

THE RIGHTS TO SIGN LANGUAGE INTERPRETING SERVICES WHEN WORKING OR STUDYING ABROAD

August 2011

R1101

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R1101 - Report by Lourdes Calle, efsli project coordinator

31 August 2011

Introduction

In this report the European Forum of Sign Language Interpreters (efqli) investigates the current rights of Deaf people to sign language interpretation services when studying or working in another European country.

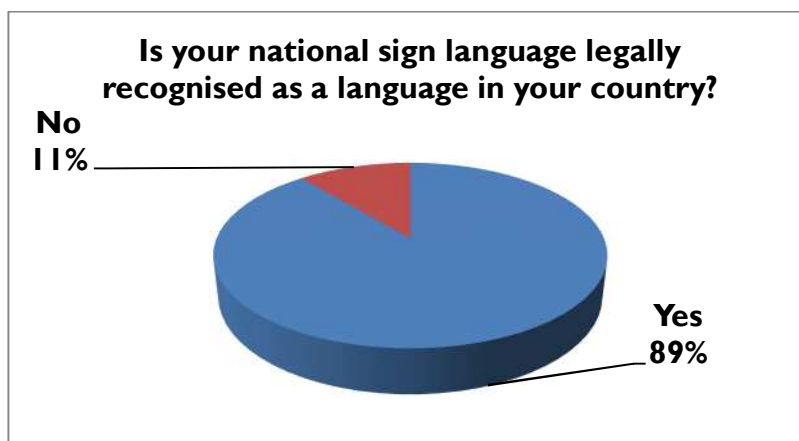
This report is based on a survey which was sent to all efqli full members, called NASLIS (National Associations of Sign Language Interpreters). Currently efqli has twenty six NASLIS. A total of nine NASLIS (National Associations of Sign Language Interpreters) fully completed the survey. Five NASLIS responded partially and some of these comments have been included as well, which are marked with an asterisk (*). However these partly responses are not included in the calculation of percentages for not having completed and submitted the survey, so we cannot be sure of the veracity of the data.

The NASLIS that have fully answered the survey are AFILS (France), UTLOSS (Serbia), BGSD (Germany), FILSE (Spain), SVT (Finland), NBTG (the Netherlands), SDENG (Greece), ZTSZJ (Slovenia) and EVKTÚ (Estonia).

The survey questions have been produced in collaboration with the European Union of the Deaf (EUD).

I. General data: status of sign languages and accountability in the allocation of sign language interpreters

In eight of the nine countries (88,9%) the national sign language is legally recognised as a language. Three of the associations indicate that while sign language is recognised as a language it does not have the same status as spoken language. Some NASLIS respond that in their country sign language is only recognised as an educational mean (Greece), in the category of need, help, accompanying and deficiency (France) or only recognised in the social legislation, not as an official language (Germany). FILSE (Spain) indicates that even though the law for the official recognition of sign language passed in 2007 it has not really been implemented or put into force.



In the countries there is a variety of authorities responsible for allocating the interpreting services; in seven of them (France, Serbia, Spain, Finland, Netherlands, Slovenia and Estonia, 77,77% of total) this is the Ministry or institution responsible for work, social affairs or education. Germany reports that the departments of integration in every federal state, local employment agencies and local courts are responsible and in two countries (Estonia and Serbia). The responsibility is shared between the Ministry and the local authorities, and in Greece is the National Federation of the Deaf. In some cases the responsibility is shared between several public bodies or between public bodies and deaf associations. In France Deaf people receive a monthly allowance in order to pay for “help to communication” in

their private life. In France there are also other allocations for public industry and for private industry which employ deaf people. One of the NASLIS (FILSE, Spain) indicates that the law which recognised sign language as an official language did not define in detail how to share the responsibilities between the different public bodies.

