



Rt. Hon. Shabana Mahmood KC MP
Secretary of State for Justice
Ministry of Justice
102 Petty France, Westminster
London, SW1H 9AJ

02 December 2024

Cc Dame Antonia Romeo DCB, Permanent Secretary, Ministry of Justice

Dear Shabana,

Public Services Committee – Interpreting and Translation Services in the Courts

effectively address remuneration for cancelled bookings where interpreters are cancelled too late to take on other work. This creates a situation where an interpreter might be booked for a full day or more, and may travel significant distances to complete it, only to be told when they arrive at court that the work is cancelled and they will only receive an hour's pay. While the MOJ have indicated they are introducing a 2-hour minimum payment, this does not adequately compensate interpreters whose multi-day bookings are cancelled at the last minute. The Committee does not believe that the new tender addresses concerns regarding remuneration and working conditions and that the tender should therefore be reconsidered.

Quality assurance, performance data and transparency

The Committee is concerned about the effectiveness of the quality assurance mechanisms in place for interpreting services in the courts. We have found it difficult to reconcile the data the Government publish with the lived experiences of stakeholders who interact with language services.

Complaints services

There are clear inconsistencies and absences in the data published regarding complaints about language services in the courts. Logically, the number of complaints should be higher than the number of unfulfilled requests, as you would expect complaints to be made when requests are unfulfilled, and where requests are fulfilled but there are other issues, such as the interpreter behaving inappropriately. However, in 2023, there were 6,272 unfulfilled requests, but only 415 complaints regarding interpreters being unavailable or not attending when requested, and only 766 complaints considering complaints for all categories, including complaints made where the interpreter attended court. This means that in over 5,000 cases last year, language requests went unfulfilled but complaints were not lodged, and no reason for the request being unfulfilled is publicly available. Furthermore, in 2023 there were 618 ineffective trials caused by interpreters not being available, but only 322 complaints submitted with the reason 'no interpreter available'. Therefore, we are concerned that the data collection does not reflect the reality of interpreter services.

Alongside these inconsistencies in the data, we have concerns that people are not utilising the complaints process when interpreting services are going wrong. Barristers and solicitors told the Committee that they were not made aware of how to submit complaints, and were unlikely to do so even if they were, due to their understanding of their role and responsibility within

⁷ [Q28](#) (Kris Hamson)

⁸ [Q28](#) (Kris Hamson), [Q38](#) (Julie Howkins)

⁹ <https://www.gov.uk/government/statistics/criminal-court-statistics-quarterly-october-to-december-2023/criminal-court-statistics-quarterly-october-to-december-2023>

¹⁰ <https://www.gov.uk/government/statistics/criminal-court-statistics-quarterly-october-to-december-2023/criminal-court-statistics-quarterly-october-to-december-2023>. There were 93 cases where the complaint category indicates the interpreter did not attend, and 322 cases where no interpreter was available.

¹¹ <https://www.gov.uk/government/statistics/criminal-court-statistics-quarterly-october-to-december-2023/criminal-court-statistics-quarterly-october-to-december-2023>. Complaints included issues such as 'interpreter was late' or 'interpreter conduct'.

¹² <https://www.gov.uk/government/collections/criminal-court-statistics>

¹³ <https://www.gov.uk/government/collections/criminal-court-statistics>

¹⁴ [Q7](#) (Susan Grosco)

the courts⁵. MoJ officials informed us that in some cases HMCTS staff will informally pass information onto the MoJ, but this will not be reflected in the complaints data or Key Progress Indicators published⁶

We believe that without appropriate and accurate data regarding the performance, the MoJ cannot use the new tender to identify and effectively solve issues with the current provision of interpreting and translation services or allow effective scrutiny from Parliament.

Quality of interpreting in the courts

Stakeholders including the Bar Council and Law Society informed the Committee that there are interpreters currently working in the courts who do not interpret to an appropriate standard²⁴. Language stakeholders informed us the appropriate level should be a Level 6 qualification in interpreting for the appropriate language where possible²⁵. While we understand that in rare languages there is the need for lower qualification requirements due to a lack of recognised qualifications or a low number of interpreters²⁶, this does not explain quality issues in languages where there is a higher number of interpreters. We understand the MOJ are increasing qualification requirements in the new tender²⁷, however, we have heard concerns that introducing a requirement for Level 6 qualifications immediately will significantly reduce the number of interpreters available to the courts²⁸. In the longer term, we have heard that the number of individuals awarded these qualifications is reducing²⁹, as is the number of universities offering courses for public service interpreters³⁰. The Committee is not confident that the new tender delivers a plan to ensure an appropriate number of skilled and qualified interpreters. We believe that without such a plan, the introduction of new qualification requirements will instead lead to continued use of underqualified or off-contract interpreters.

Considering these concerns, we believe there are strong grounds for the contract re-tendering process to be paused until the Government has set out to the Committee how it will address these concerns.

We look forward to your response.

Yours sincerely,



Baroness Morris of Yardley
Chair, House of Lords Public Services Committee

²⁴ [Q2](#) (Philip Stone), written evidence from The Bar Council ([ITS0046](#)), written evidence from P4B Chambers ([ITS0025](#)), written evidence from The Law Society ([ITS0017](#))

²⁵ Written evidence from Ministry of Justice ([ITS0041](#)), written evidence from CIOL ([ITS0020](#)),

²⁶ Written evidence from Ministry of Justice ([ITS0041](#))

²⁷ Written evidence from Ministry of Justice ([ITS0041](#))

²⁸ Written evidence from Ministry of Justice ([ITS0041](#))

²⁹ [Q79](#) (Mark Rice), written evidence from thebigword ([ITS0051](#))

³⁰ Written evidence from Institute of Translation and Interpreting ([ITS0013](#))

³¹ Written evidence from the Chartered Institute of Linguists ([ITS0020](#))