

Communiqué

Meeting, Judicial Council on Cultural Diversity

25 October 2019

The Judicial Council on Cultural Diversity (JCCD) met in Canberra on 25 October 2019.

The Council was given an overview of the Indistinct Covert Recordings Consultation held in Canberra on 24 October 2019. The Consultation involved representation from police; State, Territory and Commonwealth DPP; NAATI; an interpreter; the JCCD Covert Recordings Subcommittee; and linguists whose letter to the CCJ prompted the inquiry and project. It was agreed to work on processes aimed at reducing the risk of error in using covert recordings in courts, without bringing the work of transcribing to a halt. The JCCD will continue to mediate with other groups to ensure this project progresses.

The Council received a briefing of the UNSW Australian Research Council Linkage Project on “Access to Justice in Interpreted Proceedings: the role of judicial officers” from Professor Ludmila Stern, who is leading the Project. The JCCD is one of eight partners in the project, which will assess the extent of, and obstacles to, implementation of the *Recommended National Standards on Working with Interpreters in Courts and Tribunals* (National Standards).

Council members discussed the progression of items from the previous meeting. Regarding the underrepresentation of Aboriginal people on juries, members agreed on the need to understand barriers to jury participation and to promote greater involvement on juries without forcing people to be involved.

The Implementation of the National Standards is ongoing, and the NSW Uniform Civil Procedure Rules Committee has resolved to adopt rules based on those set out in the Standards. Justice Helen Wood was congratulated on being a finalist in the Australian Migration and Settlement Awards for the Cultural Diversity and Working with Interpreters Module of the Tasmanian Legal Practice Course. The module is intended to be offered in Tasmania in successive years and is hoped to be picked up across Australia. Justice Helen Wood and Justice Helen Bowskill intend to create cheat sheets for judges for working with interpreters, based on the scripts in the National Standards. These will be presented to the JCCD.

The Secretariat presented the Cultural Diversity Justice Network (CDJN) web portal, which is accessible via password and now contains resources and initiatives for Members. The Secretariat encouraged Members to continue sending initiatives or other information for inclusion.

Ms Carla Wilshire presented a Migration Council Australia project developing a settlement app for migrants to Australia, which would include a judicial systems literacy section. JCCD members agreed to review and provide comments on the content of this section.

In other business, it was agreed that JCCD members and CDJN Advocates would provide the Secretariat on their observations in courts and tribunals of any reflection of the current trend in the Australian migration program that has led to people overstaying their visa. Noting that this was likely Professor Greg Reinhardt’s last JCCD meeting, the Chair thanked him for his invaluable contributions to the work of the JCCD and in other forums.

The JCCD will hold its next meeting on 27 March 2020 in Melbourne. The next CDJN meeting will be held on 26 March 2020.