



4 April 2016

Ann Lisseman

Detective Superintendent
Head of Criminal Justice
Kent Police

By e-mail to interpreters@kent.pnn.police.uk

CC: Ms Ann Barnes, Kent Police and Crime Commissioner, contactyourpcc@pcc.kent.pnn.police.uk

CC: Ms C. Bloomfield-Howe, Head of Procurement Kent & Essex, procurementservices@kent.pnn.police.uk

Dear Detective Superintendent Lisseman,

Professional Interpreters for Justice (PI4J) is an umbrella group representing over 2,240 interpreters from both the National Register of Public Service Interpreters (NRPSI) and the National Union of British Sign Language Interpreters (NUBSLI). Our aim is to work with government to ensure the quality of interpreting available to the Justice System and in the Public Sector.

Reliable communication provided by qualified professional interpreters and translators is an essential resource which ensures that justice and human rights are upheld for non-English speakers and deaf people. This is put at risk if standards are dropped and quality is sacrificed.

PI4J has been at the forefront of the professional interpreters' campaign against the unacceptable lowering of standards and quality in public service.

Interpreting Services Provided to Kent Police to be outsourced to thebigword

Interpreters providing services for Kent Police have recently received a letter dated 10th March 2016 informing them of the decision to outsource interpreting services to thebigword.

PI4J understands this decision was made without any consultation with or input from interpreters and their representative bodies and will most certainly have serious implications for the supply of competent, qualified professional interpreters to Kent Police.

Thebigword has already been removed from a Home Office contract in 2014 due to supply difficulties and has previously been guilty of supplying unqualified interpreters. It also uses subcontractors for BSL interpreters as it does not have sufficient interpreters on its books.

We submit that outsourcing to thebigword will lead to an immediate drop in the availability of interpreters and in the quality of interpreting available to you, which may place you in breach of your obligations under the Police and Criminal Evidence Act 1984; the Human Rights Act 1998 / Articles 5 and 6 of the European Convention on Human Rights; and Directive 2010/64/EU of the European Parliament and of the Council of 20 October 2010 on the right to interpretation and translation in criminal proceedings.

Our considered view is that thebigword will not adequately meet the needs of the police service because (i) it is not capable of providing a consistent, effective service; (ii) it will not deliver the promised savings and interpreter services and; (iii) it will not provide the quality of service required for the police services.

An appropriate and professional interpreting service upholds both the suspect and the victim's ECHR rights.

The National Agreement (NA) on the arrangements for the use of interpreters reflected the introduction of the Human Rights Act 1998 following a miscarriage of justice, and emphasised the requirement to check the competency of an interpreter and the quality of interpreting services in order to ensure the right to a fair trial. In all cases, Article 6 of the European Convention on Human Rights requires that an interpreter in criminal proceedings be fully competent for the task assigned. Subsequent amendments were made to strengthen the NA, ensuring only registered and qualified interpreters could practise in the Criminal Justice System.

The standard of interpretation is fundamental to allow access to a fair hearing and justice for victims, witnesses and detainees, many of whom are from vulnerable minorities. They must be afforded equal access to the highest levels of linguistic support.

Standards must include minimum professional qualifications for Public Service Interpreters (PSI) and BSL/English Interpreters, Deaf interpreters and Sign Language translators, to include mandatory NRPSI/NRCPD/SASLI registration and independent regulation.

Without these safeguards, access to justice will be denied and human rights and race relations will be jeopardised.

Interpreters have demonstrated in the last four years that they can and will refuse to work for low rates set by so-called 'market forces', thereby significantly reducing the pool of qualified interpreters and translators available to work in the public services.

This is evidenced by the detrimental decline within the Ministry of Justice's Court Interpreting Service since they outsourced to a private agency in 2012. We assume that you are aware of the extensive coverage in the media regarding the subsequent disruption and chaos visited upon the courts and the delays and collapse of court cases, resulting in an enormous waste of time and money and two Parliamentary hearings (see below links).

