



# Professional Interpreters for Justice

## Meeting of the Joint Interpreters' Campaign Steering Group

**Date:** Friday, 30<sup>th</sup> March 2012

**Time:** 15:00pm to 16:30pm

**Venue:** Unite House, the offices of UNITE the Union in London

**Present:** Andrew Murray, Regional Manager, UNITE, also chaired the meeting; Amelia Naranjo, Secretary, NUPIT; Eileen Ford, Chair, NUPIT; Geoffrey Buckingham, Chairman, APCI; Aqil Minhas, Treasurer, APCI; Madeleine Lee, Director, PIA; Klasiena Slaney, Director and Company Secretary, SOMI UK; Magdy Abbas, Director, SOMI UK; Ranjeeta Johnson, Director, SOMI UK; Laura Orsini, Director, SPSI; Patrick Schunemann, Director, SPSI; Paul Wilson, CEO, ITI; and Keith Moffit, Chair, CIOL Council (observer); **Via phone link:** Tony Wilcox, WITS; and Eulalia (Lalia) Pessoa-White, Director, NRPSI (observer).

### ***Private court interpretation company 'should face contempt proceedings'***

*Attorney general is urged to take action against ALS, which was awarded court interpretation monopoly, after string of delays. Dominic Grieve, the attorney general, was urged to consider contempt of court proceedings against ALS.*

Monday 19th Mar 2012

<http://m.guardian.co.uk/law/2012/mar/19/private-court-interpretation-contractor-contempt?cat=law&type=article>

### ***Bradford Judge demands firm explain after it failed to provide interpreter in case***

*Judge Jonathan Durham Hall QC - A leading Bradford judge is demanding answers after calling a new system's failure to provide a translator for a vulnerable woman in a violence and sex abuse trial "a disgrace".*

Thursday 29th March 2012

[http://www.thetelegraphandargus.co.uk/news/9618688.Bradford\\_Judge\\_demands\\_firm\\_explain\\_after\\_it\\_failed\\_to\\_provide\\_interpreter\\_in\\_case/](http://www.thetelegraphandargus.co.uk/news/9618688.Bradford_Judge_demands_firm_explain_after_it_failed_to_provide_interpreter_in_case/)

### ***Communication between organisations***

AM raised an issue of concern: 'This is an umbrella campaign covering what all groups are doing. At the first meeting it was recognized that the groups would not always necessarily be in agreement but what we had to do was seek for communality and points of convergence. If there are disagreements or serious concerns about the conduct of the campaign, please do not discuss it by e-mail: ask for a teleconference instead. This should prevent disagreements from escalating.'

Everyone expressed full agreement and it was asked that this be minuted as our future protocol.

### ***Matters arising from the notes of the meeting on 16.03.2012***

Press Campaign Release - All organisations agreed to the press release protocol as stated in the report of the meeting on 16.03.2012.

### ***Response to Home Office Police Procurement Consultation***

The Home Office Police Procurement Consultation includes a clause about national procurement of interpreting services and the mandatory use of the FWA for those police forces that chose to outsource or come out of their current FWAs. The consultation closes on 27<sup>th</sup> April 2012.

A draft was prepared by TW and KS for discussion and approval at this meeting. The suggested amendments are to be incorporated in the draft and sent out to all organisations for final approval by Tuesday 3 April 2012.

Individual interpreters are being encouraged to write their own response to this Consultation and also to all constabularies. KS and ML have prepared email lists of Chief Constables and Custody Units. These will be forwarded to TW for an update and then passed on for interpreters' use.

Interpreter organisations want the Ministry of Justice (MoJ) to rescind the contract and return to the old system, and to consult with the interpreting profession to find a way forward.

Justice is very different from everything else, because it requires objectivity and cannot be linked to profit.

