



## **Professional Interpreters for Justice**

### **Report of the Steering Committee**

Date: Wednesday, 18<sup>th</sup> July 2012  
Time: 3 pm to 4:30 pm  
Venue: Unite House - Holborn - London

**Present at the meeting:** Andrew Murray, Regional Officer of Unite (presiding); Amelia Naranjo, Secretary, NUPIT Branch; Eileen Ford, Chari, NUPIT Branch; Geoffrey Buckingham, Chairman, APCI; Aqil Minhas, Treasurer, APCI; Paul Wilson, CEO, ITI; Klasiena Slaney, Director, SOMI UK; Eulalia (Lalia) Pessoa-White, Director, NRPSI; Tony Wilcox, WITS; and Keith Moffitt, Chair, CIOI Council (Observer).

**Via telephone link:** Madeleine Lee, Director, PIA; John Podvoiskis, Director, PIA; and Alena Linhartova, Committee Member, SITA.

**Apologies:** Guillermo (Willie) Makin, Chairman, SPSI; Magdy Abbas, Director, SOMI UK; and Melanie Beaumont, President, SITA.

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#### **1. Report of meeting 15/06/2012**

No matters arising from this report. We have decided to set a protocol to differentiate between draft and finalised documents. The reports of the meetings will be posted on the Professional Interpreters for Justice (PI4J) website and displayed in the NRPSI Interpreters' Room, together with other letters written on behalf of the Steering Committee (SC).

#### **2. Update on Developments**

The Steering Committee discussed the campaign developments since our last meeting:

##### **Hot off the press today – New Inquiry:**

The **Justice Select Committee** is launching a call for written evidence on the provision of interpretation and translation services since Applied Language Solutions (ALS) began operating as the Ministry of Justice's sole contractor for language services in February 2012.

Specifically they will seek to explore six areas:

1. The rationale for changing arrangements for the provision of interpreter services
2. The nature and appropriateness of the procurement process
3. The experience of courts and prisons in receiving interpretation services that meet their needs
4. The nature and effectiveness of the complaints process
5. The steps that have been taken to rectify under-performance and the extent to which they have been effective
6. The appropriateness of arrangements for monitoring the management of the contract, including the quality and cost-effectiveness of the service delivered.

The deadline for submissions is **Monday 3 September 2012**. More details [here](#).

The angle of this inquiry, which is about the delivery of justice, should be different to that of the **National Audit Office (NAO)** – see update below.

The Professional Interpreters for Justice Steering Committee will provide two sets of joint responses to these inquiries and include a catalogue of failures in the delivery of interpretation service by Applied Language Solutions/Capita, showing court cases collapsing and interpreters either not showing or unable to translate adequately.

### **Government admits FWA unlikely to meet predicted savings**

The Government has been forced to admit that implementation of the contract is not going to save the taxpayers the £18 million originally projected and is unlikely even to save the revised figure of £12 million.

During a debate in the House of Lords on ‘EU: Interpretation and Translation in Criminal Proceedings’ on 9 July, Baroness Coussins expressed concern that data on contract performance was provided by the contractor ‘without any independent verification or audit’ and tells a ‘very different story from the complaints we hear daily from judges and others about the failure to provide interpreters or the sending of unqualified, inexperienced people.’

Lord McNally was left facing a barrage of questions from peers, which can be viewed via the [Parliament Live TV link](#) (at 23m35s). A transcript of the questions can be seen [here](#).

### **Resignation of Gavin Wheeldon from Applied Language Solutions**

Gavin Wheeldon, ex-ALS CEO, along with a number of top executives, have left ALS within weeks of each other. Richard Loyer (Public Services Director) left the company in April, David Joseph (Head of Linguist Relations), Simon Ratcliffe (Chief Operating Officer) and John Dixon (Strategic Solutions Director) all left in May and Mr Gavin Wheeldon himself has now also quit in July – six months after the implementation of the contract. Not only does this indicate serious operational difficulties within ALS but may also indicate the beginning of the end for the FWA in its current form.

For further insight, please read our Linguist Lounge analysis [‘Food for thought: Gavin Wheeldon departs from Applied Language Solutions’](#), and the blog from The Law Society Gazette editor-in-chief Paul Rogerson: [Wheeldon should get the Buckles treatment](#).

## **3. Report on the meeting with Shadow Minister of Justice Andy Slaughter MP**

At this meeting, held on 17<sup>th</sup> July 2012, the SC was represented by Andrew Murray and Lalia Pessoa-White, accompanied by Ben Richards, from the UNITE political department. AS stated that he was kept up-to-date with information received regularly from Geoffrey Buckingham. We informed him of the latest news concerning ALS and mentioned that PIA had sent a letter Gavin Wheeldon and that neither Gavin nor Capita had replied to that letter. Capita had however recently sent a threatening letter to an interpreter.

The SC was advised to collate the best examples of the MoJ ALS contract into a formal document and prepare case studies to be used in Parliament and for the media; to contact sympathetic Magistrates, Judges and the legal profession to elicit direct opinions on how the contract is performing; and to continue to update the national and local press throughout the summer.

Due to the Parliamentary timetable it is unlikely that our planned Parliamentary Event will take place before 17<sup>th</sup> October 2012. The House is in recess from 18<sup>th</sup> July. They will reconvene from 3<sup>rd</sup> September to 10<sup>th</sup> September – mainly to deal with the House of Lords’ reform. The house will also sit on 17<sup>th</sup> September and 19<sup>th</sup> September.

