



**Professional Interpreters for Justice**  
**Report of the Steering Committee**

Date: Monday, 28<sup>th</sup> May 2012  
Time: 3:30 p.m. to 4:45 p.m.  
Venue: Unite House - Holborn - London

**Present at the meeting:**

Andrew Murray, Regional Officer of Unite (presiding); Amelia Naranjo, Secretary, NUPIT Branch; Geoffrey Buckingham, Chairman, APCI; Paul Wilson, CEO, ITI; Klasiena Slaney, Director, SOMI UK; Guillermo (Willie) Makin, Chairman, SPSI; Keith Moffitt, Chair, CloL Council (Observer); and Eulalia (Lalia) Pessoa-White, Director, NRPSI (observer).

**Via telephone link:** Madeleine Lee, Director, PIA; John Podvoiskis, Director, PIA; Tony Wilcox, WITS; Melanie Beaumont, President, SITA; and Alena Linhartova, Committee Member, SITA.

The meeting started at 3.30.

A four-point agenda was set:

- i Update on groups' activities
- ii Parliamentary Event
- iii Scottish Interpreters update
- iv Steering Group press release re MoJ figures

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**i individual groups' activities**

PIA held a General Meeting on 19<sup>th</sup> May 2012 in Birmingham, attended by 100+ interpreters. Of these, an overwhelming number support continuing the boycott and will not join Applied Language Solutions (ALS). There were mixed views on accepting direct bookings from the courts, but the majority continues to refuse them. The strategy is still UNITY AND SOLIDARITY.

Another ongoing project is the unlawful detention claims by 'victims of ALS', which may be getting a review.

Additionally, the aim is to force accountability over the Ministry of Justice (MOJ) contract with ALS through the channels of the Justice Committee and the Public Accounts Committee/ National Audit Office.

Initial contact has already been made with the NAO concerning an inquiry into the MoJ contract with ALS and to request a meeting. This has proved very encouraging. They would like the Steering Group to contribute to their investigation by providing material and evidence which was collected previously, as their remit is also to look at the awarding of the contract. The Terms of Reference for the NAO inquiry should be finalised soon following a meeting between the NAO and MoJ and a copy will be sent to ML. Based on the volume of complaints and material

the NAO has received from many different quarters, they expect a 3-man team to be examining it for around 6 weeks, with a reporting deadline of mid-July. It is important that work is not duplicated and that we decide whether to respond as individual organisations or as a Steering Group.

Media contacts are also kept informed of all developments.

A press release from APCI/SPSI is due in the next 24 hours and addresses the value and standing of the figures provided by ALS regarding its performance.

Raymond Furlong, producer of BBC programmes, has been fed material which is hoped may result in a slot in 'Today'.

APCI sent a letter to Paul Pindar, CEO of Capita PLC regarding the contract between ALS and the MoJ, pointing out the collapse of several Crown Court cases recently due to ALS' interpreters' incompetence. The case in [Snaresbrook Crown Court](#) was not unique, there was also Leeds Crown Court (R - v - Tahir and others) when an ALS/Capita worker had to be removed from a courtroom by a Judge for being unable to interpret. In Leicester Crown Court Judge Mooncey discharged the jury, already having sacked the ALS worker (R - v - Sarfudin and others). In fact, how many times will the CEO of Applied Language Solutions be required to attend Crown Court and 'show cause', as he was at Kingston in yet another wasted costs application?

## **ii Parliamentary Event**

This event is aimed not just at Labour, but at MPs from all parties who have been contacted by interpreters. We should also invite the Judiciary, the Secretary of State and Junior Ministers. Specific suggestions included Jennifer Edwards, Barrister and Deputy District Judge and Max Hill QC, Chairman of the Criminal Bar Association.

Ben from the Unite Campaigns Department is currently away, but was sent the material for the briefing paper based on GB's paper. This should contain an overview of the situation and is to be sent out before the event, as well as made available on the day. AM has prepared a list of MPs based on the names collected from colleagues. There will be a recess of 2 weeks. We need to look at any key dates in the next 6 weeks and could try to make it a June event, aiming for a Tuesday or a Wednesday and avoiding 25-29 of June, when the Unite Policy Conference will take place. It is best to hold an afternoon session, starting around 2pm for 2 hours at the most. It may be that this event can only take place in the autumn, depending on availability.

Andy Slaughter, Labour MP and Shadow Justice Minister, will be asked to host the event, as he has been very supportive of our cause (Q&A, attended our Demos). From our side there will be the representatives of organisations. We need to set the Agenda and structure for the meeting. Invitation RSVPs should be to Andy Slaughter, who will also be asked to make the introductions together with the organisations.

This event aims to make MPs aware of the issues. We will give them a dossier, but not discuss matters in detail. The Government has churned out the same old cassette with regards to the figures they published. Our boycott (decided upon on an individual basis) constitutes a rebuttal of the MoJ's Framework Agreement. Today marks the beginning of month 5 and we have not caved in. We can simply not afford to join an agency which has such appalling low standards of quality and pay. Highly skilled interpreters are leaving the PSI profession. A case study should be made of the chaos which has ensued after the start of this contract and look into the cost of wasted court days and failed trials. Figures released by the MoJ show that 1 in 10 cases resulted in a complaint to ALS. They do not include the Key Performance Indicators (KPI), which means that in fact neither party is complying with the terms of the FWA contract. It is a mystery why ALS is allowed to get away with it.

