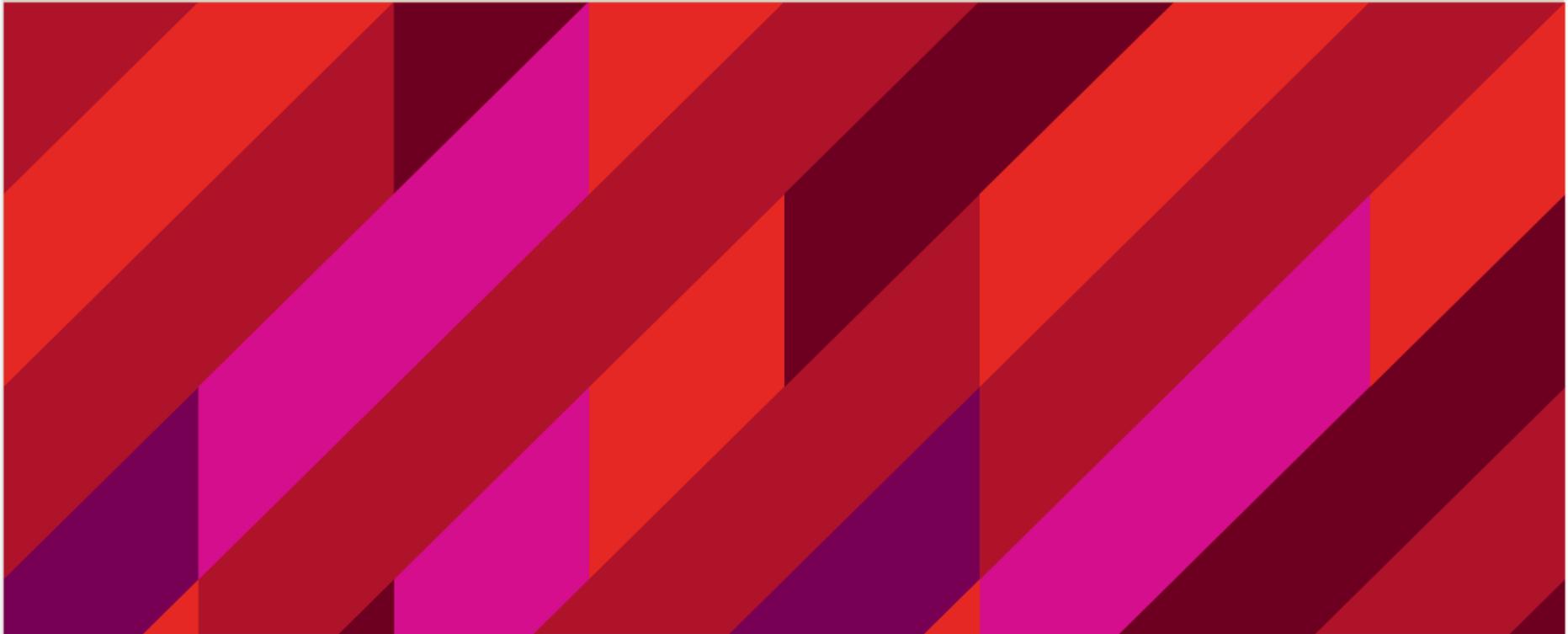


# **Bilingualised Terminography for Australian Family Law and its users**

EMERITUS PROFESSOR PAM PETERS & DR ADAM SMITH



# Terminology and terminography



## TERMINOLOGY MEETS LEXICOGRAPHY

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- Changing scope of terminology research and practice in C21, ushered in by Temmerman (2000) *Towards New Ways of Terminology Description*
  - In traditional approaches to terminology (Vienna school of 1980s), terms defined by reference to a single concept or external standard; univocity; terms could be only monosemous.
  - Traditional terminology unsuited to biological or social sciences, where many terms are polysemous:
    - e.g. in medicine: *areola* = coloured area round the pupil of the eye, or round the nipple on the breast.
    - e.g. in law: *service* = “act of **servicing notice**” on a party to a dispute
- >>Alternative meanings of polysemous technical terms need to be explained in words, just as in a dictionary.
- >>Thus terminology meets lexicography >> rapprochement in terminography (Bowker 2017) the art, craft, science of writing about terms