The SC will prepare a draft 2-page briefing paper by September, when a further meeting will be held with AS.

AS would like to be kept informed on the reply (or lack thereof) from Crispin Blunt to our letter.

Also mentioned was the new White Paper [‘Swift and Sure Justice: The Government’s Plans for Reform of the Criminal Justice System’](#).

#### **4. National Audit Office (NAO) inquiry update**

A submission was made on behalf of the Professional Interpreters for Justice Steering Committee on 18 June 2012, making points and raising queries following the structure of the investigation’s Terms of Reference, accompanied by supporting documents regarding ALS failures to adequately provide interpreting services and a summary list of unanswered questions and specific areas of inquiry.

The NAO is an independent Parliamentary body responsible for auditing central government departments, government agencies and non-departmental public bodies. It also carries out Value for Money (VFM) audit into the administration of public policy.

They have issued the Terms of Reference for a formal investigation into the MoJ’s Framework Agreement with ALS as requested by Margaret Hodge, Chairman of the Public Accounts Committee, during which they will be looking closely at the procurement process that the MoJ followed prior to implementation of the FWA. This investigation was launched following complaints from lawyers, magistrates and judges about the service, as well as MPs and members of the public.

The NAO report may come out by the end of July or in August.

#### **5. Interpreters’ representative bodies in joint appeal to Crispin Blunt**

Eight participants in the Professional Interpreters for Justice Campaign have written collectively to Crispin Blunt MP on 12<sup>th</sup> July 2012, requesting a meeting between the Ministry of Justice and representatives from each organisation to discuss a way forward. A new consultation is requested which has the involvement of all stakeholders. Read the letter here: [Interpreter bodies’ joint letter to Crispin Blunt, MP Minister for Justice](#)

**Professional Interpreters for Justice** stands united against the MoJ’s Framework Agreement for the provision of public service interpreting. It is consistently failing to meet the terms of its contract agreement which the professional interpreter bodies have refused to be a part of from the start.

We are committed to upholding the quality and professionalism of public service interpreting in the UK. Overall, there has been a consistent amount of pressure via interpreters’ contacts with MPs and the media (including social media such as Twitter and Facebook) – and the chaos resulting from the outsourcing is clear (see [RPSI Linguist Lounge](#)). The vast majority of professional interpreters on the NRPSI will not work for ALS, since apart from the derisory terms and conditions on offer, they reject the contempt for standards and quality shown by the agency.

## 6. Alternative Solutions to the MoJ FWA

In our correspondence with the MoJ and in responses to various consultations regarding the outsourcing of interpretation services, we have mentioned examples of not-for profit models, which were discussed during our meeting:

1. The Metropolitan Police Service has opted out of the Framework Agreement and made substantial savings through the introduction of their Language Programme and by managing their system more efficiently without the need for cutting interpreters' rates. There is a not-for-profit system to book and pay interpreters with a proper auditing trail and statistics and, crucially, they have involved interpreters throughout and continue to hold regular consultative meetings with the representative body, SOMI UK, in order to address all matters of concern.
2. Cambridgeshire Police has also resisted the pressure to outsource interpreting and has been able to produce year-on-year savings on interpreting costs of 42% and reduce the average cost per assignment from £250 to £120. This was achieved by means of careful cost management and efficiency savings. The force enjoys an excellent relationship with its interpreters and is not plagued by availability problems.
3. The Welsh forces have been able to achieve savings of between 30% and 50% by working with the Wales Interpretation and Translation Service (WITS), which has its own 24/7 call centre and handles all financial administration. Its interpreters are security vetted to police standards and receive free CPD. WITS also has an excellent relationship with its interpreters and no availability concerns. Here, a managed service is providing the same benefits the MoJ hoped to introduce, but it is achieved without using an external commercial supplier.

Also mentioned was a document summarising a proposal made around 2002/3 for government funding of £65m (a fraction of the recent tender) aimed to establish self-financing not-for-profit regional units, which would be subject to strict national guidelines but responsive to local needs. It was thought that central government funding could establish a stream-lined, cost-effective, quality assured, nation-wide network of these units, providing a contact service but also the essential support systems and a focus for nurturing nationally consistent growth and development.

Further information was provided by TW on the [WITS](#) model, which in many ways resembles the one mentioned above.

One of the aims of the Professional Interpreters for Justice Campaign is to establish regular dialogue between interpreter organisations and government, aiming to meet the mutual interests of both the profession and the public services. This would involve reversing the outsourcing to ALS or other commercial agencies, the reintroduction of direct employment of freelance interpreters by the courts and police services, and looking into how real savings and improved efficiency can be achieved whilst upholding high standards of justice.

## 7. AOB

**Dorset Police Constabulary Consultation:** Dorset Police, along with the other police forces in the South West is reviewing the provision of interpreting services and is considering joining the MoJ FWA which uses ALS as its sole supplier. They have sent a letter to interpreters requesting their views on this matter.

The SC will issue a reply to this consultation and disseminate their letter to NRPSI colleagues.

**Tasks to be shared among SC participants:**

1. Dorset Police Consultation – SC reply – Closing date 06/08/12 (KS, TW)
2. JSC submission – Closing date 03/09/2012 (GB, ML, PW)
3. Briefing paper for MPs – by September (AM, KM)
4. Case studies, using Involvis and PIA dossier (LPW, AN)

**8. Date of next meeting**

**Our next meeting will be held on Wednesday, 22<sup>nd</sup> August 2012 at 3pm.**

Report by Klasiena Slaney (SOMI UK)