

Ethical Dilemmas in Sign Language Interpreting: Confidentiality and Impartiality

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Abstract

The role of sign language interpreter is important to help both Deaf and hearing individuals to communicate in educational, medical, legal, and social settings. Their practice though is laden with ethical challenges especially in regard to level of confidentiality and impartiality. Confidentiality helps in keeping the sensitive information presented in the process of interpreting the messages confidential and impartiality means that the interpreter should be neutral and unbiased when delivering the messages. Pre-existing social relationships, cultural expectations, and lack of professional guidance are some of the factors that tend to challenge these responsibilities, particularly where the context is Nigerian. This paper explores ethical dilemma encountered by sign language interpreters with the implications on the trust, effectiveness in communication, and practice of the profession. Professional training, ethical practices, and suggestions are presented to support professional training, maintain confidentiality, and impartiality in sign language interpreting to improve the quality and integrity of sign language interpreting.

Keywords: Sign language interpreting, Ethical dilemmas, Confidentiality,

Impartiality, Professional ethics, Deaf communication

Problem Statement

The interpretation of sign language is an essential means of promoting communication between Deaf and hearing people in the educational, medical, legal, and social fields, yet sign language interpreters are also prone to serious ethical issues, especially the issues of confidentiality and impartiality. Only to uphold a principle of confidentiality, interpreters have to keep the details of personal, legal, and medical information confidential, whereas to uphold the principle of impartiality, interpreters would have to remain neutral and independent of any personal feelings or influence. Practically, these obligations are dismissed by social familiarity, existing relationships, cultural anticipations, and lack of standardized professional principles particularly in Nigeria where interpreters can operate in small communities or lack standard ethical training. Confidentiality or lack of impartiality may lead to the client losing trust, effectively communicating, and the implication of the professional credibility of interpreters and in this respect, there is little empirical research of how these dilemmas are addressed in Nigerian settings. Hence,

this paper attempts to explore the ethical issues of the sign language interpreters that include confidentiality and impartiality, with the objective of establishing the practical solutions, inform education, and providing a beneficial, quality interpretation services of Deaf people.

Introduction

Interpreting sign language is a critical communication medium between the Deaf and non-Deaf population, which guarantees an equal treatment of information, education, health, and social engagement. Interpreters should not be reduced to the cipher of translation, but rather serve as censors connecting cultures, and a combination of verbal and non-verbal meanings (Napier and Barker, 2023). In as much as interpreters are facilitators of communication, they do have some serious ethical obligations especially in aspects of confidentiality and impartiality, which are among the key prerequisites of professional integrity and client trust. Confidentiality means that the information provided by Deaf clients is not disclosed to other parties, whereas impartiality means that the messages conveyed by interpreters are neutral, and they do not include personal considerations or evaluations (Adeyanju & Bello, 2023). The inability to adhere to these ethical standards may influence the effectiveness of communication, reduce the level of trust, and have adverse social, educational, or legal consequences of Deaf people.

Practically, it is not always easy to ensure confidentiality and impartiality as social, cultural, and professional factors may intervene. In Nigeria, interpreters tend to operate within small communities where social networks become blurred, which makes it more likely to accidentally reveal some personal information (Ogunleye,

2023). On the same note, personal perceptions, principles, or past associations can question the capability of an interpreter to be objective, especially in a delicate circumstance like a court case, medical consultation, or family conflict. The lack of professional codes, regulatory frameworks, or standardized training programs and the fact that many interpreters differentiate the complex ethical situations by personal judgment or informal advice further complicates these ethical dilemmas, as they lack standardized training programs or regulatory frameworks specifically tailored to the Nigerian environment (Adeyanju & Bello, 2023).