Our objectives:

1. Suspend the current FWA contract
2. Reinstatement of the old system of employing NRPSI interpreters directly and maintain the National Agreement and its Terms & Conditions.
3. Persuade the MoJ to engage with interpreter organisations in talks to establish a new system.
4. A way forward.

We wish to engage MPs into discussions and ask for their advice. We should also raise the issue of statutory protection of title for Legal Interpreters.

Action Points: AM to send the list of MPs to Ben, consult Andy Slaughter, propose the date after discussion with Ben/AS (avoiding the last week in June).

### **iii Scottish Interpreters update**

The [Scottish Interpreters & Translators Association](#) (SITA) was formed in 2009, after a collaborative tender was awarded to 5 different companies and qualified interpreters became concerned at the impact the new contract had on their jobs and on the Scottish criminal justice system. Cutting costs at the expense of quality of service in courts means that currently one in five interpreters used in the courts are not qualified, instead they use agency bilinguals. This has led to many adjournments caused by inadequate interpreting. Scottish Legal interpreters do not have the same cohesion and unity as their UK colleagues and many have joined agencies and undercut colleagues. Pay can be as low as £38 per day. Those that have joined SITA are the most qualified, but are frowned upon by the agencies who bypass them in favour of those less qualified. This FWA has been extended for another year. The situation is complicated and lawyers are afraid to comment.

Interestingly, it appears that recently the Scottish Parliament are looking at changing the system back again and the courts have suddenly started to insist on quality, asking for disclosure of interpreters' qualifications. The agencies are trying their utmost to send qualified interpreters to courts or risk getting complaints.

The Scottish Government have contacted SITA after 2 ½ years of outsourcing. They have asked for a dossier compiling court failures. Their interpreters' monitoring system is not impartial. They have asked for proposals from interpreters and wish to discuss payment and Terms & Conditions.

Senior Judges in Scotland have also met in October 2011 to consider the use of ALS to provide interpreters to Scottish courts, and have unanimously rejected it.

Ironically, Martin Jones, Deputy Director of Crime (Crown), HMCTS, has quoted the Scottish example as a model for the provision of interpreter services in the UK. In fact, we should use the Scottish experience to our advantage.

Our key aims are the same and we should support one another. The Scottish colleagues can be invited to the Parliamentary event and explain the shortcomings of the system imposed by the Scottish Government. They can also learn from the many initiatives developed by professional organisations and individual interpreters in the UK, and we can share our experiences with them.

In 2010 there were 14 reported cases of court interpreting failures and it can be assumed there are many more. We asked SITA to provide us with a copy of a comprehensive dossier of court failures in Scotland.

#### iv Steering Group press release re MoJ figures

MoJ Statistical Analysis for the period of 30<sup>th</sup> January up to 30<sup>th</sup> April, published on 24<sup>th</sup> May: ["Statistics on the use of language services in courts and tribunals"](#).

According to the statistics (provided by ALS and not verified by the MoJ) one in ten cases resulted in complaints and this is just the tip of the iceberg. These figures cannot be trusted. We will look at an angle different to the one covered by the Involvis press release, such as the missing data which has not been disclosed. According to pages 98 and 99 of the [FWA contract](#), there should be a quarterly report covering ten separate areas and including the Key Performance Indicators. There is no information about the tiers of interpreters used – and the qualifications and vetting status of the ALS workers. There is no mention of the costly sum attached to the string of delays and adjournments caused by ALS sending incompetent interpreters to carry out court assignments. There is also no mention of the number of short notice assignments which ALS has been unable to fulfil since the start of the contract, resulting in direct calls from the courts to NRPSI interpreters or to other agencies.

From the [Law Gazette](#): *The shadow justice minister has criticised as 'self-serving' performance data released on the company contracted to provide court interpreters. The data, published by the Ministry of Justice last week, revealed that hundreds of cases were still being disrupted by a shortage of interpreters three months into the contract.*

#### AOB

The PIA sent a letter of complaint to ALS last week, which included concerns about their code of conduct, 250 complaints about interpreter no-shows or departures before the end of the court hearings, and more than 70 complaints about the quality of ALS 'linguists'. This was sent by registered post to ALS/Capita, which refused to sign for the receipt of the letter – even though it was a plain envelope. Their complaints procedure is not published.

TW reported that nothing further was heard regarding attempts to sign police forces up to ALS, but he will get in touch with them to get feedback.

KS suggested a link to the NRPSI on the [Professional Interpreters for Justice](#) website.

AN received an email from Leeds University, which is developing a new PSI qualification and questioned the need for another examination when we already have the DPSI. KM stated that the DPSI continues to be the gold standard; Hilary Maxwell-Hyslop is the CIOL Director of Examinations and may have further information about this. In any case, judging by the many reports of incompetent interpreting, the majority of the ALS linguists would fail the exam.

**Our next meeting will be held on Friday, 15<sup>th</sup> of June at 3pm.**

Report by Klasiena Slaney (SOMI UK)