



Ministry
of Justice

Statistics on the use of language interpreter and translation services in courts and tribunals

Quarterly update to 31st March 2015

Ministry of Justice

Published 16 July 2015

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Introduction

The data presented in this bulletin contain information on the use of language interpreter and translation services provided to HM Courts and Tribunals Service. These services are supplied under a contract with Capita Translation and Interpreting (TI) and 'off contract' when a request cannot be supplied under the contract.

The information presented in this publication covers completed service requests for standard languages, rare languages and special services; it also covers 'proven' complaints in relation to the services, and completed 'off contract' requests between 2013 and 31st March 2015. The bulletin covers courts in England and Wales, all UK tribunals not transferred to devolved governments, NOMS, Ministry of Justice (MoJ) and NOMS HQ.

The statistics in this bulletin focus on four main areas:

- Completed language interpreter and translation services requests, broken down by requester type (criminal courts, tribunals and civil & family courts) and service type (standard languages, rare languages and special services);
- 'Success rate' of completed requests (which is calculated as the number of completed service requests which are either fulfilled, or the customer does not attend, as a proportion of all completed requests, excluding those cancelled by the customer);
- Number of complaints made (and complaint rate) relating to language interpreter and translation services requests, broken down by nature of complaints and by requester type and service type; and
- Number of completed 'off contract' language services requests, broken down by requester type and service type.

Data for completed requests and complaints relating to language services are taken from the language service booking portal, managed by Capita TI. Information on the Language Services Framework Agreement can be found within **Annex B**. Under the previous contracts (before 30 January 2012) data are not centrally held on the number of completed language requests and complaints. It is therefore not possible to say whether performance levels have changed pre and post 30th January 2012.

When a request cannot be supplied under the contract, it is provided 'off contract'. 'Off contract' requests are made directly by the courts and tribunals – that is, not through the language service booking portal. 'Off contract' request data are collated by the Commercial and Contract Management Directorate within MoJ (MoJ). Information on 'off contract' requests for language service has been collected since April 2013.

The next quarterly bulletin on the use of language interpreter and translation services in courts and tribunals is scheduled to be published on the **15th October 2015**. The bulletin will cover completed service requests from 1st January 2013 to 30th June 2015.

Users of the statistics

The primary users of these statistics are Ministers and officials in central government. Other users include judges, lawyers, other government departments and non-government bodies, as well as a number of voluntary organisations and stakeholders with an interest in this area.

The structure and content of this publication are continually being reviewed to reflect user requirements.

www.smartsurvey.co.uk/s/TEUHE/

If you have any feedback, questions or requests for further information about this statistical bulletin, please direct them to the appropriate contact given at the end of this report.

Key findings

Completed language services requests

Completed services requests made under the contract through the language service booking portal.

The total number of completed requests for language interpreter and translation services increased by 6% in the last quarter, from 37,700 in Q4 2014 to 39,900 in Q1 2015. This follows a downward trend in the previous quarters, with overall numbers still lower than Q1 2014 (45,100). The main driver for this quarter's increase was the increase in completed service requests at Criminal courts and civil & family courts.

'Success rate' of completed service requests

The 'success rate' is the number of completed requests which are either fulfilled or the customer does not attend, as a proportion of all completed requests excluding those cancelled by the customer.

The overall 'success rate' for completed requests for language interpreter and translation services has remained steady since Q1 2014, at around 95%. The 'success rate' has increased from 87% in Q2 2013 following the settlement of a mileage rate dispute with interpreters in May 2013.

Number of complaints made relating to completed service requests

Complaints related to requests made under the contract through the language service booking portal.

The total number and rate of 'proven' complaints, relating to completed service requests, have continued the downward trend. In Q1 2015 there were 617 complaints with a complaint rate of 2%. The majority of the complaints were made by tribunals.

The most common cause of complaint is 'no interpreter available'. In Q1 2015, it accounted for 44% of all complaints. In Q1 2015, there were 54 'proven' complaints on 'interpreter quality', compared with 33 complaints in Q1 2014.

Number of completed 'off contract' service requests

When a request can't be supplied under the contract, it is provided 'off contract'. 'Off contract' requests are made directly by courts and tribunals. Information on 'off contract' requests for language services has been collected since April 2013.

In Q1 2015, there were 570 completed 'off contract' service requests compared with 714 a year ago, a decrease of 20%. In Q1 2015, completed 'off contract' service requests accounted for 1% of total completed service requests (completed service requests made under the contract and completed requests made directly by the courts), similar to Q1 2014.

1. Number of completed service requests for language interpreter and translation services

This section presents statistics on the number of completed requests for language services made under the contract with Capita TI and booked through the language service booking portal.

In Q1 2015, there were a total of 39,900 completed service requests for language interpreter and translation services – an increase of 2,200 when compared with Q4 2014 - although the numbers are still lower compared to the same quarter a year ago (45,100 in Q1 2014).