One suggested sentence which was excluded from the draft is the following: *'There could be more saving in the long term by investing in the establishment of a central government agency, which is 'not for profit' and therefore does not seek to gain a pecuniary advantage from interpreters' work.'*

There are arguments against this paragraph; however this is something that needs to be discussed by interpreter organisations and their members, as the authorities, including the majority of police forces, are currently minded to outsource the booking and payment of interpreters (not necessarily to commercial agencies) as they believe this takes up too much of the court administration/officers time. They may wish to find an alternative to the old system in the long term, even though it has become clear that the new system does not work as it was awarded purely on the basis of the cheapest provider, resulting in the current chaos.

It was pointed out that the NRPSI is a regulator and does not undertake job matching.

### ***Website for the 'Professional Interpreters for Justice'***

The above agreed campaign name will be incorporated on the website. As discussed at the meeting on 16.03.12, the initial page will be linked to UNITE's, although housed separately. The logo designed by John Podvoiski can be adapted or changed - AM will ask the Unite Campaign's Department to work on it and will send the draft to be approved. The initial page should contain the aims of the joint campaign and links to the websites of the organisations taking part, including contact details, and to other WebPages with activities such as the demonstrations, responses to consultations and media stories. It can also include a link to the Linguistlounge.org which shows concrete examples of ALS failures.

It should also contain links to the campaigns running in parallel to this one, namely APCI/SPSI's 'Justice for All' and NUPIT's 'Speak Up, Speak Out'.

### ***Lobbying all political parties***

Individual interpreters are being encouraged to lobby politicians from all parties and some are organising group meetings with their MPs which have proved successful. As mentioned at the previous meeting, the organisations wish to avoid politicising this campaign as our aim is to establish a dialogue regular dialogue between interpreter organisations and government.

<http://www.parliament.uk/get-involved/have-your-say/lobbying/>

### **Parliamentary event**

Due to a series of forthcoming national events such as the Queen's Jubilee and the Olympics, Parliament will hardly be there in the next three months and will only be sitting for about 20 days between now and September.

AM will enquire with the Unite Legal Team about organising a Parliamentary Event. Having seen the video of Shadow Justice Minister Andy Slaughter, AM suggests to liaise with his office through the Unite Political Department. Other suggested names include MPs Emily Thornberry (Shadow Attorney General), Karl Turner (member of the House of Commons Justice Select Committee which scrutinizes the policy, administration, and spending of the Ministry of Justice) and Sadiq Khan (Shadow Justice Secretary).

It was noted again that we need to involve ALL political parties for this campaign to succeed. John Leech is a LibDem MP who has been very vocal in his support for interpreters. Tories will be welcome to attend the event and we should invite them too. Unite always liaises through the Labour Party. Anyone who has suggestions/ideas to contact AM.

### **Data Theft**

*Ministry of Justice translation firm accused of data theft - A company appointed to provide interpreters for courts has been accused of stealing the details of independent linguists to bulk up its database, BBC London has learned. It is claimed the company is using interpreters' details to falsely claim dozens of linguists work for it. ALS said it had legitimately bought interpreters' details three years ago.*

BBC London news on 21 March 2012

<http://www.bbc.co.uk/news/uk-england-london-17463036>

Many interpreters have found their personal data on ALS' register without their knowledge and consent. It appears that they have harvested and processed this data in contravention of the NRPSI (owned at the time by CIOL) Terms and Conditions. APCI state they have clear proof of a breach involving at least 70 interpreters, based on historical data, and this will be forwarded to the CIOL. ML summarised the Data Protection Access of non-Public Service (intermediaries) subscribers (see copy attached).

CIOL has made a couple of public statements (copied at the end of this report) about this matter and is taking legal advice.

Interpreters appreciate the recent efforts of the CIOL to support PSIs, including their public statements, and despite disagreements in the past we also agree that we need to focus on issues that unite us.