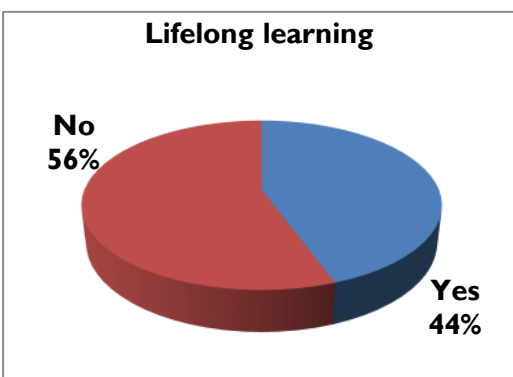
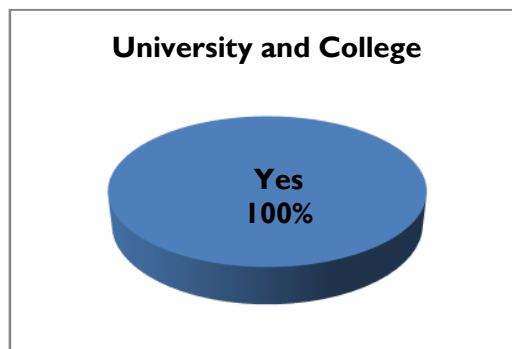
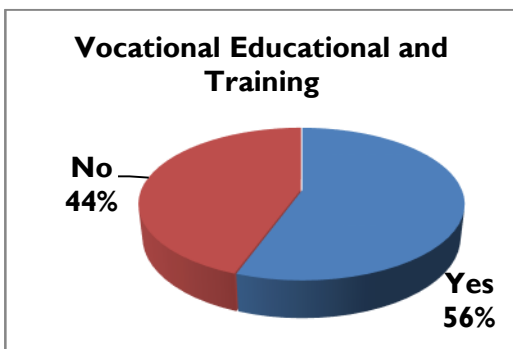
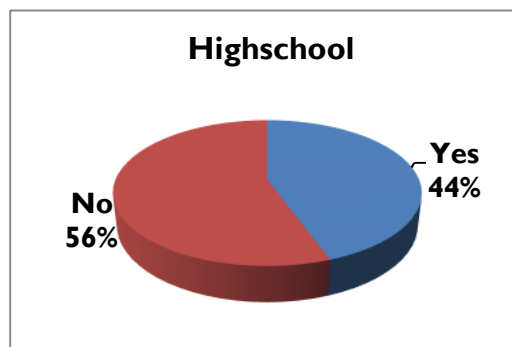
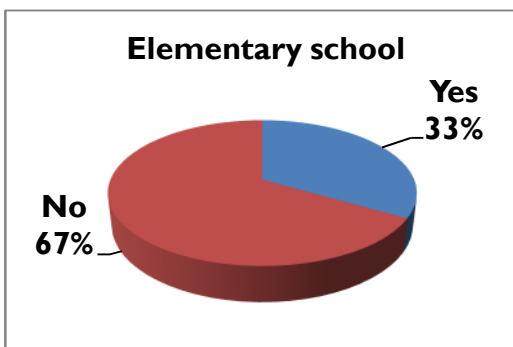
In the United Kingdom (*) the responsible party for allocating interpreting services are independent agencies or individuals. Here the provision of interpreters is not controlled by the government nor is it monitored.



In 100% of the countries Deaf people have the right to sign language interpreting services financed by the authorities. One of the NASLIS (FILSE, Spain) indicates that although the 2007 law states that Deaf sign language users have the right to interpreting services in various areas, this provision has not been systematically implemented at all.

2. The right to sign language interpreting services in education in their own countries

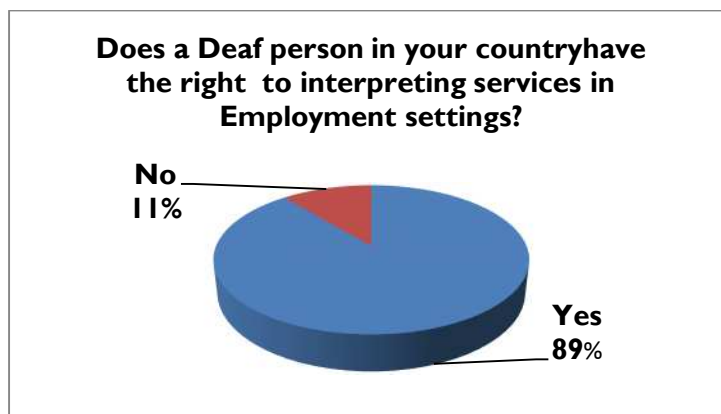
In 100% of the respondents' countries Deaf people have the right to sign language interpreting services in education. Five NASLIS (SVT-Finland, ZTSZJ-Slovenia, NBTG-Netherlands, FILSE-Spain and BGSD-Germany) state that in their countries there is not a limit on interpreting hours per student, but in Spain this is how it is officially stated in the law, but this is not the actual situation (*"In theory 100%. In practice, less or none"*).



