www.ecav.health.nsw.gov.au The Law Handbook (Chapter 4: Family Relations) (There are different editions available in the library, chose the relevant chapter) Family Court's website http://www.familylawcourts.gov.au/</p>
	Tutorial	<ul style="list-style-type: none"> Practice dialogues on sexual assault and domestic violence topics Practice lawyer/client interviews relating to family law Practice court hearing in the Family Court Practice sight translation of Family Law related documents
Week 5 : 11 March - 17 March	Lecture	<p>Administrative Law: Tribunals, Commissions, Mediations and Arbitrations</p> <ul style="list-style-type: none"> The NSW Civil and Administrative Tribunal (NCAT) Migration & Refugee Division Tenancy Consumer claims Guardianship <p>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</p>
	Tutorial	<ul style="list-style-type: none"> Discuss terminology from lecture Practice interpreting in migration review hearings Practice interpreting in refugee review hearings Practice sight translating the UNHCR definition of refugee Practice interpreting in tenancy tribunal hearings Practice interpreting in other tribunal settings
Week 6 : 18 March - 24 March	Lecture	<p>Court interpreting ethics, protocols and national standards</p> <ul style="list-style-type: none"> Ethical considerations in legal interpreting The role of the legal interpreter <p>Recommended National Standards for Working with Interpreters in Courts and Tribunals</p> <ul style="list-style-type: none"> Interpreter introduction Asking for clarification Expert evidence Video discussion <p>Readings AUSIT Code of Ethics www.ausit.org Hale, S. (2008). Controversies over the role of the court interpreter, in Valero Garces & Martin, eds. JCCD (2017/2022). Recommended National Standards for Working with Interpreters in Courts and Tribunals - chrome-extension://efaidnbmnnibpcajpcglclefindmkaj/https://jccd.org.au/wp-content/uploads/2022/05/JCDD-Recommended-National-Standards-for-Working-with-Interpreters-in-Courts-and-Tribunals-second-edition.pdf Mikkelsen, H. (2008). Evolving views of the court interpreter's role, in Valero Garces & Martin, eds. The Law Handbook (Chapter 18: Criminal Offences) (There are different</p>

		editions available in the library, chose the relevant chapter)
	Tutorial	<ul style="list-style-type: none"> • Discuss ethical considerations and practice different scenarios where ethical dilemmas may arise • Role play situations where ethical dilemmas arise and require the interpreter to explain their role • Practice consecutive interpreting
Week 7 : 25 March - 31 March	Fieldwork	No Lectures - Student directed Court / Tribunal Observation
	Tutorial	<ul style="list-style-type: none"> • Practice remote interpreting using Zoom, with and without visuals • Practice telephone interpreting using mobile telephones • Discuss difficulties of remote interpreting • Discuss remote interpreting protocols - telephone and via AVL <p>Readings AUSIT Telephone Interpreting Protocols - chrome-extension://efaidnbmnnibpcajpcgkclefindmkaj/https://ausit.org/wp-content/uploads/2020/02/AUSITTelephoneInterpretingProtocols.pdf AUSIT Remote Interpreting Protocols - chrome-extension://efaidnbmnnibpcajpcgkclefindmkaj/http://ausit.org/wp-content/uploads/2022/08/RecommendedRVIProtocols.pdf Xu, H., Hale, S., & Stern, L. (2020). Telephone interpreting in lawyer-client interviews: An observational study. (1), 18-36. doi:10.12807/ti.112201.2020.a02</p>
Week 8 : 1 April - 7 April	Fieldwork	No lecture - Self directed Court / Tribunal Observation
	Tutorial	<p>Interpreting protocols & national standards</p> <ul style="list-style-type: none"> • Interpreting in court hearings & trials • Use the Recommended Standards to base your exercises on • Practice all modes of interpreting <p>Readings Recommended National Standards for Working with Interpreters in Courts and Tribunals https://jccd.org.au/publications/</p>
Week 9 : 8 April - 14 April	Fieldwork	No lecture - Self directed Court / Tribunal Observation
	Tutorial	<ul style="list-style-type: none"> • No tutorials

Attendance Requirements

Students are strongly encouraged to attend all classes and review lecture recordings.

