



PRESS RELEASE

MPs CALL FOR CAPITA CONTRACT TO BE AXED

22 June 2013

In a debate in parliament this week (20th June) Members of Parliament queued up to condemn the Ministry of Justice's handling of a £42 million annual contract awarded to a private company for court interpreting services which is still going wrong after 500 days.

Liberal Democrat Sir Alan Beith MP, who is Chairman of the House of Commons Justice Select Committee, said that it was 'deplorable' how court staff were 'strongly pressed by the Government not to cooperate' with his Committee's enquiry.

After Justice Minister Helen Grant MP (who was not supported by any Conservative MP in the debate) had given a pre-prepared statement, he said the Minister "will not have convinced any of us that the situation is acceptable and sustainable ... The Minister will never convince us that the savings figures take adequate account of the additional cost to the system."

Andy Slaughter MP, Shadow Justice Minister, said in the debate that the Justice Minister had been defending the "shambles" and was the only party not to listen to the advice of Professional Interpreters for Justice, the umbrella group which represents ten interpreter organisations. He said: "The Ministry of Justice did not want the full facts to emerge. This is not the end of the matter."

He said the Department had been unwilling to help him with his own investigations because "they know the devastating facts - after 500 days about half the courts are still finding their own interpreters. The Ministry of Justice is not acknowledging that it's getting worse. The costs of failure of the contract must now be investigated."

Geoffrey Buckingham, Chairman, Association of Police and Court Interpreters (APCI), says: "Professional Interpreters for Justice was vindicated during this debate and we were

delighted to hear the Members of Parliament recount the contract's failures and highlight where the Justice Minister has gone wrong in misleading statements about performance and savings.”

Alan Johnson MP said “This is a caricature, but it seems that someone who knows a bit of holiday Spanish can now come in and do a job in the courts, which has proved to be disastrous”. He said he had never known three reports (National Audit Office, Public Accounts Committee and Justice Select Committee) “to be so consistent in their condemnation of a Government policy.”

He added: “The final conclusion is that justice and the right to a fair trial have been seriously compromised as a result of this debacle,” and said: “In government, Ministers reach a stage where they see that the only way to salvage their reputation following a clearly big mistake is to accept that it is a big mistake and do something about it. The Government should pull out of the contract, negotiate with professional linguists and do all the things that should have been done beforehand.”

Sir Gerald Kaufman MP, said: All the available information shows that the system is not only failing abjectly, but damaging seriously the administration of justice in this country. In addition, it is costing the taxpayer huge sums of money in abandoned trials and in other ways.”

Professional Interpreters for Justice had called for the debate in order to highlight how Minister of Justice, Helen Grant MP, had brushed off the highly critical Justice Select Committee report (published 6 February) without putting in place the measures needed to address the failings.

Paul Wilson, Chief Executive, Institute of Translation and Interpreting (ITI), says: “We are ready to work on meaningful reforms but we are not happy that our participation in meetings is being presented as approval when in fact our advice has been ignored.”

Professional Interpreters for Justice advised against the changes to terms and conditions for interpreters introduced on 1st May at additional cost paid by the Government and have said that the quality issues need to be addressed with a review of the outsourcing model.

Hundreds of examples of interpreters not being available, or being poorly skilled to do their job, have been reported by Judges, Barristers and other branches of the legal profession through the media and Twitter this year.

The contract, worth up to £42 million per annum, stalled from the outset after being awarded to a small Oldham-based company, Applied Language Solutions, which was bought by services provider Capita before the contract began in 2012. There were 6,417 complaints recorded by Capita (an average of 25 per working day) and official figures recorded 608 trials in Magistrates Courts and 34 Crown Court trials as ineffective as a result of interpreters not being available. The latter is a 100% increase on the previous year.

See the snapshot of failings.

Ends

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See www.linguistlounge.org for commentary and updates.

