

Regulation, reputation, recognition

Is it worth continuing to press for statutory recognition for professional public service interpreters? Mike Orlov believes that yes, it certainly is

Is it futile to demand statutory recognition for professional public service interpreters? Will the answer to this call be forever ‘blowing in the wind’, caught between the currents of political and commercial interests? The profession is at risk from public sector organisations such as the Ministry of Justice (MoJ) and its commercial language service contractors, who gain from the lack of statutory recognition – and from the absence of accountability that would come with statutory recognition.

The National Register of Public Service Interpreters (NRPSI) would certainly say that this is not a futile demand. Especially since we believe that achieving this statutory recognition is vital to ensuring that our profession has a healthy future.

Public claims versus the reality

Why is it so important? Because until public service interpreting is recognised as on a par with other professions like the medical and legal professions it will remain under threat from the likes of the MoJ and its commercial language service contractors. For if these organisations aren't required by law to recognise the professional status of public service interpreters, they also do not need to recognise a universally agreed professional standard of practice that is regulated by an independent body. And following from that, this lack of recognition offers such organisations the opportunity to control the quality of language services supplied to the public services and the public to suit their political targets and commercial considerations.

The Parliamentary Under-Secretary of State for the Home Department, Chris Philp, has stated in a response to Apsana Begum, the Labour MP for Poplar and Limehouse who raised questions about the MoJ's conduct on behalf of an NRPSI registrant, that: 'The Ministry of Justice is committed to ensuring the justice system is supported by a suite of high-

quality language service contracts, that meet the needs of all those that require them.' But, sadly, bilingualists with low or even no interpreting qualifications continue to be used by the MoJ in courtrooms and tribunals. What is worse is that the MoJ appears to think it is acceptable for such individuals to appear on its approved list of interpreters.

There's a cost argument in favour of this; but it's *just* a cost argument. Why engage the services of a highly qualified and experienced public service interpreter, someone who has a

Diploma in Public Service Interpreting in Law and 400 hours' experience of interpreting in public service settings, when you are allowed to

engage a bilingual speaker who has just enrolled on a GCSE pass level interpreting course, and pay them less? This is public money, after all. And yes, there are situations where you might seriously consider engaging the individual on the GCSE interpreting course; but not for a bail hearing, where a person's freedom may depend on having a capable and competent professional. It's a bit like relying on someone whose qualifications are limited to a GCSE in human biology to diagnose an illness...and with quite possibly similar consequences.

It may be public money, but it is only cost-effective if you ignore the potential downfalls. With the MoJ taking care of its interests, and its commercial language providers taking care of their and their shareholders' interests, who is taking care of the people who, when all is said and done, will be the ones to suffer personal injury or loss should things go wrong? Are those organisations surrendering standards, ethics and public safety in pursuit of company profits, dividends for owners, and shareholder value?

A matter of public trust and confidence

People who need spoken-word language services to access the public services that others take for granted trust that the

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spoken-word interpreters they encounter are professionals. In most cases, they assume that the professionals assigned to work with them by the public services have been diligently trained and had their qualifications, experience and all-round fitness to practise robustly examined.

In short, they expect these public service interpreters to be prepared for the job at hand and to be held accountable for their work in the same way as their legal representative. Engaging language speakers who are ill-qualified and badly equipped to work in complex public service settings will ultimately backfire, because the public will lose trust in the organisation that has appointed that inadequate interpreter.

If a public sector organisation calls someone a ‘language professional’ when they are patently untrained, underqualified or inexperienced, why should the public trust that particular public sector organisation? Why should the public trust any commercial organisation that recruits bilingual speakers for government engagements who are ill-qualified for them?

Independent, transparent and professional registration and regulation are not only key to the professional status of public service interpreting but also to providing the public with those assurances that underpin their trust in any profession or individual professional. It lets them know that the public service interpreter’s professional conduct is governed by a code and a body that is free from organisational, political or commercial pressures: one that will not change standards or risk the quality of the professional services that are being supplied simply to address supply or cost issues.

Regulation and independence

At the moment, the ‘regulation’, so far as it counts as such, is either being conducted by the public sector organisations themselves, or by the commercial contractor which they’ve engaged for that purpose. This isn’t proper regulation, because it does not assure real independence.

These attempts at self-regulation and the lists of spoken-word interpreters that profit-driven businesses build up on behalf of specific public sector organisations – where either the contract owners or contracted companies are raised to the role of ‘regulator’, and the lists built by agencies for commercial gain are elevated to the status of ‘registers’ – should be questioned. They are being carried out without oversight and in a bid to do away with independent and transparent regulation and registration. They are also being conducted by the MoJ, and blocked from public review on the basis of ‘protecting the contract’ between the public service and the private company. As Adam Smith said in the 18th century, the interests of the private business person will always be at odds with the public interest. We experience exactly the same issue in the 21st century in spoken-word public service interpreting when systems and processes are unavailable to public scrutiny.

Still pressing for change to protect the public

Since 1994, NRPSI has been the only independent not-for-profit regulatory body focused purely on professionalising spoken-word public service interpreting to protect both the public services and the public from poor interpreting practice. While striving for statutory recognition for public service

interpreters, we continuously work to ensure public service interpreting is acknowledged as a profession by fighting to protect the qualification requirements and experience levels needed to enter the profession and operate as a professional. It is why we are challenging the qualifications and experience levels that are currently acceptable to the MoJ. We are being helped in this by NRPSI registrants who have written to their local MPs requesting them to take this issue up with the MoJ.

We will continue to lobby government organisations and decision makers for it to be made mandatory that public sector organisations only engage with independently registered and regulated public service interpreting professionals. While it remains government policy to transfer responsibility for the running of the public services (including its language requirements) to private companies, who are without proper accountability, there is all the more reason for NRPSI, which is free from commercial and political influence, to represent the public’s interests and highlight poor language service practice and processes in defence of the public service interpreting profession.

It’s time to hold those in authority to account

Independent registration and regulation motivate and incentivise government, the public sector and those private companies in the ecosystem to behave in an ethically bound, socially responsible manner. This is the only way to hold those in positions of authority to account.

The alternative is for them to be able to set and manipulate standards to suit themselves. Independent registration and regulation ensure commercial organisations cannot, in their drive for profits, dividends and shareholder value, abuse responsibilities devolved to them.

Without recognition of the value of independent registration and regulation in the UK, quality standards slip, with supply and cost issues outweighing quality issues. As long as public sector organisations continue to operate without NRPSI’s involvement in protecting, maintaining and developing standards, NRPSI will continue to attempt reflective and constructive dialogue with those in authority to achieve best possible practice in spoken-word public service interpreting for one reason only: to protect the public, giving voice to the voiceless, no matter what their mother tongue.

So, in answer to the question I raised at the beginning of this article, no: it is not futile to pursue statutory recognition for professional public service interpreters. Not when public trust lies in independent regulation, in the assurance that professionals are being regulated by *the* independent body, where there is no interest in maximising revenue from government contracts or reducing costs by paying interpreters lower engagement fees.

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