

Intercultural Communication in Migration Law Practice: Policy Problem or Special Skill?

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Abstract

People who apply for an Australian visa can seek professional assistance from a lawyer or a registered migration agent. These practitioners serve as valuable mediators in navigating increasingly complex and demanding migration law and procedure (Jacobs, 2022; Smith-Khan, 2021c). Given the inherent linguistic diversity of this setting and the centrality of communication throughout, strong intercultural communication skills are essential to providing high-quality migration assistance (Reynolds, 2020). However, little is known about how these migration practitioners develop the specialized professional communication skills needed to successfully interview, advise, and take instructions from clients, and to communicate on their behalf with immigration authorities. Likewise, there is very little known about how they develop a professional identity (van Galen-Dickie, 2021). Therefore, this presentation shares findings from a legal-linguistic ethnography of currently practicing lawyers and agents, and students enrolled in the 12-month graduate course required for non-lawyers to register as migration agents. The project involved conducting a series of qualitative interviews with practitioners, and with students over the course of their study and beyond, and observing, recording, and participating in online practical activities where students develop their client interview skills through role play. The presentation identifies challenges presented by government regulations' and policy discourse's strong emphasis on English language proficiency, and how the migration students' and practitioners' own diverse migration histories and multilingual profiles are de-valued within this system (Smith-Khan, 2021a, 2021b). Despite this, the study found that migration students and practitioners emphasise the value and relevance of their sociolinguistic and other resources, and recognize and demonstrate their potential as skilled intercultural communicators. Therefore, the project contributes to countering official discourses that problematize migration practitioners' participation in immigration processes.

References

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