### **RPSI Open Letter from ALS CEO**

*In a further attempt to ensure that Interpreters' complaints, concerns and suggestions are listened to and acted upon on an ongoing basis we have also agreed with Alan Wheatley that he will set up an independent Interpreter working group with representation from the community and associations. Further detail on this will be published in the coming weeks.*

<http://www.linguistlounge.com/rpsi-letter/>

This appears to be an ALS initiative to entice interpreters to cooperate with them. We need to carefully consider the implications of what they are trying to do - they are not the MoJ representatives and we must be wary and not give them credibility through engagement with us on behalf of the MoJ. If we get involved in the proposed IWG or in any communication with ALS, this will be viewed as a de facto recognition of ALS. Any IWG will have to be set up with the MoJ and the CJS directly, not with a commercial agency.

**Our opposition is not only to this individual agency, it is to the Framework Agreement.**

### **ATC open letter**

*The Association of Translation Companies (ATC) has issued a press release in response to the worrying trend of sacrificing quality to drive down costs. QUALITY MUST NOT BE SACRIFICED IN DRIVE TO CUT COST OF LANGUAGE SERVICES IN PUBLIC SECTOR. We worked very closely with the Ministry of Justice to help develop the quality criteria to be used in the framework agreement, so we take very seriously any allegations that these may not have been met, although with such a complex contract some initial teething problems may have been anticipated. Given that there is always going to be a tension between the desire to contain costs and achieving the highest standards, the Association is passionate that quality should never be compromised. 29<sup>th</sup> March 2012*

<http://www.transcriptionglobal.com/blog/index.php/2012/03/29/atc-responds-to-concerns-over-language-services-in-the-public-sector/>

ATC organised a workshop on 16<sup>th</sup> November 2010 for interested professional bodies to discuss best practice on how public sector interpreters are to be validated when required to work in the context of Ministry of Justice framework agreements (and for other government departments). It appears that these efforts resulted in the Tier system, which constitutes a lowering of standards in Public Service Interpreting. In the above article they also state: *"All members of the Association have to comply with rigorous quality checks before they are admitted, and they must commit to operating their business in compliance with our strict code of professional conduct. At present we have received no complaints that there has been a breach by one of our members."*

PIA and SOMI will draft a letter of complaint to address this matter.

### **Further updates**

-Interpreters for Justice (APCI and SPSI) have written to Crispin Blunt, Parliamentary Under-Secretary of State for Justice and to Kenneth Clark, Lord Chancellor and Secretary of State for Justice, rebutting what was said in the Houses of Parliament and giving them the facts. Lord McNally, Minister of State for Justice, has been CC'd and a dossier sent to him after his recent answers to Baroness Coussins, Chair of the All Party Parliamentary Group. Although the communication has been framed as a statement, it is in reality an open letter to the public. This will be published very soon.

-Two letters were sent by PIA's solicitor to the MoJ on 15/03; one asking which sanctions will be imposed, the second asking a number of FOI questions.

-PIA has consulted their solicitor for advice on strategy with regard to suspects and defendants having been kept in custody for too long due to ALS' failures to provide an interpreter. They, as the end users, can make individual claims for damages and can apply for Legal Aid for this purpose. This can be a coordinated campaign with an NGO such as the Joint Council for the Welfare of Immigrants (JCWI) to launch a Judicial Review (JR) without a financial output from the profession. PIA could join proceedings later as an intervener (i.e. an expert witness).

-PIA's solicitor and barrister also advised PIA to complain directly to ALS of defaults reported to PIA, at the same time as passing this information on to the MOJ. ALS has a contractual obligation under the FWA to resolve complaints within a certain time scale. As yet, PIA has not sent any correspondence to ALS.

-PIA has been contacted by Radio 4 who wish to record a half hour programme about what it means to be a public service interpreter.

