



## **Professional Interpreters for Justice**

### **Notes of the Steering Committee**

Date: Friday, 20<sup>th</sup> April 2012

Time: 3:40 p.m. to 4.45 p.m.

Venue: at Unite House – in Holborn - London

**Present at the start of the meeting in a Meeting Room on the Ground Floor:** Andrew Murray, Regional Officer of Unite the Union, and chairing the meeting; Amelia Naranjo, Secretary of NUPIT Branch; Geoffrey Buckingham, Chairman, APCI; Maria Brown, Director SOMI; Keith Moffitt, Chair CloL Council (Observer);

The telephone in this meeting room wasn't working, and despite several attempts from Andrew to make it work by 3.30 p.m. it was decided that we should move to the Meeting Room in the Organising Dept. on the 1<sup>st</sup> Floor, where the telephone line was working and enabled the telephone conference.

With the arrival of Guillermo (Willie) Makin, Chairman, SPSI; Magdy Abbas, Director SOMI and Lalia White, Director NRPSI (Observer) the meeting re-started at 3.40 p.m.

**Linked by telephone:** Madeleine Lee, Director PIA (due to the difficulties with the phone line she joined us at 4.15 pm)

**Apologies received:** Eileen Ford, Laura Orsini, Paul Wilson.

The suggested agenda for the meeting had the following Items:

- 1) Notes of Campaign Steering Group on 30<sup>th</sup> March 2012
- 2) Update on events since last meeting including any further Police consultations
- 3) Parliamentary Event
- 4) Web Page and logo
- 5) Judicial Review
- 6) AOB

## **Notes of the Campaign Steering Group on Friday, 30.03.12:**

---These notes were approved by all present.

### **Update on events since last meeting including any further Police Consultations:**

---2<sup>nd</sup> Interpreters' Demonstration in London on Monday, 16.04.12 – This Demo was staged outside the MoJ in Petty France and in front of the House of Parliament with an attendance of about 300 interpreters. Two MPs addressed the interpreters on both venues Andrew Slaughter and Gerald Kaufman.

---Meeting with Mr Bernard Richmond QC on Monday, 16.04.12 at the Sherrard Room, 3<sup>rd</sup> Floor, Middle Temple, Middle Temple Lane, London EC4Y 9AJ. This meeting was arranged by Ennon and Co. Solicitors following contact with an APCI member. This meeting was an open one with the attendance of about 50 interpreters who have been at the Demo earlier on. The meeting took place on a friendly atmosphere where Mr Richmond asked and received questions and advised the interpreters the best way of taking forward our campaign against the Framework Agreement. In his view there were two possibilities, a challenge under Public Law and/or a Judicial Review. He suggested that each interpreter could give £20 each but in order to fund the above options at least £50K would be needed. Another piece of advice given by this QC is to stick together and write to friendly journalists, to the Law Society, and most important to report the failures taking place in courts.

---Other important meetings have been taking place between Robert Buckland, MP, Karl Turner, MP, Imran Ahmed (Andy Slaughter's researcher) and the Chairman of APCI; they have also written to CAPITA. Another important contact to be made is with Margaret Hodge MP, Chair of the Public Accounts Committee. There is a need for an enquiry on how the FWA contract was given to ALS.

---It was mentioned that ALS interpreters could be held liable for negligence as many of those linguists who attend court are ill-equipped for the interpreting assignment they accept from ALS, they are unqualified, non-vetted and inexperienced, which could be equivalent to committing a fraud.

---An account was given of ALS's failures and chaos currently happening in courts across the UK, i.e. their "interpreters are late for hearings, courts hearings are adjourned because the wrong interpreter is booked or in more usual cases their linguists do not show up at all". Just a few days ago a trial collapsed at Snaresbrook CC after a Romanian interpreter made a mistake translating the defendant's evidence and admitting telling the court 'bitten' rather than 'beaten'. A mistake that could lead to a £25K retrial cost; at some courts Judges are issuing Wasted Costs Orders and requesting ALS' representatives to attend court.

---The worry now for everybody concerned is how long it will take before we end up with serious miscarriages of justice, and for Mr Crispin Blunt to accept that his Dept. has made a mistake.

### **Parliamentary event:**

---AM asked which were the best points to take out from the initial advice given by the Union Political Dept.? –

[To facilitate matters here I have copied the advice given]

*"What is hoped to achieve through a parliamentary event. Normally this would be to raise awareness of the issue where we would hold a meeting hosted by a number of MPs, invite many others to attend to try and inform them about the actual situation. This could be relatively straightforward to arrange.*

*Suggestion for the Union to approach Andy Slaughter's office to book a room and host the meeting and our support could be inviting MPs to attend. It often gets a reasonably good turnout of Labour MPs, but in many cases that means we are preaching to the converted.*

*An alternative is to take a more strategic approach at targeting key MPs in the coalition, and/or Labour party if you think more needs to be done to solidify their support, who you think may have some influence over any decisions that may be made.*

*We could then try and arrange direct meetings with these people to put across the interpreters case. It needs to be very clear exactly what it is hoped to achieve through a parliamentary event and what added benefit there is to be gained through doing something in Westminster where as there is so much going on events can sometimes get lost in the crowd."*

---AN - Suggested that an extract of the Daily Hansard dated 19.04.12 should be read in order to highlight Crispin Blunt's stubbornness regarding the failure of the FWA and ALS.