# Online *termbanks* and specialised lexicography

## ADVANTAGES OF ONLINE MEDIUM

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- Limitations of space in specialised print dictionary – can only be glossaries
  - Digital medium accommodates non-verbal content (e.g. audio/graphic)
  - Much richer mediostructure: internal and external links to add specialised information
  - Easily updated – cf. Nielsen (2015) on law terms in print dictionaries
  - Can accommodate multiple translation languages much better than the traditional multilingual dictionary (Prinsloo 2016)
  - Scope for developing parallel termbanks to detail subdisciplines in large disciplinary fields, e.g. medicine, law
- >> already doing this with set of termbanks in cancer medicine
- >> plans to do this in law, beginning with family law

# User-oriented terminography

## APPLYING CURRENT THEORIES OF LEXICOGRAPHY

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- User-needs foregrounded in current theories of lexicography: the Aarhus Functional Theory of Lexicography
- User-needs have also driven the design of learners dictionaries (Fuertes-Olivera & Tarp, 2014, Peters & Fernandez 2017)
- Much more attention to how dictionaries are actually used, including directionality, and whether they are tools for individual language learning, or for translation (encoding or decoding)
- Focus on types of user (Kwary 2018) – individual user parameters, for general and specialised dictionaries:
  - e.g. age, level of education, socio-economic status, occupation
  - subject-specific knowledge, general language competency

# Users of LawTermFinder termbank



## LANGUAGE DIFFICULTIES FOR MANY IN AUSTRALIAN COMMUNITY

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- LawTermFinder's intended users: non-specialists, nontertiary educated members of Aust community
- L1 citizens (the English-native speakers) often low levels of literacy; half of population not able to extract higher level concepts from reading
- L2 citizens quite variable in their proficiency in English
- High levels of L2 usage maintained through continual influxes of migrants from all continents, different countries; language shift to English can take three generations
- L2 speakers' native language not necessarily the standard/reference form, maybe regional form of Arabic or Spanish, or a minority language with their home country

# Literacy levels in Australia

DATA FROM PIAAC ASSESSMENT OF ADULT COMPETENCIES 2011

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<b>Levels 3/4</b>	41%	Adequate//more than adequate literacy. Level 3 is deemed the minimum for everyday life needs	Can interpret or evaluate information, and construct meaning across larger chunks of text.
<b>Level 2</b>	40%	Limited literacy skills	Can make low-level inferences and paraphrases to match information in different pieces of text.
<b>Level 1</b>	19%	Inadequate literacy skills	Understand basic vocabulary of sentences but not able to draw inferences from them.

# Australian legal framework for Family Law (1)



## FAMILY RELATIONSHIPS

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- Family Law codified in Australia since 1975 – no fault divorce etc.
- Early recognition of de facto relationships (= common law marriage)
- Very recent amendments from ratification of same-sex marriage (2017)
- Family law is federal, established common terminology across Australia, at least for its civil law aspects
- Whereas much of legal system is state-based, especially when it involves criminal behaviour (e.g. physical abuse).
- This comes under individual state law jurisdictions – with divergences in terminology

# Australian legal framework for Family Law (2)

## PROTECTION OF CHILDREN

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- Frequent amendments to legislation on management of children, with changing terminology:

Terms used in Family Law Act		
1975–1995	custody	access
1995–2006	residence	contact
2006–present	live with	time with

>> from custodial emphasis, to providing equitable framework for both parents to engage with their children, to focusing on children's interests.