Ethical responsibility as a phenomenon in the context of interpreting sign language has become the subject of more and more attention in the world community, because of the possible positive or negative consequences of communication. Confidentiality is considered to be one of the foundations of professional ethics and guarantees that interpreters do not try to invade the privacy and dignity of Deaf clients (Napier and Barker, 2023). Objectivity is also very important since the interpreters should convey messages without allowing personal views or societal influences to affect their meanings. These ethical principles are recommended by the international standards, including the World Association of Sign Language Interpreters (WASLI); nevertheless, they are dependent on the context and are frequently disputed by local socio-cultural processes (Napier and Napier, 2022).

The cultural norm and the structural constraints inform the ethical environment of sign language interpreters in Nigeria. The lack of other formalized codes of ethics, as well as the lack of access to professional development opportunities, makes interpreters unable to maintain confidentiality

and impartiality every time (Ogunleye, 2023). Moreover, the social connectedness of communities may give rise to a situation where interpreters are requested to interpret on behalf of relatives, friends, or acquaintances, which may cause conflicts of interest and moral tension. The awareness of these issues is the key to creating specific interventions, such as the training programs, professional standards, and practical strategies, to help interpreters uphold a high level of ethics but remain good communication providers to Deaf people (Adeyanju & Bello, 2023).

Confidentiality in Sign Language Interpreting

In sign language interpreting, confidentiality is one of the foundations of ethical practice that is regarded as the right to the privacy of the Deaf clients, as well as the trust to communicate that interpreters can ensure effective communication. The interpreters often deal with sensitive information in different contexts, such as medical consultation, court sessions, education, and personal communication, and the disclosure of information may be disastrous to the clients. Confidentiality would mean that Deaf clients will be allowed to talk openly and create trust in the interaction which will result in a secure atmosphere where effective communication can be done. Without confidentiality, clients might fail to share important information, thus, compromising decision-making, learning or receiving the necessary services.

The necessity of confidentiality is one of the fundamental ethical requirements in professional organizations, including the Registry of Interpreters of the Deaf (RID). The RID Code of Professional Conduct states that the interpreters should comply with the principles of confidential communication, and emphasis on the

importance of protecting the privacy of all parties involved. It is also a part of this responsibility not to share these specifics of the interpreting session with friends, family, or even coworkers unless it is mandatory to do this to mentor or supervise professionally. The interpreters in the healthcare facilities must comply with relevant laws and regulations, including the Health Insurance Portability and Accountability Act (HIPAA).

Ideally, the issue of confidentiality can be even more difficult when it comes to small or intimate communities (along the lines of what is typically practiced in Nigeria), where the interpreter might be personally acquainted with the Deaf client, or other individuals participating in the communication. The interpreter in such a situation has to strike the fine line between professional responsibility and social familiarity and make sure that the sensitive information is not revealed accidentally in the middle or after interpreting sessions. Ethical risks can also be generated even in non-professional situations, and interpreters need to be careful with their discretion in all cases.

Moreover, the problem of confidentiality overlaps with the rest of the professional practice, such as impartiality and informed consent. Interpreters need to make sure that clients know the scope and boundaries of secrets especially when the law or institutional provisions might demand such secrets to be divulged e.g. when the cases involve injury or violence. Through proper communication of such limits and ethical principles, interpreters will be able to uphold the trust of clients and also serve their professional duties.

To conclude, maintaining confidentiality is an ethical principle of interpreting a significant aspect of sign language ethically, as it protects the privacy, trust and well-

being of Deaf clients. The interpreters are obliged to overcome the contextual issue, social force, and lack of professional control to follow this principle, which primarily explains the necessity of systematic training in the field of ethics, compliance with international standards, and continuous professional assistance.

Impartiality in Sign Language Interpreting

One of the major ethics principles of sign language interpreting is impartiality which obliges interpreters to stay neutral and non-partisan so that the messages are passed down without any errors, personal feelings, and beliefs affecting the interpretation. It is essential to keep communication impartial, especially in the sensitive contexts of a legal court, a health care appointment, or an educational examination, where any lack of impartiality might influence the outcome greatly of Deaf clients (Clark and Woll, 2022). Through impartiality, the interpreters avoid the biases of fairness and equity, which makes Deaf people fully enjoy and feel secure in the communication that affects their lives.