The main driver for the increase was the increase in completed service requests at civil & family courts, an increase of 35% since the same period a year ago.

Completed service requests by requester type

In Q1 2015, criminal courts made the greatest use of face-to-face language interpreter and translation services. 57% of completed service requests were for criminal cases (including Crown Court and magistrates' courts completed cases), 32% were for tribunal cases, and 11% were for civil & family court cases.

These proportions in part reflect the numbers of people dealt with by the different courts and tribunals, with volume of proceedings at magistrates' courts and the Crown Court¹ higher than the number of cases heard in civil² & family³ and tribunals⁴.

As seen in Figure 1, completed service requests have risen steadily since 2013 for both criminal and civil & family courts, whilst completed requests at tribunals have fallen since Q1 2014.

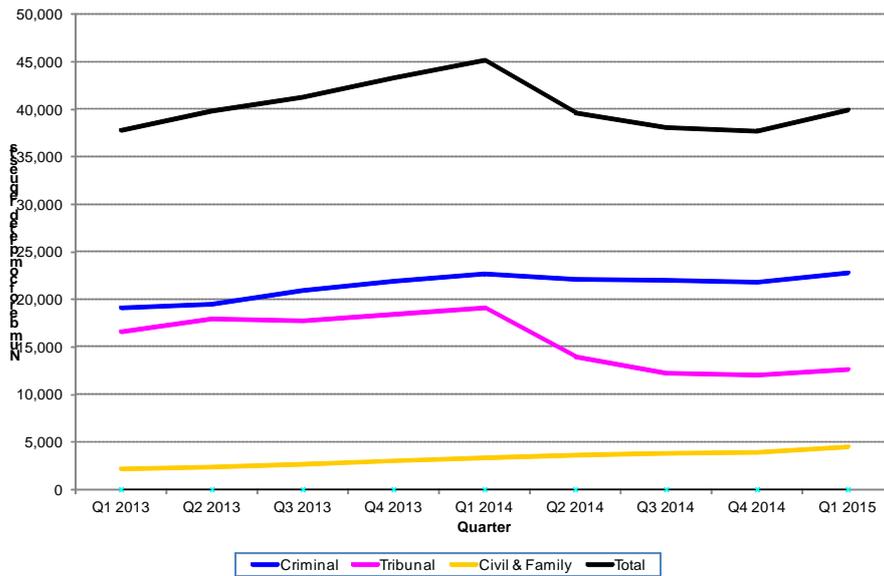
Figure 1: Total number of completed language service requests, by requester type, Q1 2013 to Q1 2015

¹ www.gov.uk/government/statistics/criminal-court-statistics-quarterly-january-to-march-2015

² www.gov.uk/government/statistics/civil-justice-statistics-quarterly-january-to-march-2015

³ www.gov.uk/government/statistics/family-court-statistics-quarterly-january-to-march-2015

⁴ www.gov.uk/government/statistics/tribunals-and-gender-recognition-certificate-statistics-quarterly-january-to-march-2015



Completed service requests by service type

In Q1 2015, 90% of all completed services requests were from the standard language group, 8% were from the rare language group and 2% were from special services – similar percentages to the same period a year ago.

Completed service requests by outcome

In Q1 2015, 16% (6,300) of all completed service requests were cancelled as a result of customer action (this category includes ‘Cancelled by customer’ and ‘Customer did not attend’) – a small increase of one percentage point compared with the same period a year ago.

Cancellations varied little by requester type, but do vary by service type – with 15% of completed service requests for the standard language group cancelled as a result of customer action in Q1 2015, 18% for the rare language group and 27% for special services.

In Q1 2015, there was a small decrease in the number of service requests not fulfilled as a result of suppliers’ action (this includes categories ‘Not fulfilled by supplier’ and ‘Supplier did not attend’) compared with the same quarter in 2014. Of the total completed service requests in Q1 2015, 4% were not fulfilled by the contractor.

2: 'Success rate' of completed requests for language interpreter and translation services

