



An inspection of the Home Office's use of language services in the asylum process

May – November 2019

David Bolt

Independent Chief Inspector of
Borders and Immigration

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Foreword

This inspection examined the use of language services by the Home Office's Borders, Immigration and Citizenship System (BICS), with a particular focus on asylum.

The United Nations High Commissioner for Refugees (UNHCR) 'Handbook on Procedures and Criteria for Determining Refugee Status under the 1951 Convention and the 1967 Protocol relating to the Status of Refugees'¹ sets out the basic requirements that all States should satisfy. These include that applicants for refugee status "should be given the necessary facilities, including the services of a competent interpreter, for submitting his case to the authorities concerned".

This requirement is reflected in the UK's Immigration Rules,² which state that: "The Secretary of State shall provide at public expense an interpreter for the purpose of allowing the applicant [for asylum and humanitarian protection] to submit their case, wherever necessary. The Secretary of State shall select an interpreter who can ensure appropriate communication between the applicant and the representative of the Secretary of State who conducts the interview."

While this inspection looked in particular at how well the language needs of asylum applicants were being met, the findings are relevant more widely. Past inspections have commented on the (lack of) provision of foreign language versions of instructions and guidance, including most recently 'An inspection of the EU Settlement Scheme' (April 2019 to August 2019). Similarly, in his reviews of vulnerable adults in immigration detention, Stephen Shaw drew attention to the importance of reliable interpreting services.

Previously, BICS has often seemed slow or reluctant to accept that some of the individuals it encounters, including some of the most vulnerable, will not have sufficient command of English to understand clearly and precisely their rights and obligations unless they are translated into their own language.

Based on this inspection, the Home Office has a good deal of work to do to improve the efficiency and effectiveness of its use of language services. This needs to be tackled strategically and in a coordinated way rather than piecemeal. But, at present, BICS does not have a recognised 'owner' for language services with the resources and authority to do what is needed, and my recommendations seek to remedy this and ensure there is a clear vision of what BICS as a whole requires and how it will be delivered. It is important to recognise that, while some things need urgent attention, fixing and maintaining this will take time and effort. However, it is not simply a 'nice to have', but essential to BICS operating efficiently and effectively and providing its 'customers' with the quality of service they are entitled to expect.

This report contains three recommendations. It was sent to the Home Secretary on 14 May 2020.

D J Bolt
Independent Chief Inspector

1 <https://www.unhcr.org/4d93528a9.pdf>

2 <https://www.gov.uk/guidance/immigration-rules/immigration-rules-part-11-asylum>

1. Purpose and Scope

- 1.1** This inspection examined the efficiency, effectiveness and consistency of the Home Office's use of language services in the asylum process, with a particular focus on the quality and accuracy of interpretation services provided, of written translations and of language analysis. It also examined the effectiveness of quality assurance measures and mechanisms to ensure lessons are learned and shared.
- 1.2** Inspectors looked across the Borders, Immigration and Citizenship System's (BICS) three operational directorates: Border Force, Immigration Enforcement and UK Visas and Immigration.
- 1.3** The inspection did not set out to look at BICS' use of language services for its other functions, for example by Border Force or Immigration Enforcement in an immigration control or enforcement context. However, where relevant, it makes reference to this.
- 1.4** The inspection findings are reported against the ICIBI's six 'expectations' of asylum, immigration, nationality and customs functions (see Annex B):
- background and explanatory documents are easy to understand and use
 - processes are simple to follow and transparent
 - anyone exercising an immigration, asylum, nationality or customs function on behalf of the Home Secretary is fully competent
 - decisions and actions are 'right first time'
 - errors are identified, acknowledged and promptly 'put right'
 - each immigration, asylum, nationality or customs function has a Home Office (Borders, Immigration and Citizenship System) 'owner'

2. Methodology

2.1 Inspectors considered the efficiency, effectiveness and consistency of the Home Office's use of language services in the asylum process against the Independent Chief Inspector of Borders and Immigration's published 'expectations' of asylum, immigration, nationality and customs functions.

