

# A Study Guide on the Code of Ethics for Certified Sign Language Interpreters

(Translated in part)



Japanese Association of Sign Language Interpreters

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for Certified Sign Language Interpreters

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Japanese Association of Sign Language Interpreters (JASLI)

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「手話通訳士倫理綱領」に込められたもの

一般社団法人日本手話通訳士協会 会長 小椋英子

一般社団法人日本手話通訳士協会は 1992 年に設立され、「手話通訳士」資格者で構成されています。2019 年現在で手話通訳士資格者は 3,745 人となりました。当協会にはその内約 60%が入会しています。

「手話通訳士倫理綱領」は聴覚障害者団体、手話関係団体、専門家等の議論を経て、4 年間をかけ 1997 年に策定されました。倫理綱領には、手話通訳者の理念が示されています。この倫理綱領が手話通訳の実践の中で生かされ、手話通訳士の資質が高まり、社会的地位の向上につながることを希望しています。そして、それは、手話通訳を利用する、聴覚障害者の社会参加にも大きく貢献することになります。

今回、世界各国の皆様は「手話通訳士倫理綱領」を知っていただけることは、大変にうれしいことです。世界の手話通訳仲間と共に、情報や意見交換ができることは、わたしたちに大きな刺激と、資質の向上をもたらすものです。

2019 年 7 月

Eiko Ogura

Eiko served as Board member of Japanese Association of Sign Language Interpreters (JASLI) for 5 terms (1993.6-2003.6). She was a member of Code of Ethics drafting committee and provided a number of training to sign language interpreters all over Japan.

Eiko has been served as President of JASLI for 8 terms since she was elected for the first time in June 2003.

Eiko has contributed to promote sign language in Japan by serving as Chief Judge at National Japanese Sign Language Speech Contest for high school students since 2004.

## Code of Ethics: Our Goals to Achieve

Eiko Ogura, President of JASLI

Japanese Association of Sign Language Interpreters (JASLI) was established in 1992, and consists of Certified Sign Language Interpreters. Currently, 3,745 interpreters hold the certificate, and about 60% of them are the members of our organization.

Code of Ethics for Certified Sign Language Interpreters was established in 1997 after four years of discussion among the groups of deaf people, people related to sign language, and experts. It represents the ideals of JASLI. I sincerely hope that our members fully understand its ideal and put it into practice. This will surely improve the quality of sign language interpreters and lead us to a highly recognized organization in society. I do believe it will eventually contribute to the social participation of deaf people.

I am honored to present this Code of Ethics to our colleagues all over the world. I believe that exchanging knowledge and opinions with interpreters from different countries will bring us greater inspiration and uplift our qualities as professionals.

Eiko Ogura,

小椋英子

July, 2019.

## 手話通訳士倫理綱領

私たち手話通訳士は、聴覚障害者の社会参加を拒む障壁が解消され、聴覚障害者の社会への完全参加と平等が実現されることを願っている。このことは私たちを含めたすべての人々の自己実現につながるものである。

私たち手話通訳士は、以上の認識にたって、社会的に正当に評価されるべき専門職として、互いに共同し、広く社会の人々と協同する立場から、ここに倫理綱領を定める。

1. 手話通訳士は、すべての人々の基本的人権を尊重し、これを擁護する。
2. 手話通訳士は、専門的な技術と知識を駆使して、聴覚障害者が社会のあらゆる場面で主体的に参加できるように努める。
3. 手話通訳士は、良好な状態で業務が行えることを求め、所属する機関や団体の責任者に本綱領の遵守と理解を促し、業務の改善・向上に努める。

## **Code of Ethics for Certified Sign Language Interpreters Japanese Association of Sign Language Interpreters (JASLI)**

As Certified Sign Language Interpreters, we endeavor to eliminate the barriers standing in the way of the social participation of deaf people, and to realize their full participation and equality in society. This will lead to the self-fulfillment of all members of the society.

Based on this understanding, we interpreters, as professionals who should be valued appropriately in society, will collaborate with each other and with all people in society. We therefore hereby establish this Code of Ethics.

1. Interpreters respect and advocate the fundamental human rights of all persons.
2. Interpreters make sincere efforts to enable deaf people to participate independently in all social activities and situations by fully applying their professional skills and knowledge.
3. Interpreters endeavor to improve and enhance their service by encouraging persons in charge at their workplaces or agencies to understand and observe the Code of Ethics in order to establish favorable working conditions.



4. 手話通訳士は、職務上知りえた聴覚障害者及び関係者についての情報を、その意に反して第三者に提供しない。
  
5. 手話通訳士は、その技術と知識の向上に努める。
  
6. 手話通訳士は、自らの技術や知識が人権の侵害や反社会的な目的に利用される結果とならないよう、常に検証する。
  
7. 手話通訳士は、手話通訳制度の充実・発展及び手話通訳士養成について、その研究・実践に積極的に参加する。

平成9（1997）年5月4日制定

4. Interpreters shall not disclose information about any participant learned in the course of duties, to any third party without permission.

5. Interpreters continually strive to improve their professional skills and knowledge.

6. Interpreters are responsible for the verification that their skills and knowledge are not used for violations of human rights, nor for any anti-social purpose.

7. Interpreters actively engage in research and practices which enhance the development of the sign language interpretation system and interpreter training.

Effective May 4th, 1997

## **CHAPTER 1**

### **1-1 Code of Ethics as “Code of Professional Ethics”**

In the interests of properly fulfilling our responsibilities and our function within society at large, we who undertake sign language interpretation (hereinafter "interpreters"\*) have established Code of Ethics for Certified Sign Language Interpreters (hereinafter called "the Code") as the guidelines upon which we act and appeal this mission to the public.

Let us, then, consider the significance of the Code.

First, we consider "ethics."

In the dictionary, "ethics" and "morals" have much the same meaning. However, when we attempt to apply "morals" as the term is understood in society at large to the reality of sign language interpretation, certain inconsistencies emerge. The article 2 of the Code states that "(interpreters make sincere efforts to enable) deaf people to participate independently in all social activities and situations." One of the examples of the inconsistencies is that when deaf people independently participate in society, hearing people are sometimes asked to refrain from acting based on certain morals of their own world. Therefore, some situations in sign language interpretation, ordinary morals of society at large are not always considered to be appropriate.

