

**JCCD Meeting Communiqué
28 October 2020 (via Zoom)**

The Judicial Council on Cultural Diversity (JCCD) met in a videoconference via Zoom on 28 October 2020.

The Council was informed that the Secretariat had initiated the Review Protocol of the *Recommended National Standards for Working with Interpreters in Courts and Tribunals*. The Chair had sent letters to peak interpreter bodies and to the judicial heads of jurisdiction requesting their feedback on the implementation and impact of the *Standards*. The Council will await these responses before continuing the review process.

The Council was given an update on the Indistinct Covert Recording Consultation which was held in October 2019. The JCCD had been involved in facilitating the sharing of information between the linguists and the police and DPPs who had been represented at the Consultation. The University of Melbourne has established the Research Hub for Language in Forensic Evidence with the academics who were involved in the Consultation to facilitate their further research. The Council agreed that its ongoing involvement in the project would be limited, but that it would be willing to collect information and data about trials in which indistinct covert recordings were used in evidence, should such information be requested by the Hub.

Council members were updated on the progress of the Modern Slavery Guidance Note. The Note is to be reviewed by the Judicial College of Victoria.

The Committee on the *Recommended National Standards* provided an update to the Council on a meeting it held leading up to the JCCD meeting. It was explained that the Committee had been made aware of some troubling reports from interpreters on their experiences in courts. The view was that the education and promulgation of the *Standards* had stalled as a result of the impacts of COVID-19. It was put to the Council that new education material on the *Standards* should be developed for a broad audience, including the judiciary, the legal profession and other court officers, to ensure that all parties in a courtroom are familiar with the *Standards* and what they require. This material would be in the form of e-learning modules, developed with contributions from the legal profession, via law societies and bar associations; the judiciary; and interpreters and other interested community members. It was agreed that the Secretariat would facilitate this process by establishing a Working Group with representatives from these various organisations. The Council also discussed reviewing factsheets on the *Standards* and circulating these among Council and Network members.

Some Council members noted that there was a degree of misunderstanding in the offices of DPPs about the *Standards* and their importance. It was agreed that the input of various DPPs would be sought as part of the development process of any additions or amendments to be made to the *Standards*.

The Council noted that the impact of COVID-19 had been significant, particularly as a result of the increased use of audio/visual technology for hearings and trials. It was raised that the *Standards* may also be revised to include best practice guidelines for working with interpreters via such audio/visual technology, to ensure that trials or hearings that must necessarily be held in such a way are not done to the detriment of justice to those who require an interpreter.

It was proposed that the JCCD will hold its next meeting on 19 March 2021. If restrictions allow, the Council will next meet in person, in Canberra.