### Next steps

This campaign will continue to focus on:

- The lobbying for the government to enter into a dialogue with us.
- Monitor Avon & Somerset and other constabularies such as to check if they have signed up to ALS by 1<sup>st</sup> April 2012 (including Warwickshire and West Mercia)
- From week beginning 16<sup>th</sup> April – organise a lobbying event and are to contact political department and write a model letter of invitation. Organisations are to provide speakers and one suggestion was to invite the Magistrates’ Association (contact the Junior Legal Rep of the Unite Magistrates’ Branch?)
- Unite will be looking into a Parliamentary Event
- All interpreters are to be encouraged to write to their MPs and raise awareness and most especially to **keep up the boycott**

### Key Activities – Who and by when?

Activities	Who will do it	By when
Establish a Co-ordinating Committee and committee cycle	The Steering Group	Done
Write press release for the launch of the new joint campaign	UNITE	Done
Setting up a central separate website (like the ‘Justice for All’, can be linked to NUPIT/UNITE) and Social media	UNITE and other orgs. Existing Face Book groups could perhaps be used or a new one set up, linked to a Twitter account	Asap
Questionnaire to service users – has to be carefully worded, structured and analysed, with control questions to check previous answers	Other orgs and UNITE. APCI, SPSI and PIA to lead and put them together for UNITE’s input	When required
Web site petition	These have been done in the past (Tribunals/Say No to ALS), but surveys achieve more	When required
Collate client case studies and outcome measures	Cooperation between orgs.	When required
Desk research, collate evidence	UNITE can help APCI/SPSI	When required
Co-ordinating national or local events	NUPIT/PIA/SOMI	When required
Briefing Paper for Politicians and Media	UNITE and APCI/SPSI. APCI has sent theirs to AM, who will read it and put it into a briefing paper like the one for the ‘Speak up, Speak out’ campaign.	Asap
Briefing meetings for Parliament and Local councils, groups of solicitors, small social groups	UNITE	When required
Key Target Event 1: Response to consultations docs for Avon & Somerset and HO Police Procurement closing 14 March 2012	APCI (Alan Thompson already working on a letter) and orgs can decide to sign up to it. Letter can include some lines from CIOL December 2011 letter. A&S already contacted individual interpreters.	Sent on 14/03/12

Key Target Event 2: Response to Home Office Police Procurement Consultation closing on 27 April 2012	The same letter can be adapted for a coordinated response for orgs and individual interpreters	Draft prepared by TW and KS for final approval of orgs. Interpreters to write individually
National Event	London Demo organised by Bradford Professional Interpreters (BPI) and Justice for Interpreters Northwest (JIN)	Done on 15/03/2012
Identify friendly MPs for PMQ's –early day motions etc	UNITE and other orgs	Ongoing

The next meeting for the steering group of organisations was set for Friday 20<sup>th</sup> April 2012 at 3pm.

The meeting ended at 16:30pm.

Report by Klasiena Slaney (SOMI UK)

**Contact details for the Joint Interpreters' Campaign Steering Group:**

**Participants:**

- [Association of Police and Court Interpreters \(APCI\)](mailto:chairman@apciinterpreters.org.uk) chairman@apciinterpreters.org.uk
- [Institute of Translation and Interpreting \(ITI\)](mailto:chiefexec@iti.org.uk) chiefexec@iti.org.uk
- [National Union of Professional Interpreters and Translators \(NUPIT\) / UNITE the Union](mailto:amelianaranjo.nupit1@virgin.net) amelianaranjo.nupit1@virgin.net
- [Professional Interpreters' Alliance \(PIA\)](mailto:info@profintal.org.uk) info@profintal.org.uk
- [Society for Public Service Interpreting \(SPSI\)](mailto:chairman@spsi.org.uk) chairman@spsi.org.uk
- [Society of Official Metropolitan Interpreters \(SOMI UK\)](mailto:board@somiukltd.com) board@somiukltd.com
- [Wales Interpretation and Translation Service \(WITS\)](#)

**Observers:**

- [Chartered Institute of Linguists \(CIOL\)](#)
- [National Register of Public Service Interpreters \(NRPSI\)](#)

## CIOL statements

[http://www.iol.org.uk/news/news\\_article.asp?r=PCXTAW15625](http://www.iol.org.uk/news/news_article.asp?r=PCXTAW15625)

Interpreter Details - Further Clarification

2012-03-23

Further to our statement on 22 March regarding ALS and interpreters' details we would like to provide additional clarification as follows.