2.2 To that end, inspectors:

- reviewed the findings and recommendations from relevant reports from ICIBI and other bodies^{3,4,5,6}
- reviewed open source material, preliminary and formal documentary and statistical evidence provided by the Home Office
- between 13 and 19 June 2019, made familiarisation visits to Home Office units to understand how language services are used in the asylum process across the Borders, Immigration and Citizenship System (BICS)
- published a 'Call for evidence' (open between 30 May and 13 June 2019) on the ICIBI website inviting submissions from bodies with relevant knowledge and expertise, including Non-Governmental Organisations (NGOs), academics, think tanks, faith groups and representative bodies and reviewed and analysed the 35 written responses
- in July 2019, with NGO assistance, distributed a survey to asylum applicants with experience of language services and analysed the 12 written responses
- examined 100 case files for asylum claims registered between 1 April and 30 September 2018 where a screening and substantive interview had been completed, including:
 - 12 where a language analysis test had been conducted
 - 31 where an Interpreter Monitoring Form (IMF) had been completed
 - eight where an appeal had been raised against the asylum decision and determined
- between 28 August to 13 September, asked interpreters recorded on the Home Office database to complete a survey and analysed 105 responses
- between 28 August and 13 September 2019, visited the Interpreter Operations Unit (IOU) and a range of Border Force, Immigration Enforcement (including Harmondsworth and Yarl's Wood Immigration Removal Centres), and UK Visas and Immigration (UKVI) units and carried out 66 interviews and focus groups with Home Office managers and staff, ranging from Administrative Officer to a Senior Civil Servant, and with asylum applicants and the Independent Monitoring Board (IMB) members

³ [an-inspection-of-how-the-home-office-considers-the-best-interests-of-unaccompanied-asylum-seeking-children](#)

⁴ [ICIBI-inspection-of-family-reunion-applications-January-to-May-2016.pdf](#)

⁵ [Shaw_report_2018_Final_web_accessible.pdf](#)

⁶ [Fleeing-Persecution-Asylum-Claims-in-the-UK-on-Religious-Freedom-Grounds.pdf](#)

- in October 2019, sought further evidence from the Home Office to test and triangulate the inspection findings
- on 15 October 2019, presented the emerging findings to the responsible Home Office Senior Civil Servants and their teams

3. Summary of conclusions

- 3.1** The Borders, Immigration and Citizenship System (BICS) does not have a system-wide policy for the provision of information and services in foreign languages. Policies and guidance have developed separately for asylum and for other BICS functions and practice varies not only for the different functions but between and within the operational directorates, and in some cases from one location to another. Some of this is a pragmatic response to the (non-)availability of particular language services, but the overall effect is unsatisfactory in terms of efficiency and effectiveness and means that the treatment of asylum applicants and other BICS ‘customers’ is uneven.
- 3.2** All three BICS operational directorates are involved in the asylum process and all three make use of language services. The bulk of asylum casework falls to Asylum Operations, part of UK Visas and Immigration’s (UKVI) Immigration and Protection Directorate. However, Border Force and Immigration Enforcement officers are often the first to encounter asylum seekers and may conduct asylum screening interviews at ports and in detention settings. Immigration Enforcement staff also serve asylum decisions to immigration detainees. BICS staff make extensive use of language services in support of their other core functions, including at immigration controls and in a range of compliance and enforcement scenarios.
- 3.3** There is no single BICS budget for language services. Costs are met from the delegated budgets of each of the operational directorates. Based on the information provided to inspectors, the combined expenditure for 2018-19 was c. £7.5 million, although there must be some doubt about the accuracy of this figure. Expenditure is not recorded in a way that clearly distinguishes asylum casework from other functions, but in 2018-19 the Asylum Operations budget for “Interpreters & Translation” was set at £3.8 million, suggesting that the larger part of BICS expenditure is asylum-related.
- 3.4** For asylum applicants, the Immigration Rules require the Home Secretary to “provide at public expense an interpreter for the purpose of allowing the applicant to submit their case, wherever necessary”. At each stage of the process, Home Office interviewers must check that the applicant understands what they are being asked and, if this is not the case in English, to establish which language(s) the applicant speaks so that questions and answers can be fully and accurately interpreted. But, this is not followed through logically to decision letters, which are in English only.
- 3.5** Between 2016-17 and 2018-19, 40,584 asylum decisions were appealed, of which 16,553 (40.8%) were allowed. The Home Office was unable to say how many appeals against asylum decisions cited issues with language and comprehension. Meanwhile, stakeholders contended that it was common for mistakes by interpreters to result in “inconsistencies” in an applicant’s account and for the Home Office to use these as grounds for refusal.
- 3.6** Home Office record keeping in relation to language requirements and the provision of language services is inconsistent, incomplete and fragmented, and much of the information, if recorded at all by staff, is not readily retrievable. As a consequence, the Home Office was unable to

