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Report to the Department
of Premier and Cabinet,
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Multicultural Affairs

A Needs Analysis of Language Services

Executive Summary

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Glossary

Term	Definition
Department	The government department or line agency — Department of Justice, Department of Human Services or Department of Education, Employment and Training.
Emerging language	A language group that is not well established nor highly represented in Victoria, but is beginning to emerge as an increasingly representative language group through population/immigration flows.
Government service provider	A government body or government funded body involved in direct service provision to a client. Includes hospitals, schools, courts, prisons, police, community health centres, etc.
Individuals with low English proficiency	Refers to an individual whose first language is not English, and whose proficiency in English is such that an interpreter or translator is required to facilitate communication with a person who does not understand the 'source' language.
Interpreter	An interpreter is an individual who renders verbally one language into another and vice versa, thus facilitating spoken communication between parties who speak different languages. Interpreters are accredited as professional (level 3), para-professional (level 2) or recognised (level 1).
Interpreting services	The services provided by an interpreter who is supplied by a language services provider.
Language services	Refers to both interpreting and translating services.
Language services provider	An organisation that provides language services (including interpreting and translation) via the supply of accredited interpreters and translators. Includes private, not-for-profit and public providers.
Mature language	A language group which is highly represented in Victoria based on an established history of population/immigration flows.
Translating services	The services provided by a translator who is supplied by a language services provider.
Translator	A translator is an individual who translates written material from one language into another.

Executive Summary

A Needs Analysis of Language Services

1. The Provision of Language Services

The provision of language services is vital to the accessibility of essential community services provided by the Government. Qualified interpreters and translators are required to help individuals with low English proficiency interact with government departments and agencies to ensure they enjoy the full benefit of services provided for all Victorians.

The Allen Consulting Group (ACG) was appointed by the Victorian Office of Multicultural Affairs (VOMA) to conduct a Needs Analysis as part of its review of the effectiveness and efficiency of language (interpreting) services used by the Victorian Government and its agencies. The Needs Analysis must determine:

- the adequacy of resources for language services in the context of identified need; and
- the scope for innovative solutions that could be developed in response to language service needs.

This Needs Analysis focuses on the usage of interpreting services by three Victorian Government departments: the Department of Human Services (DHS); the Department of Justice (DOJ); and the Department of Education, Employment and Training (DEET). Note that this report refers only to culturally and linguistically diverse individuals with a low proficiency in English — the report excludes Auslan (for hearing impaired individuals) and Indigenous languages.

Although limited to some extent by the short timeframe for the review, consultations were undertaken in a number of forms — face-to-face and phone-based interviews and three public fora. In addition, a number of interested parties provided written submissions. Public fora — one held in Shepparton and two in metropolitan Melbourne — were organised by the Victorian Multicultural Commission and attended by a broad range of key stakeholders including government service providers, language services providers, interpreters, and individuals who had used interpreting services directly. Prior to each consultation ACG provided stakeholders with the same set of questions included in a *Consultation Paper* for interviews and summarised in the invitation to attend the public fora. ACG would like to thank all parties for their assistance.

ACG notes that there is a lack of meaningful data and information collected on the performance of the industry. Simple descriptive data and information on the current operation of the industry is relatively piecemeal, highly decentralised and often inconsistent. Subsequently, more sophisticated information on the outcomes of language services provision, including the quality of services provided and the accountability of both government and language services providers in delivering these outcomes, is not available.

