



## **National Accreditation Authority for Translators & Interpreters (NAATI)**

**Submission to the Department of Immigration and Border Protection (DIBP) on the Discussion Paper: Reviewing the Skilled Migration and 400 Series Visa Programmes  
September 2014**

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## 1. Executive Statement

On 19 September 2014 the Department of Immigration and Border Protection (DIBP) wrote to the National Accreditation Authority for Translators and Interpreters (NAATI) seeking input on the attributes needed in a future skilled visa framework and in the 400 series visa programmes.

NAATI is pleased to provide this submission to DIBP in response to the *Discussion Paper: Reviewing the Skilled Migration and 400 Series Visa Programmes September 2014*.

The ready availability of accredited and highly skilled translators and interpreters to all who require their services is one of the cornerstones of an equitable and harmonious society. In a socially inclusive society like Australia access to translating and interpreting services is a right. The work of translators and interpreters is critical to the success of Australia's multicultural society and is one of the essential services that defines Australia's approach to migration and settlement as world's best practice.

The Review of the Skilled Migration and 400 series visa programmes is a timely opportunity to re-affirm the importance of the work undertaken by translators and interpreters and by NAATI in ensuring the needs for readily available, high quality translating and interpreting services for people who are not fluent in English are met.

NAATI has made important contributions to the growth and development of Australia's diverse and multicultural society in many ways for over thirty years. It is the only accreditation body for the translating and interpreting industry in Australia and provides the national standards for the translating and interpreting profession.

NAATI has worked productively with the Department for many years by:

- setting, maintaining and promoting high national standards in translating and interpreting; and
- implementing a national quality-assurance system for credentialing practitioners who meet these standards.

Translators and interpreters credentialed by NAATI provide their services often to current and former clients of the Department. In addition, NAATI issues credentials to visa applicants seeking points through the Skilled Migration Programme for credentialed community languages (CCL).

The inclusion of CCL in the points test for Skilled Migration is a key factor in attracting migrants to Australia who have a demonstrated the ability to become a translator or interpreter. This not only benefits employment and immigration outcomes but also has a positive influence on Australian society by attracting people who are able to engage readily in a productive way with the Australian community.

Anecdotal evidence suggests there is a strong correlation between high level English language skills and the ability to both gain employment in Australia and to keep it. It follows that those with NAATI accreditation are more likely to be in this group.

Including language skills in the assessment of Skilled Migration applications assists new members of the Australian community to gain and hold employment and participate in society.

As the Minister for Immigration stated in 2012 when introducing the legislative instrument to enable CCL points, these points are offered to prospective migrants because translating and interpreting skills are highly valued in Australia. NAATI asserts they are still highly valued.

The inclusion of Credentialed Community Languages in Skilled Migration Point assessments brings to Australia language skills that increases the pool of languages accessible in Australia. The importance of skilled migration to the importation of these language skills is substantial.

Australia is a linguistically diverse country and requires a supply of community members with advanced language skills. These language skills are required for the functioning of many institutions and for the operation of many parts of Australian society. For example, accredited interpreters are required for the functioning of the court system both for defendants and witnesses. Evidence in court may be called into question if a person requires an interpreter and none is available or a non-accredited person provides that service.

The ability of visa applicants to earn points for CCL brings languages to Australia that may not otherwise be available here. If the review streamlines the Skilled Migration Program in such a way that CCL points do not continue then alternate measures will be needed to capture the benefits which the CCL arrangements have delivered.

## 2. Summary of NAATI Comments on the Discussion Paper

NAATI's comments on the *Discussion Paper for the Review of the Skilled Migration and 400 Series Visa Programmes* follow.

**NAATI Comment 1:** Recognition of settlement issues and the wider benefits of the importation of language skills to Australia should be considered among the principles guiding the review.

**NAATI Comment 2:** The possible combination of a higher age threshold and any reduction in the English language proficiency requirements is likely to lead to an increased reliance on language services by some individuals in their later years.

**NAATI Comment 3:** English language proficiency should remain as a key visa attribute. This is to ensure that industry needs; settlement needs; and the need for Australia to have access to a broad base of language skills for the effective functioning of a linguistically diverse society are met.

**NAATI Comment 4:** Linking English language proficiency, for the purposes of obtaining a visa, to only industry standards could reduce the level of English required which could put at risk the benefits to the community of the importation of high level language skills as part of the Skilled Migration programme.

