

"TRAUMA INFORMED LANGUAGE ACCESS: PRACTICES FOR EFFECTIVELY PARTNERING WITH AN INTERPRETER"

Asian Pacific Institute on Gender-Based Violence

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ITARC



The **Asian Pacific Institute on Gender-Based Violence** is a national resource center on domestic violence, sexual violence, trafficking, and other forms of gender-based violence in Asian and Pacific Islander (API) communities.

The Interpretation Technical Assistance & Resource Center (ITARC) works to improve systems responses to LEP victims by providing technical assistance and training on the development and implementation of language accessible services.

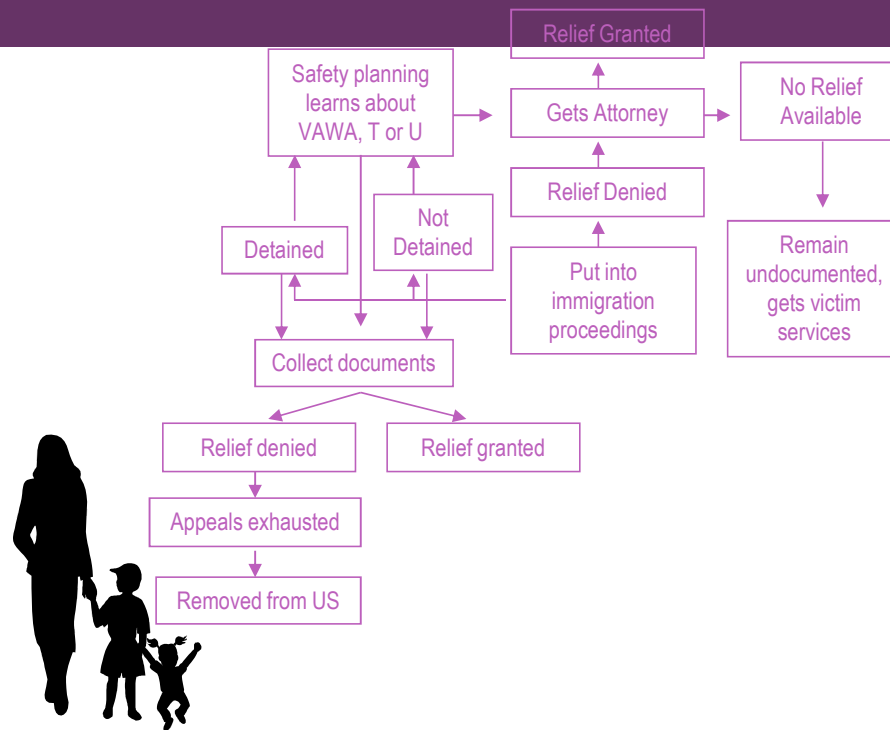


IMPORTANCE OF LANGUAGE ACCESS

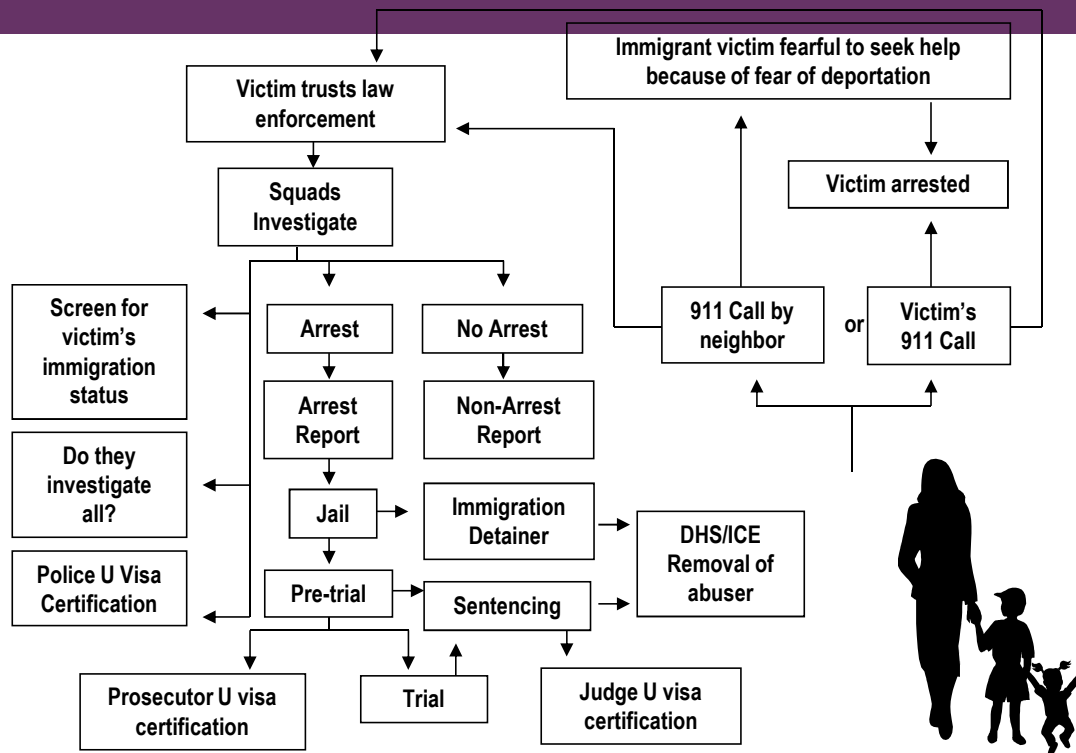
- Services and legal protections are **EFFECTIVELY** closed to individuals without language access
- Medical records, police reports, counseling records that are not translated or interpreted incorrectly:
 - Hinder individual's ability to participate in their service-seeking process
 - Incorrect info impacts safety and wellbeing
- No Access violates Federal Law-