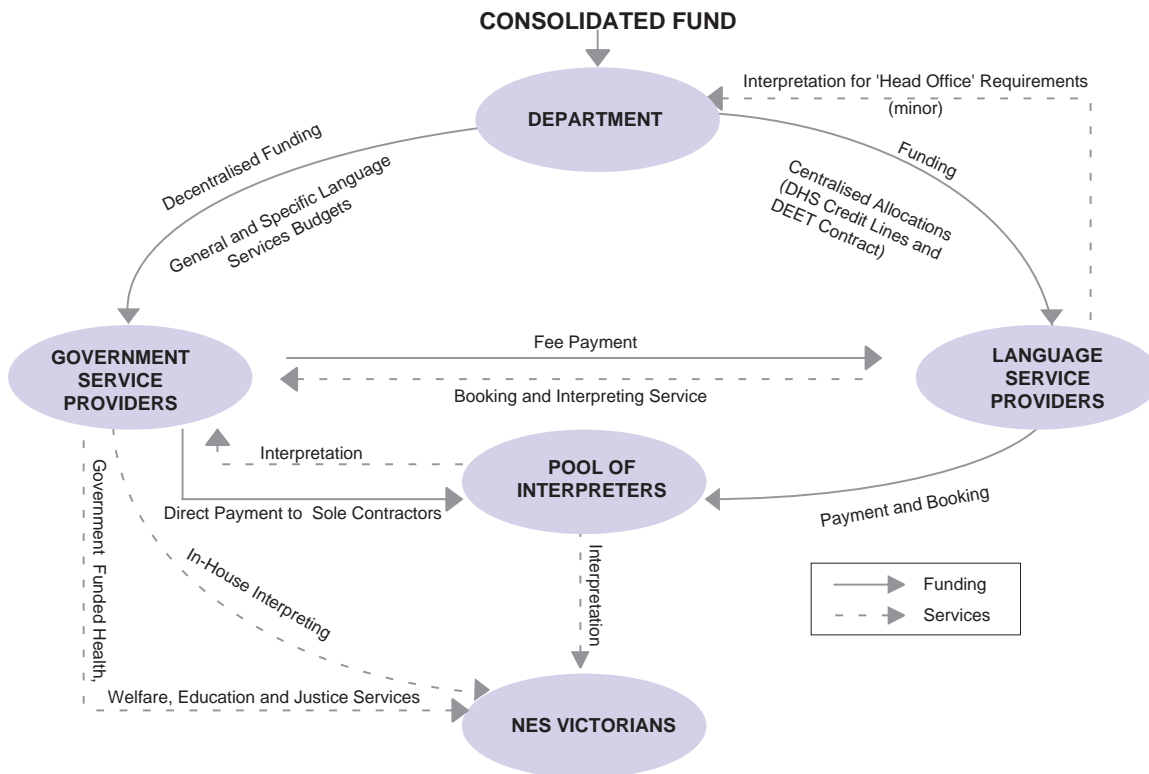
Victoria has a hybrid system of accessing interpreting services — partly centrally funded and partly funded as an integral part of the government service provision (illustrated in Figure 1). Victorian government service providers obtain interpreting services through a variety of means:

- direct per service purchasing as needed;
- single periodic contract with a language service provider;
- as part of a shared contractual arrangement coordinated by a Department; or
- drawing on a direct allocation of service hours coordinated by a Department.

In the overwhelming majority of cases it is the government service provider that is the ‘client’, as the organisation responsible for booking and paying for the interpreter. Therefore, the other ‘client’ (the individual) may be totally unaware of the complex funding and purchasing arrangements outlined in Figure 1 below.

Figure 1

PROVISION OF INTERPRETING SERVICES



Source: The Allen Consulting Group.

Interpreting services are sourced from a pool of interpreters (largely common to all providers) through five main language service providers and from in-house staff. Whilst there is significant private provision to the Office of School Education and the Justice portfolio, not-for-profit and public sector providers dominate interpreting services for the human services portfolio and Victoria Police because of preferred purchasing practices.

2. Forms of Language Services

This Needs Analysis focuses on the need for and provision of interpreting services. There are different modes of interpreting — on-site, video or telephone based — and other forms of language services such as translated information¹ that may facilitate or substitute for interpreting in some situations.

Appropriate use of different forms of language services can increase the effectiveness of existing interpreting resources.