Impartiality may be especially hard to achieve in the scenario when interpreters share some social ties with the clients or are integrated with the same community. In Nigeria, as an example, the interpreter can be requested to work on behalf of the relatives, friends or acquaintances, which can cause possible conflict of interests that challenge moral judgment (Akinyemi, 2023). In this kind of situation interpreters should be able to find a conscious way of dissociating their personal emotions and work-related duty so that every word is translated accurately without any personal bias or biased interpretation. Lack of it may impair the credibility between the interpreter and the client, and also may affect the effectiveness and accuracy of communication.

The code of ethics, including those offered by the National Association of the Deaf (NAD), emphasize the significance of being unbiased and promote interpreters to inform the parties about any possible conflict of interest and seek advice when confronted with such a situation (Humphries and Padden, 2022). The interpreters are advised to devise methods of remaining neutral such as self-awareness, continuous ethical reflection and consultation of their professionalism. Moreover, interpreters can be provided with the practical tools to deal with the situations in which their impartiality may be questioned by using training programs that emphasize such issues as ethical decision-making and scenarios.

Further, the phenomenon of impartiality is also highly interconnected with other professional duties, including confidentiality and precision. The interpreter that does not act in a neutral way might unintentionally distort the message, affect the choices, or misinterpret the purpose of the speaker and it can lead to social, legal, or educational repercussions (Sutton-Spence, 2023). Thus, fostering impartiality does not only empower professional practice but also protect the rights and dignity of Deaf people in order to provide equal access to information and be part of society.

Finally, the aspect of impartiality is an important part of ethical interpreting sign language. The interpretations have to result in between social pressures, already existing relationships, and situational complexities within the ethical guidelines and professional standards. With the help of systematic training, ethical management, and awareness of possible conflicts, interpreters can remain neutral and provide unbiased and precise communication that does not violate the trust and rights of Deaf

clients (Clark and Woll, 2022; Akinyemi, 2023; Humphries and Padden, 2022).

Challenges in Ethical Sign Language Interpreting: Confidentiality and Impartiality

Among the main issues that face the need to ensure confidentiality when interpreting sign language is the fact that the interpreter encounters sensitive information in various environments, such as medical, legal, educational, and personal environments. Interpreters are regularly dealing with information that, in leaking, may cause damage to a client or a breach of confidence (Napier and Woll, 2022). Interpreters are more likely to be acquainted with the Deaf client either personally or with the parties involved (both parties) in Nigeria, which is more likely to involve an unintentional disclosure (Akinyemi, 2023). This social familiarity might cause interpreters to struggle always to apply professional boundaries, and even even non-official communication during non-formal sessions might lead to the breach of confidentiality.

The other major problem is associated with impartiality. Interpreters should deliver a message without any color, but personal values, feelings, or previous contacts with clients may affect the interpretation either consciously or unconsciously (Clark and Woll, 2022). In law or healthcare context, any perceived bias may be of grave effect including distortion of evidence, distortion of medical instructions, or unfavorable treatment in scholarly evaluations. This difficulty is even aggravated in the context of communities where there is pressure on interpreters to side with one of the parties, thus leading to ethical conflicts and adding strain to the cognitive and emotional load on the interpreter (Humphries and Padden, 2022).

These have been compounded by the absence of formalized ethical training and professional regulation frameworks in most places such as Nigeria. In the absence of formal guidelines, interpreters may think of personal judgment or improvised approaches in order to overcome the ethical dilemma, which may lead to variations in the practice and uncertainty in an emergency (Adeyanju & Bello, 2023). The training gap also constrains access to professional mentorship, supervision, or peer review, and interpreters are deprived of any formal assistance in making challenging ethical decisions.