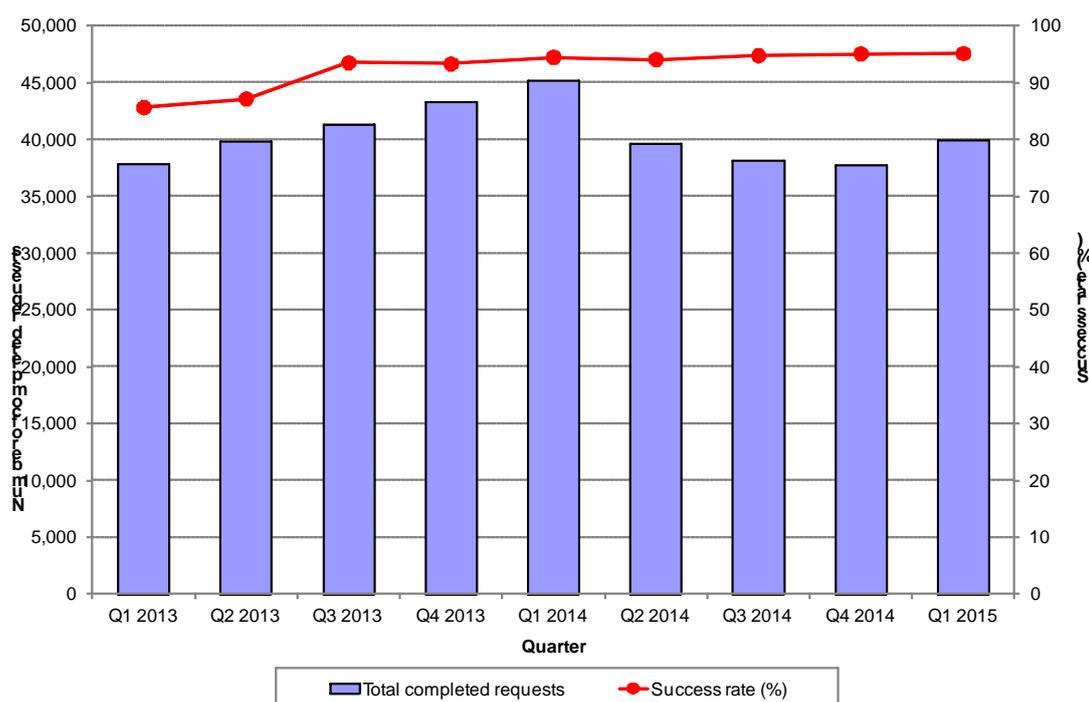
The 'success rate' provides a measure of the successful completion of legitimate requests – it is calculated as the number of completed requests which are either fulfilled or the customer does not attend, as a proportion of all completed requests excluding those cancelled by the customer.

The 'success rate' in Q1 2015 was 95%, a similar rate to the same period a year ago.

'Success rate' trend since 2013

In the first quarter of 2013, the success rate was 86% – this coincided with the dispute between the contractor and the interpreters over the reduction of mileage rate paid to interpreters. In Q3 2013, the success rate increased to 94%, after the settlement of the mileage rate dispute in May 2013. Since the first quarter of 2014, the 'success rate' has remained steady and is currently at 95%.

Figure 2: Number of completed language service requests and overall success rate, Q1 2013 to Q1 2015



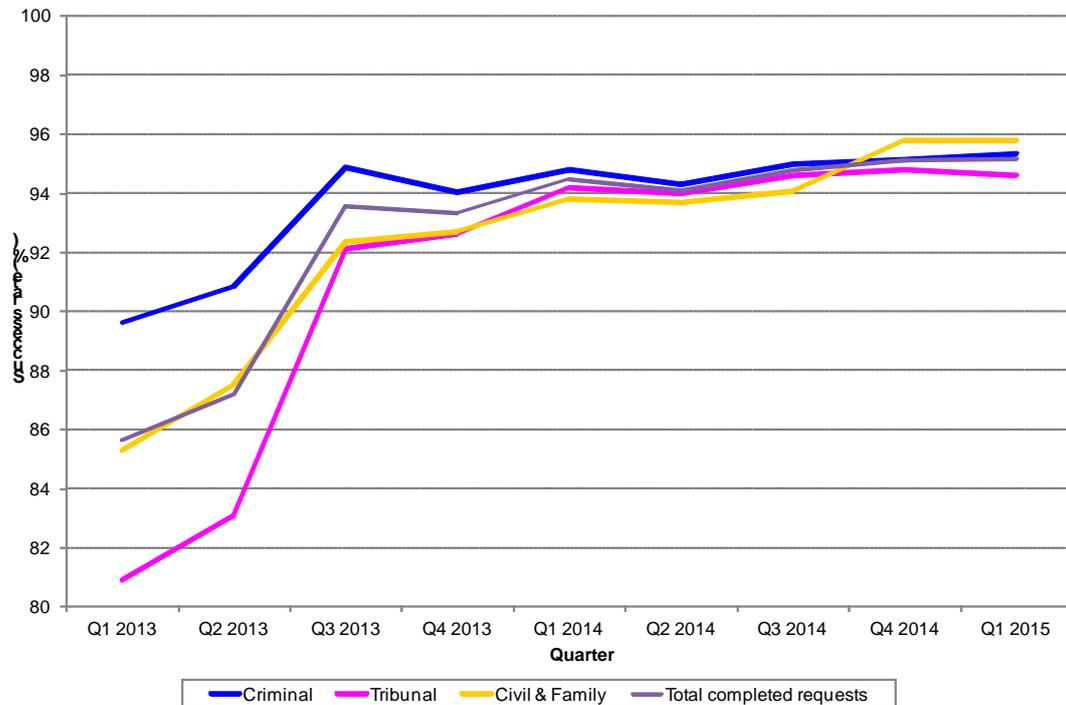
'Success rate' by service type

Success rates varied across different services group. In Q1 2015, standard language group completed service requests had a 'success rate' of 96%, rare languages had a 'success rate' of 86% and special services group had a 'success rate' of 90%.

