

PART **5** **RECOMENDATIONS FOR FURTHER ACTION**

1. *THE RESOURCE KIT*

- 1.1 That the Resource Kit developed as part of the Community Access Project be distributed to all Local Courts in New South Wales.
- 1.2 That Clerks of the Courts utilise the Resource Kit to assist them to review current service delivery and identify strategies to improve access to Local Courts for all clients, particularly those of culturally and linguistically diverse backgrounds.
- 1.3 That Clerks of the Court implement those initiatives which will meet the needs of their particular client groups.
- 1.4 That the Resource Kit be used as the basis for the development of a curriculum package for inclusion in client service training programs.

Responsibility: Project Officer - Client Service, Local Court; Clerks of the Local Court

2. *PROFESSIONAL LANGUAGE AND INTERPRETING SERVICES*

- 2.1 That the Ethnic Affairs Commission and the Attorney-General's Department consult with the New South Wales Police Service to facilitate the introduction of the interpreter booking system trialled at Fairfield Court between November 1995 and January 1997 as a formal state wide protocol.

Such a booking would be exempt from any payment by Police as it would be identified as a request for a service to the Court.

Responsibility: Attorney General's Department, Ethnic Affairs Commission and New South Wales Police Service.

- 2.2 That the Attorney General's Department consult with the New South Wales Police Service about the addition of a prompt to the charge sheet form used throughout the state. The prompt reads:

Interpreter required for 1st court appearance - yes/no

(If yes) State Language _____
Booking made by arresting officer on (date)

This form to be used by police in conjunction with Recommendation 2.1.

Responsibility: Attorney General's Department and New South Wales Police Service

- 2.3 That the Attorney General's Department consult with the New South Wales Police Service about actions necessary to ensure that all police officers are provided with adequate training in relation to the operational requirement for use of this form. Such training should include promotion of the benefits of ensuring that interpreter services are provided and utilised.

Responsibility: Attorney General's Department and New South Wales Police Service

- 2.4 That Strategic Services Branch -Attorney General's Department examine options to improve data collection on the ethnicity of court users, including the demand for, and use of interpreting services at the Local Court.

Responsibility: Attorney General's Department

- 2.5 That local court registries (in areas of high demand for interpreting services) install dual handset telephones at the general counter to allow improved access to and efficient use of the telephone interpreter service for clients at the court.

Responsibility: Project Officer, Client Service - Local Courts

- 2.6 That local courts introduce training for all relevant staff on the effective use of interpreters in interviews or in the court environment.

Responsibility: Project Officer, Client Service - Local Courts

- 2.7 The Ethnic Affairs Commission consult with relevant stakeholders (including the Attorney General's Department and the New South Wales Police Service) about the provision of training to ensure all panel interpreters undertaking court assignments have the skills to work in a legal environment.

NB: The recommendations contained in the "Quarter Way to Equal" report also address this issue. The Attorney General's Department has responsibility for advancing implementation of the Quarter Way to Equal recommendations and will consult with the Ethnic Affairs Commission in this process.

Responsibility: Attorney General's Department and Ethnic Affairs Commission

2.8 That the Ethnic Affairs Commission publish its policy on the fee exempt provision of interpreters in cases of hardship and the criteria for any means or merit tests which apply. That the Ethnic Affairs Commission circulate this information to all New South Wales courts.

Responsibility: Ethnic Affairs Commission

2.9 That the Ethnic Affairs Commission publish its complaints procedures in relation to interpreter performance or Ethnic Affairs Commission administrative processes.

Responsibility: Ethnic Affairs Commission

2.10 That the Director of Local Courts formally request the Judicial Commission to include information about the additional time requirements in hearings where witnesses and parties to an action need the assistance of an interpreter in any future training programs about listing practices. Research indicates that the interpreting of complex evidence doubles the amount of time needed to conduct the hearing.

Responsibility: Director, Local Courts.

2.11 That the Attorney General's Department provide a specific budget for interpreting services to Court Services Cost Centres and establish procedures and guidelines for Local Court staff in their use of such a budget. Existing Ethnic Affairs Commission exemptions would continue to apply to identified areas (criminal, AVO, Chamber Magistrate). Priority areas for funding additional service provision will be developed in each Cost Centre.

Responsibility: Legislation and Policy Branch, Attorney General's Department

2.12 That the Attorney General's Department develop and issue policy and guidelines to ensure that accredited professional interpreters are provided with appropriate facilities and resources when at court in accordance with the recommendations in "Guide to Best Practice for Lawyers and Interpreters working together in a Legal Environment (Law Society/Law Foundation, 1996).