ACG considers that:

- guidelines on the appropriate use of different forms of interpreting (including on-site, telephone and video-based professional interpreting and the use of appropriately qualified bilingual staff) should be established for government service providers. These guidelines should be consistent for all government services and be incorporated in programs to meet the needs of the culturally and linguistically diverse community;
- further investigation and promotion should be undertaken to highlight the capacity of video-based technology in providing interpreting services. Promotion of such technology should aim to familiarise government service providers and users with the equipment, especially in regional areas with significant representations of low English proficiency individuals, and where it is already being used in other circumstances;
- interpreting service agencies should draw on the national (and where necessary, international) pool of interpreters to provide interpreting services for rare languages through the use of telephone, audio and video-based interpreting forms; and
- libraries of translated public information should be created across agencies, within programs or subject areas. Opportunities to coordinate the existing Victorian web-based information (through the *Better Health Channel* and the website of the DHS Public Health Division) with NSW Health and health foundations translated information should be examined to expand the information provided and the number of languages in which it is provided. Translated tools used to identify language (such as those used by Victoria Police) could also be included.

3. Quantifying the Level of Need

Of those Victorians who speak a language other than English at home and identified their English proficiency to the 1996 ABS Census, almost 20 per cent do not speak English well or do not at all. This equates to 4 per cent of the total Victorian population. However, an additional 3 per cent did not identify their English proficiency at all.

The age profile of each language group differs reflecting the history of migration flows — this impacts upon the level and nature of need for interpreting services by Victorians to access government services. Whilst there are some countries that are heavily represented by recent immigration, there is also a small proportion of migrants originating from a very large number of countries.

¹ Although the Review does not specifically include an examination of translating services, it is discussed in this Needs Analysis where it impacts upon need for or means of provision of interpreting services.

3.1 Satisfied Demand

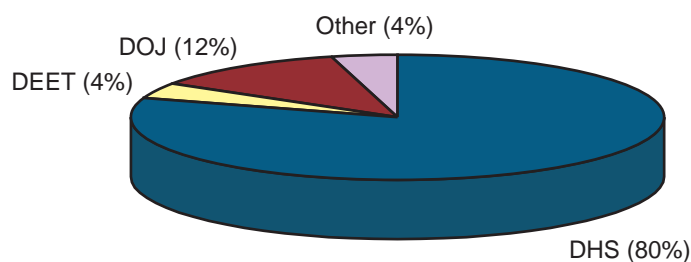
For the year 2000-01, ACG estimates that the expenditure on interpreting by government to provide access to Victorian government services² was approximately \$12 million. The share of this total estimated expenditure is shown in Figure 2.

These figures may underestimate the total amount spent on interpreting services to facilitate access to government services or utilities by Victorians. For example, this Needs Analysis does not include the expenditure on interpreting services by:

- departments and/or government service providers other than DHS, DEET and DOJ (aside from 4 per cent of expenditure identified by language services providers);
- public/community services provided by private firms and not funded by government (e.g. the provision of information on energy concessions by electricity retailers); or
- private agencies, organisations or individuals who arrange interpreting for the purposes of accessing government services.

Figure 2

SHARE OF TOTAL ESTIMATED EXPENDITURE ON INTERPRETING SERVICES, 2000-01



Source: The Allen Consulting Group.

However, even an estimate which captured all other relevant expenditure would not reflect the total quantity of interpreting services needed by Victorians when accessing Victorian Government community services — it merely estimates the *satisfied* demand.

3.2 Unsatisfied Demand

Unsatisfied demand is made up of:

- *unmeetable* demand — occasions where it is not possible to access appropriate interpreting services in the medium term. This may be due to certain circumstances, such as for very small communities and/or in extreme emergencies, and may exist whether government service providers are aware of the need and respond by seeking to book the appropriate interpreting service or not;
- *unmet* demand — occasions where a booking request is made, but cannot be met due to limitations in the supply of, or access to, existing interpreters. This is therefore an element of unsatisfied demand which occurs in the very short term; and

² Including DHS, DEET and DOJ plus interpreting provided to other miscellaneous Victorian government services by VITS and TIS.

- *unrevealed* demand — demand for interpreting by individuals with low English proficiency that use government services which is not identified. In this case, no booking of an interpreter is attempted. However, hypothetically, if unlimited resources could be assumed and all *unrevealed* demand were ‘revealed’ (that is, needs identified and bookings sought), there would be elements of this total revealed demand characterised as *unmeetable* and *unmet*. The current level of *unrevealed* demand may be due to:
 - a lack of awareness by individuals with low English proficiency of the availability of interpreting services;
 - a lack of provider awareness of the availability of, or process required to source, interpreting services; or
 - a lack of cultural sensitivity in government service provision and consequent reluctance to seek interpreting services.