Follow @RPSI_Lounge and @United4Justice on Twitter

Hansard transcript of the debate is here:

<http://www.parliament.uk/business/publications/hansard/commons/todays-commons-debates/read/unknown/1026/>

SNAPSHOT OF FAILINGS

Reports of Capita failures are coming in on a daily basis; see below for a snapshot of the end of May. A full Dossier of examples is available from Involvis (contact details are above):

Birmingham Crown Court Murder Trial for the case of a 4 year-old boy

Case number T20127199

KREZOLEK Mariusz 20CV0147212

LUCZAK Magdalena 20CV0147212

Delayed on 19 June due to no Polish interpreter.

31/05

Guildford Crown Court

Details:

Case listed for sentence. Prosecution & defence counsel, defendant and both complainants were all in attendance by 9.45am. However, the Arabic speaking interpreter was nowhere to be seen.

Capita sent a telephone message via a note to the judge at 10.40am. It explained that the assigned interpreter "had informed Capita last night that he would not be able to attend as he was double booked". Capita left a telephone message that it would be able to provide an interpreter for 2.30pm, some 5 hours after the due time. The defendant was left to wait in custody.

Reported by Kuljeet Singh Dobe, Barrister, Old Bailey Chambers

31/05

Gloucester Crown Court

Details: 3 Romanian nationals for adjourned Plea & Case Management Hearing (PCMH). No interpreter. His Honour Judge Tabor QC was scathing in his comments about Capita.

Reported by Tim Burrows, Iacopi Palmer Solicitors LLP, Gloucester

29/05

Birmingham Crown Court

Court 1 - sitting at 12:00 PM
THE HONOURABLE MRS JUSTICE COX DBE
Trial (Part Heard)
T20127199 KREZOLEK Mariusz 20CV0147212
LUCZAK Magdalena
20CV0147212

Case delayed as polish interpreter not provided by Capita for a child murder trial.

29/05

Guildford Crown Court

Details: Capita have failed to arrange Vietnamese interpreter for Plea & Case Management Hearing PCMH at Guildford today. Case has to be adjourned. Waste of court time/public money. Judge very angry with Capita and says he will demand a written explanation and financial penalty.

Reported by Guy Bowden (@BarristerGuy)

29/05

Leeds Magistrates Court

Details: Trial at Leeds Mags aborted due to lack of Polish interpreter. Booked last month. Defendant had come from Poland for trial; witnesses from Slough.

Reported by Sarah Greenan, Barrister (@Sarah_Zenith)

29/05

Derby Crown Court

Details: Case of R v Thang Vu – Vietnamese interpreter booked through Capita. Barrister reports: “None attended but we all waited all day for one to appear. ALS/Capita contacted several times by the court but no interpreter. Defendants in custody. Case put off to next day. Court booked their own interpreter and we got on the next day.’

28/05

Norwich Crown Court

Details: Case: R v Morkūnas T20127248

The above case was listed at 9.30 for Custody Time Limit hearing. A Lithuanian interpreter (booked through Capita) should have been there for a conference at 9.00 but did not arrive until 10.30. The learned Judge did not appear to believe the explanation of the interpreter being booked for 10.30 and said enquiries would be made.

The case was called on twice but the court could not proceed as no interpreter was present. The explanation given by Capita was that she, the interpreter, had been booked for 10.30. No member of the Norwich CC staff would have made a booking for 10.30 as it is established over many years that CTL hearings are at 9.30 and need to be preceded by a conference. The knock-on effect was that the trial, in which I, Defence Counsel, was committed in an adjoining court, was delayed. Under the old system there were a number of excellent Lithuanian interpreters who lived within 40 minutes of the court, were familiar with its practises, and have never, in my experience, been late.

Reported by Defence Barrister.

24/05

Newport Crown Court

Details: Andrew(@Andjones1000) reports on Twitter: “Vietnamese Defendant not able to be sentenced as no interpreter arrived at court. Efficiency???”