The MoJ Framework Agreement has already caused massive problems in the UK courts since it was rolled out in February 2012. **This situation must not be extended to the police forces.**

More recently, at the end of 2015, the Home Office (HO) decided to reduce their interpreters' rates. Following a Fair Payment Campaign by the HO interpreters and their representative bodies, including the PI4J, the HO delayed and then reversed their decision. Interpreters made it very clear they would boycott HO assignments and not work for the proposed new rates. This debacle appeared on the front page of The Guardian newspaper.

We further draw your attention to the following facts regarding quality and efficiency savings.

i Quality of Service

We reiterate that in order to attract and retain qualified and experienced professional interpreters and language professionals, equitable and sustainable terms and conditions need to be put in place.

Professional interpreters invest substantial time, effort and money to gain and maintain their skills.

The rates on offer for Kent Police interpreters via thebigword are NOT sufficient to attract qualified and experienced interpreters in sufficient numbers, which will lead to inadequate quality of the service offered, added to poor management and accountability.

The vast majority of professional legal interpreters on the NRPSI have refused to work for the low-paying agencies of which thebigword is one, since, apart from the derisory terms and conditions on offer, they reject the apparent contempt for standards and quality shown by the agency.

It is important to point out that there has not been an increase in police interpreting rates for many years now. They were further eroded by inflation and the growing cost of living in the UK, especially in areas such as the South East and London. In addition, failure to provide adequate reimbursement for travel time and travel expenses makes the rates even more unattractive.

Remuneration must reflect the fact that these are gross hourly rates for self-employed interpreters, liable to pay Income Tax and National Insurance, who have no pension, holiday or sick pay, and no job security. They further have to pay for professional registration and memberships, insurance, training and CPD. Furthermore, agencies such as thebigword are known to have transferred the burden of vetting costs to interpreters themselves.

The impact of the cuts places interpreters' livelihoods at risk and will mean that public service interpreting will no longer be a viable career. As skilled professionals they will seek to earn a better living in other sectors. This exit of skilled and experienced interpreters from the profession will negatively impact upon the quality and availability of service provided.

ii Financial savings

Failure to provide reliable interpreting services will result in disruptions and delays, and may even cause foreign crime suspects to be released from police custody before questioning as happened in the West Midlands, or an innocent person being held in custody due to a misinterpreted statement.

Interpreters are used by the police services for essential communication with the public, 95% of which is of an evidential nature for victims, witnesses and suspects and so is required to be of the highest standards. Failure to achieve the required standard will result in increased risks of, at the very least, unacceptable delays in justice and at worst, miscarriages of justice.

Either way it will be accompanied by increased costs (e.g. keeping people in custody) and reductions in public confidence and satisfaction.

iii **Alternative solutions**

To date, very few for-profit agencies have been able to provide a service of sufficient high standards as required for the Criminal Justice System.

We maintain that there could be more savings 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. This may achieve a streamlining of the system and thereby utilise interpreter services in a more organised and efficient way—dealing with the process of identifying and booking individual interpreters, as well as with the payment process.

With this in mind, we urge you to re-consider the outsourcing and continue contracting interpreters directly, and consider alternative solutions such as those mentioned below:

1. The Metropolitan Police Service has made substantial savings through the introduction of their Language Programme in 2009, through efficiency and technology, whilst maintaining high standards of quality by managing their system more efficiently without the need for cutting interpreters' rates. Theirs 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. Last year's spending on Language Services was reduced to 2004/5 levels (please see below link).
2. Cambridgeshire Police has 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 also 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.

The above models are already delivering to the police forces all the benefits which private agencies claim to deliver, whilst at the same time maintaining high standards by using qualified professional interpreters in line with the National Agreement.

In conclusion, we consider that your chosen service provider is unable to meet the needs of the communities you serve, and until such time as there is a realistic prospect of it being able to do so, we urge you not to take the step of signing up to this contract.

Full support of professional interpreters and appropriate terms & conditions is the only way forward to ensure the quality and success of any future arrangements for the provision of language services in the public service sectors and to avoid a market exit.

In the interest of all involved and the system itself, we urge you to reconsider this troubling and counterproductive decision.