This shows the peculiarity of sign language interpretation as a profession, and it is the reason why the Code is considered as

## “Code of Professional Ethics”

At this point, the duty of confidentiality needs to be included in the ethics required for interpreters, in addition to a profound understanding of human beings, and a high standard of sign language interpretation skills based on practical experiences with a high linguistic level. The confidentiality in the Code is a promise to society, through which interpreters gain social trust.

Their knowledge and skills of interpreters are given substance by a relationship of trust among deaf people, hearing people and interpreters. The foundation of the trust is social recognition of interpreters. In order to build the recognition, it is necessary to prove that interpreters are the profession requiring abilities that contribute to social development.

The Code was created for two purposes.

First, the Code helps establish the guidelines for the work of sign language interpretation in Japan.

Second, the Code acts as a foundation of cooperation with diverse persons in society, which is essential for building trustworthy relationship among all people related to sign language interpretation, to make incessant efforts in collaboration with service users, and to enhance our skills as interpreters.

As a result, the Code has the effect to enhance social

understanding of interpreters as well as to strengthen social trust in us.

It brings interpreters to put in a very important social function, and thus materializing the cohesive society where deaf and hearing people are treated as equal.

The Code serves as guidelines for the members of Japanese Association of Sign Language Interpreter (JASLI) and represents the value of sign language interpretation practice itself.

※ There are two categories of sign language interpreters in Japan. One is accredited by the Minister of Health, Labor and Welfare called as Certified Sign Language Interpreters and the other is accredited by local governments called as Sign Language Interpreters. In this booklet, “interpreters” refers to Certified Sign Language Interpreters, unless otherwise specified.

## **1-2 Certified Sign Language Interpreters and Code of Ethics**

We, interpreters, are required at all times to conduct our work in an appropriate manner and to choose a proper course of action even in difficult situations to make clear cut ethical decisions.

The Code can serve as a guide in these situations.

However, it is not omnipotent and will not resolve each and every problem. The Code is our guidelines as profession as well as our goals, but it is not a solution for everything.

It may sound complicated but the Code is the guidelines and the goals of our conduct and it also has a nature of the criteria and norms of conduct for the professionals.

There will, however, be different opinions concerning the extent to which these criteria should be achieved. For example, Article 1 of the Code states that “interpreters respect and advocate the fundamental human rights of all persons.” The criterion here is to respect and support for human rights and it questions how one perceives the meaning of human rights.

Naturally, how one interpreter perceives the rights might differ from case by case. But the minimum criterion here is to understand the relationship of lives of deaf people and access to sign language interpretation service as a matter of the rights, and to act accordingly.

### **1-3 Japanese Association of Sign Language Interpreters (JASLI) and Code of Ethics**

The Code is a set of goals towards which JASLI strives and at the same time, it functions as the guidelines for its activities. On occasion, JASLI receives comments that some activities of a

particular interpreter are problematic when viewed in terms of the Code.

This may happen because the principles described in the Code are being understood as standards of conduct for interpreters. In some cases, expulsion of a certain interpreter is requested using the Code as absolute standards of conduct.

JASLI believes that when the Code should simply be taken as “guidelines” and when it should be taken as “standards” depends on situations and we need to deal with them on case-by-case.

We expect interpreters to educate themselves so that they can perform closer to the standard of the Code and to develop it to a higher level.

The Code should not be forced upon interpreters but to be used to support their efforts to act on it.

Taken as standards of conduct, the Code will on occasion require such things as expulsion, but these forcible measures are not the original purpose of its establishment.

We consider that the Code has been put in place to create an environment where all interpreters can make efforts to raise the level of operating standards as professionals.

## **1-4 Who should follow Code of Ethics?**

Those who engage in the work of sign language interpretation in our country are classified, systematically and generally, as Sign Language Interpreters and Certified Sign Language Interpreters. (see p.11) There is, however, no professional body whose membership is open to both groups. JASLI is comprised of Certified Sign Language Interpreters and serves as the only professional body in Japan.

Since sign language interpretation is an activity which can be described as a foundation of exercising rights, it is necessary that, when professional interpreting takes place, the Code be respected by all sign language interpreters.

Sign language interpretation can also take place as a volunteer activity of any member of the community, such as unpaid interpreting service offered by colleagues.

Since "Communication" is an activity which serves as a foundation of exercising rights, sign language interpretation should always be practiced based on the Code even when it is offered as pro bono service.

Therefore, it is important that the Code occupies a place in the minds of all who engage in sign language interpretation.



## **1-5 History and Code of Ethics**

### **Learning from the history of everyday life of deaf people and deaf rights movement**

All interpreters are expected to have knowledge about the history of deaf people who fostered sign language while it had been banned to use.

Even today, many barriers for deaf people still remain. In order to deepen the understanding of the Code, it is important for interpreters to learn from deaf people who have lived bravely in the face of these barriers and their advocacy movement to mitigate them.

### **Learning from the history and activities of sign language interpretation**

The 1st National Meeting of Japanese Sign Language Interpreters was held in 1968 under the theme of "Sign language interpretation to protect the rights and lives of deaf people." This theme became the founding principle of sign language interpretation.

The history of sign language interpretation has been created under the keyword of "Rights and Lives of deaf people" and the Code is one of its fruits.

In this sense, it is important to learn this history to get the deep understanding of the Code as it is a part of the deaf rights movement history.

## **CHAPTER 2**

In Chapter 2, along with an explanation of the preamble to the Code and the seven articles, we also consider the ethics of interpreters.

### **2-1 The Preamble to Code of Ethics**

As Certified Sign Language Interpreters, we endeavor to eliminate the barriers standing in the way of the social participation of deaf people, and to realize their full participation and equality in society. This will lead to the self-fulfillment of all members of the society.

Based on this understanding, we interpreters, as professionals who should be valued appropriately in society, will collaborate with each other and with all people in society. We therefore hereby establish this Code of Ethics.

### **“History and ideals of the deaf rights and sign language interpretation movement”**

The preamble to the Code gives a brief description of how the ethical view was formed and developed among sign language interpreters through the deaf rights and sign language interpretation movement.