satisfy a number of ICIBI's requests for data. For example, it could not provide any data for asylum decisions made without an interview due to interpreter non-availability, nor could it say how many asylum interviews were suspended due to language issues, although it did have figures for Interpreter Operations Unit (IOU) booking cancellations and re-bookings.

- 3.7** Where it did provide data, or where inspectors carried out their own database or spreadsheet searches, the inconsistencies and gaps mean that any analysis is necessarily indicative rather than definitive. Overall 'fulfilment rates' for interpreter requests appear to be high but, however well current demand is being managed, BICS needs better data to plan and improve its language services provision.
- 3.8** In both the Case Information Database (CID) and the IOU database of freelance Home Office interpreters the language categorisations are not sufficiently precise, especially in relation to dialects. This is a problem for several languages, but particularly for Arabic, because of what one stakeholder described as "marked differences in phraseology in different countries". It does not help that there is no training for Home Office staff about languages and dialects. Learning is done on the job, and appreciation of the importance of the dialects therefore varies considerably.
- 3.9** The IOU database is updated weekly, and the numbers of interpreters and available languages and dialects fluctuate. However, it is evident from the ratio of interpreters to asylum applicants, even without any complicating factors, such as location and gender, that certain languages are under-resourced, most obviously Vietnamese and Albanian. And, for some languages, for example Otjherero and Rohingya, there is no-one.
- 3.10** Meanwhile, the Home Office's efforts to recruit interpreters are unsystematic, sluggish and need overhauling, and the higher rates of cancellation by in-demand interpreters and reported loss of Vietnamese interpreters to other, more generous employers, require a much more critical look at the competitiveness of its 'package'. This should be coupled with a programme to raise the standards of interpreter competence and conduct, from the initial testing (with help from professional bodies) of interpreters' qualifications (including their fluency in English) and suitability to be listed, through the regular monitoring of their performance, to a rigorous process for delisting those who are not up to standard.
- 3.11** This requires a collective effort by IOU and users of language services to improve record-keeping and feedback. It will need to be backed up with training for staff in how to work effectively with an interpreter and better briefings for the interpreters. For asylum cases, as well as a general briefing about the asylum process, thought should be given to what an interpreter needs to understand about a particular applicant and their claim before the start of an interview in order to ensure they are properly prepared and to achieve the best results. Thought should also be given to whether specific training is required for interpreters working with child applicants, and whether more stringent warnings are needed about not allowing personal or religious beliefs, for example about homosexuality, to affect the interview.
- 3.12** To avoid a two-tier offering, the same standards should apply to language services procured from commercial providers. BICS directorates use thebigword⁷ as a source of interpreters, mostly for telephone interpretation. For some functions, thebigword serves as a contingency where a Home Office interpreter is not available. For Border Force, whose interpreting requirements are unpredictable and often of short duration, it is the first choice for reasons of ease and cost. It is also preferred by staff in Immigration Removal Centres (IRCs) and prisons,

⁷ <https://en-gb.thebigword.com/about-us/>

who often find Home Office interpreters are unwilling to accept bookings. Moving detainees to other sites for interview, or using fellow detainees as interpreters, are poor alternatives.