Yours sincerely,

Professional Interpreters for Justice (PI4J)

On behalf of the following PI4J Member Organisations:

Association of Police and Court Interpreters (APCI) – chairman@apciinterpreters.org.uk

Chartered Institute of Linguists (CIOL) – keith.moffitt@ciol.org.uk

Cymdeithas Cyfieithwyr Cymru (CCC) – geraint@cyfieithwycymru.org.uk

Institute of Translation and Interpreting (ITI) – chiefexec@iti.org.uk

National Union of British Sign Language Interpreters, part of Unite the Union (NUBSLI) – branchsecretary@nubsli.com

National Union of Professional Interpreters and Translators, part of Unite the Union (NUPIT) – nupit@uniteunion.org

Society of Official Metropolitan Interpreters UK Ltd (SOMI) – board@somiukltd.com

Attached: PI4J's Statement of Objectives

Links:

[National Agreement on the Use of Interpreters \(NA\)](#)

[Professional Interpreters for Justice \(PI4J\)](#), includes links to Parliamentary hearings and dossiers of failings

[National Register of Public Service Interpreters \(NRPSI\)](#)

[National Registers of Communication Professionals working with Deaf and Deafblind People \(NRCPD\)](#)

[Scottish body for training and qualifying British Sign Language interpreters \(SASLI\)](#)

[RPSI Linguist Lounge](#) and [Professional Interpreters' Alliance](#), Collected news reports about the outsourcing of public service interpreting in the UK

The Wrong Way to Interpret Justice <http://wp.me/p2xnH0-cx> via [@AishaManiar](#)

We Own It [@We OwnIt](#) 5 reasons not to privatise sign language interpretation <http://buff.ly/1q5ojhI>
[@NUBSLI](#) [#FeesFightback](#)

The Daily Mail Online, 3 March 2012

[Foreign suspects are being released from police custody due to lack of interpreters](#)

Civil Service World, 1 April 2014, [MoJ's handling of interpreters 'shambolic'](#) The Ministry of Justice's (MoJ's) outsourcing of court interpretation services has been "shambolic" and greatly harmed service quality, according to a report published today by the Commons' Justice Committee. It did not have an adequate understanding of the needs of courts, it failed to heed warnings from the professionals concerned, and it did not put sufficient safeguards in place to prevent interruptions in the provision of quality interpreting services to courts."

2014 - Further information re the previous Home Office outsourcing pilot which has since been shelved [Home Office: Interpreters Operations Unit. Privatisation victory... Total and abject failure, profit driven, poor service, questionable tactics, full scale of this mess has yet to be revealed – including details of how much 'The Bigword' has been paid to 'go away'](#).

The Guardian, 15 January 2016 - [Home Office drops plans to cut interpreter wages after boycott threat](#).
www.theguardian.com > World > UK News > Immigration and asylum

NUBSLI, 18 March 2016 -[An Uncertain Future: results from profession exit interview](#) As a response to concerns about BSL/English Interpreters leaving the profession, reducing their hours or diversifying their income, NUBSLI established a Profession Exit Interview. A report on the findings has been published.

[Metropolitan Police Language Services Cost – Savings achieved through the Language Programme](#)

Metropolitan Police Service opted out of the MoJ Framework Agreement – savings achieved through introduction of Language Programme in 2009 which included streamlining of interpreting services and the use of technology. *MPS FOI*, December 2014, Expenditure on Interpreters to 2014/15

- [Met HO Commercial and Finance - Money spent on interpreters in the MPS in the past 5 financial years.](#)

01/04/2004 - 31/03/2005	£7,599,844.00
01/04/2005 - 31/03/2006	£8,823,838.00
01/04/2006 - 31/03/2007	£9,881,520.00
01/04/2007 - 31/03/2008	£10,541,236.00
01/04/2008 - 31/03/2009	£10,897,315.00
01/04/2009 - 31/03/2010	£9,598,849.00
01/04/2010 - 31/03/2011	£8,829,552.00
01/04/2011 - 31/03/2012	£7,624,797.00
01/04/2012 - 31/03/2013	£6,505,684.00
01/04/2013 - 31/03/2014	£6,700,785.00
01/04/2014 - 31/03/2015	£6,800,000.00