Complexity of Battered Women's Lives, Ellen Pence

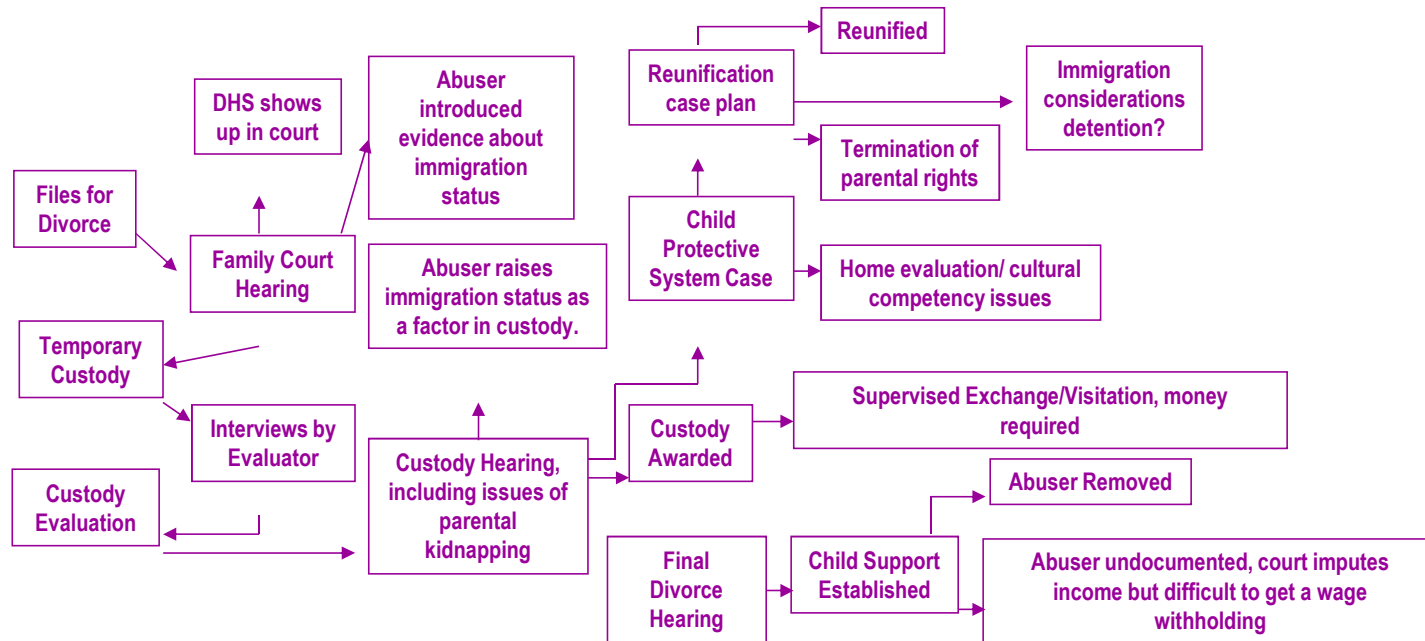


IMMIGRATION MAP

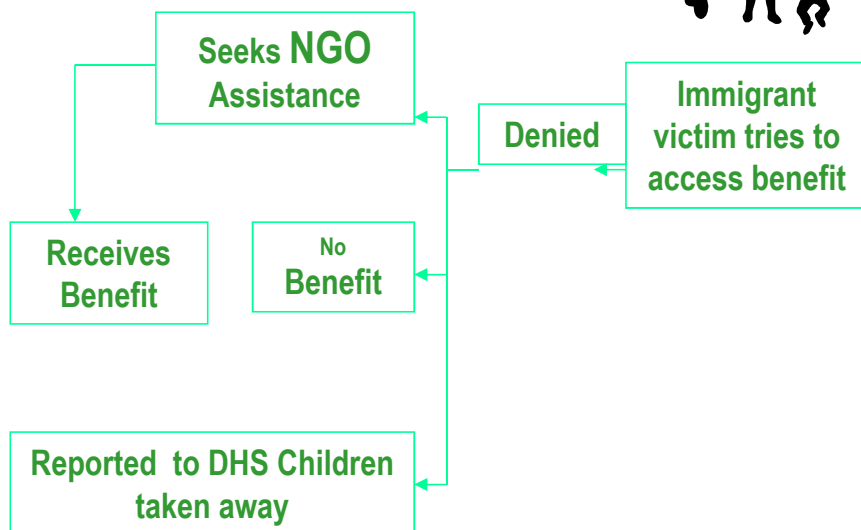


DOMESTIC VIOLENCE/ ARREST INCIDENT

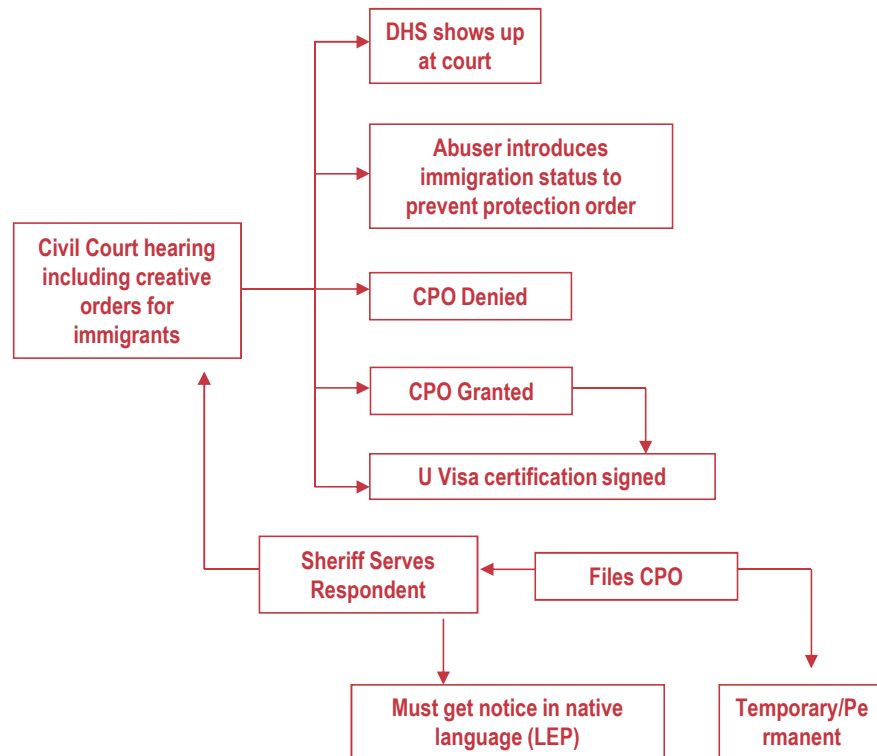
FAMILY COURT

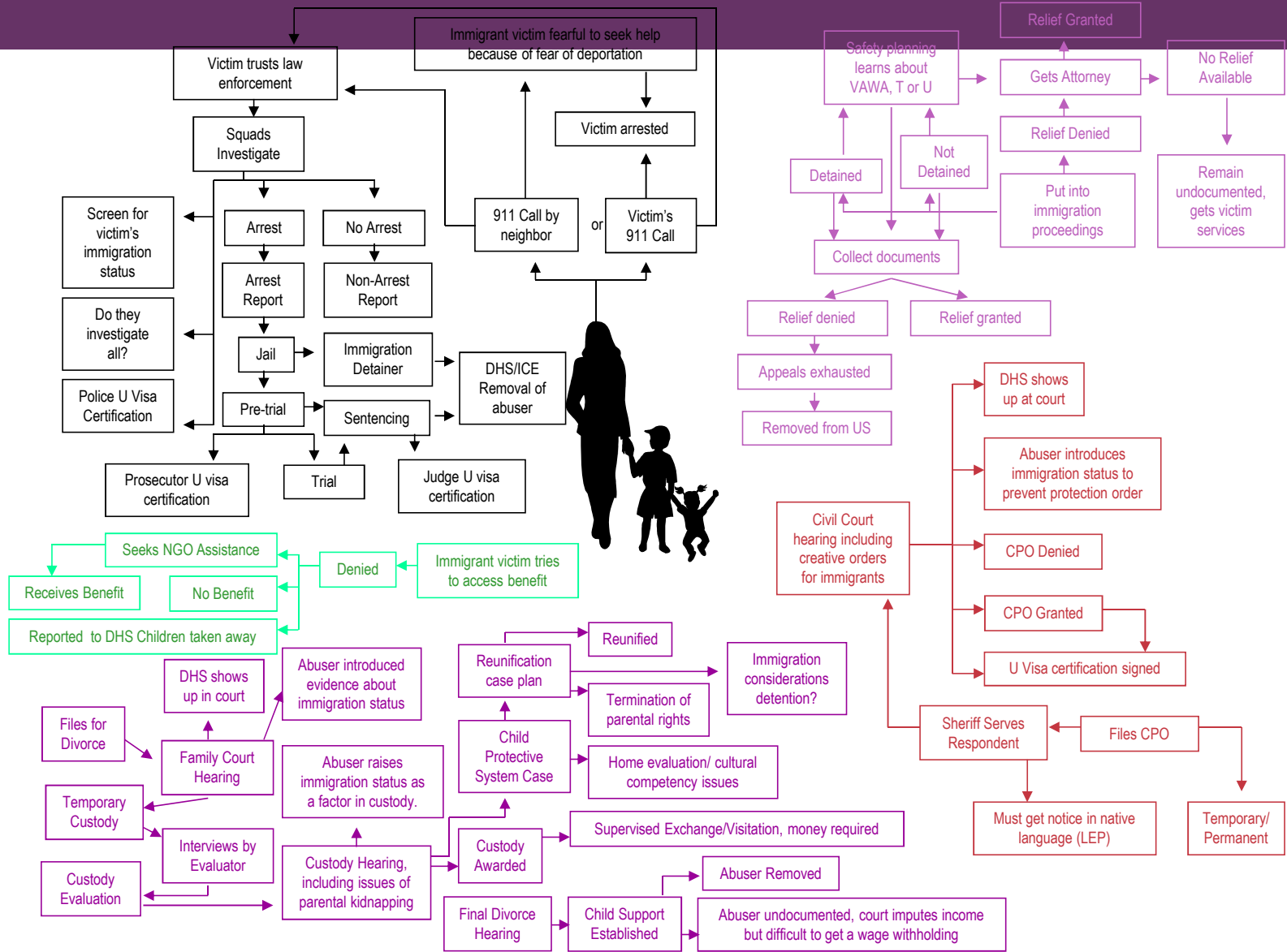


BENEFITS MAP



PROTECTION ORDER – CIVIL COURT PROCESS





WORKING WITH SURVIVORS WITH LEP: LAYING THE FOUNDATION

Familiarize yourself with the language groups in your service area

Use demographic and organizational internal data to assess and keep track of LEP groups present in your area.

- LEP maps: <http://www.lep.gov/maps>

WORKING WITH SURVIVORS WITH LEP: LAYING THE FOUNDATION

Build relationships with local victim services organizations and technical assistance providers

Advocates can connect survivor to other culturally and linguistically relevant resources and ensure the survivor gets services they need while you focus on the legal case.

- Identify local community based and culturally-specific victim service providers that serve survivors with LEP in your area.
- Utilize national or local resources to build your capacity on working with LEP survivors.