Sign language interpretation in Japan has arisen owing to the unceasing efforts of deaf people who strived to obtain freedom in society and the task was shouldered by the teachers of deaf schools in the initial stage. Subsequently, a registration system for

sign language volunteers was created as a result of sign language volunteer training program and continuous efforts by those who strived to promote the rights of deaf people. And those sign language volunteers, together with deaf people, have maintained and developed the system into the current state of sign language interpretation service.

Interpreters, who provide sign language interpretation service, need to remember that the accreditation system for Certified Sign Language Interpreters is a fruit of long time collaborative movement of all relevant parties who are committed to realize the dreams of deaf people. They lobbied for the need of sign language interpretation service to national and regional governments as well as to the society at large by distributing "*I Love Communication*" pamphlets.\*1

In 1968, at the 1st National Meeting of Japanese Sign Language Interpreters, Shunsuke Ito presented his "Interpretation Theory." In the presentation, he described the great social barriers of prejudice and exclusion, which denied and tramped upon the desire of a person with disability for a life and employment on equal terms with the rest of society. This prejudice and exclusion had been in some instances created by the laws and the structures based upon those laws. This reality had given rise to resignation, anger, and escape from reality among deaf people. Ito described an image of a sign language interpreter who understands the situation of deaf people, who draws close and walks together with them, "shouldering the burden of the important role of (enabling)

these (deaf) people to live actively in solidarity with society at large.” This image is considered to be the origin of the ethics of sign language interpreters.

\*1: The pamphlet *“I Love Communication,”* proposing to establish an accreditation system of Certified Sign Language Interpreters was produced in 1985 by the Japanese Federation of the Deaf and the National Research Association for Sign Language Interpretation. 1.2 million copies were distributed.

### **“Removing barriers to social participation and realization of full participation and equality”**

“Full participation and equality” was the theme of the 1981 International Year of Disabled Persons, and the principle of “normalization” in bringing about and preserving the human rights of persons with disabilities continues to the present day. This also indicates the responsibility of government and society at large to eliminate social barriers.

The “Convention on the Rights of Persons with Disabilities” adopted by the United Nations in December 2006, came into force in May 2008. It states that persons with disabilities should enjoy human rights in equality with all as set out in the UN Declaration of Human Rights. The General Principles (Article 3) demonstrate how the principle of normalization underlies the thinking behind the Convention, including full and effective participation and

inclusion\*2 in society, equality of opportunity and accessibility\*3.

\*2: "Inclusion" is a way of thinking opposed to "exclusion," a situation in which all places and opportunities in society are open to persons with disabilities as equal members.

\*3: "Accessibility" is a situation in which the facilities and amenities necessary to the everyday life of persons with disabilities in such areas as the physical environment or transportation systems (buildings, roads, public facilities, etc.), communications (information and communication systems, etc.), and other services are easily available for use by them. The Convention on the Rights of Persons with Disabilities makes such measures the responsibility of the signatory states.

The Preamble to the Code states that it is the desire of interpreters to remove "the barriers standing in the way of the social participation of deaf people" and to realize "full participation and equality" for them.

In order to achieve this, interpreters are expected to think critically what comprises these barriers, how to remove them, whether full participation and equality of deaf people has been achieved, if not what measures to be taken, and to act accordingly. Takada and Ando struck a corresponding tone to this in their paper "*The History and Ideals of Sign language Interpretation in Japan (1979)*," in which they spoke of sign language interpreters as

“social activists,” “social torchbearer,” and “assistants in attaining freedom for deaf people.”

### **“Self-fulfillment for all”**

The Preamble also states that the desire for removal of barriers afflicting deaf people and the achievement of their full participation and equality is also “lead to the self-fulfillment of all members of society,” including ourselves.

A similar sentiment is also to be found in the constitution of the MimizukuKai, Japan’s first sign-language group (note: “groups” are often referred to as “circles”) established in Kyoto in 1963. In its statute, it states that the purpose of the Circle is “to learn sign language, to work together with deaf friends, to make efforts to end discrimination and prejudice, and also to elevate ourselves through these activities.” This means that working together with deaf people to end discrimination and prejudice against them will bring all people a better society, and that these efforts will render us all empowered as human beings.

The 1980 “Plan of Action for the International Year of Disabled Persons” says that a responsible approach by society in consideration of persons with disabilities” does not only benefit them but also society as a whole.” The plan of action also states that “a society that excludes persons with disabilities is an impoverished and fragile society.” From this point of view, the joint movement of Circle members and sign language interpreters

with deaf people to break down social barriers and achieve full participation and equality is of benefit to not only deaf people, but to society in general, including Circle members and all sign language interpreters.

### **“A profession to be valued appropriately”**

The Sign Language Interpreter Certificate Examination was instituted in 1989, and JASLI was formed in 1991. Since then, several developments have occurred within the sign language interpretation system.

However, the question arises whether sign language interpreters have been appropriately recognized and valued as profession in society.

The conditions for a recognized profession include 1) a systematized theory and skills; 2) training, education and in-service training; 3) a professional body; 4) Code of Ethics; 5) social recognition through an examination process; and 6) assurance of financial compensation. As for the situation of sign language interpreters, 1) through 5) above are in place.

Regarding to 3) a professional body, most interpreters, even after they passed the certification examination, are not “employed interpreters” but just work as “registered interpreters.” Also, not only Certified Sign Language Interpreters but also many Sign Language Interpreters provide sign language interpretation



service in Japan. Because of the fact there is room to discuss whether JASLI can be called a professional body.

As for assurance of financial compensation in 6), it must be said that this is nowhere near adequate. If sign language interpreters continue to be denied appropriate recognition as professionals and adequate wages or other financial compensation, and if, as a result, they are unable to ensure personal security in the pursuit of their profession, they will not be able to continue their work, and which will make it difficult for deaf people to achieve equal rights and full participation in society. Social recognition and improvement of working conditions are important issues for the sign language interpretation service system in Japan.

Further, it cannot be said that sufficient effort is being made for 2) training, education and in-service training.

## **2-2 Articles of Code of Ethics**

**1 . Interpreters respect and advocate the fundamental human rights of all persons.**

Article 1 of the Code states the most important value for interpreters during practices.