While it is impossible to make a robust estimate of unsatisfied demand, an examination of the elements of unsatisfied demand indicate the following.

- While an element of *unmeetable* demand will always exist, ACG considers it can be minimised by active sourcing of interpreters inter-state and overseas for use via telephone and video-based forms of interpreting and by proactive training and accreditation programs aimed at identified gaps in interpreter supply.
- *Unmet* demand is estimated to be low — ACG estimates it is up to approximately 3 per cent of bookings, or approximately \$350 000 of forgone expenditure in 2000-01. *Unmet* demand is likely to be an issue for services in regional areas and services to refugee communities in particular, but can impact on any government service where high demand occurs for mature languages.
- The true extent of *unrevealed* demand is unknown, however indirect evidence indicate it is more significant than other elements of unsatisfied demand and for some government services may be significant relative to their current expenditure on interpreting services.

3.2.1 *Unsatisfied Demand by Relevant Department*

- There appears to be relatively significant *unrevealed* demand for programs within the Human Services portfolio. The combination of available funding levels and current funding arrangements based on minimum requirements for access to central funding for language services limits access for some potential users. This is also indicated by the reported increases in demand that occur when agencies run awareness programs.
- Further investigation is required into the provision of interpreting services in the corrections, courts and tribunal areas within DOJ to establish the extent to which demand is met by parties other than the government agency, and the extent and nature of remaining *unrevealed* demand.
- There appears to be relatively little *unrevealed* demand within DEET. This is due largely to the broad access of Government schools to contracted language services and the relatively structured and predictable nature and timing of schools’ interpreting needs.

Sources of *unrevealed* demand for the Human Service and Justice portfolios in particular include:

- areas not receiving funds either directly or notionally allocated for the need to provide language services;
- minimum requirements some agencies must meet to access centralised arrangements providing interpreting resources; and
- varying nature of government services — in particular, their degree of reliance on verbal communication.

3.3 *Reducing Unsatisfied Demand*

It appears reasonable to assume that additional expenditure on interpreting would be required by the State Government were all *unrevealed* demand ‘revealed’ (that is, needs identified and bookings sought) — even after *unmeetable* and *unmet* elements of this total revealed demand were taken into account. However, unlimited resources are not available and a reasonable and sustainable level of expenditure must be identified among the competing demands on the Government’s budget.

The observations possible as a result of this Needs Analysis indicate that any further work in this area should place particular emphasis on:

- simplification of funding and purchasing arrangements for interpreting services;
- awareness programs for the government service purchasers of interpreting services; and
- options to raise community awareness of, and simplify initial access to, interpreting services.

4. *Nature of Need*

A range of factors impact on the nature of demand for interpreting services:

- *speed* with which a message needs to be interpreted — this is particularly relevant for needs arising with police or acute health care, and may require use of alternative forms of language services other than on-site interpreting;
- *location* — where there is a relative scarcity of professional interpreters in regional areas, this results in locally based para-professional interpreters being used, or professional interpreters travelling from Melbourne. This is exacerbated by seasonal fluctuations in employment in regional areas;
- overall *size* of the language group or ethnic community — small communities will have an insufficient number of appropriately qualified bilingual people available to assess potential interpreters for professional accreditation, while also having fewer informal support networks, or other alternatives to interpreting; and
- *age profile and distribution* of a particular language group — this can impact upon interpreting services needs due to the difference in the government services demanded as shown in Figure 3.