'Success rate' by requester type

Success rates were similar across the different requester types. In Q1 2015, criminal courts had a 'success rate' of 95%, compared to 95% at tribunals and 96% at civil & family courts.

Figure 3: Success rate (%) by requester type, Q1 2013 to Q1 2015



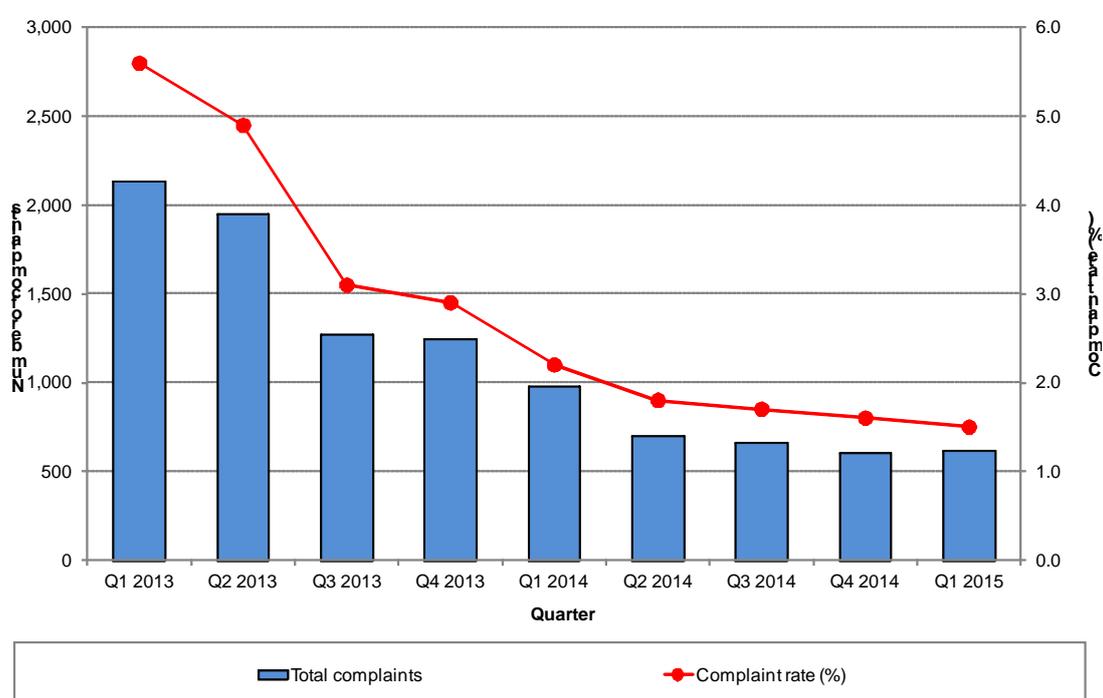
3. Number and rate of complaints made relating to completed service requests

Complaints related to requests made under the contract through the language service booking portal.

The complaint rate is calculated as the number of complaints lodged relating to the requests completed in a given period, which enables complaint volumes to be considered in the context of changing volumes of requests.

In Q1 2015, there were 617 'proven' complaints relating to completed requests – a decrease of 37% when compared with Q1 2014 (981 complaints).

Figure 4: Number of complaints and complaint rate, Q1 2013 to Q1 2015



The most common cause of complaint was 'no interpreter available'. In Q1 2015, it accounted for 44% of all complaints made, a similar proportion to the same period a year ago.

Complaint rates since 2013

The complaint rate was almost 6% in the first quarter of 2013 and has subsequently declined steadily to 3% in the fourth quarter of 2013. The decreases from the second quarter of Q1 2013 coincided with the settlement of the mileage rate paid to interpreters in May 2013. Throughout 2014, the complaint rate has fallen slowly, to less than 2% in Q1 2015.