 - Office of Violence Against Women TA Provider Directory:
<https://ta2ta.org/directory.html>

WORKING WITH SURVIVORS WITH LEP: LAYING THE FOUNDATION

Budget for language access

Include a line item for language support in your budget all grant proposals and apply for grants specifically for language access work.

- Use data (above) to show why it matters.
- Clients should not pay or should not be charged for language support!

Increase your capacity to understand how language and trauma intersect

Perpetrators may use their language privilege to isolate survivors. Also, perpetrators often can use their speaking skills and are able to navigate through the cumbersome legal system which they use to continue the violence even after leaving the relationship.

- NIWAP, et al., Ensuring Language Access to Immigrant Victims of Sexual Assault

<https://vawnet.org/material/ensuring-language-access-immigrant-victims-sexual-assault>

- Encuentro Latino, National Institute on Family Violence, Language Access and Domestic Violence: Communicating with Limited English Proficient Individuals

<https://vawnet.org/material/language-access-and-domestic-violence-communicating-limited-english-proficient-individuals>

- Asian Pacific Institute on Gender-Based Violence, Are we doing what we think we're doing? Providing Trauma Informed Language Accessible Services

<https://advocacyinactionnm.org/wp-content/uploads/2017/02/Trauma-informed-Interpretation.pdf>

Develop relationships with translation and interpretation agencies that train staff on implicit bias, domestic violence and sexual assault dynamics, and effects of abuse

Promising Practices:

- Ayuda Language Services (DC area)

<https://ayuda.com/what-we-do/language-services/#1525657165588-19a63918-e5d5>

- *AshaKiran* (Alabama)

<http://ashakiran.com/Jul2017/trauma-informed-interpreting-2>

- Breaking the Silence curriculum

<https://www.ata-chronicle.online/cover-feature/breaking-silence-what-interpreters-need-to-know-about-victim%E2%80%A8services-interpreting/#sthash.CW5GqqI4.dpbs>

PLANNING FOR THE ENCOUNTER

1. Determine your client's primary language or means of communication

- Do not assume fluency in spoken languages or American Sign Language (ASL)
- Have language identification tools available:
 - *DHS I speak cards/posters*: <https://www.dhs.gov/xlibrary/assets/crcl/crcl-i-speak-poster.pdf>
 - *Design your own*: <http://healthtranslations.vic.gov.au/bhcv2/bhcht.nsf/findyourlanguage?openform>
- Do not assume literacy or formal academic instruction

PLANNING FOR THE ENCOUNTER

2. Prepare to work with interpreters and translators

- Know the difference between interpretation and translation:
 - Interpreter: Renders a message from one into another spoken or sign language
 - Translator: Takes the written word in one language and converts into written word in another language
- Follow Promising Practices when Working for Interpreters:
 - API-GBV Working with Interpreters Tip Sheet: <https://www.api-gbv.org/resources/working-with-interpreters/>
- Examining Witnesses through and Interpreter
 - SDNY Interpreters Office: <https://www.wascla.org/library/item.389482-For Attorneys Examining Witnesses through and Interpreter>

3. Prepare form and document translations in advance

Invest in translating most commonly used forms and documents, update translation when needed.