**NAATI Comment 5:** The current positive effect on the provision of language services of the Skilled Migration programme would not continue if the points test was removed or modified to remove the CCL provision. If the points test is not to be continued as a result of streamlining other measures to encourage development of the language skills base in Australia will be needed to ensure access to languages in short supply.

**NAATI Comment 6:** While there is a need for English language proficiency in some categories of the Short Term Migration Category the minimum level of English should be consistent with the purpose of stay in Australia. It is not clear from the discussion paper whether the minimum level of English is intended to be applied across the range of 400 visas and whether this would be the same in all cases. This issue needs to be clarified.

**NAATI Comment 7:** There is a real need to continue to support the language skills base in Australia so that in the long term it may provide language services in all the required areas in required languages. The current Skilled Migration arrangements provide such support in addition to their migration purposes.

**NAATI Comment 8:** The Skilled Migration Programme also encourages more participation in the NAATI credentialing system and tertiary education which benefits both activities and the local participants in both.

## 3. Discussion Paper Commentary

### 3.1 Overview

The Overview of the discussion paper describes the six principles guiding the review.

NAATI acknowledges the importance of a visa programme aimed at enhancing Australia's economic development where skills and employment drivers are emphasised and considered paramount. Language skills in addition to English, should be recognised as a consideration in the review of the visa scheme. This is because language skills are such an important requirement in a linguistically diverse country like Australia to meet settlement, occupational, legal and international needs.

### 3.2 Terms of Reference

The terms of reference for the Review refer at point 3 to the enrichment of the Australian economy through a well-managed skilled migration programme. This implicitly includes settlement of visa holders in the Australian community and the need for language skills essential to settlement and social cohesion and other aspects of Australian life.

NAATI's view is that not adequately addressing issues around settlement, such as the attraction of language skills and the provision of language services, may undermine the statement at the beginning of the discussion paper that it is imperative for Australia's long term prosperity to maintain a competitive advantage in identifying, attracting and retaining overseas skilled workers.

**NAATI Comment 1:** Recognition of settlement issues and the wider benefits of the importation of language skills to Australia should be considered among the principles guiding the review.

### 3.3 Key Visa Components

The discussion paper states that as part of the Review each key visa component will be examined to determine its applicability, functionality, effectiveness, and whether there are alternate non-legislative means to achieve the same outcome.

#### Age Threshold

The discussion paper raises the issue of the appropriate setting of the age threshold to suit changing demographics around work life expectancy. This suggests consideration might be given to increasing the applicable age for qualification for a migrant visa.

NAATI does not object to the upward adjustment of the age threshold. However, it believes the Review should be aware of the interaction between increased age and the ability to acquire English language skills and consequent implications for later demand for translating and interpreting services.

Applying industry standards to the assessment of an English language requirement for the purpose of migration may lead to the grant of visas to individuals with a lower standard of English language proficiency than is currently the case.

Older potential visa holders in this situation might have the requisite skills to operate in their industry but might not have a sufficient level of English to operate actively in society as they age. Their age may also mean that they have less time to increase their language proficiency level. The Review should also be aware of the process whereby as people age they can lose their acquired English and revert to their first language.

For these reasons reducing the English proficiency level of older migrants in the Skilled Migration Programme is likely to result in an increased demand for language services in the future.

**NAATI Comment 2:** The possible combination of a higher age threshold and any reduction in the English language proficiency requirements would be likely to lead to an increased reliance on language services by some individuals in their later years.

### English Language Proficiency

The discussion paper states that English language proficiency has traditionally been linked to stronger labour market outcomes and suggests considering linking it to industry standards.

NAATI's view is English language proficiency is a key attribute of a person able to function and be included in Australian society as well as being able to obtain and keep employment. As the length of stay of many individuals obtaining visas under the umbrella of Skilled Migration and the 400 series of visas can be significant, the importance of English language proficiency or access to high quality translating and interpreting services increases. NAATI's view is that English language proficiency should remain as a key visa attribute.

**NAATI Comment 3:** English language proficiency should remain as a key visa attribute. This is to ensure that industry needs; settlement needs; and the need for Australia to have access to a broad base of language skills for the effective functioning of a linguistically diverse society are met.