Of the nine countries that responded, (France, Serbia, Germany, Spain, Finland, Netherlands, Greece, Slovenia and Estonia) in three of them (Spain, Netherlands and Germany) there is sign language interpretation in elementary school (33,33%), in four of them (Slovenia, Spain, Netherlands and Germany) in high school (44,44%), in all of them in College and University(100%), in five of them (Finland, Spain, Netherlands, Germany and France) in Vocational Educational Training (55,55%) and in four of them (Finland, Netherlands, Germany and France) in Lifelong learning (44,44%). These percentages must be viewed with some reservation, as the respondents from the NASLIS point out in the following comments:

One of the NASLIS (NBTG-Netherlands) reports that interpreting services in Continuing Education are provided until the age of 30. After the age of 30 the service will be seen and provided as an employment service which has different criteria. Another NASLI (ZTSZJ-Slovenia) states that each Deaf student has only 100 hours of interpretation per year. Some NASLIS indicate that the limit of hours depends on each educational institution means and resources. Another NASLI (AFILS-France) remark that Deaf students have to fight for their rights for interpreting services, as the service can differ between different universities. Another NASLI (FILSE-Spain) respond that interpreting is more common in secondary education, while at the primary level signing teaching assistants are often used rather than interpreters. In Spain, beyond secondary (obligatory) education, it is harder to get interpreting provision but it is becoming more and more common.

3. The right to interpreting services in Employment settings

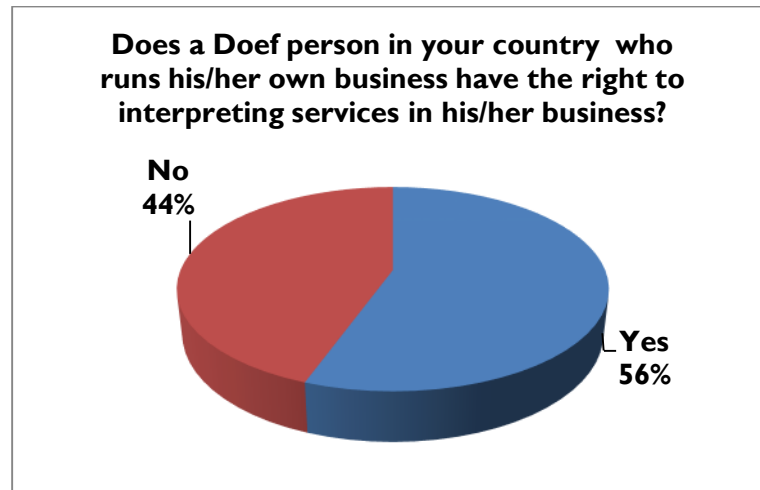


In all the countries, with the exception of Greece, (88,9%) Deaf people have the right to interpreting services in employment settings. If we analyse this result in detail we see that only in Serbia there are interpreting services 100% of the contracted time of the Deaf employee. In Netherlands this percentage drops to 15% of the Deaf persons contracted hours. Two of them (Finland and Germany) state “when needed “, and SVT-Finland provides a comment in brackets “(meetings)”. In Slovenia there are interpreting services in the employment settings only for public matters. And another NASLI (FILSE-Spain) comments that in theory, whenever the Deaf person needs it, so long as it does not mean an “unreasonable” cost for the employer. In United Kingdom (*) Deaf people in the employment setting can pay for interpreting services from a programme called “Access to Work”. This is a government run initiative which funds any disabled person to access work. In the UK interpreting services will depend on the job Deaf people have. “Access to work” will provide an assessment of their needs and then allocate a budget for them to pay for interpreting, note taking, etc.