Figure 3

ESTIMATED TOP FIVE LANGUAGE GROUPS, BY REPRESENTATION IN GOVERNMENT SERVICES, 2000-01^{a,b}

Government Service	Top Five Languages				
	First	Second	Third	Fourth	Fifth
Acute health	Italian	Vietnamese	Greek	Cantonese	Arabic
Aged	Greek	Italian	Bosnian	Mandarin	Turkish
Disability	Auslan ^c	Arabic	Greek	Vietnamese	Turkish
Community Health	Russian	Vietnamese	Greek	Serbian	Arabic
Family and Community Support	Vietnamese	Cantonese	Arabic	Turkish	Cambodian
Community Health Foundation	Serbian	Bosnian	Arabic	Dari	Persian
Housing	Arabic	Vietnamese	Turkish	Somali	Macedonian
Office of School Education	Vietnamese	Turkish	Arabic	Cantonese	Mandarin
Legal	Vietnamese	Arabic	Turkish	Greek	Somali

^a The Community Health Foundation is the Victorian Foundation for Survivors of Torture. ^b Legal refers to the languages services provided by VITS to Victoria Police, Magistrates Courts, Office of Public Prosecution, Office of Corrections and Legal Aid. ^c Note Auslan (for hearing impaired individuals) is outside the scope of this report.

Source: Unpublished data supplied by language services providers and DHS.

In addition, although it is important that interpreters understand, and are suited to, the working environment, the relevant terms and duties of care do not appear to require technical proficiency above that required for accredited interpreters with the possible exception of mental health services³ which may require specialist skills in facilitating effective communication.

Several factors constrain access to interpreting services in regional Victoria compared to metropolitan areas, including:

- the scarcity of professional interpreters based locally, particularly in emerging languages;
- supply shortages which are correlated with seasonal employment fluctuations; and
- the significant time and cost involved in accessing Melbourne based, professional interpreters.

5. Adequacy of Resources

Unmet demand is readily affected by the responsiveness of interpreting services. Factors which may result in *unmet* demand include:

- *emerging languages* — likely to be spoken by small communities who lack the interpreting resources due to the unavailability of qualified interpreters. This is exacerbated further where an interpreter of a particular gender is required;

³ Speech pathology may be another area requiring a particular interpreting proficiency, although ACG has received no information on that area in the course of this analysis.

- relative scarcity of interpreters in *regional* areas and resulting reduction in timeliness;
- *peaks in service* — due to seasonal employment or events such as parent teacher sessions which reduce the availability of interpreters for other demands;
- *departmental and/or government service provider purchasing approaches* — for example, where pre-purchased credit lines are used and closed when the monthly allocation is used up prior to the end of the month, funding may be exhausted prior to a booked appointment taking place; and
- *insufficient notice* to the language services provider.

Whilst this Needs Analysis is not intended to review the performance of interpreting services as they are currently provided, the need for interpreting services can only be considered satisfied if the supply of interpreting services is sufficient in terms of quantity and quality.

Consultations did not suggest that interpreting services are not fit for the purpose, but the following observations on the responsiveness of interpreting services were made:

- *supply* — there is a lack of professional interpreters to meet demand in rare and emerging languages and established languages with an ageing population. This problem is magnified in rural and regional Victoria;
- *quality* — the lack of experience and consequent capability of some interpreters (in rare and emerging languages), and specific instances of inappropriate conduct (such as engaging in advocacy on behalf of individuals with low English proficiency) by interpreters on rare occasion, were noted;
- *timeliness* — there is significant concern in accessing interpreters after hours, in emergency situations and for rural and regional Victoria;
- *situation* — the provision of interpreters is not always gender-specific or sensitive to the customs of particular cultures;
- *administration* — government service provider complaints regarding tardiness or non-attendance of interpreters are not adequately responded to by some language services providers;
- *contract management* — contract servicing under centralised funding arrangements varies considerably across language services providers; and
- *training and accreditation* — there are insufficient training and professional development opportunities for interpreters, particularly in rural and regional Victoria. Existing training opportunities are considered unresponsive to the needs of current and future users. Accreditation of interpreters for new and emerging languages suffer from significant time lags between identifying a language need, establishing the panel, and commencing testing.

ACG considers that:

- the Victorian Government should examine methods of identifying emerging language needs and creating a pool of accredited interpreters. The existing forum established by the Victorian Settlement Planning Committee (of the Commonwealth Department of Immigration, Multicultural and Indigenous Affairs) may assist in providing initial direction; and

- options for the improved training of interpreters in Victoria and accreditation arrangements should be explored, including identifying training and accreditation gaps, and making recommendations to address these gaps. In particular, consideration should be given to the need to fund additional interpreting courses for emerging languages and the provision of interpreting courses in regional Victoria. Victorian TAFE Institutes should be encouraged to investigate the Regional Language Services Strategy developed by the Riverina Institute of TAFE and explore possible partnerships with NSW.