- 3.13** To date, the Home Office has been wholly reliant on thebigword for data about usage and expenditure and has had no reliable means of validating either, or of quality assuring the services provided. Its response to widespread and persistent concerns about the latter, and about telephone interpreting more generally, has been inadequate and this needs to be gripped.
- 3.14** According to thebigword, in 2018-19 BICS made 71,371 requests for an interpreter, an increase of c. 12% on the previous year. Expenditure increased by c. 18% to £1.2 million. Four IRCs were among the top ten users by volume of requests and together accounted for 16,180 (23%) of the total. However, given the range of business at an IRC, many of these calls will not have been asylum related.
- 3.15** thebigword declined to share other data requested by inspectors, including about the qualifications held by its interpreters, citing “commercial sensitivity”. The original contract with thebigword was with the Crown Commercial Service. It was transferred to the Home Office in 2018, by which time it had already expired. ICIBI was told that the contract document could not be traced. If it agrees a new contract with thebigword, the Home Office needs to remedy the current lopsided arrangement and put an effective monitoring regime in place. It also needs to ensure that as a provider of services covered by the UK Borders Act 2007 Section 48, thebigword is not able to frustrate independent inspection.⁸
- 3.16** Although they are used on a much smaller scale, similar considerations apply to other commercially-procured language services, such as Language Analysis (used to help establish an individual’s place of origin where this is in doubt) and written translations.
- 3.17** Guidance in relation to the latter is out of date (produced in 2009), but there is a wider need to look across all guidance that refers to the provision of information and services in foreign languages to ensure that, notwithstanding the different purposes for which it is used, the BICS position is coherent. This should include examination of the justification for and sense of any redactions made to guidance posted on GOV.UK, in particular where the text refers to individuals’ rights and obligations, and to the Home Office’s requirements and expectations, and the consequences if these are not met.
- 3.18** The review of guidance should be used to unblock work about, or reliant on, language services that appears to be stuck in the BICS system. For example, in March 2018, responding to ICIBI’s recommendation to “produce ‘child-friendly’ information to hand to unaccompanied asylum seeking children, including foreign language versions for the main nationalities, covering all aspects of the asylum process”, the Home Office stated that it had “already committed to publishing a ‘point of claim’ leaflet in a range of different languages” and these would “include a wide range of information for children”.
- 3.19** In August 2019, the Home Office reported that work was “in train to test, trial and implement improved communications for asylum applicants” and consideration was being given to “bite size leaflets in foreign languages” and SMS, text and short video communications. But, in October 2019, it referred to “translation difficulties” to explain why updated foreign language

⁸ The Home Office agreed a new interim contract with thebigword to run from 1 March to 1 June 2020, a copy of which was provided to inspectors on 4 May 2020. This contained a section on “Service Levels and Performance”. In its factual accuracy response, received on 4 May 2020, the Home Office commented that: “As part of the new contract the Authority has the ability to receive MI, and as before, has access to internal billing data. There are also Service Level Agreements (SLA) in the interim contract.”

'point of claim' leaflets had still not been produced. Meanwhile, some business areas continue to use out-of-date versions, while one had commissioned its own translations.

