

## The importance of Auslan interpreters for Deaf children and adults

Deaf Australia is concerned about multiple reports that NDIS Planners are questioning and rejecting Deaf, Deafblind and hard of hearing people's requests for funding for NAATI-accredited Auslan interpreters in their NDIS Plans. There are also reports that NDIS Planners are reducing existing Auslan interpreting budgets and pushing Deaf, Deafblind and hard of hearing people to use automated English speech-to-text software instead. It seems the NDIA is concerned about the cost of accredited Auslan interpreters. In particular, the two-hour minimum booking fee that is typically charged by interpreters and interpreting agencies, even for bookings less than two hours. In the case of Deaf, Deafblind and hard of hearing children who need Auslan interpreters, the NDIA also often claims that signing family members are an acceptable informal support in lieu of accredited Auslan interpreters, or that deaf children who can speak and use assistive technologies such as cochlear implants in some situations, do not need accredited Auslan interpreters in other situations.

These claims are not supported by Deaf Australia. Deaf Australia asserts that these claims are harming Deaf, Deafblind and hard of hearing people who use Auslan. The aim of this Expert Letter is to explain: (1) why Deaf, Deafblind and hard of hearing people need NDIS funding for accredited Auslan interpreters; (2) who decides when we need to use accredited Auslan interpreters; (3) the role of accredited Auslan interpreters for diverse Deaf, Deafblind and hard of hearing people; (4) how accredited Auslan interpreters work in the community; (5) the consequences for Deaf, Deafblind and hard of hearing Auslan signers when the NDIS denies our requests for funding; and (6) Deaf Australia's recommendations for what NDIS Planners should be doing instead of rejecting or reducing funding for accredited Auslan interpreters in NDIS Plans.

### 1. Why do we need accredited Auslan interpreters?

The short answer is that if everyone could sign, we would not need interpreters at all. Auslan interpreters work to broker communication for all parties during an interaction and in all directions. They are professionals who have undertaken formal study of Auslan and sign language interpreting practices. For example, if you are a hearing manager or NDIS Planner wishing to communicate in spoken English with your deaf staff member or a deaf client whose preferred language is Auslan, you will need to use an Auslan interpreter because you do not know Auslan.

Some people from hearing Culturally and Linguistically Diverse (CALD) backgrounds can use spoken language interpreting services until they feel comfortable speaking the official language of a country. However, the Deaf community is unique in that deafness is permanent. This means that accredited

Auslan interpreters are a permanent measure for enabling access to information and communication equitably. This is why the Deaf community is viewed as a group of people with both a disability and a CALD background.

## **2. Who decides when we need to use accredited Auslan interpreters?**

Deaf people who use a sign language as their primary language have the right to access information in their primary sign language. This is a human right enshrined by [Article 21](#) in the UN Convention on the Rights of Persons with Disabilities (CRPD). The CRPD is “intended as a human rights instrument with an explicit, social development dimension...It clarifies and qualifies how all categories of rights apply to persons with disabilities and identifies areas where adaptations have to be made for persons with disabilities to effectively exercise their rights and areas where their rights have been violated, and where protection of rights must be reinforced.” This means it is the prerogative of the Deaf, Deafblind or hard of hearing individual to decide when we need to use Auslan interpreters or not. No-one else has the right to decide this for us.

The CRPD was [ratified](#) by the Australian Government on 17 July 2008 and provides the foundation upon which the National Disability Insurance Scheme (NDIS) and National Disability Insurance Agency (NDIA) is built. The Australian Department of Social Services [explicitly acknowledges](#) several mechanisms for meeting the CRPD requirements outlined in the 50 articles of the CRPD, such as the Disability Discrimination Act 1992 and Australia’s Disability Strategy 2021-2031, which include the NDIS and other Commonwealth commitments such as funding for Disability Representative Organisations. Examples of access to information for Deaf, Deafblind and hard of hearing individuals include: (a) information provided directly in a sign language such as Auslan; (b) information provided via a sign language interpreter such as accredited Auslan interpreters; and/or (c) information provided in an alternative communication format chosen by the Deaf individual, such as on-site or remote captioning.

It is common for the NDIA to claim that signing family members are an acceptable “informal support” in NDIS Plans, in lieu of accredited Auslan interpreters. This is not true and potentially very harmful. This is because it infringes on the right of the Deaf person to be seen as a human being with their own decision-making processes and to demonstrate choice. It infringes on the right of the Deaf person to have privacy, autonomy, and independence. It also infringes on the right of the Deaf person to have a compatible interpreter who understands and is familiar with their communication needs, and to access information that is accurate, skilfully interpreted by a trained professional without bias. Skilled Auslan interpreters have had extensive training and experience; their skills are learned not innate. Claims that deaf children in particular will become too dependent on Auslan interpreters is audist and an insidious form of control, as it removes choice from the child rather than supporting it.