Further, the ethical dilemmas occur where the notions of confidentiality and impartiality come into contact with the conflicting conditions of a situation. Taking a case in point, interpreters can be subjected to the situations when the law forces them to reveal the information (e.g., in situations of harm or life threat, which creates the conflict between professional ethics and the law) (Sutton-Spence, 2023). On the same note, interpreters might not be able to remain neutral when conveying culturally sensitive or controversial information especially in schools and community where societal standards play a role on how fairness is perceived. Such complex issues bring up the idea that interpreters need to build their ethical thinking capacity, situational awareness, as well as balancing conflicting duties.

Altogether, the issues with the maintenance of confidentiality and objectivity in sign language interpreting are complex and scenario-specific. Interpreters have to negotiate between social familiarity and social bias, between personal biases and legal restrictions, and without systematic ethical guidance, and still develop the accurate and fair communication. These obstacles can be resolved with a substantial ethical education, professional mentoring,

and the elaboration of localized rules that will help interpreters to uphold the highest ethical principles and safeguard the confidence and rights of the Deaf clients (Napier and Woll, 2022; Akinyemi, 2023; Humphries and Padden, 2022).

Implications and Recommendations

The ethical issues of confidentiality and impartiality of the sign language interpreting also have major consequences in the communication effectiveness, client trust, and professional integrity of the interpreters. Violation of confidentiality or lack of impartiality may affect the trust Deaf clients have in interpreters, block access to important information, and decrease the engagement in educational, legal, or medical facilities (Napier and Woll, 2022). These are also ethical issues, which weaken the credibility of the profession of interpreting, especially in a situation such as Nigeria whereby professional oversight and formal regulations are not so formalized. This is why compliance with ethical standards is important not only to the final results of the individual client, but also to the building of the interpreting services and their professionalization in general.

Among other ideas, organized ethical training to interpreters is one of the main suggestions to deal with such challenges. They need to be based on the principles of confidentiality, impartiality, and ethical decision-making and offer interpreters the methods to resolve practical scenarios in this or that professional environment (Akinyemi, 2023). Scenario-based training should also be incorporated which involves the imitation of complex ethical situations where interpreters can train in situations where they have to navigate between professional, social and legal responsibilities. Ethical competencies and the need to constantly improve may be strengthened with the help

of regular workshops and constant professional development, which would keep interpreters informed about the best practices and new challenges.

Professional codes of conduct that are specific to the Nigerian context should also be developed and implemented as another recommendation. Guidelines to the management of confidentiality, impartiality, and conflict of interest must be clearly articulated, and interpreters must be provided with procedures to be applied in the resolution of ethical dilemmas (Humphries and Padden, 2022). Certification, monitoring, and evaluation can be used by professional associations and regulatory bodies to control the compliance with such codes, so there are similar and high-quality ethical practices in the interaction of interpreting services.

Moreover, supervision, mentorship, and peer support networks can be developed to give interpreters some practical advice and a chance to reflect on ethical issues. Through periodic supervision or peer review, the interpreters can share difficult cases, learn through their more experienced co-workers, and learn to remain confidential and impartial when dealing with challenging situations (Sutton-Spence, 2023). These support systems also assist in alleviating the isolated and cognitive pressure that interpreters face, favouring professional resilience and responsibility.

Trust and communication effectiveness can be strengthened by creating awareness among the Deaf clients and hearing participants of the ethical standards that interpreters follow. By informing clients of confidentiality, impartiality and the role of the interpreter, transparency as well as expectation management and collaborative participation in the communication process is encouraged. Together with training, professional guidelines, and mentorship, this

method will reinforce ethical practice and improve the quality of the overall quality of interpreting services.

To sum up, the ethical issues in sign language interpreting and especially those related to confidentiality and impartiality are challenging and carry considerable consequences regarding trust between the client, the accuracy of the communication, and the professionalism of the interpreter. The answers to this problem should be multifaceted ethical training, standardized professional codes, mentorship, and stakeholder awareness, which will in totality support high-quality, equitable, and trustworthy interpreting services (Napier and Woll, 2022; Akinyemi, 2023; Humphries and Padden, 2022; Sutton-Spence, 2023).

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