Complaints by requester type

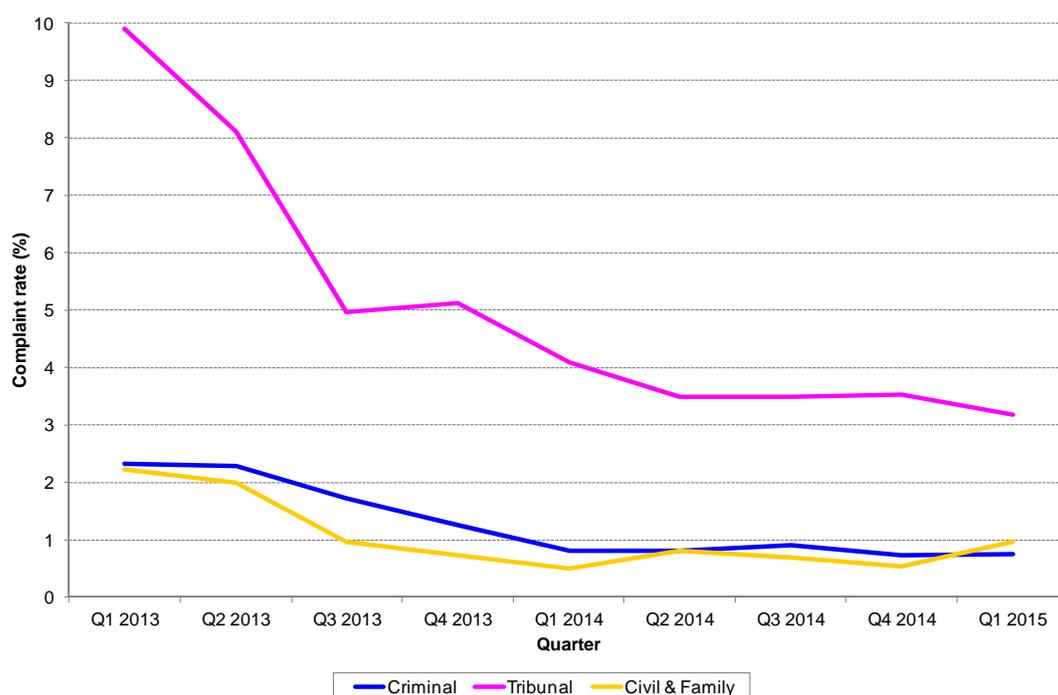
In Q1 2015, the majority of complaints came from tribunals (401), which accounted for 65% of all complaints made in the quarter. The complaint rate for tribunals was

3%, a decrease of one percentage point when compared with Q1 2014. The most common complaint at tribunals was that 'no interpreter was available'.

The criminal court complaint rate was 1% in Q1 2015, signifying no change from Q1 2014. The complaint rate in criminal courts is consistent with statistics published by MoJ on the proportion of ineffective trials in the criminal courts for which interpreter availability is recorded as the reason for the trial being ineffective. In Q1 2015, interpreter availability accounted for 2% (152) of the total number of ineffective trials in the Crown Court and magistrates' courts combined⁵.

The civil & family court complaint rate fluctuates but has been under 1% since Q3 2013.

Figure 5: Complaint rate by requester type, Q1 2013 to Q1 2015



Complaints by service type

In Q1 2015, the standard language group had the highest number of complaints (499), with 81% of all complaints. This group, however, had the lowest complaint rate, at 1% in the quarter.

The rare language group had the highest complaint rate of 3% in Q1 2015, although the number of complaints accounted for only 17% of all complaints in the quarter.

The special services group complaint rate was 2% in Q1 2015 (13 complaints).

⁵ Key reasons for ineffective trials in magistrates' courts and the Crown Court can be accessed in the *Criminal court statistics quarterly* publication on the Ministry of Justice website:

www.gov.uk/government/statistics/criminal-court-statistics-quarterly-january-to-march-2015

4. Number of completed 'off contract' requests for language interpreter and translation services

Completed 'off contract' requests are requests for language services made outside the Capita TI contract. Requests for the service are made directly by the courts and tribunals – that is, not through the language service booking portal. Information on 'off contract' requests for language services has been collected since April 2013.

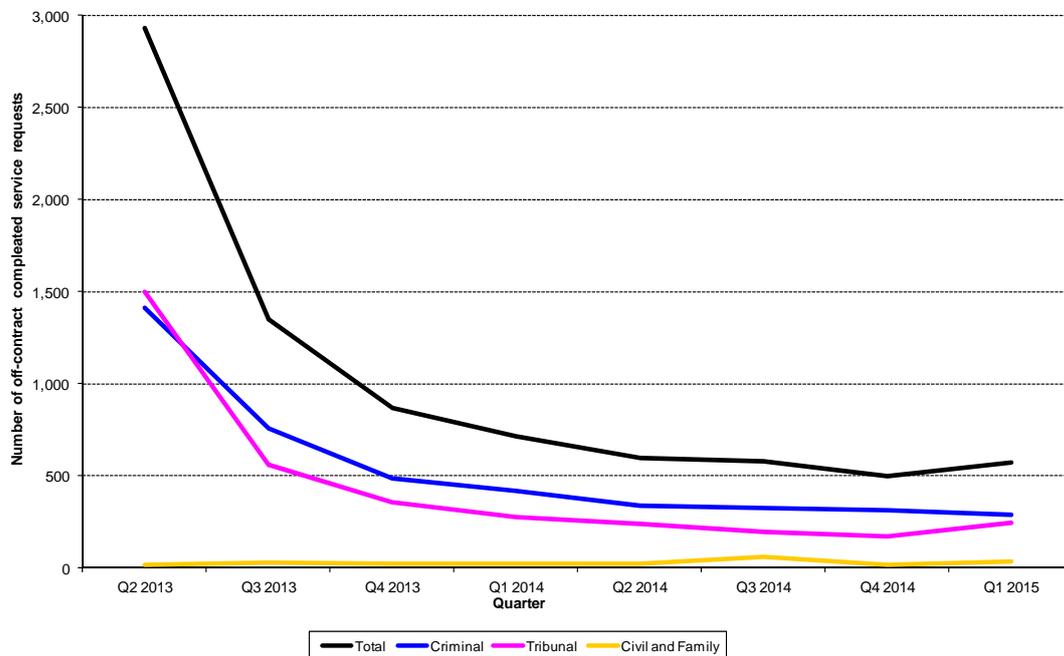
In Q1 2015, 570 completed 'off contract' service requests were made by all courts and tribunals, compared with 700 in Q1 2014.