Furthermore, family members and friends are often not fluent in Auslan, and therefore not able to support the Deaf individual effectively. When there is a clear duty of care, such as between a parent and a child, the parent cannot be assumed to work informally as their child’s interpreter, just as the child cannot

work as their parent's interpreter. In the worst cases, family members can also be perpetrators of violence towards Deaf adults and children. When the NDIA enforces reliance on a perpetrator to interpret for a Deaf person, the NDIA is essentially reinforcing the violence towards the Deaf person and further entrenching their vulnerability. This is why it is important that it is the Deaf person who makes the decision about who interprets and when – not the NDIS, not anyone else.

### **3. What is the role of accredited Auslan interpreters?**

Deaf, Deafblind and hard of hearing people use Auslan interpreters in many different social and communicative contexts. No two Deaf people experience communication and language access in exactly the same way. When, how and why a Deaf person uses Auslan interpreters depends on a complex interaction of identities, available language practices, and power differences. For example, a Deaf person with some residual hearing who uses hearing aids or a cochlear implant may be comfortable using spoken English with their hearing life partner in one-to-one contexts, but not when socialising with hearing friends or colleagues in large groups or during work meetings. This is because there are more people and interpersonal dynamics involved; the listening fatigue resulting from the concentration time and background noise is unbearable; and there are fewer or no opportunities to interrupt and clarify information safely and confidently. Instead, communication can quickly become confusing and incomprehensible. In these cases, deaf people often prefer to work with accredited Auslan interpreters.

The field of signed language interpreting has a long history in Australia. Professional organisations representing Auslan interpreters emerged in the 1980s, reflecting a cultural shift from a segregated services disability model towards the ideal of full social inclusion for all deaf and disabled people. Since 1986, the Australian Sign Language Interpreter's Association ([ASLIA](#)) have led and promoted sign language interpreting across Australia. In collaboration with NAATI, ASLIA has enabled the development of accreditation for Auslan interpreters and a number of certification [pathways](#). These include Certified Provisional Interpreter, [Certified Provisional Deaf Interpreter](#), Certified Interpreter, Certified Specialist Legal Interpreter, Certified Specialist Health Interpreter, and Certified Conference Interpreter. All accredited interpreters are bound to a strict [Code of Ethics and Guidelines for Professional Conduct](#) in their work, just like any other professional working in Australia.

It is important to recognise that accredited Certified Provisional Deaf Interpreters are an asset to the Auslan interpreting industry, with a vital role in promoting agency and independence of Deaf people who are extremely marginalised. Deaf Interpreters are fluent in Auslan and written English, with a rich understanding and knowledge of different Auslan registers, including nonstandard forms of Auslan. While accredited hearing Auslan interpreters broker meaning between English and Auslan, Deaf interpreters broker meaning between Auslan and a highly visual form of communication that can be understood by sign language users who do not use standard Auslan, often people who have been deprived of equitable language learning and educational opportunities and/or have recently migrated to Australia.

Deaf Interpreters are used in a broad range of contexts. These include interactions involving Deaf children or adults who use idiosyncratic nonstandard signs or

gestures developed mainly in the home; children or adults who also have cognitive challenges or multiple disabilities that compromises their opportunities to develop standard forms of communication; children or adults who are linguistically and/or socially isolated with limited conventional language proficiency due to being deprived of natural language learning and development; children whose language is not yet fully developed; children or adults who use a signed language other than Auslan, including refugees or migrants or from a country where a formal language was not taught. Deaf interpreters play an essential role in understanding and mediating cross-cultural differences for clients, while establishing close rapport with their Deaf and Deafblind clients. This provides an extremely positive psychological benefit, giving Deaf and Deafblind clients a sense of empowerment to be more confident in expressing their thoughts and feelings with another Deaf peer in the room. There are also unaccredited people working as Educational Interpreters, Communication Guides, and Support Workers, but they are not bound to the same professional code as NAATI-accredited interpreters.

Auslan interpreters are now more prominent in mainstream society, given their recent exposure on national broadcast announcements relating to natural disasters and the COVID19 pandemic. Unfortunately, the demand and supply of accredited Auslan interpreters remains extremely imbalanced with only 605 accredited Auslan interpreters in Australia. Of these, only 300 are reported to be actively working and available for the approximately 35,430 deaf people registered for the NDIS. Even then, not all are working full time. Most accredited Auslan interpreters are at Certified Provisional or Certified level. Very few Auslan interpreters are qualified as Specialist Health, Legal or Conference Interpreters.

#### **4. How do accredited Auslan interpreters work in the community?**

NAATI-accredited Auslan interpreters are used in a broad range of contexts including home, social, school, TAFE, university, work, police, court, and medical contexts. ASLIA [policy](#) is that if an interpreting assignment is longer than one hour in duration it is essential that two interpreters are employed. The interpreters will take turns working 15 to 20 minutes at most. This is because interpreting for significant lengths of time risks physical and mental fatigue, as well as repetitive stress injuries. Occupational Overuse Syndrome (OOS) is highlighted in OH&S and other workplace documents as a serious risk for Auslan interpreters. It is the most common reason for interpreters removing themselves from the workforce. OOS presents for a number of reasons, including but is not limited to: (1) biomechanical factors, where movement is repetitive, forceful and muscle tension is increased; and (2) faulty work organisation, such as not being provided with adequate break times.