Responsibility: Attorney General's Department

2.13 That in the revised edition of the Local Courts Practice and Procedure Manual, the chapter on interpreters includes information and guidelines on:

- NAATI accreditation levels with specifications on the minimum level required for legal/court interpreting
- The “next best” procedures when Ethnic Affairs Commission advises that no Level 3 (professional level) interpreter is available
- The Attorney General’s Department language policy (including reference to the Language Link Resource Kit)
- The Attorney General’s Department guidelines on the criteria and budget allocation for interpreting services at Local Courts
- Duties and restrictions of CLAS recipients
- Details of current fee exemption guidelines
- Advice that interpreters can be booked for all court appearances, including first court appearance dates
- Advice that Local Court staff can book an interpreter at the request of any party to a criminal case or their representative

Responsibility: Director’s Office, Local Courts and Courts Policy Unit Attorney General’s Department

3. COMMUNITY INFORMATION AND EDUCATION

- 3.1 That Local Courts extend to all courts the practice of attaching a ‘multilingual help sheet’ to all legal documents sent to defendants and respondents. That each Clerk of the Court identify priority languages, based on local area demographics and demand. That Clerks of Court or their delegated officer be responsible for preparing the reverse side of the document which provides contact details for local legal services.

Responsibility: Project Officer, Client Service - Local Courts, Clerks of the Local Court

- 3.2 That the Attorney General’s Department provide cross-cultural training, including cross-cultural communication training, for departmental trainers and all court staff and service providers.

Responsibility: Manager, Corporate Development and Training - Attorney General’s Department

- 3.3 That the Attorney General’s Department develop and make available information pamphlets and handout sheets on a range of legal topics translated into high demand community languages.

Responsibility: Manager, Corporate Communications - Attorney General’s Department

- 3.4 That all full-time Local Courts should consider conducting a yearly “Open Day” to allow the community to find out more about the functions and services of the Local Court.

Responsibility: Clerks of the Local Court

- 3.5 That Clerks of the Local Court should convene regular local court user groups of legal and other service providers to discuss current issues and service improvement initiatives.

Responsibility: Clerks of the Local Court

- 3.6 Local Courts should include in the Clerk of the Court’s duty statements a responsibility to conduct educational workshops for community workers about the functions and services of the Local Court

Responsibility: Director, Local Courts

4. QUALITY OF SERVICE

- 4.1 That Local Courts examine options to improve enquiry services for the public, including the use of free-call information services. Information provision in community languages should be incorporated into these services.

Responsibility: Attorney General’s Department

- 4.2 That Local Courts consider the inclusion of cross-cultural awareness training as a component of all induction and customer service training for Local Courts staff.

Responsibility: Corporate Development and Training Branch, Attorney-General’s Department; Project Officer, Client Service - Local Courts

- 4.3 That Local Courts should examine the options for “identified” Ethnic Community Liaison Officer or bilingual staff positions in a number of Local Courts. These should be prioritised on the basis of ethnicity data and significant client demand or need.

NB: Such positions are not to replace the use of professional interpreters at court.

Responsibility: Director, Local Courts

- 4.4 That the Attorney General’s Department review locations and appropriate classification of CLAS recipients to ensure these staff are effectively utilised in locations where their relevant language skills are in high demand.

Responsibility: Manager, Workplace Development, Attorney General’s Department

- 4.5 The Attorney General’s Department should install multilingual or symbol signs for locations, services and amenities in all renovations or major maintenance projects undertaken in Local Courts, including any projects to implement the Security Review and Court Upgrade Process. Signage in all Local Courts should be reviewed.

Responsibility: Finance and Strategic Services, Attorney General’s Department

- 4.6 In the proposed review of the role and functions of Chamber Magistrates, Local Courts should review the current placement of Chamber Magistrates and examination placement strategies in response to local demographics, community demand and need.

Responsibility: Leader, Working Party to review the Roles and Functions of Chamber Magistrates; Director, Local Courts

- 4.7 Local Courts should ensure consistency of service delivery at all Local Courts by implementing the “standards and benchmarks” developed in the Wollongong University project “Client Service in Local Courts”. These should be published and promoted to clients.

Responsibility: Project Officer, Client Service - Local Courts

- 4.8 Local Courts Director’s Office should consult with the NSW Police Service to examine the format of the Charge Case List produced by the Police Service to ensure it provides appropriate information for the public at court, including identification of those cases where interpreters are booked.

Responsibility: Project Officer, Client Service - Local Courts

- 4.9 The Local Courts Director’s Office should develop and distribute to all courts a referral guide to community and government organisations.

Responsibility: Project Officer, Client Service - Local Courts

4.10 Local Courts forms should be reviewed, and where possible plain English versions should be developed to improve accessibility and understanding.

Responsibility: Director, Local Courts

4.11 In areas where there is a high client population of people with limited English language skills, Local Courts should support the establishment of culturally appropriate court support schemes in line with the “Court Support Guidelines” issued in May 1997.

Responsibility: Clerk of the Local Court