**“All persons”**

“All persons” refers to all citizens, meaning that interpreters serve both hearing persons and deaf persons. In any situation, interpreters are always involved with both parties.

Deaf persons cannot communicate in spoken language, meanwhile hearing persons cannot communicate in sign language. Sign language interpreters serve as intermediates who relay linguistic message and information between the two parties. They also mediate non-verbal communication such as emotions and/or atmosphere of the scene. Furthermore, the role and work of interpreters include adjusting various issues caused by impediments to communication and information access and taking necessary actions to solve problems.

### **“Fundamental human rights”**

“Fundamental Human Rights” refer to those fundamental rights considered inalienable, which all people possess from birth as a matter of course.

Article 11 of the Constitution of Japan states “the people shall not be prevented from enjoying any of the fundamental human rights. These fundamental human rights guaranteed to the people by this Constitution shall be conferred upon the people of this and future generations as eternal and inviolate rights.”

Documents such as the Universal Declaration of Human Rights and the Japanese Constitution set out rights to freedom,

participation in society and vote in election as fundamental. The Japanese constitution includes such provisions as the right to the pursuit of happiness (Article 13), equality before the law (Article 14), the right to trial, and the right of redress from the State. In recent years, people have begun to advocate for “new rights” such as the right to live in good health or in peace.

The Constitution of Japan also states, in Article 12, “The freedoms and rights guaranteed to the people by this Constitution shall be maintained by the constant endeavor of the people, who shall refrain from any abuse of these freedoms and rights and shall always be responsible for utilizing them for the public welfare.”

In line with this, the Services and Supports for Persons with Disabilities Act (Revised 2016) was established and enacted introducing a system to provide services and supports at the expense of beneficiaries. Persons with disabilities have the right as a matter of course to receive services necessary to their daily lives and their participation in society. These principles have been recognized internationally with the United Nations Declaration on the Rights of Disabled Persons, the International Year of Disabled Persons, and the subsequent Convention on the Rights of Persons with Disabilities. However, the Japanese law made these persons “beneficiaries,” and began to seek payment for services and supports provided. The inconsistent with the intent of the Convention on the Rights of Persons with Disabilities was created by this law.

The many who have gone before us have won these fundamental human rights, and these values have become the norm for people in general. However, we also learn from history that without unceasing efforts, those rights may be stolen from us by people and organizations in authority. Human rights can be maintained and developed only by insisting on and practicing these rights with our fellows in everyday lives.

Freedom Rights	thought and conscience (Article 19) religion (20) choice and change of one’s residence (22) prohibition of bondage (18) choice of occupation (13,22)
Social Rights	life (25) education (26) work (27) labor (28)
Political Rights	elections/suffrage (15, 44, 93) petition (16) review (79) municipal voting (95) ratification of constitutional amendments (96)
Right to Pursuit of Happiness	respected as individuals (Article 13) pursuit of happiness (13) privacy (13, 21, 35)

Right of Equality	equality of individual values (Article 13) equal under the law (14) equality of the sexes (24) equality of votes (15, 44)
New Human Rights	life in peace (Preamble, Articles 9, 13) environment (13, 25) to know (21) healthy life (13, 25)
Right to Claim	access to courts (32) redress from state (17) redress following acquittal (40) redress for loss (29)

**Table1: Fundamental human rights · Rights and duties of people**

As mentioned in the Preamble to the Code, we as interpreters will work “in collaboration with each other and with all people in society.” Then we can defend both fundamental human rights and the rights guaranteed by the Constitution, making them our own, and making possible the development of our lives, our regions, and our society.

Below is the summary of the operative values as well as the ideals and principles of our work and activities as interpreters with reference to the Preamble and the following articles of the Code. (Article 2 and beyond will be discussed on the pages that follow)

Values, Ideals, and Principles	Corresponding Section of the Code of Ethics
Respect for Human Rights Respect for Individual Dignity	Preamble, Article 1
Concept of normalization (guarantee of human rights, social participation) (Integration/Inclusion/Equal opportunity/Quality of life/Cooperation)	Preamble, Article 1
Respect for Self-determination (Respect for Independence, Empowerment)	Article 2
Duty of Confidentiality Respect for Privacy	Article 4
Equality of Communication (Partnership, Cooperation)	Preamble, Article 2
Verification Prevention of Infringement of Rights Professional Improvement	Article 6, Article 3
Self-awareness	Article 6, Article 3
Self-training    Improvement of Skills Implementation and Improvement of Expertise	Article 5, Article 2
Maintenance of Social Trust Advocacy of Establishment as a Profession	Preamble, Article 5, Article 6
Active participation in development of system, training for future interpreters,	Article 7

research, and professional development	
Social Contribution	

**Table2: Values, Ideals, and Principles for Sign Language Interpreters**

**2. Interpreters make sincere efforts to enable deaf people to participate independently in all social activities and situations by fully applying their professional skills and knowledge.**

**“Fully applying professional skills and knowledge”**

In the section of “Duty and professionalism of Certified Sign Language Interpreters” of “Report on Criteria to accredit Certified Sign Language Interpreters (Tentative)” in 1988 by the Measurement and Review Committee for accreditation criteria of Certified Sign Language Interpreters of the Japanese Federation of the Deaf included the following on professional skills and knowledge required for sign language interpreters.

To assure smooth and reliable communication of deaf people, interpreters must understand and convey the full range of message in a manner which suits to the linguistic level of participants and their varied way of communication. Interpreters also need to provide information on the setting and situation so that communication between hearing and deaf participants to be conducted on an accurate and equal basis.

The function of interpreters is thus 1) to understand and mediate communication involving deaf people, and 2) to provide information needed for communication on equal footing between deaf and hearing participants.

With respect to professional skills and knowledge of Certified Sign Language Interpreters, the report states the following;

Interpreters must understand the various difficulties deaf people encounter and still properly convey the message to deaf persons even in the cases of:

- (i) interpreting to a deaf person who is not fully competent in Japanese,
- (ii) interpreting in socially or individually important and complex situations where the communication needs to be established swiftly and accurately and
- (iii) interpreting in situations with many jargons such as at higher or corporate education settings.