In Q1 2015, completed 'off contract' service requests accounted for 1% of all completed service requests for language interpreter and translation services (completed service requests made under the contract and completed service requests made directly by the courts and tribunals), compared to 2% of all completed service requests in Q1 2014.

Completed 'off contract' services requests by requester type and service type

In Q1 2015, criminal courts accounted for 51% of all completed 'off contract' service requests for language interpreter and translation services. Tribunals accounted for 43%, while civil & family courts accounted for 6%.

Figure 6: Number of completed 'off contract' requests by requester type, Q1 2013 to Q1 2015



In Q1 2015, the standard language group accounted for 68% of all completed 'off contract' service requests for language interpreter and translation services. Within the standard language group, criminal courts accounted for around two thirds of all completed 'off contract' service requests. However, within the rare language group, tribunals accounted for the majority (around three-quarters) of completed 'off contract' service requests.

Annex A: Explanatory notes, data sources and data quality

The statistics presented in this bulletin are for language services provided to HM Courts & Tribunals Service (HMCTS) and the National Offender Management Service (NOMS).

Symbols and conventions

The following symbols have been used throughout the tables in this bulletin:

Success rate and complaint rate percentages are given to 1 decimal point whereas percentage changes based on actual numbers are given to zero decimal points.

'-' = Nil or a complaint rate based on no language service requests (in a limited number of instances in the 'Other' requester type category a small number of complaints are recorded despite there being no language service requests).

() = Signifies a percentage in tables based on less than 100 'total completed language service requests' and so should be treated with caution.

Data sources and data quality

Data for completed requests and complaints relating to language services provided to HMCTS and NOMS are taken from the language service booking portal managed by Capita TI.

All requests for translation services are booked by HMCTS staff. Requests are made in advance via the web-based portal, by email, or by telephone. There is no minimum period of notice and some requests are made less than an hour before they are needed. The supplier will attempt to assign a translator for the requested service and once the service has been provided, or the date for the requested service has passed, the request may be closed by the requesting court or tribunal. HMCTS staffs are also responsible for closing completed requests within 48 hours of the booking being concluded. If it goes beyond 48 hours, the interpreter is permitted to close down the booking, as this is the mechanism by which they are paid.

These statistics are generated from datasets provided by the contractor from their web-based portal of the numbers of completed requests and details of complaints associated with each request. This quarter (Q1 2015) uses raw data from the portal covering the period 2013 to 31 March 2015.

Two different schemes for categorising complaints have been used since the use of the language service booking portal commenced. Under the earlier classification scheme, complaints were simply described as 'closed' once they were dealt with. A more advanced scheme was introduced in January 2013 that can classify complaints as founded, unfounded or duplicates (complaints submitted twice in error) and only founded complaints are counted by the Ministry of Justice (MoJ).

The time that the language service is provided is taken to be the starting time for the request, even if the request extended over several days. If the service extends over more than one month, it will be classed as happening in the month when it started.

The classifications used in this bulletin, such as 'complete' and 'fulfilled', are taken directly from the management information system and are decided according to the rules laid down by the contractor. A glossary list of terms used in this bulletin can be found in **Annex D**.

All bookings closed by interpreters are scrutinised by HMCTS staff, and any discrepancies are reviewed with the MoJ Contract Manager and Capita TI with the necessary action taken.

All data is subject to quality assurance. Officials in the MoJ routinely check the data to ensure that no cases are removed and that data received matches with information already held. HMCTS staff can see this information and if they do not agree, it is reported through the complaints process. Staff at Capita TI carry out monthly verifications of data, for example every month they spot check five per cent of cancelled jobs entered as Customer cancelled. This is to determine if they have been closed correctly.

As part of final checks, MoJ officials and Capita TI staff work together to identify and correct wrongly allocated bookings. For example, bookings made via telephone on behalf of the requesters can, on occasion, be allocated to the court making the request, instead of to the location that requires the interpreter.

Further to recommendations made by the Justice Select Committee⁶, a method has been developed to collect statistical information on 'off contract' bookings (i.e. all translation and interpretation services provided to courts and prisons outside the Capita TI contract), which commenced for all courts in April 2013.