Course Resources

Prescribed Resources

- Hale, S. (2004/2010). *The discourse of court interpreting*. Amsterdam: John Benjamins P/C
- JCDI (2017/2022). *Recommended National Standards for Working with Interpreters in Courts and Tribunals*. <https://jccd.org.au/publications/>

Recommended Resources

- Coulthard, M. , A. May and R. Sousa-Silva (eds). (2021). *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

- Durant, A. & Leung, J. (2016). Language and Law. London & NY: Routledge.
- Hale, S. (2019). Specialist legal interpreters for a fairer justice system. In S. Faiq (Ed.), Discourse in Translation (1st ed., pp. 47-66). Oxford & NY: Routledge.
- Hale, S. (2007). Community Interpreting. Basingstoke: Palgrave Macmillan
- Lee, J. & Buzo, A. (2009). Community Language Interpreting. A workbook. Melbourne: Federation Press.
- Mason, M. & Rock, F. (Eds.), The discourse of police interviews. Chicago: The University of Chicago Press.
- Mulayim, S. & Lai, M. (2017). Ethics for Police Translators and Interpreters. London & NY: CRC Press.
- Mulayim, S., Lai, M. & Norma, C. (2015). Police Investigative Interviews and Interpreting. Context, Challenges and Strategies. London & NY: CRC Press.
- Russell, D. & S. Hale (2009). Interpreting in legal settings. Washington DC: Gallaudet University 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.

Staff Details

Position	Name	Email	Location	Phone	Availability	Equitable Learning Services Contact	Primary Contact
Convenor	Sandra Hale		Morven Brown 207	+61 2 9385 1279	By appointment by email	No	Yes
Tutor	Suzan Piper		TBA	TBA	TBA	No	No
	Natsuki Del Prado		TBA	TBA	TBA	No	No
	Esther Choi		TBA	TBA	TBA	No	No
	Elena Mikhailik		TBA	TBA	TBA	No	No
	Elizabeth Rhodes		TBA	TBA	TBA	No	No
	Camille Lapierre		TBA	TBA	TBA	No	No
	Alisa Tian		TBA	TBA	TBA	No	No
	Miriam Chiu		TBA	TBA	TBA	No	No
	Juliana Frantz		TBA	TBA	TBA	No	No

Other Useful Information

Academic Information

Due to evolving advice by NSW Health, students must check for updated information regarding online learning for all Arts, Design and Architecture courses this term (via Moodle or course information provided).

Please see: <https://www.unsw.edu.au/arts-design-architecture/student-life/resources-support/protocols-guidelines> for essential student information relating to:

- UNSW and Faculty policies and procedures;
- Student Support Services;
- Dean's List;
- review of results;
- credit transfer;
- cross-institutional study and exchange;
- examination information;

- enrolment information;
- Special Consideration in the event of illness or misadventure;
- student equity and disability;

And other essential academic information.

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 includes copying materials, ideas or concepts from a book, article, report or other written document, presentation, composition, artwork, design, drawing, circuitry, computer program or software, website, internet, other electronic resource, or another person's assignment without appropriate acknowledgement.
- Inappropriate paraphrasing: Changing a few words and phrases while mostly retaining the original information, structure and/or progression of ideas of the original without acknowledgement. This also applies in presentations where someone paraphrases another's ideas or words without credit and to piecing together quotes and paraphrases into a new whole, without appropriate referencing.
- Collusion: Working with others but passing off the work as a person's individual work. Collusion also includes providing your work to another student for the purpose of them plagiarising, 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.

The UNSW Academic Skills support offers resources and individual consultations. Students are also reminded that careful time management is an important part of study. 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 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

Use of AI for assessments

As AI applications continue to develop, and technology rapidly progresses around us, we remain committed to our values around academic integrity at UNSW. Where the use of AI tools, such as ChatGPT, has been permitted by your course convener, they must be properly credited and your submissions must be substantially your own work.

In cases where the use of AI has been prohibited, please respect this and be aware that where unauthorised use is detected, penalties will apply.

[Use of AI for assessments | UNSW Current Students](#)

Submission of Assessment Tasks

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, alternative submission details will be stated on your course's Moodle site. For information on how to submit assignments online via Moodle: <https://student.unsw.edu.au/how-submit-assignment-moodle>

Late Submission Penalty

UNSW has a standard late submission penalty of:

- 5% per calendar day,
- for all assessments where a penalty applies,
- capped at five calendar days (120 hours) from the assessment deadline, after which a student cannot submit an assessment, and
- no permitted variation.

Students are expected to manage their time to meet deadlines and to request [Special Consideration](#) as early as possible before the deadline. Support with [Time Management is available here.](#)

School Contact Information

School of Humanities & Languages

Email: hal@unsw.edu.au

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

Opening Hours: Monday - Friday, 9am - 5pm