### Skills and Industry Standards

The discussion paper proposes that industry be allowed in some cases to determine the skill level for prospective migrants and that this include the determination of a minimum level of English language proficiency to satisfy the relevant visa criteria.

Should such an approach be adopted the language acquisition benefits of the current CCL arrangements will be at risk of being substantially diminished or lost. To acquire CCL points a candidate must meet the standard of a minimum of NAATI Paraprofessional Interpreter or Translator accreditation. This requires some fluency in both languages and the ability to transfer meaning between those languages.

If the standard of English required for a visa is lowered there will be increased demand for credentialed translators and interpreters. This would create significant pressures on translating and interpreting services while the supply of linguistically qualified migrants would be reduced by removing the capacity of visa applicants to obtain additional points through the operation of the CCL. There would be an increasing demand for language services and a reduced pool of language service providers to service the demand. The



current pool of language service providers sometimes struggles to meet demand and that the current pool can only be diminished by the passage of time unless there are mechanisms to replenish it.

**NAATI Comment 4:** Linking English language proficiency, for the purposes of obtaining a visa, to only industry standards could reduce the English proficiency required which would put at risk the benefits to the community of the importation of language skills as part of the Skilled Migration programme.

### Points Test

As described above, in its current form the points test operates to attract the language skills required by Australia to provide language services for settlement and other purposes such as in health, the police, defence and the judicial system.

The CCL provision in the points test underlines the importance of skilled migration to the provision of language services in Australia. It is a mechanism which both allows skilled workers to migrate to Australia and helps ensure a supply of language skills is maintained sufficient to support the provision of a wide range of language services in Australia. If points for the CCL were no longer available then Australia would lose a means of adding to the language skill base which exists or can be further developed.

**NAATI Comment 5:** The current positive effect on the provision of language services of the Skilled Migration programme would not continue if the points test was removed or modified to remove the CCL provision. If the points test is not to be maintained other measures to encourage development of the language skills base in Australia will be needed to encourage languages in short supply.

## 3.4 Visa categories

### Short Term Migration Category – English Language Proficiency

The requirement for English language proficiency in the Short Term Migration Category would depend very much on the nature of the work to be undertaken and the period of time a person was required to be in Australia. There are currently English proficiency requirements for a small number of visa types in the 400 programme. Where there is an English proficiency requirement it is expressed in a variety of ways including “sufficient standard for the grant of a licence, registration or membership” and “competent English”.

**NAATI Comment 6:** While there is a need for English language proficiency in some categories of the Short Term Migration Category the minimum level of English should be consistent with the purpose of stay in Australia. For example, the requirement for a specific level of English for licencing in a particular profession would need to remain. It is not clear from the discussion paper whether the minimum level of English is intended to be applied across the range of 400 visas and whether this would be the same in all cases.

## Skilled Work Category – English Language Proficiency

The Skilled Work Category is to be made up of a temporary/provisional pathway and a permanent pathway.

NAATI would like to reiterate its view that the current Skilled Migration Programme is important to language services in Australia which in turn are of major significance to settlement services as well as industry and other interests such as defence, the police and the courts.

Changing the English proficiency requirement to a minimum level and removing the incentive to develop English language skills to a sufficient level to be accredited by NAATI by the use of the CCL provision will diminish the language skill base in Australia. If there is no advantage for individuals to improve their language skills to the current levels in order to be competitive in obtaining a permanent visa then there will be little reason for them to do so. Conversely if there is an increased opportunity to be granted a visa through the application of language skills then there is an incentive to improve the relevant skill level.

**NAATI Comment 7:** There is a real need to continue to support the language skills base in Australia so that in the long term it may provide language services in all the required areas in languages needed. The current Skilled Migration arrangements provide such support in addition to their migration purposes.

## Additional Perspective

The CCL component of the Skilled Migration Programme encourages intending migrants to seek NAATI credentials often by undertaking tertiary training in translating and interpreting. To the extent such involvements add to the sustainability of both the national credentialing and the educational systems they also benefit the local users of both systems.

**NAATI Comment 8:** The Skilled Migration Programme also encourages participation in the NAATI credentialing system and tertiary education which benefits both activities and the local participants in both.

## Conclusion

NAATI wishes to thank the Department of Immigration and Border Protection for the invitation to provide input to the *Discussion Paper: Review of Skilled Migration and 400 Series Visa Programmes*. NAATI is ready to provide any further input which might be required by the Review.