6. Scope for Innovative Solutions

In the course of research and consultation, ACG has been advised of a number of creative solutions in place or considered — many of them on a small scale and directed at specific areas of *unmet* demand at the interface of government service provision. A number of areas of concern or examples of past innovation which warrant further investigation are noted here.

- There are some current innovations in service provision in place, particularly in regional areas:
 - Placement of a common interpreting resource in a regional area with the promise of a certain level of utilisation.
 - A number of government services block book or session book an interpreter.
 - The use of telephone interpreting and other service provision innovations.
- The Royal Melbourne Institute of Technology (RMIT) offers the only interpreting courses currently in Victoria. Other TAFEs also have roles to play in addressing training gaps.
 - Goulburn Ovens TAFE has previously conducted courses for bilingual people to prepare for the National Accreditation Authority for Translators and Interpreters Ltd (NAATI) recognition.
 - The Riverina Institute of TAFE is currently conducting a range of courses at a number of NSW campuses utilising mentors and technology based learning.
- ACG considers that the current hybrid system of purchasing interpreting services results in some government service providers having arrangements with three or more key interpreting service providers — it is difficult to establish that this is of net benefit, particularly to significant users.
 - However, a centralised funding approach can be utilised to the net benefit of many smaller government service providers most likely to benefit from economies of scale and scope. There appears to be potential to better assign centralised effort to areas of disparate, but acute, need.
 - Opportunities to replicate the approach used by the Office of School Education (and the Commonwealth's Refugee Review Tribunal), where an exclusive contract for the supply of interpreting services is periodically re-tendered, should be examined.

- A possible innovation suggested in the public fora conducted in Shepparton and Melbourne was the introduction of one phone number for one provider of language services to simplify access to the services for individuals with low English proficiency. ACG considers this approach would be difficult to apply generally given the legitimate roles of a number of language services providers in this area, including Commonwealth and private providers. Further, such an approach would eliminate the potential to establish contracts allocated by competitive tender such as the current Office of School Education contract held by a private language service agency. This arrangement has provided schools with a high level of service including greater customer service and higher quality and quantity of information to the contractor.

7. Conclusions

The interpreting industry is relatively immature given its size and the length of service to the Victorian community. This partly reflects the impact of government contracting, provision and funding arrangements — in particular, the government’s position as the key purchaser in the market for community interpreting. It also reflects the inherent industry characteristics where demand for particular languages will peak at arrival of new migrant groups and again at the time when the same cohort is utilising aged care services.

There exist specific areas of *unmet* demand in relation to emerging language groups and for regional areas in particular, and it is likely that there is significant *unrevealed* demand for the use of interpreting services. Future initiatives regarding areas of *unrevealed* demand should focus on:

- areas within the DHS portfolio currently not receiving funds either directly or notionally allocated for the provision of language services; and
- across government, programs to increase awareness of the availability of, or the process required to source, interpreting services and which encourage the appropriate use of all forms of language services available.

There is scope for further innovative solutions to identify current and foreseen gaps. A number of solutions focus on structural, contracting or funding approaches — especially to address training and accreditation gaps and to refocus the current hybrid system of purchasing interpreting services. There are also a number of promising approaches at a local level which should be investigated further to ensure the potential for innovative solutions are nurtured.

Observations and Findings

Departments included in the Needs Analysis

The preceding executive summary describes the general observations and findings made in this Needs Analysis of Language Services in Victoria. It includes findings that relate to the whole of government and to all relevant Departments. This section sets out the observations and findings particularly relevant for each Department and their funded agencies included in the Needs Analysis — that is, for the Department of Human Services (DHS), the Department of Education, Employment and Training (DEET) and the Department of Justice (DOJ).

This section should be read in conjunction with the Executive Summary.