The cases (i) through (iii) above seem to assume a high level of expertise on the part of interpreters. Interpreters are also expected to be skilled in interpreting in the fields of medical, workplace, education, daily life, welfare, and social participation etc.

The Report proposed that the above mentioned expertise to be assessed in a "Sign Language Interpreter Certification Examination." Written examination includes, basic knowledge of



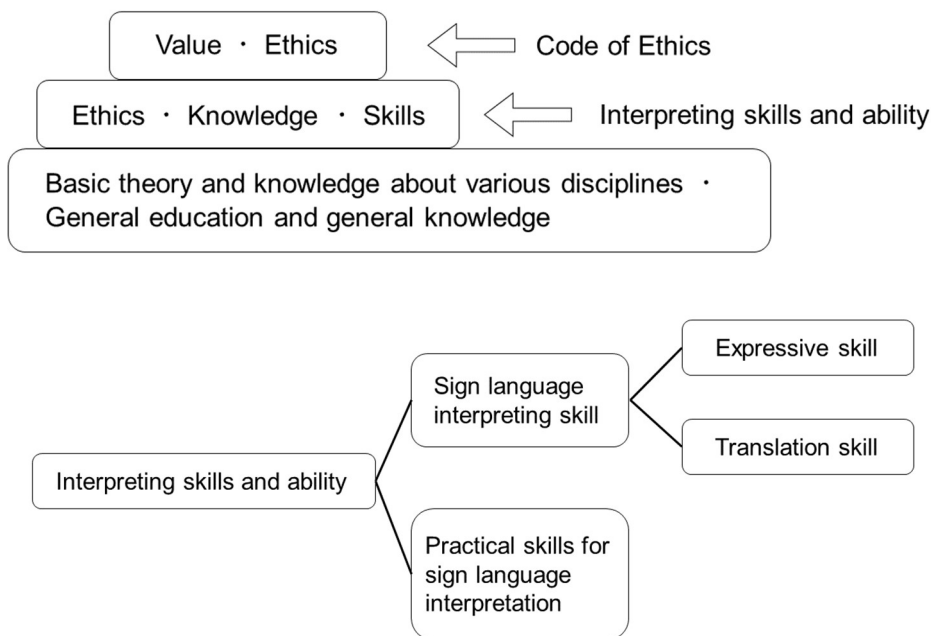
sign language, introduction to the study of sign language, life of deaf people, welfare and education for deaf people, linguistics of sign language and the theory of sign language interpreting and practical examination to evaluate interpreting skills in lecture, legal, medical, and arts situations. The successful candidates will take interview examination.

<b>Examination Subjects from 1988 Report</b>	<b>Present Examination Subjects</b>
<p><b>Written Examination</b></p> <ul style="list-style-type: none"> <li>· Basic knowledge of sign language</li> <li>· Introduction to the study of sign language</li> <li>· Linguistics of sign language</li> <li>· Education of deaf children</li> <li>· Theory of sign language interpretation</li> </ul>	<p><b>Written Examination</b></p> <ul style="list-style-type: none"> <li>· Basic knowledge of welfare for persons with disabilities</li> <li>· Basic knowledge about deaf people</li> <li>· Ethics</li> <li>· Japanese language</li> </ul>
<p><b>Practical Examination</b></p> <ul style="list-style-type: none"> <li>· Interpretation in various situations. (Lecture, Legal, Medical, and Art)</li> </ul>	<p><b>Practical Examination</b></p> <ul style="list-style-type: none"> <li>· Voice-to-sign Interpretation, Sign-to-voice Interpretation (Topics include Lectures, Discussion, Medical, Culture, etc.)</li> </ul>
<p><b>Interview Examination</b></p>	<p>—</p>

**Table3: Sign Language Interpreter Certification Examination**

Professional skills and knowledge required for sign language interpretation were set out as below in “Sign Language Interpretation: Theory and Practice” (published in 1998, Japanese Federation of the Deaf).

**“System of professional skills and knowledge”**



**Figure 1&2: System of professional skills and knowledge, “Sign Language Interpretation: Theory and Practice,” p. 12, 13**

Training for Sign Language Interpreters and for Certified Sign Language Interpreters is necessary for future interpreters to acquire these professional skills and knowledge.

The 2005 report of “Understanding the status quo of communication support for deaf people and restructuring project” released by the Japanese Federation of the Deaf in March 2006 made the following suggestions for subjects to be included in the training of Certified Sign Language Interpreters.\*4

\*4. *“Understanding the status quo of communication support for deaf people and restructuring project”* Japanese Federation of the Deaf, p.66, 2006

**Basic Subjects:**

- Japanese
- Introductory Welfare for Persons with Disabilities
- Introduction to study of deaf persons
- Sign language
- Interpreting skills
- Theory of sign language interpretation
- Sign language interpreting skill practicum

**Specialized Subjects:**

- Introductory Sociology
- Introductory Law
- Introductory Medical
- Introductory Welfare
- Introductory Psychology
- Introductory Linguistics
- Sign language studies
- Theory of Communication

- Theory of Cross-cultural communication
- Theory of Counseling
- Cultural Anthropology
- Foreign Languages
- Theory of Interpretation
- Theory of Translation
- Information Processing
- Sign language interpretation practicum      etc.

**Table4: Education Subjects for Sign Language Interpreters**

The work of interpreters includes such fields as judiciary, election broadcasting, higher education and medical which require a high level of expertise. As is shown in the remarks on professionalism in the “Report on Criteria to accredit Certified Sign Language Interpreters (tentative),” interpreting for those who are not fully competent in Japanese, for those who are uneducated, or those suffer from dementia, as well as those who have mental and intellectual disabilities requires a high level of knowledge and skills. These skills are necessary to interpret for deaf people who are elderly, very young, or foreign. The number of deaf students in universities (undergraduate or graduate programs) is increasing and in these cases, interpreters need to have knowledge of academic terminology as well as a high degree of skills and knowledge of interpretation.

**“Participation of deaf people in all activities and situations in society”**

The purpose behind putting to use the professional skills and knowledge of an interpreter is “to enable deaf people to participate independently in all situations in society.” The principle of “normalization” and measures for the well-being of persons with disabilities have continued to develop since the International Year of Disabled Persons. Continuous efforts to eliminate social barriers have advanced the participation of deaf people in society. As this participation has increased since International Year of Disabled Persons, the demand for sign language interpreters has grown as well.