23/05

Manchester Minshull Street Crown Court Court Room 10

Details:

Case Name: O'Reilly + 11: T20127262; T20127250; T20120479; T20127269; T20127660; T20127381; T20127253;

T20120636.

Andrew Stephen O Reilly; Byron James Milne; Ceri Wilmot; Edwin Gorlee; Jason Lee Seale; Michael John Connolly; Sam Omid; Steven John Petrie; Theodorus Van-Gelder; Wayne Braund

Two-day sentencing hearing listed to start on 23 May at 10.30am. Ten defendants (one of which needed a Dutch interpreter) and eleven barristers left waiting in court packed with public and press as Capita fail to provide Dutch interpreter. "This is what happens when you sell off services to the cheapest bidder", says barrister.

The Capita-booked interpreter was 'on holiday' and there had been a diary error. The Judge requested Capita come to court at 2pm to explain what had happened, but they didn't and he described the situation as 'outrageous'. Capita appeared before the Judge the next day.

Prosecution counsel: Mr Gary Woodall
Defence counsel for defendant Van Gelder - Ms Gatto
Defence counsel for defendant Gorlee - Ms Thompson

All three barristers from 9, St Johns Street Chambers

20/05

Wolverhampton Crown Court

Details: Solicitor-Advocate Malcolm Fowler (Dennings Solicitors) reports: "Problems on stilts with, in particular, Wolverhampton Crown Court one, with one case from Friday put off for Capita to show cause within 14 days as to why they should not show cause over no Vietnamese interpreter.

Today, no Polish interpreters for a two handed case put off until tomorrow and the Judge calling on Capita for wasted costs or at least to show cause.

Before the Resident Judge at the same court there was no Vietnamese interpreters for five defendants which has caused a trial due to start today to have to be adjourned."

Professional Interpreters for Justice

PI4J is an umbrella group representing over 2,200 NRPSI registered and qualified interpreters in 135 languages. Our aim is to work in partnership with the Ministry of Justice to safeguard the quality of interpreting services for the Criminal Justice System.

Members of Professional Interpreters for Justice

1. **Association of Police and Court Interpreters (APCI)**
chairman@apciinterpreters.org.uk
2. **Chartered Institute of Linguists (CIOL)**
keith.moffitt@iol.org.uk

3. **Institute of Translation and Interpreting (ITI)**
chiefexec@iti.org.uk
4. **National Register of Public Service Interpreters Ltd (NRPSI)**
chairman@nrpsi.co.uk
5. **National Union of Professional Interpreters and Translators, part of Unite the Union (NUPIT)** - nupit@unitetheunion.org
6. **Professional Interpreters Alliance (PIA)**
info@profintal.org.uk
7. **Scottish Interpreters and Translators Association (SITA)**
messageSITA@gmail.com
8. **Society of Official Metropolitan Interpreters UK Ltd (SOMI)**
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9. **Society for Public Service Interpreting (SPSI)**
chairman@spsi.org.uk
10. **Wales Interpreter and Translation Service (WITS)**
wits@gwent.pnn.police.uk

National Register of Public Service Interpreters (NRPSI)

PI4J is calling for the Minister to revert to the previous National Agreement arrangement whilst proper consultation takes place on a viable new delivery model which delivers value for money and upholds justice.

Under the National Agreement (until 30 January 2012) qualified interpreters were sourced using the National Register of Public Services Interpreters (NRPSI) which provides and maintains the voluntary register for the interpreting profession. NRPSI ensures required qualification standards are met; the quality of interpreting is defined and maintained through a Code of Conduct; and that access to a database of professional interpreters is freely available for all.

The value of the National Register was endorsed by the JSC report in its conclusions and recommendations (no.4) saying “there do not appear to have been any fundamental problems with the quality of services, where they were properly sourced i.e. through arrangements that were underpinned by the National Register of Public Service Interpreters.”