A. Department of Human Services

DHS provides an example of every type of purchasing arrangement used by the Victorian Government Departments (with the exception of a single exclusive contract although this may exist at an agency level under the third approach). In addition to the purchase of interpreting services by DHS government service providers from their overall *operating budgets*, for 2000-01, the Department:

- manages two central agreements with language services providers to deliver interpreting services to specific agencies; and
- provides further funding in the form of NESB Grants (from 2001-02, known as *Quality Fund Grants*) to hospitals that can be used to purchase interpreting services.

The subject matter being interpreted is of particular relevance to the nature of need for interpreting services within the human services portfolio. The areas of mental health and speech pathology present particular interpreting challenges. These may justify the use of an interpreter with specific knowledge of, or experience in, the subject matter. Timeliness in accessing interpreting services is also critical to the delivery of many emergency health services. Almost 10 per cent of interpreting services for the area of acute health were provided by telephone.

The geographical location of some health centres and hospitals in rural and regional Victoria means that DHS agencies in particular are often faced with either using a locally-based para-professional interpreter, or transporting a Melbourne-based, professional interpreter to the regional location at a higher expense. In addition, emerging language groups are also of particular relevance to the Human Services portfolio given that many refugees require DHS services (such as housing assistance and health care) during the initial period after their arrival.

DHS is responsible for expending one third of the State's total budget, providing services in areas as diverse as health, child protection, housing and aged care. For the year 2000-01, ACG estimates that expenditure on interpreting services by DHS was approximately \$9.6 million. DHS specifically targets vulnerable groups and those most in need and in recent years has faced both growing demand for services and increasing complexity in the needs of Victorians seeking those services.

Indirect evidence indicate that there may be significant *unrevealed* demand within the Human Services portfolio with a number of possible sources:

- first, there are identified areas within the DHS portfolio not receiving funds either directly or notionally allocated for the need to provide language services, although it is difficult to judge the extent of resultant *unrevealed* demand as these agencies use general funds to purchase interpreting services;
- second, there are some minimum requirements agencies must meet to access centralised arrangements providing interpreting resources. These are likely to impact upon small agencies and relatively infrequent users in particular, resulting in a lack of awareness of alternative processes to source interpreters and therefore *unrevealed* demand;
- third, the level of *unrevealed* demand may vary depending on the nature of services in DHS programs — that is, the degree of dependence on verbal communication; and
- finally, and more generally, there may be an unintended bias implicit in the administrative requirements of the centralised arrangements which penalises rural and regional government service providers. These include the initial approval of eligibility to access centralised funds, award and management of monthly limits, monitoring the appropriate use of interpreting services in accordance with guidelines and fee caps for telephone interpreting set by some program areas.

The Allen Consulting Group's (ACG) research and consultation has revealed a number of examples where programs to improve awareness by DHS government service providers about the availability of, or process required to source, interpreting services has led to an increase in 'demand' for interpreting services, indicating that demand was previously *unrevealed*.

ACG considers that:

- it is difficult to establish that the Department-funded centralised arrangements are of net benefit to significant users within the Human Services portfolio — especially where users such as hospitals fund a significant portion of their interpreting needs from their general operating budgets in addition to the funding received by these arrangements or through grants. In these cases, the hospitals have the capacity to manage the purchase of their interpreting services and to choose their preferred language services provider(s) for their total interpreting needs. The ability to allocate their total interpreting business would provide them with greater authority to negotiate favourable agreements with their providers;
- the possibility of converting current centralised funding to additional grant funding for large hospitals with significant interpreting demands should be investigated;
- in the longer term, consideration should be given to incorporating a factor for language service needs in the overall case-mix funding formula for hospitals and encouraging the practice of considering interpreting services as another integral element of the overall acute health service;
- opportunities to establish competitively tendered contracts for the supply of interpreting services — such as the model used by the Office of School Education within DEET — should be examined;

- there appears to be potential to better assign centralised effort to areas of disparate, but acute, interpreting need administered by many smaller government service providers in the portfolio; and
- previous pilot studies and current practices at the local level should be examined to identify and support promising solutions to *unmet* and *unrevealed* demand and approaches which increase the efficiency and effectiveness of existing interpreting resources.