Two NASLIS (SVT-Finland and ZTSZJ-Slovenia) state that Deaf workers, if they want interpreting services in employment settings, they have to take those hours of their total allocated annual hours. One of these NASLIS (ZTSZJ-Slovenia) states that if there is a public matter, for example a work seminar, the employer pays. One NASLI (NBTG-Netherlands) responds that the number of hours depends on the contracted time; more hours may be applied for, this application will be judged by the executing agencies. Another NASLI (AFILS-

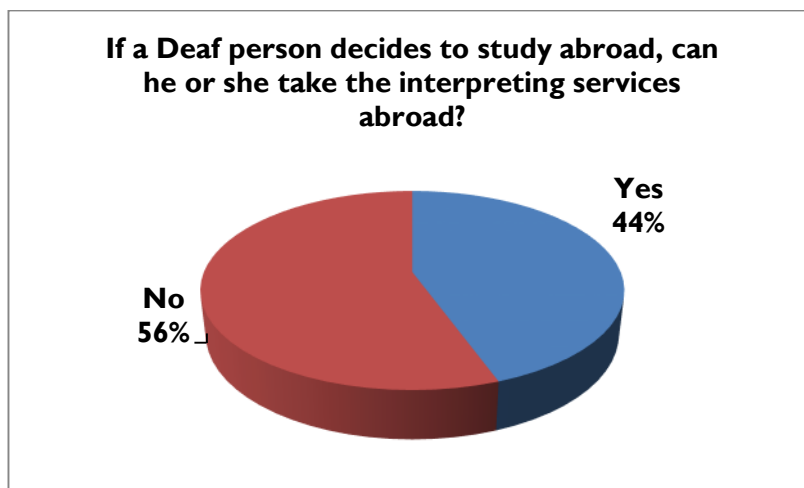
France) indicates there is public funding for public industries and also for private industries. In France the rights differ depending on the industry sector. Some industries refuse to pay or think interpreters are not needed. Here Deaf people have to fight for the right to have an interpreter.

4. The right to interpreting services when running your own business

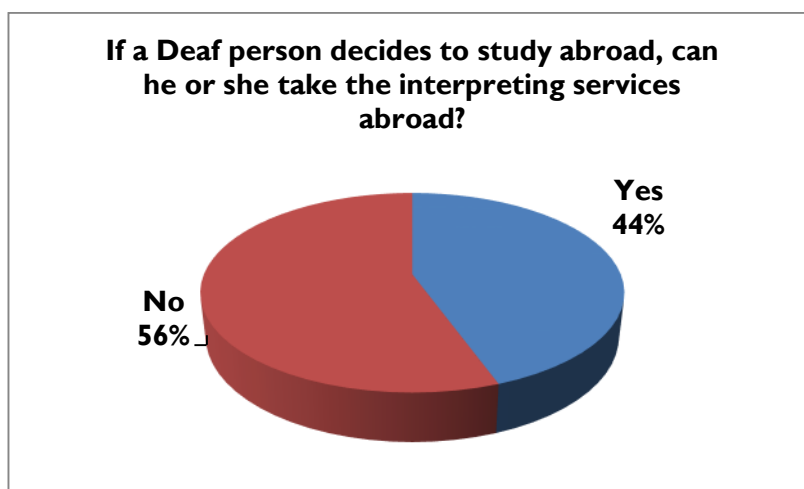


In five of the nine countries (Finland, Netherlands, Serbia, Germany and France, 55,55% of total) the Deaf person who runs their own business has the right to interpreting services. The details are very similar to the previous section on interpreting in education; most of the Deaf persons have to take those hours from their designated annual total number of interpreting hours. One of the NASLIS (NBTG-Netherlands) indicates that the number of hours very much depends on the business' and person's situation. In the Netherlands applications are judged by the executing agencies. The interpreting service will be provided, for a maximum period of 3 years, until the Deaf person's business generates a minimum amount of income, decided by the Ministry of Social Affairs and Employment.