- Provisions for children in care of same-sex couples are accommodated within Family Law.
- Provisions to prevent kidnapping of children by alienated parent in “airport watch lists”

## SELECTING TERMS TO BE LEMMATISED

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- Specialised corpus of family law texts constructed, with three levels of legal discourse:
  - 1) formal legislation, 2) academic discussions of law/training texts,
  - 3) legal help websites

Frequencies of legal words/collocations in corpus used to prioritise them

- Included technical terms from family law as well as subtechnical and semitechnical terms from general law – boundaries not clear cut – *arbitrator, order*
- Included terms whose whose legal meanings differ from ordinary language: e.g. *hearing, non-caring parent*
- Included terms used in Australian mediation procedures: *family dispute resolution*
- No artificial limit on number of terms/termpages to include, just as many as are needed

# Different types of legal terms

TECHNICAL, SUBTECHNICAL, SEMITECHNICAL

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Category	Examples
Technical legal terms in Family Law	<i>annul, co-parent, consent order, decree of nullity, de facto, equal time, equal parental responsibility</i>
General words with technical definition in Family Law context	<i>child, family, parent</i>
General words with special meaning in legal context	<i>filing, hearing, matter, order, party</i>
General legal terms	<i>Act, appeal, arbitrator, case, court, concurrent evidence, docket judge, injunction, JP, notary public, plaintiff/defendant (correspondent)</i>
Words relating to legislation	<i>section, subsection</i>

# Microstructure (1)

## VERBAL ELEMENTS

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- Headword and any substitute terms in the same register (de facto + common law marriage)
- Definition in plain English, not formally controlled language but avoiding formal legal language, not too long – read-out-loud test for readability
- Some words/terms need two definitions – to cover noun and verb usage: *appeal*
- Examples – to complement defs with additional linguistic and encyclopedic information about the term
  - taken from corpus, where possible from legal help websites because of easier wording (those from legislation inevitably too wordy, need modifying)
- Audio recording of head word and its definition, to assist those with reading difficulties literacy
- Usage note: further information on meaning of term, especially where it might be confused with the general use of the word

# LawTermFinder termpage for *live with*

## LawTermFinder – online help with legal terms

### Search

#### Search term

▸ Search tips

#### Translation Options

▸ Search tips

live with

(family law)

English pronunciation: 

Terms used in Family Law Act		
1975–1995	custody	access
1995–2006	residence	contact
2006–present	live with	time with

CHANGING TERMINOLOGY FOR CHILDREN'S LIVING ARRANGEMENTS

▪ **Grammar:** *verb phrase*

▪ **Definition:**

~ (of children) to be in the care of a person as a result of a [parenting order](#)

~ (of adults) to share a household whether or not as a [couple](#)

▪ **Example:**

1. The mother applied for final orders that the children live with her and spend *time with* their father and that both parents have joint responsibility for decisions affecting the children's long-term care, welfare and development.

2. The decline in *marriage* in Sweden has been accompanied by a decrease in the age of first living with a partner.

3. After her discharge from hospital the wife lived with her parents for a period of time.

- **Usage Note:** The use of "live with" in relation to children reflects the child-centred perspective of the 2006 amendments to the FLA, replacing terms like "custody" (1975-1995) and "residence" (1995-2006).

# Microstructure (2)

## USE OF GRAPHIC ELEMENTS AND TRANSLATIONS

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- Graphics: quite a challenge: legal concepts not easy to visualise
- Diagrams: only where words/terms form clusters or hierarchies in the legal system  
e.g. for three types of mediation, or the lower (state) courts in relation to the higher federal courts
- Tables: to detail a set of related terms  
e.g. the legislated changes in terms for children's living arrangements
- Translations: to provide bilingualised support for L2s in context of learning language
  - >> selected verbal element only: headwords, definitions and any usage note
  - These are all key elements to help L2 users understand the term;
  - bilingualisation links it with other words in their own language, to anchor their understanding
- LawTermFinder not intended to create legal terminology for another language, only to explain meanings of Australian legal terms

# LawTermFinder sample page

## TERMPAGE WITH TRANSLATION OPTIONS FOR *LIVE WITH*



MACQUARIE  
University  
SYDNEY · AUSTRALIA



An Australian Government Initiative



### LawTermFinder – online help with legal terms

#### Search

Search term

Translation Options

- English Only ▾
- English Only
- العربية
- 한국어
- Español
- Tiếng Việt
- 繁體中文
- 简体中文

live with  
(family law)

**English pronunciation:** 

Terms used in Family Law Act			
1975–1995	custody	access	
1995–2006	residence	contact	
2006–present	live with	time with	