- 3.20** The 'Code of Conduct for UK Visas and Immigration Registered Interpreters', produced in 2008, is another example of slow progress. It was reviewed in March 2019 and in June 2019 it was awaiting final sign off. In the meantime, interpreters had been given a one-page update covering security clearance renewal, social media, medical conditions, and video conferencing for interviews.
- 3.21** In October 2019, the Home Office reported "the redraft ... will involve wide stakeholder consultation and input. We ... will begin engagement with stakeholders in November 2019 to ensure that the document captures the wide-ranging needs and is sufficient for all our represented services. We envisage that the new version will be issued out by the end of January 2020 and will begin an exercise of obtaining signed declarations from interpreters". At the end of March 2020, the redrafted Code had still not been issued.⁹
- 3.22** For some years, stakeholders have been raising concerns about the "religious literacy" of Home Office caseworkers and the impact on decisions. Since at least 2015, 'Asylum interviews' guidance has instructed caseworkers to "ensure that the interpreter can translate the concepts and terminology of religious or non-religious groups in the country of origin". But, in 2016, it responded to a recommendation from the All-Party Parliamentary Group (APPG) for International Freedom of Religion or Belief and the Asylum Advocacy Group (AAG) to provide training for caseworkers and interpreters saying that it would "work to produce an information document to be issued to all Home Office interpreters".
- 3.23** In August 2019, the Home Office told ICIBI that "having reviewed actions to date, we recognise that we could have made more progress". However, it had "liaised with asylum specialists to establish trends around terminology". In October 2019, it reported that it had now produced a leaflet which it would share with representatives of the APPG to get their views.
- 3.24** While the content of anything the Home Office publishes must be right, and stakeholder consultations play an important role in ensuring this, it is clear from these examples that the Home Office needs to inject some pace and urgency into the process of producing and updating its published information about language services.
- 3.25** Quality assurance of asylum interviews focuses on the caseworkers, the interview record and the asylum decision, rather than on the quality of any interpretation. The latter is more difficult, but in its present form and limited usage, the Interpreter Monitoring Form (IMF) is of little value. Home Office managers agreed that a more robust assurance process was needed and suggested that the options might include a "trusted interpreter review" of certain cases, random "spot checks", targeting of cases that could give rise to issues, and using a second interpreter to check an audio recording of an interview to ensure that a verbatim translation was provided. These options need to be properly explored.
- 3.26** As with all BICS functions, the Home Office needs to be alive to the opportunities and risks presented by technology. At its most basic, this means ensuring that clear working practices and standards apply to telephone interpreting and video conference (VC) interviewing with an interpreter, and these need to specify how interviewers should respond to technical problems such as poor connectivity and auditability, rather than leaving this to the

⁹ In an update on 4 May 2020, the Home Office commented: "The Code of Conduct (COC) has yet to be published, though has been drafted and completed".

interviewer's judgement. The Home Office also needs to ensure that wherever substantive interviews are conducted there is the facility to make an audio recording, including where the Digital Interviewing (DI) capability has not been installed or does not work, and that this is always done.

- 3.27** Since they are already being used by staff, the Home Office needs as a matter of urgency to produce guidance on the purposes for which translation devices and applications may be used, and which devices and applications are "approved".
- 3.28** There is a lot that needs attention, some of it pressing, and it will be neither efficient nor effective for BICS to tackle this piecemeal. Meanwhile, BICS does not have a recognised 'owner' for language services, accountable for the formulation and implementation of policies and processes, collection of data and performance monitoring, planning and delivery of the required resources and capabilities, risk management, internal and external communications, monitoring and management of contracted-out services, and stakeholder engagement.
- 3.29** On the face of it, the Interpreter Operations Unit (IOU) may seem like the obvious candidate, but as constituted it has neither the capacity nor the clout to manage everything that is required. Assuming that BICS accepts the need for improvement, the first step should therefore be to agree who will pull this together and to ensure they have the resources and BICS-wide authority they require to succeed.

4. Recommendations

The Home Office should:

- 4.1** Appoint a Borders, Immigration and Citizenship System (BICS) 'owner' for language services, with accountability across BICS for the formulation and implementation of policies and processes, collection of data and performance monitoring, planning and delivery of the required resources and capabilities, risk management, internal and external communications, monitoring and management of contracted out services, and stakeholder engagement.
- 4.2** Under the direction of the BICS 'owner', create, publish and resource a comprehensive programme of improvements to the provision and use of language services, with clear timelines and deliverables. Drawing on the findings from this inspection, this should include the identification of urgent tasks and 'easy wins' as well as longer-term projects.
- 4.3** Ensure that the risks and issues in relation to language services are fully and accurately reflected in the Risk Registers for the Home Office, for BICS, and for individual BICS directorates and business areas, and that mitigations and actions are regularly reviewed.

5. Background

BICS use of language services

- 5.1** All three Borders, Immigration and Citizenship System (BICS) operational directorates are involved in the asylum process and make use of language services. The bulk of asylum casework falls to Asylum Operations, part of UK Visas and Immigration's (UKVI) Immigration and Protection Directorate. However, Border Force and Immigration Enforcement officers are often the first to encounter asylum seekers and may conduct asylum screening interviews at ports and in detention settings. Immigration Enforcement staff also serve asylum decisions to immigration detainees.
- 5.2** BICS staff, in particular Border Force and Immigration Enforcement officers, also make extensive use of language services in support of their other core functions, including at immigration controls and in a range of compliance and enforcement scenarios.