5. The right to interpreting services when studying abroad

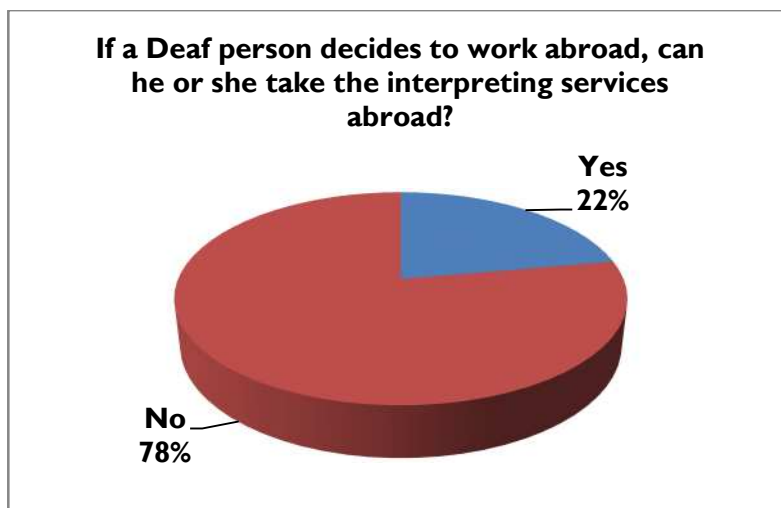


If a Deaf person decides to study abroad, in four countries (Finland, Netherlands, Serbia and France, 44,44% of total), he or she can **take the interpreting services abroad** (bring an interpreter of his/her country of origin to the country where he/she will study). In two of those countries (Slovenia and France) the Deaf student has to pay for that service. In Netherlands there is a limited payment of 8 interpreting hours per day and a maximum number of days. When exceeding this maximum, interpreting service in the country of residence must be used. In Finland the Deaf person has to fill out a special application. It depends on the length of the study and the interpreter's availability whether the interpreter will be provided from their home country or from the country where they will study.

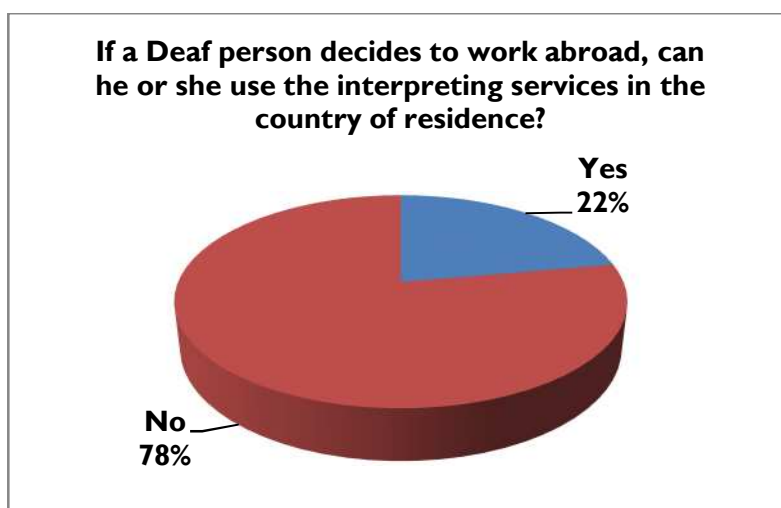


If a Deaf person decides to study abroad, in four countries (Finland, Netherlands, Serbia and France, 44,44% of total) he or she **uses interpreting services in the country where he or she is studying** (in the hosting country native sign language or International Sign). In Slovenia the Deaf student should pay that service and in Netherlands the service should be provided by the hosting country but financed by the Dutch government.

6. The right to interpreting services when working abroad



If a Deaf person decides to work abroad (for example attend a conference), only in two countries, Finland and Netherlands, (22,22%) he or she can **take the interpreting services abroad**. Netherlands reports that there is a limited payment of 8 hours per day. In addition, there are a maximum number of days. When exceeding this maximum, interpreting service in the other country must be used.



If a Deaf person decides to work abroad, in Finland and Netherlands, (22,22%) he or she can **use the interpreting services (in the hosting country native sign language or International Sign)** in the country where he or she is working. In Netherlands the service would be provided but, again, the Dutch government would not pay for this service, it should be the Deaf person's home country government. In Finland this service is offered to the Deaf person but he or she has to fill out a special application and the authority will negotiate all the costs beforehand.

Conclusion

The results of this survey provides an overview of the barriers Deaf persons face with interpreting services when studying or working abroad. When abroad, most of the European countries do not provide or finance the interpreting services. One of the NASLIS stated at the end of the survey the following:

The case of studying/working abroad is not common and we are not aware of any cases where this type of service has been requested. This may well be because the person just assumes that they do not have the right to this service provision (the underlined added by the author of this report).

