

Position Statement on Interpreters Signing Legal Documents

The Australian Sign Language Interpreters' Association (ASLIA) is a not-for-profit body and is the national peak organisation representing the interests of Auslan/English Interpreters and Deaf Interpreters in Australia.

It is the position of ASLIA that interpreters, while executing their duties (whether paid or pro-bono), do not act as a signatory on any legal document beyond confirming that they are the interpreter present and have provided a faithful interpretation (ASLIA CoE 2.2).

It is the position of ASLIA that institutions and professionals inform themselves of the roles and responsibilities of interpreters they engage and respect the professional boundaries as stated in the AUSIT and ASLIA CoE (ASLIA CoE integrity of service 1.4).

This position statement has been developed in response to institutions and professionals requiring interpreters, while executing their duties, to act in ways that are in direct conflict with their CoE. Such situations have included interpreters being signatory to the legal understanding of others, as well as interpreters signing legal documents on behalf of Deaf individuals, thereby giving the interpreter nomination and legal powers.

There is no standardised interpreter or translator set of approved statements used across industries, states, and the commonwealth. This position statement provides all stakeholders with a clear set of statements which empower any interpreter in the scope of their duties to decline putting their signature on legal documents outside of their role.

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Interpreters' Role

Interpreters are employed to deliver language services providing communication

access for individuals who do not communicate in the same language. It is not an

interpreter's role in the course of executing their duties to assume other roles and

responsibilities such as offering guidance or advice to any party. This includes

assuming or commenting on the understanding of individuals within the setting.

(AUSIT CoE 6 - Clarity of role boundaries).

Professional Responsibilities

All parties are responsible for disclosing perceived or actual conflict of interest when

while working with an interpreter (ASLIA CoE 1.4). All professionals have a

responsibility to work within their professional scope of practice to avoid liability.

Requiring an interpreter to engage in activities outside of their scope of practice is in

breach of the professional duties as outlined in the ASLIA CoE (2020).

Interpreters have a professional responsibility to draw attention to any situation in

which other parties have misunderstood the interpreter's role, have inappropriate

expectations of their role (AUSIT COE 6.3) or requiring them to act in ways that are

in conflict with the ASLIA CoE (ASLIA, 2020)

Interpreter Scope of Practice

It may be appropriate for interpreters to comment on the overall effectiveness of

communication. However, interpreters will refrain from using their professional role to

perform other functions that lie beyond the scope of an interpreting assignment and

the parameters of their professional duties. They will not counsel, advise, or interject

personal opinions. Interpreters will refrain from manipulating work situations for

personal benefit or gain (ASLIA CoE 2020 1.3).

Therefore, interpreters should not sign a document as witness, or provide a

professional opinion that any stakeholder has understood the communication.

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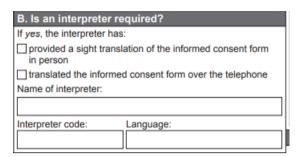
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An Example of an Appropriate Document

Medical Consent form



"The interpreter has provided a sight translation of the informed consent form in person"

Note

Interpreters should amend this statement to be a true reflection of how the interpretation was provided. For example, "the interpreter has provided an interpretation of the information that was verbally communicated by the professional"

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An Example of an Inappropriate Document

Mortgagor Execution
By signing this panel, I the registered proprietor request the Non - Issue of a Duplicate Certificate(s) of Title for the land above described.
Signed by xxxxxxxxxxxxxxxx by making
his mark, he being incapable of hearing and reading. Xxxxxxxxxxxxxxxxxxx in the presence of (Interpreter). Translator of the Auslan Language being how to communicate with xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx
its nature and effect.
Interpreter Witness Signature
Interpreter Witness Full name
Interpreter Witness Address
Interpreter Witness Occupation
Interpreter Witness Contact Number

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Version History

Version Date	Prepared by	Checked by	Approved by motion	Summary of updates
V1.0 2022	Belinda Roberts De Brown Dani Ferndale			

This position statement has been produced with collaboration and support from our industry stakeholders AUSIT and NAATI.