The number of 'off contract' requests for translation and language services by magistrates' courts, civil & family courts and Crown Court are collated using manual data returns from each court. Each court is required to complete a monthly count of bookings and return to their Regional Support Unit, who collate the information and forward it to MoJ officials for quality assurance and review. Due to the manual method of data collection, care should be taken to ensure data collection processes and their inevitable limitations are taken into account when that data are used.

For tribunals, 'off contract' requests data have been collected and collated since the commencement of the contract on 30 January 2012, by the Loughborough Interpreter Booking Team (LIBT), who were responsible for making all 'off contract' bookings for Immigration & Asylum (IAC) Tribunals, Asylum Support Tribunals (AST) and Mental Health Tribunals (MHT).

The LIBT are able to separately identify on their computer systems, the bookings which have been made 'off contract' from those made under the contract, and by which type of tribunal. Due to the automatic capture of administrative data on 'off contract' bookings, data for tribunals are deemed to be robust, accurate and complete⁶.

⁶ www.publications.parliament.uk/pa/cm201213/cmselect/cmjust/645/645.pdf

Annex B: The Language Services Framework Agreement

The MoJ has established the Language Services Framework Agreement which will have an initial period of four years. Services are delivered by Capita TI in accordance with a standard set of terms and conditions. This allows eligible participants to procure the services they require without recourse to further competition.

The framework agreement creates an overarching relationship between the service provider Capita TI and collaborative partners in the Criminal Justice System through which the language services required can be satisfied.

Criminal courts in the North West began to use services under the terms of the contract from 12 December 2011 onwards. The remaining courts, tribunals and prisons began to use the services from 30 January 2012.

Services provided under the framework

Capita TI provides interpretation, translation, sign and other non-defined language support services to MoJ, HM Courts & Tribunals Service and NOMS prisons.

- Face-to-face interpretation that can be divided into three tier-based needs:

Tier One: Interpreters asked to attend evidential face-to-face Assignments in a legal setting, where there may also be a written element. The interpreter is able to both speak fluently in the language required and is able to provide a written translation. This can include both rare and standard languages.

The interpreter must have one or more of the following qualifications:

- Chartered Institute of Linguists Diploma in Public Service Interpreting (DPSI) (English Law Option);
- Chartered Institute of Linguists Certificate in Community Interpreting, CCI (the forerunner to the DPSI);
- Metropolitan Police Test (post 1997) together with either a DPSI (Health or Local Government Option) or an Honours Degree or higher in Interpreting

Or

- Registration with the National Register of Public Service Interpreters (full or interim status);
- Membership of Association of Police and Court Interpreters;
- Membership of the Institute of Translation and Interpreting (Police Court Interpreter level).

Together with (in all cases):

- At least 100 hours public sector interpreting experience;
- References; and
- A pass at the assessment centre to the tier one standard.

Tier Two: the interpreter asked to attend face-to-face Assignments in a legal setting. The interpreter can provide fluent spoken interpreting services, but will not be able to provide a written translation that would suffice for justice sector needs.

The interpreter must have one or more of the following:

- 'Partial DPSI' (English Law option) i.e. the interpreter must have passed all modules with the exception of component 3b (written translation from English);
- A degree in linguistics, English philology, Modern Languages or MA in Teaching of English, or other language related diplomas where English figures as part of the course completed.

Together with (in all cases):

- Previous or current employment in criminal justice services in their countries of origin, legal training in the UK or abroad, or other exposure to criminal justice work through other channels is also acceptable (volunteer and/or paid work in the community for police services or work for Victim Support, for example);
- University level education (any degree);
- At least 100 hours public sector interpreting experience;
- References; and
- A pass at the assessment centre to the tier two standards.

Tier Three: The interpreter can provide a community-based face-to-face interpreting. This may not be to the standard that would be required for court, tribunal or other evidential requirement.

The interpreter must have one or more of the following:

- Demonstrable experience in the public sector with appropriate linguistic background;
- Formalised basic interpreter training including one of the following: the WEA programmes, Bi-Lingual Skills Certificates, Community Level Interpreting Degrees under the NVQ certification system.

Together with

- References; and
- A pass at the assessment centre to the tier three standard

It is also desirable for tier three interpreters to have at least 100 hours public sector interpreting experience.

Rare languages: Interpreters who offer a language where a formal qualification may not be available and where the language is listed on our Rare Tier List.

In the case of rare languages where the DPSI or equivalent qualification is not available, the interpreter must have the Cambridge Proficiency in English Certificate, or NRPSI registration (rare language category) 100 hours of public sector interpreting experience, evidence of continuous professional development, references and a pass at the assessment centre.

- Telephone interpreting;
- Translation services – written (including Braille and Easy-read) and recorded (including transcription);
- Services for the deaf and deaf blind (including, but not limited to, British Sign Language, Sign Supported English, Note Taking, Finger Spelling and Lip Speaking); and,
- Other non-defined language support services as and when they arise.
- Translation of Welsh in Wales is not included in the framework.