This assertion can be connected with another fact: five respondents (ANIMU-Italy, ASLI-UK, FTT-Denmark, ÓGSDV-Austria and ANIALMG-Romania) started this survey but did not finalise it. Additional several respondents also made several attempts to fill out the survey. Not being able to complete the survey, could be due to the uniqueness of the concept of a Deaf person studying or working abroad. Most of the NASLIS are unfamiliar with the concept and there is no related existing policy in their country available.

If the NASLIS and the institutions responsible for allocating interpretation services are unaware of the possibility of Deaf people studying or working abroad and, therefore, have not thought about how to meet this need, this means Deaf students and Deaf workers are facing a barrier. Consequently there is inequality between Deaf and hearing people (students and workers) in being able to access education and employment in another European country.

In order to ensure European mobility and accessibility to Deaf people in Europe the current situation must be changed. To achieve this all stakeholders (national institutions responsible for financing interpreting services and/or allocating interpreting services, NASLIS, national Deaf associations, efsli and EUD) must cooperate and take on the responsibility to eliminate the current barriers.

Appendix:

Survey “The rights to interpreting services when working or studying abroad”

Introduction

The purpose of this jointly drafted questionnaire by EUD and efsli, is to map the rights of Deaf persons to interpreting services when studying or working abroad, compared to the rights Deaf persons have when staying in their country of origin. Selected data of this questionnaire will be included in the report of the European Disability Forum (EDF), which will be send to the EU for reporting and providing an overview of the barriers people with a disability face in Europe. The deadline for filling out the questionnaire is August 15. We thank you for your co-operation.

Your data

Please fill out

1. What is the name of your national interpreter association?:

2. Which country or region does your national association represent?:

3. Please fill out your name: _____

4. Please fill out your email address here so we can contact you if we need additional information: _____

Rights to sign language interpreting services

1) Is your national sign language legally recognized as a language in your country?

Yes

No

If you have any additional comments, please leave them here

2) Which authority in your country is responsible for allocating the interpreting services (fill out all that apply)

a. National government, namely (for example Ministry of Education):

b. Regional authority, namely (for example the State or Province):

c. Local authority, namely (for example the County): _____

d. Other, namely.....: _____

If you have any additional comments, please leave them here

3) Does a Deaf person in your country/region have the right to sign language interpreting services financed by the authorities?

Yes

No

If you have any additional comments, please leave them here

4) Does a Deaf person in your country have the right to interpreting services in education?

Yes, namely (specify the right, f.e. 100% of their education)

No

In which level of Education (please fill out all that apply)

Primary (elementary school)

Secondary (high school)

Tertiary (college & university)

Vocational Educational Training (VET)

Continuing Education (Life Long Learning)

Other, namely

For how many hours a year does a Deaf person in your country has the right to interpreting services in education?

If you have any additional comments, please leave them here

5) Does a Deaf person in your country have the right to interpreting services in Employment settings?

Yes, namely (specify the right, f.e. 100% of their contracted time)

No

For how many hours a year does a Deaf person in your country has the right to interpreting services in Employment settings?

If you have any additional comments, please leave them here

6) Does a deaf person in your country who runs their own business have the right to interpreting services in their business?

Yes (specify the right, f.e. 100% of their business time)

No

For how many hours a year does a Deaf person in your country has the right to interpreting services in their business?

If you have any additional comments, please leave them here

Rights when working or studying abroad

7) If a Deaf person decides to study abroad, can he or she take the interpreting services abroad? For example, can a deaf person from Sweden study in Germany with a Swedish Sign Language interpretation provided and paid for?

Yes

No

Please specify the rights or limitations to the rights here

8) If a Deaf person decides to study abroad, can he or she use interpreting services in the country of residence? For example, can a Deaf person from Sweden study in Germany with German Sign Language or international sign interpreters and paid for?

Yes

No

Please specify the rights or limitations to the rights here

9) If a Deaf person decides to work abroad, can he or she take the interpreting services abroad? For example, can a deaf person from Sweden attend a conference in Germany with Swedish Sign Language interpretation provided and paid for by the Swedish authorities?

Yes

No

Please specify the rights or limitations to the rights here

10) If a Deaf person decides to work abroad, can he or she use the interpreting services in the country of residence? For example, can a Deaf person from Sweden attend a conference in Germany with German Sign Language or international sign interpretation provided and paid for by the Swedish authorities?

Yes

No

Please specify the rights or limitations to the rights here

Your comments

If you have any other comments, please leave them here