Teams of interpreters are also required for assignments that are longer than one hour, involve significant complexity, and/or require specialised skills such as tactile interpreting for Deafblind clients or others with unique communication needs. For example, Auskick is one situation where physical movement is primary, which makes it impossible for a deaf child to maintain consistent visual access to the spoken language of a coach and their team players. An Auslan interpreter working with a child at Auskick would need to have some knowledge about football rules, and to be able to move around the field to

interpret where needed for the child. The interpreter would also need to know when to be invisible as needed to facilitate conversation between others.

Pricing for accredited Auslan interpreters varies depending on factors such as location, time, qualification level of the interpreter, whether the booking is during business hours, after hours or on a public holiday. It also depends on whether onsite, which is often preferred but can attract travel fees, or Video Relay Interpreting is required. The industry-wide average for accredited Auslan interpreters booked via agencies is \$240 for a minimum of two hours, with variable hourly rates charged thereafter. This means the average minimum cost for one interpreter for any given assignment is \$240. The main benefit of booking through an agency is that the agency will find a replacement interpreter if the original interpreter cancels. Many people also have personal preferences about which agency and which interpreters they prefer to work with, as is their right. For these reasons, current NDIS practices of criticising the number of interpreting hours required in NDIS Plans are impractical and unreasonable. The minimum two-hour booking is an industry standard. As with other professional fields, pricing is not within our control. Accredited Auslan interpreters have a right to earn a liveable wage commensurate with their skills and experience.

## **5. What happens when the NDIS denies funding for interpreting services?**

Deaf Australia has received multiple reports that NDIS Planners are questioning and rejecting requests for Auslan interpreter funding. The usual reasons given are that Auslan interpreters are not value for money, and that Deaf, Deafblind and hard of hearing clients should be relying more on English speech-to-text software instead. This constitutes a form of audism, which is discrimination against Deaf, Deafblind and hard of hearing people on the basis of the fact that they cannot hear. Deaf Australia asserts that speech-to-text software is NOT an appropriate alternative for accredited Auslan interpreters. It is a tool for unidirectional and passive communication only, working from the speaker to the signer only. It does not enable the Deaf Auslan signer to participate in their preferred language. Automated speech-to-text software is also notoriously inaccurate, especially for speakers who use accented English. Many Deaf, Deafblind and hard of hearing Auslan signers are not comfortable or not even fluent with English, or not able or comfortable with speaking. This is literally why Auslan interpreters exist.

Inconsistency in the funding allocated for accredited Auslan interpreters each year plays havoc with planning life goals and aspirations. Deaf people and families are forced to choose when to use Auslan interpreters, such as meeting with their GP versus meeting with their tax accountant, when missing either could have dire consequences. It is important that deaf people have sufficient interpreting budgets not just for essential meetings such as GPs and accountants, but also social events, especially with their families and participation in social activities such as children's sporting activities. The lack of funding for Auslan interpreters for deaf children actually sets the child up for culture of dependence on family members to broker information instead, often putting them at risk of family violence. Deaf, Deafblind and hard of hearing people who are Aboriginal or Torres Strait Islander, or from other ethnic minority backgrounds, and deaf people with multiple disabilities are especially at risk of further discrimination.

When the NDIS refuses to fund Deaf, Deafblind and hard of hearing people's requests for interpreting services, they are enacting coercive control, not choice. Essentially it means that the medical model of deafness prevails in our country and is stubbornly embedded in NDIS Planning. Under this model, deafness is treated as a deficit needing to be repaired or cured, rather than as a disability that exists due to barriers in society. The effect is that individual Deaf, Deafblind and hard of hearing people will continue to face barriers to communication and participation in society. We will continue to pay the "deaf tax" simply for existing. There should be no quibbling over how many hours of Auslan interpreting should be included in NDIS Plans. Deaf people have the right to access an accredited Auslan interpreter when needed.

## **6. What should the NDIS be doing instead?**

Instead of delegating Auslan interpreting responsibilities to informal supports, or reducing or rejecting requests for accredited Auslan interpreters altogether, NDIS Planners should believe Deaf, Deafblind and hard of hearing clients when they declare how many hours of Auslan interpreting they need in their NDIS Plans. NDIS Planners should stop making Deaf people explain why they need accredited Auslan interpreters, as the reasons are clearly outlined in this Expert Letter. The NDIS should stop wasting money on expensive court cases to challenge Deaf people's requests for accredited Auslan interpreters, as the funding needed for interpreting hours is miniscule in comparison and constitutes a gross waste of taxpayer funds. NDIS Planners should also not be enforcing English speech-to-text software as an alternative to accredited Auslan interpreters. These technologies are tools that can be part of a Deaf person's repertoire, but it is completely up to the Deaf person to decide when they can and want to use it, in the same way that we make decisions about when to use accredited Auslan interpreters.