At present, most of those qualified as Certified Sign Language Interpreters do not have stable employment conditions and are unable to manifest their abilities to the full. Because there is little training system for sign language interpreters in specialized fields, there are not enough interpreters who can work in such fields as academia, courts, or election broadcast.

There is a need to create environments in which deaf people can participate in all aspects of society.

### **“Independent participation of deaf people”**

Published in 1979, Eiichi Takada and Toyoki Ando’s “The History and Ideals of Sign Interpretation in Japan” states that “it is correct to say that sign language interpreters are cooperative workers and helpers in creating social independence for deaf people, which is to say the obtaining of freedom in social activities.”

“Creating social independence and freedom in social activities” is universal objectives for all. These are probably necessary conditions connected to the “self-fulfillment” referred in the preamble. A person is born into society, and lives, grows, learns, works, and acts within a variety of social relations. The totality of these provides the conditions for social independence.

Self-fulfillment comes with the accumulation of what is learned and experienced through a rich social life, including individual relations. Those who face exclusion or discrimination are cut off from society in a condition of severe deprivation. Their social activity is limited, and they are forced into a situation where many such activities are closed to them.

Limited social activity means that the opportunity and ability to make choices are taken away from them; in other words, they are denied the ability to make their own decisions. The removal of societal restrictions and the obtaining of freedom to act is a process by which they gain the power to make decisions.

Sign language interpreters participate in the process whereby deaf people move toward greater richness in life by taking on independent social activity.

This means that sign language interpreters should approach their work based on the principle of “empowerment”. \*5

\*5 In 2000 the International Federation of Social Workers released its "Global Definition of Social Work," and four participating Japanese organizations, including the Japanese Association of Social Workers and the Japanese Association of Certified Social Workers adopted the precepts of this document for their own Code of Ethics. The first half of this definition reads, "Social work is a practice-based profession...that promotes social change and development, social cohesion, and the empowerment and liberation of people."

This largely matches the ideals for sign language interpreters as set out in the Takada-Ando paper.

"Empowerment" is an approach by which supporters aid those, who are unable to develop or manifest their full capabilities due to social restraint or limitation, to develop independence by drawing out their innate potential so that they will be competent to solve problems by themselves.

**3 . Interpreters endeavor to improve and enhance their service by encouraging persons in charge at their workplaces or agencies to understand and observe the Code of Ethics in order to establish favorable working conditions.**

**"Favorable working conditions"**

What point of view is required for working conditions for sign

language interpreters to be described as “favorable”?

Sign language interpreters need to make efforts for the improvement of working conditions so that they can work in a healthy and safe environment with appropriate compensation. One individual, of course, cannot achieve this alone; he/she needs to proceed with measures taken in cooperation with workplace superiors and colleagues, local parties and relevant organizations and families. The collaborative action includes lobbying for new and amended laws and the improvement of national legal system as well as for the allotment of adequate resources.

**“To improve and enhance their service by encouraging persons in charge at their workplaces or agencies to understand and observe the Code of Ethics”**

Both employed and registered sign language interpreters have their own affiliated organizations and agencies. Currently, sign language interpreting service is offered by prefectural and municipal level of government under various regulations and guidelines. Sing language interpreters carry a heavy burden and are sometimes subject to mental and physical insecurity, and the supply of interpretation service does not meet demand.

In order to maintain the basic human rights of deaf and hearing people who need the services of sign language interpretation, a legal structure and funds must first be arranged at the national level. Then, the prefectural and municipal governments take responsibility to implement the service.



In order that the organizations and agencies which provide interpreting service to have a clear understanding of sign language interpretation and to offer the service adequately, sign language interpreters need to make suggestions to improve their working conditions.

**4. Interpreters shall not disclose information about any participant learned in the course of duties, to any third party without permission.**

As sign language interpreters, along with any person in a recognized profession, come into contact with issues of individual, corporate, or organizational secrecy or privacy among those they serve, a strict duty of confidentiality is established as ethics of professionals.

Sign language interpreters are involved with the secret and private matters of those who utilize their services. Information obtained in the course of interpreting could include, for example, an individual or family's medical problems or details of payment for treatment, economic and family-relation issues in a consultative or legal setting, a child's academic performance or problematic behavior in school, a deaf employee's motivation, attitude or an unjust employer response at work. In a police or court setting, not only the details of an incident for someone accused of a crime, but also personal information and criminal record of the person will be discussed.

In these cases the interpreter will be privy to confidential information.

The revelation of information about a corporation or organization can lead to serious financial loss, and an interpreter who is responsible for the revelation may face legal action.

Failure to maintain the duty of confidentiality also harms human rights, and creates loss of trust. Proper respect for confidentiality, however, will inspire trust on the part of the user and of society at large, both of which are extremely important to the work of sign language interpretation.

### **“Information about any participant learned in the course of duties”**

Interpreters must keep confidential "information about any participant learned in the course of duties" but there are some conditions the information needs to be shared.

The sign language interpretation system is operated by the sign language interpretation service agencies, which receive requests for the service and dispatch registered sign language interpreters. This means that sign language interpretation service takes place through the agencies, and that those interpreters do not usually undertake assignments on an individual basis. When a request for interpretation is received, information on the user and the nature of interpretation required is managed by the agencies. (The situation is different if an independent interpreter is directly asked

to provide interpretation). Information on the interpretation is shared among the office staff who takes the request, the interpreter dispatch coordinator, and the interpreter. It is customary for the interpreter to file a report once the assignment is complete, and information on the interpretation is also shared this way.

In a case where social support other than interpretation is required, or when a social problem exists (for example violations of human rights or anti-social actions between persons involved), the agencies may hold a case meeting in which the interpreter will be included. If the interpreter's report is not accurate and relevant, the problem and the harm caused may grow worse.

The permission of the person involved is required before information on that person to be revealed to a third party (examples include welfare office caseworkers, public employment bureau officials, teachers, doctors, or lawyers).

The revelation of private information to a third party without the agreement of the concerned person is permitted, if it is ordered by law or it is necessary for the protection of life or property. And it also applies when it is indispensable for the improvement of public health or the welfare of a child, or where there is a legal obligation placed by state or other authorities requiring such cooperation.