B. Department of Justice

For the year 2000-01, ACG estimates that expenditure on interpreting services by DOJ was around \$1.5 million. The justice portfolio made far greater usage of telephone interpreting, which largely reflects the unplanned, urgent responses by police, fire and ambulance services. While more than half (53 per cent) of the interpreting services accessed by Victoria Police in 2000-01 were by telephone, this form accounted for 100 per cent of interpreting services utilised by fire and ambulance services. In contrast, 94 per cent of interpreting services purchased by the courts were on-site. Victoria Police often use translated tools to identify language.

Justice is a highly diverse portfolio, encompassing all police and prosecution functions, administration of the court system, provision of the prison system, administration of various tribunals and provision of emergency services. The diversity of these independently administered functions is reflected in the manner in which interpreting services are purchased. The government service providers within DOJ purchase interpreting services on a responsive basis from their operating budgets.

The manner in which interpreting services are purchased also varies across the justice portfolio. Whilst most divisions and agencies within the portfolio have preferred language services providers, it is not evident that there are formal contracts in place. Victoria Police rely on the Victorian Interpreting and Translating Service (VITS) and the Translating and Interpreting Service (TIS) for interpreting services, whereas many courts and tribunals also make use of private providers. Legal representatives are responsible for sourcing interpreters for their clients in the County and Supreme Courts, whereas the Magistrates Court administers the provision of interpreters itself. ACG has identified significant expenditure by the Office of Public Prosecutions and Legal Aid for interpreting at Victorian County and Supreme Courts.

As with the human services portfolio, some have argued that interpreters with specialist legal knowledge or experience are required to interpret certain legal subject matter. However, this Needs Analysis has found no conclusive evidence to suggest that this is the case. Timeliness is a critical factor in the nature of need for many justice-related areas, particularly for police and emergency services. Finally, as with education and human services, the location of many courts and police stations raises issues regarding the geographical availability of appropriately qualified interpreters.

The nature of some justice services requires active recognition of interpreting needs, whereas others permit a lesser focus. However, the role of legal representatives in organising interpreters for their clients in the justice system renders it difficult to judge the extent of *unrevealed* demand in this portfolio.

Victoria Police conducts extensive training through its Academy on recognising interpreting need, the legal ramifications of non-professional interpreting when taking statements, and the use of translated tools to identify language. The extent of training and heavy utilisation of TIS' telephone interpreting service would indicate a lower level of *unrevealed* demand within Victoria Police. Areas with low levels of utilisation of interpreters that may indicate the existence of *unrevealed* demand include the corrections area and the Victorian Civil and Administrative Tribunal.

ACG considers that:

- further investigation is required into the provision of interpreting services in the corrections, courts and tribunal areas to establish the extent to which demand is met by parties other than the government agency and the extent and nature of remaining *unrevealed* demand; and
- opportunities to establish competitively tendered exclusive contracts for the supply of interpreting services to agencies within the Justice portfolio should be examined.

C. Department of Education, Employment and Training

Approximately 24 per cent of interpreting services to DEET agencies were provided via telephone in 2000-01, with the remaining 76 per cent involving on-site interpreting.

The Office of School Education has competitively tendered with private provider *All Graduates* to provide interpreting services for a three-year period. The Overseas Qualifications Unit and the Employment Programs Division also use interpreting services.

Neither specialised subject matter nor timeliness are likely to be a particular feature of the nature of need for interpreting services in schools, given that the predictable nature of most school-related events requiring the use of interpreters (such as parent-teacher interviews) permit pre-planning. However, similar issues are likely to arise for schools as for hospitals and health centres with respect to the geographical location of government service providers and the availability of local, professional interpreters.

There appears to be relatively little *unrevealed* demand within the Education, Employment and Training portfolio:

- *unrevealed* demand may exist where DEET's Community Business Employment scheme allocates funds through tender to Migrant Resource Centres to assist clients to gain employment. The scheme does not allocate specific funding to the purchase of interpreting services, nor is the general funding per service greater for individuals with low English proficiency; and
- little *unrevealed* demand for interpreting services at State Schools is likely given the Office of School Education's contract for provision of language services includes a focus on increasing awareness by schools of the guidelines for using interpreters, there is no minimum demand requirement for a State School to qualify for access to the contracted language services and the nature and timing of their needs are relatively structured and predictable.