CHANGING TERMINOLOGY FOR CHILDREN'S LIVING ARRANGEMENTS

- **Grammar:** *verb phrase*
- **Definition:**
  - ~ (of children) to be in the care of a person as a result of a [parenting order](#)
  - ~ (of adults) to share a household whether or not as a [couple](#)
- **Example:**
  1. The mother applied for final orders that the children live with her and spend [time with](#) their father and that both parents have joint responsibility for decisions affecting the children's long-term care, welfare and development.
  2. The decline in [marriage](#) in Sweden has been accompanied by a decrease in the age of first living with a partner.
  3. After her discharge from hospital the wife lived with her parents for a period of time.
- **Usage Note:** The use of "live with" in relation to children reflects the child-centred perspective of the 2006 amendments to the FLA, replacing terms like "custody" (1975-1995) and "residence" (1995-2006).

- search for a sequence of 0 or more characters in a string.  
Example: judg\* would find *judge* and *judgment*
- be used for browsing.  
Example: c\* finds all the words starting with c

# Selection of community languages for translation (bilingualisation) of LTF



MACQUARIE  
University

## LANGUAGE AND SOCIAL FACTORS

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Prioritisation of languages based on:

### (i) language factors

- size of population that speaks a particular LOTE (Language other than English), based on census data by ABS (Australian Bureau of Statistics)
- growth rates of community in recent years
- higher populations in several states/capital cities (Forrest, Benson, Siciliano 2018)
- national languages or ones that serve as lingua francas for speakers of minority languages, e.g. Arabic for Sudanese

### (ii) sociocultural factors

- Self-reported proficiency in English (Forrest&Dandy 2017)
- Gender balance in different age groups within communities
- Religious practice

>> Select those meet the higher-ranked criteria in both sets. So far:  
Chinese x 2, Arabic, Vietnamese, Spanish, Korean, Turkish, Filipino

# ABS statistics on size of LOTE-speaking immigrant communities (1991-2011)

	1991	1996	2001	2011	+/-
<b>Italian</b>	418 804	375 752	353 606	299 836	- 28.4%
<b>Greek</b>	285 700	269 770	263 718	252 218	- 11.7%
<b>Cantonese</b>	162 896	202 270	225 307	263 675	+ 61.9%
<b>Arabic</b>	162 896	177 599	209 371	287 175	+ 76.3%
<b>German</b>	113 336	98 808	76 444	80 371	- 29.1%
<b>Vietnamese</b>	110 187	146 265	174 236	233 389	+ 111.8%
<b>Mandarin</b>	54 573	91 911	139 288	336 408	+ 516.4%
<b>Spanish</b>	90 479	91 254	93 595	117 496	+ 29.9%
<b>Tagalog</b>	59 110	70 444	78 879	136 846	+ 231.5%
<b>Turkish</b>	41 960	46 242	50 692	59 626	+ 42.1%
<b>Serbian</b>	24 336	37 238	49 202	55 112	+ 126.5%
<b>Hindi</b>	n/a	33 988	47 817	111 349	+ 327.6%
<b>Korean</b>	n/a	n/a	39 528	79 787	+ 101.8%
<b>Indonesian</b>	22 224	22 772	22 724	55 222	+ 27.5%

# Translation sample: Chinese

## PAGE FOR VIOLENCE ORDER (SIMPLIFIED SCRIPT/MANDARIN)

### LawTermFinder – online help with legal terms

#### Search

Search term

Translation Options

#### Search Tips

Unsure about spelling the word or phrase? Try using an asterisk (\*). It can:

- search for a sequence of 0 or more characters in a string.  
Example: `judg*` would find `judge` and `judgment`
- be used for browsing.  
Example: `c*` finds all the words starting with `c`

### violence order (VO)

(family law)

简体中文

English pronunciation: 

State	Name of Order
ACT	protection order
NSW	violence order
NT	restraining order
QLD	protection order
SA	restraining order
TAS	restraint order
VIC	intervention order
WA	restraining order