[To facilitate matters here I have copied the questions and answers exchanged between him and Andy Slaughter MP]

“ Translation Services

**Mr Slaughter:** *To ask the Secretary of State for Justice (1) how many applications for mistrial or unlawful detention have been brought relating to a failure to provide adequate translation services by Applied Language Solutions in the last 12 months; [103697]*

*(2) what steps he is taking in respect of the failure to provide translators by Applied Language Solutions; [103698]*

*(3) how much his Department spent on translation services in each of the last 12 months. [103699]*

**Mr Blunt:** *Information on applications for mistrial or unlawful detention in relation to a failure to provide adequate translation, or indeed interpretation services is not collected centrally.*

*My officials continue to meet with the contractor and demand continued improvement in performance and seek to ensure that the contractor meets the contracted levels of performance. Contingency arrangements to minimise disruption to courts and tribunals will remain in place until then.*

*Translation forms a small subset of overall spend on interpretation and translation services. Under the previous arrangements information on spending on translation services was not collected centrally. As made clear on 28 February 2012, Official Report, column 190W, the cost across the justice system was estimated to be in the region of £60 million. Based on those estimates, spending in the Department is estimated to be in the region of £25-28 million per year across Her Majesty's Courts."*

<http://www.publications.parliament.uk/pa/cm201212/cmhansrd/cm120419/text/120419w0002.htm#12041933002139>

---An article about 'Privatisation' was read out during the meeting by the Chairman of SPSI.

[To facilitate matters here I have copied it from his message]

*"If it's not obvious that we're being sold to investors, it's partly because the idea of privatisation is sold so hard to us, in a way that is hypnotically familiar. First, the denigration of the existing service, as if a universally accepted truth is being voiced: the schools/hospitals/roads are crumbling/failing/ second-class. Then, the rejection of government responsibility: we've no money/bureaucrats are incompetent. Finally, the solution: private investment."*

---A clear proposal out of this meeting was needed, either to contact selected MPs and/or all MPs regardless their political affiliation in order to build up support.

---What are the options: a meeting room and a gathering of MPs or a meeting to see MPs.

---A public relations exercise is required and to start with we need a briefing paper for MPs, similar to the 'Speak Up, Speak Out' campaign. The key points of this paper should be what we have done so far and what we would like them to do for us. The draft of this paper should be circulated and approved by everyone.

---This draft will be prepared for Unite by NUPIT. Anyone with suggestions please send them to Amelia/Eileen.

---With the briefing paper to set up a meeting with the Cross Party Group of MPs in the Justice Committee and the Public Accounts Committee.

---The difficulty with the Parliamentary time is the number of days of Parliament sitting is going to be very short due to the Queen's Jubilee and the Olympic Games.

### **Web Page and Logo:**

---Everybody seems to be happy with the Web Page, although a question arose about the third point of the campaign's aims: "persuade' government to provide statutory regulation..." What sort of persuasion? This web page will be dealt with at our next meeting. "

The Campaign Dept. provided a range of colour options for the logo for us to make a final choice of which one to use. The logo chosen by all present at the meeting and by e-mails was the one with blue background, number 6, the bottom one, right hand corner. The nominations for the blue one was unanimous, it was suggested that it represents Law and Order.

### **Judicial Review:**

---The meeting with the QC was mentioned again. It was useful but the crux of the matter is that a JR won't reverse the MoJ decision. The decision was unanimous amongst the Interpreters' representatives of their unwillingness to commit to it because of the uncertainty.

---There was a suggestion that a different approach could be taken with reference to a JR, in which anyone who is a victim of the FWA may bring their own action funded by Legal Aid.

---As it has been said on previous occasions, Unite won't commit itself to a JR because a) it won't be an appropriate method and b) they don't work. What is needed is a more direct political approach, which would be more productive.

---A public statement needs to be drafted about the decision re JR and for it to be distributed to all Interpreting Organisations' members. It would be drafted by the Chairman, APCI with the collaboration of all present.

**AOB:**

---AN – Mentioned that after the meeting with the QC on Monday, 16.04.12 several colleagues who were very enthusiastic about the offer of the JR suggested that Unite could manage the fighting fund, therefore, this question should be put at today's meeting. The response was NO. If Unite were sympathetic to any legal challenge the money would come out of the Legal General Fund.

---AN – have been receiving queries from members saying that the notes of meetings are rather swamped by all the supportive material and background information. It would help the readers – the difference between the 2 could be helped by using different typefaces or something else.

---A suggestion was given was that the minutes or notes should go first followed by the supportive information.

The date of the next meeting was agreed upon: Thursday, 10<sup>th</sup> May 2012 at 3 pm.

Notes taken and distributed by Amelia Naranjo (NUPIT)