

Protection for the Interpreter: the Role of Professional and Registration Bodies

Public Confidence and Professional Standards

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The presentation focuses on the registration body and the professional association for sign language interpreters in England, Northern Ireland and Wales (ENIW). It examines their role in the areas of health and safety and fitness to practice as they affect interpreters and consumers. When registration bodies and professional associations are truly independent from one another, but are committed to working together, their enlightened self-interest will drive up standards and public confidence to the benefit of the professional and the consumer.

Professional bodies

Safeguarding the public interest gives a professional body its legitimacy and is often done through its work as a registration body. A professional body may also represent the interest of professional practitioners and contribute to continuous professional development. Acting as a body that both protects public and professional interests is problematic. It leads to conflicts of interest that damage the ability of the body to operate effectively and may also lead to perceived conflicts of interest, which damage both professional and public confidence.

This dual role exists in many industries, e.g. the Chartered Institute of Personnel and Development³ in the UK: on the one hand, this body codifies professional standards, professional ethics and administers qualifications in human resources. On the other it offers professional membership, a job searching facility and career development tools.

¹ www.nrcpd.org.uk

² www.asli.org.uk

³ www.cipd.co.uk

Conflicts of interest do however arise with these dual roles. In 2004, the Legal Services Review⁴ concluded, “[some] decisions by the leadership of the Law Society were the decisions of a body placing its representative interests ahead of its regulatory responsibilities, to the detriment of the public and consumer interest”. It is better for the registration and representative bodies to separate because this helps maintain public and professional confidence and protection.

The self-interest of the registration body and representative body means they are often motivated to drive up standards together. In the UK the General Medical Council (GMC) protects the general public and the British Medical Association (BMA) looks after the interests of doctors. The BMA, the representative body, helped establish the regulatory GMC making doctors a registered and regulated profession. The BMA did not act altruistically, it was simply that regulating and therefore controlling membership to the profession enhanced the prestige and power of that profession.

Self-interest alone however, is not enough. There must be real independence between the two bodies because the self-interest of one cannot, or cannot be seen to be, dictating the actions of the other. Self-interest should have a dual outcome: it should drive up public confidence through independence and it should drive up standards through collaboration.

Sign language interpreting in the UK

Sign language interpreting in ENIW has two bodies: The National Registers for Communication Professionals working with Deaf and Deafblind People (NRCPD) acts as the registration body; and the Association of Sign Language Interpreters (ASLI) acts as the representative body.

The role of the NRCPD (registration body) is to protect the consumer through restricting those who can register. In addition it administers a complaints procedure so individuals/organisations can raise grievances against those registered. Independence is key

⁴ <http://www.legal-services-review.org.uk/> page 28

to this to provide legitimacy from service users. Such activities cannot be undertaken in a vacuum. To ensure legitimacy from the profession the registration body must bring together a variety of stakeholders including: interpreters, educators, assessors, government and service organisations. Through this collaboration we establish minimum skills and knowledge requirements for registration; map graduates and successful candidates from training centres against occupational standards; and offer guidelines as to appropriate level of registration category (trainee or full professional) for specific types of work. The independent registration body works in collaboration with the representative body and gains both public and sector confidence. It also enables the registration body to drive up standards.

The role of ASLI (representative body) is to raise awareness of sign language interpreting within the Deaf and mainstream communities; to lobby government and regulatory bodies in order to achieve high levels of recognition and provision wherever possible. It advocates for its members; support them in maintaining and developing their skills via CPD. It also provides other services and benefits as the members see fit including: preferable rates for professional indemnity insurance, publishing periodicals, establishing working groups and guidelines for working in specific domains. Independence from the registration body is key; it frees the representative body to support its members even in areas where a conflict with the public interest may be perceived. This increases professional confidence in the body. The representative body does not work in a vacuum, much of its work in supporting professionals also improves standards of service within the profession.

Both independence and collaboration are equally important. ASLI and the NRCPD collaborate both formally and informally to drive up standards and resolve issues. ASLI is represented on the NRCPD's Practitioners' Group consisting of representatives from all the representative practitioner bodies. ASLI members lend their expertise to the Professional Standards Panel. This group assists the NRCPD with the technical support and advice. Informally, there is dialogue between the Chairs of the NRCPD and ASLI and their representatives. When professional issues are identified, the two bodies have established working groups to explore these issues, often by formally consulting stakeholders.

Interpreters and consumers are then kept well informed of the processes, rationales and outcomes of activities.

Healthy interpreting practices

By working together closely, but maintaining separate remits, the two bodies can drive up professional standards. Many of these involve health and safety issues, e.g. working in criminal proceedings, or mental health settings. The emotions of the situations and the need for precise interpretation can lead to tension, physical problems and mental distress for interpreters. Prior to 2002 in ENIW any sign language interpreter could work in criminal justice settings. So interpreters with limited experience and developing skills, found themselves in hugely pressurised environments they were unable to cope with leading to confusion or dissatisfaction for the clients and stress for the interpreters. Without a certain level of experience and the associated confidence of their developing expertise an interpreter may not be able to maintain an appropriate professional demeanour whilst dealing with the linguistic and professional complexities of working in the legal domain.

The NRCPD and ASLI raised this issue with the Ministry of Justice. The NRCPD highlighting that the use of trainee Interpreters meant deaf people could not be guaranteed a fair trial. ASLI highlighting that trainee interpreters were risking their mental and physical wellbeing by being put in situations they were not ready to cope with. As a consequence, and with spoken language interpreter support, the Ministry of Justice created the National Agreement⁵. This states only full professionals (MRSLI) should interpret in such settings. With separate and independent bodies campaigning, more weight was given to our arguments.

In conclusion

Maintaining and increasing professional standards and public confidence is crucial and beneficial to service users. Having independent representative and regulatory bodies best

⁵ <http://frontline.cjsonline.gov.uk/guidance/race-confidence-and-justice/>

achieves this. When the registration body does not also represent professionals, the public can be confident in its impartiality. When a professional association is free from any conflict of interest, it can concentrate on supporting its members on issues such as CPD and better working practices. Increasing professional standards is crucial to interpreters as it contributes to public confidence in and esteem for the valuable service they provide and safer working practices. Both ASLI and the NRCPD are committed to making registration mandatory for interpreters in the UK. That way, the two bodies can work together to build up the confidence in, and standards of, all interpreters, to the benefit and protection of every consumer and professional interpreter.