Asylum applications

Home Office data

- 5.3** According to Home Office figures, in the three years from 1 April 2016 to 31 March 2019 it received 89,148 applications for asylum – see Figure 1.

Figure 1

Number of asylum applicants by year and gender

Gender	2016-17	2017-18	2018-19	Total
Female	7,703	7,537	8,390	23,630
Male	21,928	19,712	23,876	65,516
Unknown	0	0	2	2
Total	29,631	27,249	32,268	89,148

Primary languages

- 5.4** In 2018-19, the Home Office's Case Information Database (CID) recorded the applicant's primary language in 30,134 (93%) cases. There were 166 different language/dialect combinations. Figure 2 shows the ten most frequently recorded primary languages. Together these accounted for 21,277 of the 2018-19 asylum intake.

Figure 2

**Asylum applicants 2018-19
by ten most common primary languages and by gender**

Primary Language	Male	Female	Total
Kurdish Sorani	3,073 (86.4%)	482 (13.6%)	3,555
Arabic ¹⁰	2,635 (75.2%)	870 (24.8%)	3,505
English	1,624 (58.9%)	1,134 (41.1%)	2,758
Farsi	1,934 (72.0%)	751 (27.0%)	2,685
Albanian	1,498 (63.6%)	859 (36.4%)	2,357
Tigrinya	1,445 (80.6%)	347 (19.4%)	1,792
Urdu	1,010 (74.7%)	342 (25.3%)	1,352
Vietnamese	818 (63.9%)	462 (36.1%)	1,280
Mandarin	631 (62.0%)	386 (38.0%)	1,017
Bengali	886 (90.8%)	90 (9.2%)	976

- 5.5** Between 2016-17 and 2018-19, 40,584 asylum decisions were appealed, of which 16,553 (40.8%) were allowed. The Home Office was unable to tell inspectors how many appeals against asylum decisions cited issues with language and comprehension.

Asylum Screening Process

- 5.6** Asylum applicants undergo a screening process which includes the capture of biometric data and the completion of security and identity checks. It involves registration of the asylum claim and the completion of an initial contact and asylum questionnaire and is designed to gather basic information about the individual's protection claim, details about their family members and their immigration history, and to ensure that the claim is handled in an appropriate manner, including ensuring any reasonable adjustments and safeguarding needs are considered.
- 5.7** UKVI's National Asylum Intake Unit (NAIU) is responsible for the receipt and initial screening of most asylum applications. It is headed by an Assistant Director (Grade 7) and, as at end-September 2019, had 144 full-time equivalent (FTE) staff across its three units:
- Asylum Intake Unit (AIU) in Croydon, which deals primarily with in-country asylum claims by appointment
 - Kent Intake Unit (KIU) in Dover, which deals primarily with applicants who have arrived in the UK by clandestine means and have been encountered in Kent and the South East
 - Midlands Intake Unit (MIU), which deals primarily with clandestine entrants encountered elsewhere in the UK

¹⁰ No dialect specified.

- 5.8** Some initial screening interviews are conducted by Border Force officers at airports and sea ports. Some are conducted by Immigration Enforcement officers at police stations or in Immigration Removal Centres or prisons.¹¹
- 5.9** The Home Office was unable to provide figures for asylum screening interviews conducted in 2018-19 broken down by UKVI, Border Force and Immigration Enforcement. Although it recorded the unit that conducted the screening interview this was not included in any existing performance reporting and the Home Office told inspectors that it would require “extensive testing and assurance” before it could be shared: “This testing and assurance would take several weeks and even when complete, may conclude that the data is not fit for purpose”. However, when ICIBI inspected asylum casework in 2017 the Home Office reported that in 2016-17 the NAIU had conducted 78% of all asylum screening interviews.¹²