In these situations the decision will be made by the agencies

rather than by the individual interpreter. However, in urgent cases where it is not possible to contact the agency, the interpreter should make an independent judgment in line with the provisions of Articles 1 and 2 of the Code, and this judgment will subsequently and promptly be reviewed as set out in Article 6.

The duty of confidentiality does not apply in such cases as suspected child abuse, which the interpreter is obliged to report to a child guidance center as set out in Article 6 (Act on the Prevention, etc. of Child Abuse), or abuse of a person with disability (Act on the Prevention of Abuse of Persons with Disabilities and Support for Caregivers, Articles 7, 16, and 22).

<p><b>5 . Interpreters continually strive to improve their professional skills and knowledge.</b></p>
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In the above explanation of Article 2, we discussed about professional expertise and skills required for sign language interpreters. Here we will consider how that may be achieved.

The following three organizations at present conduct advance trainings for Certified Sign Language Interpreters.

- — Japanese Association of Sign Language Interpreters/JASLI (General Incorporated Association):  
Workshop for Certified Sign Language Interpreters (Ethics, Technique for Social Welfare Assistance, Education, Medical, Employment, Law, Election Broadcast)

○ — National Center of Sign Language Education(Social Welfare Service Corporation):

Workshops for practicing Certified Sign Language Interpreters (Education, Welfare, Medical, Law, Employment, Participatory Rights, sign language interpreting skills)

○ — College of the National Rehabilitation Center for Persons with Disabilities:

Professional Workshop for Certified Sign Language Interpreters (sign language interpretation skills, sign language linguistics, Ethics, Deaf culture, etc.)

Interpreters participate in these workshops in a continuous process of study. In the future, when undergraduate and graduate programs for sign language education are in place, or when JASLI matures as a professional body, it should be necessary to systematize advanced professional trainings, including specialized training, ongoing education (post-graduate education), and supervisory and management training.

**6 . Interpreters are responsible for the verification that their skills and knowledge are not used for violation of human rights, nor for any anti-social purpose.**

The work of sign language interpreters must be subject to both individual and organizational review, the results of which will be used for the improvement of future interpretation work. In Article 4, we discussed the duty of confidentiality to prevent possible

violations of human rights. Interpreters must also ensure that their activities pose no threat to the other rights, lives, or property of those they serve.

### **“Violation of human rights, anti-social purposes”**

Violations of human rights or the serving of anti-social purposes may be either deliberate or accidental. Unwitting actions may result in violation of human rights and encourage anti-social activities.

Deliberate violations of human rights or the serving of anti-social purposes can include such fraudulent business practices as bait-and-switch or pyramid sales, along with high-pressure cult indoctrination or spirituality sales, in which victims are duped into paying high prices for items guaranteed to bring a good fortune or forced to make a large donation.

Dealers in these schemes are skilled in hiding their intent as they approach consumers. A deaf consumer may arrange a sign language interpreter by himself/herself, but there are times the dealers contact a public interpreter dispatch service office and request an interpreter to be sent out.

In the sign language interpretation system, an agency should, at the time of request, make a judgment whether it should be accepted. In such cases it is vital that the agency is fully aware of these dealers, the method of sales, and the harm that may result.

It is important to have a network among the agencies in the same area to share information.

However, it is inevitable that some dubious requests slip through and the requests are sent to the registered interpreters. With the provisions of Article 6 of the Code in mind, the interpreter should make ethically appropriate decisions, at the time of request from the agency, during and after the assignment and make full reports to the agency.

In order to prevent harm to deaf consumers, the agencies are expected to take the following measures as responsibilities of sign language interpreter dispatch service providers;

- ① to provide information and conduct trainings on consumer damage caused by fraudulent business to the registered interpreters,
- ② to have a system that would allow the interpreters to communicate with the agency if any problem arises at the assignment, and
- ③ to share the incident among the agency, the interpreters, and relevant organization such as the consumer affairs bureau to prevent a recurrence and to relieve the victims.

Cases of unwitting violation of human rights may occur in specialized fields such as legal and medical interpretation. This can be caused by such factors as ① insufficient knowledge of specialized terminology used in these fields, or ② lack of proper awareness of rules or procedures, or of professional functions or

ethical practice.

① Insufficient knowledge of specialized terminology makes accurate interpretation difficult and brings disadvantages to deaf persons as accuracy is the most important aspect of interpretation in medical and legal fields. Sign language interpreters need to know their own capacities and to decline the requests if their knowledge and skill are not enough for this kind of interpretation.

② The legal field, in particular, requires “a professional level of knowledge concerning its various rules and associated procedures.” Sign language interpreters must ascertain in advance under what situation the interpretation is to take place, and the circumstances of the people among whom the interpretation is being conducted. It is necessary to understand the relationship between accuser and accused, and the different functions of police, prosecutors, court officials, and defense lawyers.

### **“Verification”**

As we mentioned above, interpreters may become involved in problems concerning human rights or anti-social activities. Attempts at personal judgment in the absence of knowledge and background information can result in violations of human rights. To avoid this, sign language interpreters need ability to make appropriate judgement by considering the causes and the characteristics of human rights violation and anti-social activities.



It is important for interpreters to always review and examine the cases of interpretation.

To do this, it should be conducted by groups or organizations. As a responsibility of interpreter dispatch service providers, agencies need to undertake the reviewing process of assignments (case meetings on a practical base, internal staff trainings, workshops and information sharing for registered interpreters).

The issues can be reviewed with due consideration to confidentiality of personal information at the meeting of local registered interpreters and/or at the case reviewing workshops conducted by regional offices of National Research Association for Sign Language Interpretation (Zen-Tsu-Ken) and JASLI.

**7. Interpreters actively engage in research and practices which enhance the development of the sign language interpretation system and interpreter training.**

**Engagement in research and practices for the development of sign language interpretation system**

The need for research and practices that enhance and develop the sign language Interpretation system has been described in our discussions of Articles 1, 2, and 3, but this system still remains inadequate in Japan.

In concrete terms, the establishment of a public sign language interpretation system unifying training, certification, employment,

dispatch, and advanced training for sign language interpreters is desired. To this end, issues with current regulations and systems need to be clarified and to be improved with appropriate research and practices. JASLI holds “annual conference on sign language interpretation” and issues research bulletins.