ALS, like the other intermediaries which subscribed to the Register, paid a monthly subscription to the former NRPSI for the registration details of those registered interpreters who had given their permission for intermediaries to have access to it. ALS subscribed to the Register from November 2007 to July 2008, and then again from February 2009 until the system of subscription ended in March 2011, and the Register became free to access and in the public domain via the NRPSI website.

Subscription to the Register was subject to compliance with the Terms and Conditions of Use laid down by the former NRPSI, which stipulated that the right to access the data covered by the subscription was time-limited.

[http://www.iol.org.uk/news/news\\_article.asp?r=PCVND484998](http://www.iol.org.uk/news/news_article.asp?r=PCVND484998)

ALS and Interpreters' Details - Clarification

2012-03-22

In response to a statement by Applied Language Solutions on BBC News yesterday that "ALS said it bought some interpreters' details three years ago from the Institute of Linguists", the Chartered Institute of Linguists would like to clarify their position.

Up until 31 March 2011, the National Register of Public Service Interpreters (NRPSI) was a wholly owned subsidiary of the Institute of Linguists. Access to the Register was only available through a system of subscription: public services, and the intermediaries (agencies) through which they worked, paid a subscription to NRPSI for this service. One such intermediary was Applied Language Solutions (ALS).

When joining the Register, all interpreters were requested to indicate whether they gave permission for their registration details to be made available to intermediaries (agencies). If they did not, or did not respond to the request, their details were omitted from the Register sent to intermediaries. It is the case, therefore, that the version of the Register which ALS subscribed to only contained details of interpreters who had given such permission.

The system of subscription ended when NRPSI became an independent body with effect from 1 April 2011. Since that date the Register has been freely available via the NRPSI website [www.nrpsi.co.uk](http://www.nrpsi.co.uk)

## ATC press release

<http://www.transcriptionglobal.com/blog/index.php/2012/03/29/atc-responds-to-concerns-over-language-services-in-the-public-sector/>

**The Association of Translation Companies (ATC) has issued a press release in response to the worrying trend of sacrificing quality to drive down costs.**

**QUALITY MUST NOT BE SACRIFICED IN DRIVE TO CUT COST OF LANGUAGE SERVICES IN PUBLIC SECTOR**

The Association of Translation Companies (ATC), the professional body representing language service providers in the UK, has promised to continue working closely with Government to safeguard standards in the provision of public sector interpreting and translation services.

The ATC made its pledge following recent media allegations concerning the delivery of a contract, said to be worth around £60 million, awarded to one of the Association's members by the Ministry of Justice. The contract went live on 1st February.

Many frontline public services such as the police, courts and health services use significant numbers of face-to-face interpreters to assist people in need whose native tongue is not English. With recent turbulent international events such as the unrest in the Middle East, demand for such services may increase in the UK placing further pressure on the public sector purse.

Commenting, ATC Chairman Roy Allkin said: "The ATC recognises that the Government needs to reduce costs and present good value for money at this difficult time, but at the same time we must warn against any dilution in the quality of language service delivery.

"We worked very closely with the Ministry of Justice to help develop the quality criteria to be used in the framework agreement, so we take very seriously any allegations that these may not have been met, although with such a complex contract some initial teething problems may have been anticipated.

"Given that there is always going to be a tension between the desire to contain costs and achieving the highest standards, the Association is passionate that quality should never be compromised.

"We will be approaching the Government to discuss how we might take the quality and value for money agenda further across the public sector – not just the Justice system.

"All members of the Association have to comply with rigorous quality checks before they are admitted, and they must commit to operating their business in compliance with our strict code of professional conduct. At present we have received no complaints that there has been a breach by one of our members."