TERMS FOR VIOLENCE ORDERS IN DIFFERENT STATES

- **Grammar:** *noun phrase*
- **Definition:** a directive of the court aimed at prohibiting physical aggression, intimidation or stalking of another person 简体中文
- **Example:**
  1. The school had taken out an apprehended violence order from going to the school grounds. prohibited her
  2. Orders for the personal protection of a party are given under the legislation to protect a person from family violence. These include Protection Orders, Apprehended Violence Orders (AVOs) and Domestic Violence Orders (DVOs). and Territory
- **Related Compound:** apprehended violence order (AVO), apprehended domestic violence order (ADVO), apprehended personal violence order, domestic violence order, family violence order

简体中文

法庭的命令，目的是禁止身体攻击、恫吓或跟踪骚扰另一个人。

# Enlarged table showing interstate differences in Chinese

TERMS FOR VIOLENCE ORDER: IN ACT, NSW, NT, QLD, SA, TAS, VIC, WA

TermFinder

violence order – family law

State	Name of Order
ACT	protection order
NSW	violence order
NT	restraining order
QLD	protection order
SA	restraining order
TAS	restraint order
VIC	intervention order
WA	restraining order

TERMS FOR VIOLENCE ORDERS IN DIFFERENT STATES

[link to illustration for violence order](#)

州	法令名称
首都领地	保护令
新南威尔士	暴力禁止令
北领地	禁止令
昆士兰	保护令
南澳	禁止令
塔斯玛尼亚	禁止令
维多利亚	干预令
西澳	禁止令

各州法庭暴力禁止令术语

# Translation sample: Arabic

PAGE FOR *VIOLENCE ORDER*

## LawTermFinder – online help with legal terms

### Search

Search term

Translation Options

العربية ▼

### Search Tips

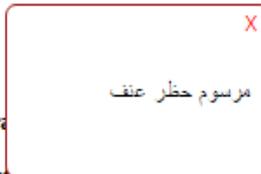
Unsure about spelling the word or phrase? Try using an asterisk (\*). It can:

- search for a sequence of 0 or more characters in a string.  
Example: judg\* would find *judge* and *judgment*
- be used for browsing.  
Example: c\* finds all the words starting with c

violence order (VO)

(family law)

العربية



- **Gr**
- **Definition:** a direction of the court aimed at prohibiting physical aggression, intimidation or stalking of another person العربية

- **Example:**

1. *The school had taken out an apprehended violence order against Kay, which prohibited her from going to the school grounds.*

2. *Orders for the personal protection of a party are generally made under State and Territory legislation to protect a person from family violence. These include *Protection Orders*, Apprehended Violence Orders (AVOs) and Domestic Violence Orders (DVOs).*

- **Related Compound:** apprehended violence order (AVO), apprehended domestic violence order (ADVO), apprehended personal violence order, domestic violence order, family violence order

English pronunciation: 

State	Name of Order
ACT	protection order
NSW	violence order
NT	restraining order
QLD	protection order
SA	restraining order
TAS	restraint order
VIC	intervention order
WA	restraining order

TERMS FOR VIOLENCE ORDERS IN DIFFERENT STATES

العربية

# Enlarged table showing interstate differences in Arabic

TERMS FOR *VIOLENCE ORDER*: IN ACT, NSW, NT, QLD, SA, TAS, VIC, WA

TH

الولاية	اسم المرسوم
أستراليان كابيتال تيريتوري	مرسوم حماية
نيو ساوث ويلز	مرسوم حظر عنف
نورذارن تيريتوري	مرسوم منع
كوينزلاند	مرسوم حماية
ساوث أستراليا	مرسوم منع
تازمانيا	مرسوم تقييد
فيكتوريا	مرسوم تدخل
ويسترن أستراليا	مرسوم منع

مصطلحات مراسيم حظر العنف في مختلف الولايات

# Translation sample: Turkish

PAGE FOR VIOLENCE ORDER



MACQUARIE  
University

LawTermFinder – online help with legal terms

Search

Search term

violence order

Go

▸ Search tips

Translation Options

Türkçe

▸ Search tips

violence order (VO)

(family law)

Türkçe

English pronunciation:

State	Name of Order
ACT	protection order
NSW	violence order
NT	restraining order
Qld	protection order
SA	restraining order
TAS	restraint order
VIC	intervention order
WA	restraining order

TERMS FOR VIOLENCE ORDERS IN DIFFERENT STATES

- **Grammar:** *noun phrase*
- **Definition:** a directive of the court aimed at prohibiting physical aggression, intimidation or stalking of another person **Türkçe**

Türkçe

- bir başka kişiye fiziksel saldırı, yıldırma veya sinsice izleme gibi eylemleri yasaklama amaçlı mahkeme talimatı

*legislation to protect a person from family violence. These include Protection Orders, Apprehended Violence Orders (AVOs) and Domestic Violence Orders (DVOs).*

- **Related Compound:** apprehended violence order (AVO), apprehended domestic violence order (ADVO), apprehended personal violence order, domestic violence order, family violence order

# Enlarged table showing interstate differences in Turkish

LawTermFinder – online help with legal terms

Search

violence order (VO)  
(family law)

English pronunciation: 

Search term  
violence order

Go

Search tips

Translation Options  
Türkçe

Search tips

State Name of Order

State	Name of Order
ACT	protection order
NSW	violence order
NT	restraint order
QLD	protection order
SA	restraint order
TAS	intervention order
WA	restraining order

Violence Orders in Different States

Eyalet	Karar Adı
ACT	koruma kararı
NSW	şiddet kararı
NT	kısıtlayıcı karar
QLD	koruma kararı
SA	kısıtlayıcı karar
TAS	kısıtlama kararı
VIC	müdahale kararı
WA	kısıtlayıcı karar

FARKLI EYALETLERDE ŞİDDET KARARLARIYLA İLGİLİ TERİMLER

Search history: violence order <- live with

[link to illustration for violence order](#)

[Back to homepage]

# Evaluation/user-experience of termbank

Popup questionnaire designed to be minimally intrusive:

- Delayed appearance (giving users time to browse)
- Popup doesn't appear again once user had completed it
- Limited number of questions
- Multiple choice only

How often have you used Termfinder?

- Once
- More than once
- 5-10 times
- More than 10 times

How easy is LawTermFinder to use?

- Very easy
- Easy
- Neither easy or difficult
- Difficult
- Very difficult

How satisfied were you with the information provided by LawTermFinder

- Very satisfied
- Satisfied
- Neither satisfied nor dissatisfied
- Dissatisfied
- Very dissatisfied

Are you

- A lawyer or other legal professional
- Involved in a Family Law matter
- A student
- Other?

Is English your first language?

- Yes
- No

How satisfied were you with the translated information provided?

- Very satisfied
- Satisfied
- Neither satisfied nor dissatisfied
- Dissatisfied
- Very dissatisfied

Would you use LawTermFinder again?

- Yes
- No

Submit

Cancel

# Image of popup on termpage

LawTermFinder – online help with legal terms

**Search**

Search term

Go

▸ Search tips

**FAMILY LAW TERMS IN EASY-TO-UNDERSTAND LANGUAGE**

What are *best interests*? How does a *court order* get issued?  
What's the difference between *separation* and *divorce*?  
What is *shared parental responsibility*?

Just enter the word or phrase in the **SEARCH TERM** window above on the left.

If you need help with English, you can select translations into Chinese (Simplified and Traditional scripts), Arabic, Vietnamese, Spanish, Korean, Turkish and Filipino from the **TRANSLATION OPTIONS** menu on the left.

**Translation Options**

English Only

▸ Search tips

We'd like your help to make this resource as useful as it can be. Please click to complete a 30-second survey.