In the future, there is likely to be a need to establish a state qualification for sign language interpreters through the passage and enactment of an individual “Act on Sign Language Interpreters”-type law. It will also be necessary laws in welfare and related fields to be amended to require relevant organizations to employ interpreter(s) and/or use interpreter dispatch service.

It is our responsibilities to work with relevant people and parties on the research and practice which will enhance and develop sign language interpretation system.

### **Engagement in research and practice to develop the interpreter training for future interpreters**

Unfortunately, the current training system for Certified Sign Language Interpreters is far from adequate. Many candidates are unable to pass the certification examination, and the number of Certified Sign Language Interpreters is hardly increasing. At the same time, much is expected of those who are qualified, and for these the burden of work is excessive. It is necessary that those who are qualified as Certified Sign Language Interpreters realize that they are the only ones who can provide education and

training for those who will come after them.

Our ongoing consistent participation in research and practice concerning the education and training of interpreters enable ever-improving service and its consequential societal appreciation as profession.



**Appendix: A chronological table of Sign Language  
Interpretation system in Japan**

<b>Year</b>	<b>Deaf Rights Movement</b>	<b>National Actions</b>
1947	Establishment of Japanese Federation of the Deaf (JFD)	
1950	Proposal of " <i>Toward workers who can sign</i> " by JFD President Toshifumi Fujimoto	
1963	First sign language group (Circle) formed in Kyoto	
1968	The 1st National meeting of JSL Interpreters	
1970	The first full-time sign language interpreter employed in Kyoto	Training for sign language volunteers starts based on Physically Disabled Persons Welfare Act
1973		Act on Welfare of Physically Disabled Persons  Local governments start to hire sign language interpreters

<b>Year</b>	<b>Deaf Rights Movement</b>	<b>National Actions</b>
1973		Sign language supporters at Public Employment Service
1974	Establishment of National Research Association for Sign Language Interpretation (Zen-Tsu-Ken)	
1976		Sign language volunteer interpreter dispatch program starts based on Physically Disabled Persons Welfare Act
1979		Training program for sign language interpreter instructors starts
1981		94th Regular Diet Session adopts petition on systematization of Sign Language Interpretation
1982		Inauguration of Committee to Investigate Systemization of Sign Language Interpretation (JFD, under the auspices of the Ministry of Health and Welfare)

Year	Deaf Rights Movement	National Actions
1985  1985		JFD submits Report on Investigation of Systematization of Sign Language Interpretation to Ministry of Health and Welfare
1985		Distribution of " <i>I Love Communication</i> " pamphlet begins
1986		Inauguration of Reviewing Committee for accreditation criteria of Certified Sign Language Interpreters (JFD, under the auspices of Ministry of Health and Welfare)
1988		JFD submits Report on Criteria of Certified Sign Language Interpreters (Tentative) to Ministry of Health and Welfare
1989		Establishment of Sign Language Interpreter Certification Examination system and the first examination was conducted

Year	Deaf Rights Movement	National Actions
1990		Institutionalization of Information Center for persons with hearing and/or visual impairment based on the amendment of Physically Disabled Persons Welfare Act
1990		Department of sign language interpreting established at National Rehabilitation Center for Persons with Disabilities
1991	Foundation of Japanese Association of Sign Language Interpreters (JASLI)	
1995		Municipal-level projects to promote social participation starts based on Physically Disabled Persons Welfare Act Beginning of Sign Language interpretation of election broadcasts (partial coverage, House of Councilors)



Year	Deaf Rights Movement	National Actions
1996		<p>“Project for everyday life training for persons with disabilities and communication support” and “project for training and dispatch service of sign language interpreters” added to the list of selective projects of “Brighter Future for persons with disabilities” program based on Physically Disabled Persons Welfare Act</p>
1997	<p><i>“Code of Ethics for Certified Sign Language Interpreters”</i> established and adopted at 8th JASLI Annual Meeting</p>	
1998		<p>Ministry of Health and Welfare establishes <i>“Training Curriculum for Sign Language Volunteers and Sign Language Interpreters”</i></p>

Year	Deaf Rights Movement	National Actions
2000		Revised Social Welfare Act declares Sign Language Interpretation Type 2 Social Welfare Service
2002  2002	Social Welfare Corporation National Center of Sign Language Education established	
2006		Community Life Support Service clause of Services and Supports for Persons with Disabilities Act takes effect, requiring municipalities to provide sign language interpreter dispatch services
2010	Distribution of " <i>We Love Communication</i> " pamphlet begins (Headquarters to Promote Reform of the Systems for deaf persons)	Plaintiffs and lawyers reach basic agreement with Ministry of Health and Welfare over lawsuit re constitutionality of Services and Supports for Persons with Disabilities Act

<b>Year</b>	<b>Deaf Rights Movement</b>	<b>National Actions</b>
2011	Pamphlet, <i>"The Sign Language Act for All"</i>	Basic Act for the Persons with Disabilities revised to include "sign language" in definition of "language"
2013		Community Life Support Service clause of Revised Services and Supports for Persons with Disabilities Act takes effect, requiring municipalities to provide training for communication support workers (dispatch of sign language interpreters and notetakers as well.
2013		Prefectures required to provide training and dispatch for those among communication support staff with a high degree of professionalism, along with expansion of coordination among municipalities in the dispatch of communication support workers.

Year	Deaf Rights Movement	National Actions
2013		Tottori Prefecture enacts nation's first sign language ordinance
2014		Ratification of Convention on the Rights of Persons with Disabilities
2016		Act for Eliminating Discrimination Against People with Disabilities and Act on Employment Promotion, etc. of Persons with Disabilities goes into effect

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Japanese Association of Sign Language Interpreters (JASLI)

Address : Maison Bunkyo Sekiguchi 805

1-7-5, Sekiguchi, Bunkyo-ku,

112-0014, Tokyo, Japan

Mail : j-syuwatuyakusi@crocus.ocn.ne.jp

URL : <http://www.jasli.jp/>

Facebook : 日本手話通訳士協会国際委員 Japanese Association of Sign Language Interpreters JASLI

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