- National Center for State Courts, Guide to Translation of Legal Materials
<https://www.ncsc.org/education-and-careers/state-interpreter-certification/~media/files/pdf/education%20and%20careers/state%20interpreter%20certification/guide%20to%20translation%20practices%206-14-11.ashx>

4. Prepare the survivor to work with interpreters

Assess survivor's preferences- do they have age or gender preference for the interpreter. Having an interpreter that triggers traumatic memories will be not conducive to achieve safe-seeking and healing survivor's goals.

- API-GBV, Considerations when Using Interpreters for Victims with Limited English Proficiency:

<https://www.api-gbv.org/resources/limited-english-proficiency/>

5. Brief the interpreters about the encounter with the survivor

Prepare interpreters by explaining the purpose of the encounter, participants profile and for the potential of asking delicate questions or receiving sensitive answers. Safety, confidentiality, empowerment, choice and self-determination are critical aspects that you need to ensure interpreters safeguard when working with domestic violence/sexual assault victims.

- Ayuda, Working with Interpreters Outside of the Courtroom: A Guide for Attorneys

https://ayuda.com/wp-content/uploads/2017/06/Working_With_Interpreters_2016.pdf

- Working with Interpreters: Service Provision with Torture Survivors, <https://gulfcoastjewishfamilyandcommunityservices.org/wp-content/uploads/2018/04/Working-with-Interpreters.pdf>

5. Provide key materials in advance to interpreters so they can prepare and study the terminology to be used

- Ayuda, A Glossary of Victim Services Terminology,

https://ayuda.com/wp-content/uploads/2016/07/156617_Ayuda_Glossary_BreakingSilence-WEB.pdf

6. Familiarize yourself with Interpreter's Ethics and Professional Responsibilities

Legal interpreters are subject to codes of ethical practice. Confidentiality, accuracy and completeness in interpretation can be a matter of life and death for victims of domestic violence, especially in remote communities. Learn about interpreter's duties, protocols and standards to ensure the interpreters you work with adhere to them.

- NAJIT, Code of Ethics and Professional Responsibilities, <https://najit.org/wp-content/uploads/2016/09/NAJITCodeofEthicsFINAL.pdf>

- Uekert, B. K., Peters, et al., Code of Professional Responsibility for Interpreters Serving LEP Victims of Domestic Violence, https://www.nationallatinonetwork.org/images/Code_of_Professional_Responsibility_for_Interpreter_s_-_DV_cases.pdf

DURING THE ENCOUNTER

1. Facilitate a pre-session with your client and the interpreter, arrange appropriate seating

Explain confidentiality, roles and responsibilities as well as basic guidelines on how the session will transpire.

- API-GBV, Resource Guide for Advocates and Attorneys on Interpretation Services for Domestic Violence Victims,

<https://www.api-gbv.org/resources/interpretation-resource-guide/>

2. Use Plain Language

Do not expect interpreters to change your words. To ensure survivors are able to understand clearly what you are trying to convey, and to achieve a more concise and effective communication, use plain language.

- The Plain Language Action and Information Network, Plain Language in the Legal Profession,

<https://www.plainlanguage.gov/resources/content-types/legal-profession/>

3. Follow Interpretation Protocols for Legal Proceedings

- "Listen with your Eyes" - How can you monitor the Interpretation?

<https://nmcenterforlanguageaccess.org/cms/en/courts-agencies/judges-portal/how-to-monitor-interpretation>

AFTER THE ENCOUNTER

1. Evaluate interpreter's performance

- Evaluation sample:

https://www.veipd.org/main/pdf/dbhds_interpreter_evaluation_form_dec_2011.pdf

2. Discuss any difficulties or concerns with client

QUESTIONS