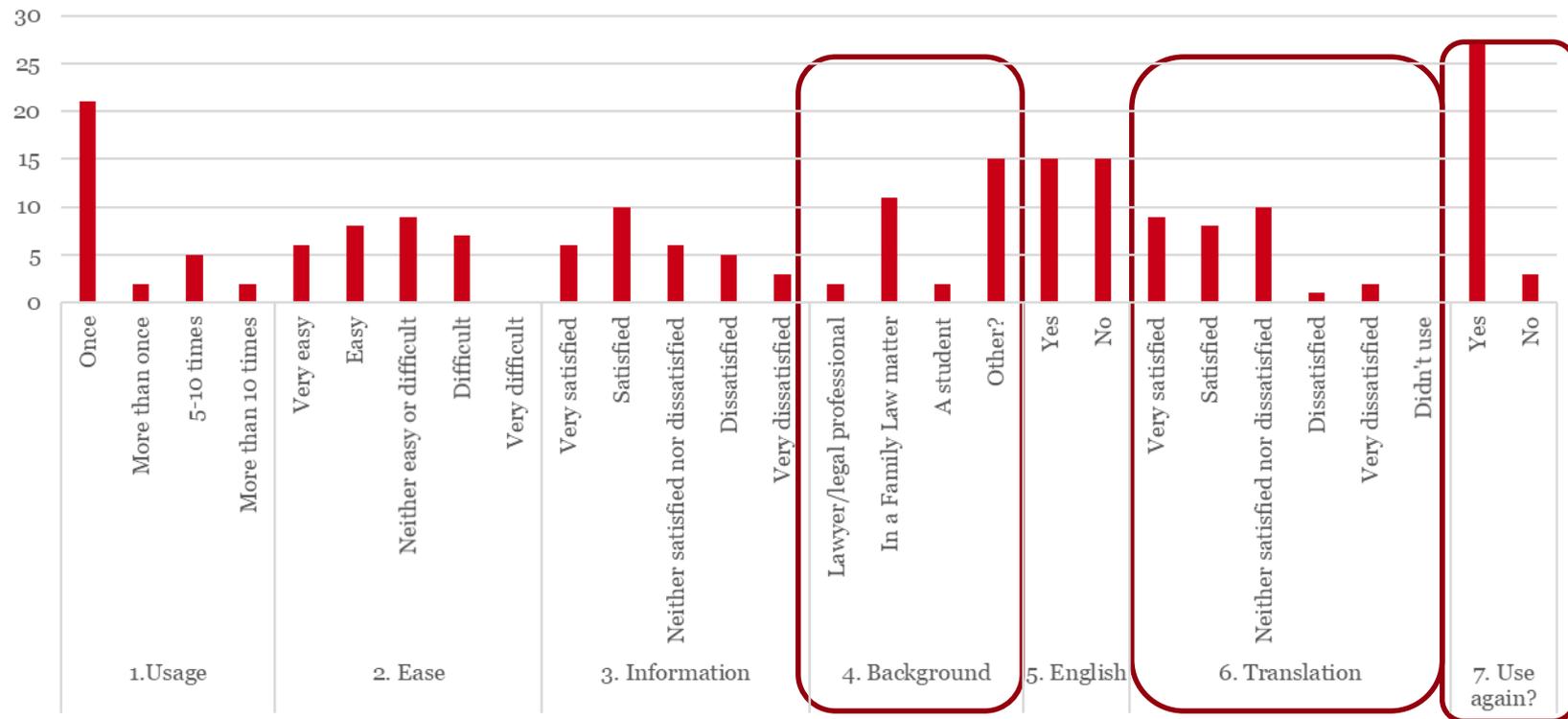
OK



**Disclaimer:** *LawTermFinder is designed to help in understanding the fundamentals of family law and dispute resolution practices. It is not a substitute for legal advice.*

# Results of LawTermFinder survey

Responses to survey on use of Family Law TermFinder



# Future directions

- Continuation of contract with Attorney Generals dept.
- Aim to facilitate Indigenous access to LawTermFinder with the selection of a one or two Aboriginal languages for bilingualisation
- Strategic choices: start with Kriol because of its widespread use.  
Then apply similar selection criteria to those used for community languages, i.e. target those that serve as a lingua franca beyond their source country

## Scope for psycholing research on usability of online multimodal information

- L1 Users' ability to integrate verbal, visual and audio elements of termpage – contribution to understanding, preferential use
- L2 users' interface with translated elements on page – eye-tracking research on actual engagement with individual termpages

>>Contribute to ongoing work on user-oriented terminography and lexicography

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