



Australian Government

PSPTIS144 Use complex legal terminology in two languages

Release: 1

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Modification History

Not applicable.

Application

This unit describes the performance outcomes, skills and knowledge required to understand and use complex legal terminology in two languages, sufficient to interpret between the two languages in complex dialogue or monologue settings in specialist legal, judicial and policing contexts.

This unit applies to those working as interpreters in a range of complex legal, judicial and policing contexts. The interpreter may be required to interact with members of the general public interacting with police, lawyers, the judiciary and court staff.

Complex settings are those involving specialised subjects requiring a high level of subject knowledge, or intense assignment specific preparation. The elements of the setting, or the number of parties involved may limit the interpreter from managing the interaction. Interpreting may be completed onsite or remotely. Interpreting in this setting typically requires high levels of accuracy and accountability and assignments involving formality, or participants with high status and accountability. The content of communication may not easily be predicted or planned for, and there are limited opportunities for error correction. The consequences of errors in communicative intent can have significant implications.

The skills in this unit must be applied in accordance with Commonwealth and State or Territory legislation, Australian Standards and industry codes of practice.

No occupational licensing, certification or specific legislative requirements apply to this unit at the time of publication.

Competency Field

Translating and Interpreting

Elements and Performance Criteria

ELEMENTS

Elements describe the essential outcomes.

1. Identify the context of legal terminology.

PERFORMANCE CRITERIA

Performance criteria describe the performance needed to demonstrate achievement of the element.

- 1.1. Identify key features of the legal and judicial system, including key roles and structures.
- 1.2. Identify the elements and nature of interaction specific to complex communication in formal legal, judicial and policing contexts.
- 1.3. Identify social, cultural and professional conventions and

- interpersonal and institutional dynamics of two languages appropriate to legal and judicial contexts.
- 1.4. Outline the role and responsibilities of interpreters and others in legal, judicial and policing contexts.
 - 1.5. Explain the consequences of oral or signed rendition of fixed texts and use of incorrect legal terminology.
2. Extend understanding of legal terminology.
 - 2.1. Recognise and explain complex legal terminology and key legal concepts and processes in two languages.
 - 2.2. Establish standard translations for fixed text encountered in policing and judicial contexts that correctly reflect underlying common law principles.
 - 2.3. Research and develop knowledge of complex legal vocabulary and expressions in two languages.
 - 2.4. Use intelligible pronunciation or signed production of complex legal terminology.
 3. Use appropriate oral or signed communication in legal contexts.
 - 3.1. Receive and understand oral or signed communication using complex legal vocabulary and expressions in two languages.
 - 3.2. Seek advice to clarify correct use and meaning of terms and associated processes.
 - 3.3. Use a range of complex legal vocabulary and expressions in two languages when interpreting.
 - 3.4. Use prosodic features, gestures and body language appropriate to the legal, judicial and policing context.

Foundation Skills

Foundation skills essential to performance are explicit in the performance criteria of this unit of competency.

Unit Mapping Information

Supersedes and is not equivalent to PSPTIS093 Use complex legal terminology in interpreting (LOTE-English).

Links

Companion Volume implementation guides are found in VETNet -

<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=bebbece7-ff48-4d2c-8876-405679019623>

Assessment Requirements for PSPTIS144 Use complex legal terminology in two languages

Modification History

Not applicable.

Performance Evidence

Evidence of the ability to complete tasks outlined in elements and performance criteria of this unit in the context of the job role, and:

- use complex legal terminology in two languages on at least two occasions, one in each language, including:
 - recognising and using social, cultural and professional conventions applicable to the languages being used in a complex legal or policing setting, including:
 - customs, protocols and taboos
 - language varieties
 - idiom and colloquialisms
 - consistent use of forms of address.

Knowledge Evidence

Demonstrated knowledge required to complete the tasks outlined in elements and performance criteria of this unit:

- areas of law
- hierarchy of courts and tribunals
- role of legal professionals in the legal system
- information sources for increasing complex legal knowledge and terminology
- key documentation relevant to complex policing, legal and judicial processes
- interpreter role in the preparation of affidavits and other legal documentation and legal cases
- legal and financial consequences of incorrect interpreting
- legal principles relating to the role of the interpreter, including the right of a defendant to be 'linguistically present'
- legal privilege
- legal systems including common law and code law
- lower court, civil and administrative tribunals and routine legal processes
- relevant legislation, government policies and court guidelines
- upper court, review tribunals and complex legal processes
- fundamental principles of the Australian legal system, including fair justice
- nature and structure of interpersonal and institutional dynamics relevant to legal, judicial and policing contexts

- admission of evidence
- legal discourse and the strategic use of language in legal settings
- impact of interpreting choices on legal outcomes
- follow up with correctional services
- outcomes of the judicial process
- Work Health and Safety (WHS) relevant to working in complex legal, judicial and policing contexts, including personal safety and fatigue.

Assessment Conditions

Skills must be demonstrated in a workplace or simulated environment that reflects workplace conditions.

Assessment must ensure access to:

- case studies or examples of diverse interpreting assignments in complex dialogue or monologue settings in specialist legal, judicial or policing contexts.

Assessors must satisfy the Standards for Registered Training Organisations' requirements for assessors.

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