Annex C: Revisions policy

In accordance with Principle 2 of the Code of Practice for Office Statistics, the Ministry of Justice is required to publish transparent guidance on its policy for revisions. A copy of this statement can be found at:

www.justice.gov.uk/downloads/statistics/mojstats/statistics-revisions-policy.pdf

The Ministry of Justice aims to avoid the need for revisions to publications unless they are absolutely necessary and put systems and processes in place to minimise the number of revisions.

Within the Ministry of Justice's statistical publications there can be three main reasons for statistics to be revised:

- Changes in how either source administrative systems collect information or a change in statistical methodology, to improve accuracy and measurement.
- Receipt of subsequent information which alters our understanding of previous periods (for example – late recording on one of the administrative IT systems used operationally).
- Errors in our statistical systems and processes.

Our policy in handling revisions is to be transparent with users about:

- The need for revisions.
- How and when to expect revisions as part of our standard processes.
- The processes by which other revisions will be communicated and published.

To meet these commitments, all of our statistical publications will:

- Ensure that the needs for major revisions for any series are pre-announced on the Ministry of Justice website.
- Include a detailed revisions policy within every release.
- Detail how users will be informed of the need for revisions.
- Give detailed and full explanations as to why the revisions were necessary.

In addition, the annual report from the Head of Profession to the National Statistician will:

- Provide information on how many revisions were required to our publications and the reasons for these.
- Publish a time-series of revisions due to errors in our statistical processes and procedures, so that we can monitor the quality of our outputs.

Annex D: Glossary of terms used

Descriptions of outcomes of requests dealt with

Fulfilled

The supplier (Applied Language Solutions) provided an interpreter or translator as requested by the court or tribunal.

Not fulfilled by supplier

The supplier (Applied Language Solutions) has been unable to fill the booking request.

Cancelled by customer

The customer (i.e. the court or tribunal) no longer requires an interpreter and has cancelled the booking request.

Customer did not attend

The interpreter arrived at the requested location for the service but the customer (as specified by the court or tribunal) did not attend.

Supplier did not attend

The interpreter was assigned and booked by the supplier (Applied Language Solutions), but failed to attend.

Success rate

This is calculated as the number of completed requests that count as successful supply of the service:

i.e. 'Fulfilled' plus 'Customer did not attend', divided by the total relevant completed language service requests excluding those requests cancelled by the customer.

Categories of requester

Criminal

Comprises requests relating to criminal cases in magistrates' courts and Crown Court, the Central Criminal Court, criminal appeals at the Royal Courts of Justice, North Liverpool Community Justice Centre, Warwickshire Justice Centre and HMCTS London Collection & Compliance Centre.

Tribunals

Comprises requests made by all Employment tribunals, Immigration & Asylum tribunals, Social Security and Child Support tribunals and Special tribunals.

Civil & Family

Comprises requests made by all civil, family and county courts, Civil & Family Justice Centres, Civil & Family Hearing Centres, Huntingdon Law Courts, the Administrative Court at the Royal Courts of Justice, civil appeals at the Royal Courts of Justice, the Court of Protection, and the Administrative Court for Wales.

Other

Comprises requests made by prisons, MoJ Shared Services and policy teams within MoJ and NOMS HQ.

Categories of complaints

Interpreter did not attend

The assigned interpreter did not go to the assignment and did not inform anyone.

Interpreter quality

The quality of the interpreting skills is being questioned.

Interpreter was late

The assigned interpreter was late getting to the assignment.

No interpreter available

The supplier was unable to provide an interpreter.

Operational issue

Operational issues include: incorrect tier assigned (the customer has requested a specific tier of assignment and an incorrectly tiered interpreter was assigned), issues with the web-based request portal, occasions when the customer has not been able to request one of the services that the supplier supplies and other occasions when the supplier has not supplied the service that is expected.

Other Interpreter issue

Any areas concerning the interpreter which are not covered elsewhere, e.g. dress code.

Time sheet error

Either the customer or the interpreter has closed the assignment's time sheet entry down incorrectly.

Order

This includes complaints where no category was recorded in the data.

Annex E: List of accompanying tables

Accompanying this publication are the following tables:

- | | |
|----------|--|
| Table 1: | Number and rate of completed service requests by outcome, split by requester type, service type, 2013 to Q1 2015 |
| Table 2 | Number and rate of complaints by category of complaint, split by requester type, service type, 2013 to Q1 2015 |
| Table 3 | Number and rate of completed "Off - Contract" service requests split by, service type, requester type, 2013 to Q1 2015 |

Contacts

Press enquiries on the contents of the bulletin should be directed to the Ministry of Justice press office:

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Other enquiries about these statistics should be directed to the Justice Statistics Analytical Services division of the Ministry of Justice:

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General enquiries about the statistical work of the Ministry of Justice can be e-mailed to: statistics.enquiries@justice.gsi.gov.uk

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