Substantive interviews

- 5.10** After screening and registration, non-detained asylum cases are pooled nationally and allocated via a workflow process to one of UKVI’s 12 asylum casework units.
- 5.11** Asylum Operations sits within UKVI’s Immigration and Protection Directorate. The Home Office informed inspectors that at the end of September 2019 Asylum Operations had 1,380.78 full-time equivalents (FTEs), with a budgeted FTE establishment of 1,282.82. The bulk of these staff work in its casework units, which are spread around the UK: in Belfast, Glasgow, Newcastle, Cardiff, Leeds, Liverpool (Centre and Bootle), Sheffield, Solihull, Hounslow and Croydon.
- 5.12** Asylum Operations has around 600 caseworkers, mostly Executive Officers (EO), responsible for conducting substantive asylum interviews and making asylum decisions, and over 500 support staff, including workflow teams that source interview rooms and interpreters for asylum interviews; receptions teams, responsible for greeting applicants and interpreters on the day; and technical specialists and senior caseworkers, responsible for quality assurance, guidance and mentoring of new staff.
- 5.13** Applicants will usually be required to attend a substantive asylum interview. This is their main opportunity to provide evidence in support of their application. Home Office guidance ‘Asylum interviews’ Version 7.0, published in June 2019, is available on GOV.UK. It instructs caseworkers that “the policy objective when you conduct an asylum interview is to gather enough evidence to be able to properly consider and determine the claim”.¹³ The guidance goes on to specify how the interview should be conducted to encourage full disclosure, gather relevant evidence and “make potentially vulnerable claimants aware of appropriate support services”.

11 Where an individual who has entered the UK illegally and has not previously been encountered is arrested and taken to a police station where Immigration Compliance and Enforcement (ICE) will attend to take and record their details and will conduct the asylum screening interview if the individual indicates that they wish to apply for asylum. Individuals encountered during ICE operational visits who indicate that they wish to apply for asylum will normally be referred to one of UKVI’s Intake Units for screening, unless they are being detained. Prison Operations and Prosecution (POP) teams, part of Immigration Enforcement’s Criminal Casework Command, and based in prisons and Immigration Removal Centres (IRCs), are responsible for conducting asylum screening interviews where a detainee indicates that they wish to make an asylum claim. However, a POP team may request the Detention Engagement Team (DET) based in an IRC to conduct the interview. In its factual accuracy response, the Home Office commented: “It is important to note that there are administrative removal cases which don’t qualify for Criminal Casework; particularly remand cases which are later acquitted.”

12 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/662769/An_Inspection_of_Asylum_intake_and_casework.pdf

13 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/807031/asylum-interviews-v7.0ext.pdf

Provision of interpreters

- 5.14** Part 11 of the UK Immigration Rules¹⁴ sets out “the procedures ... that apply to the consideration of admissible applications for asylum and humanitarian protection”. Regarding the asylum interview, paragraph 339ND states that:

“The Secretary of State shall provide at public expense an interpreter for the purpose of allowing the applicant to submit their case, wherever necessary. The Secretary of State shall select an interpreter who can ensure appropriate communication between the applicant and the representative of the Secretary of State who conducts the interview.”

Interpreter Operations Unit

- 5.15** The Interpreter Operations Unit (IOU) maintains and manages a database of freelance Home Office interpreters. During 2019-20, IOU was moved from Asylum Operations to Immigration, Information, Improvement and Support (3iS), which is also within UKVI’s Immigration and Protection Directorate.
- 5.16** In August 2019, inspectors were told that IOU had 46 staff (40.56 FTEs) in three teams, managed by a Senior Executive Officer (SEO). A Bookings Team of 26 staff (22.97 FTE) books interpreters in response to requests from business areas and monitor workflow demands. A Payments Team of 11 staff (8.86 FTE) is responsible for processing payments to interpreters and monitoring costs attributed to unit. A Central Interpreters Unit (CIU) of eight staff (7.73 FTE) is responsible for ensuring security checks of interpreters are processed, complaints managed and interpreters’ performance is monitored.
- 5.17** The IOU’s database of Home Office interpreters is accessible to Home Office staff via Horizon.¹⁵ It is updated weekly by CIU and the numbers of interpreters and available languages and dialects therefore fluctuate.
- 5.18** In August 2019, there were 1,042 (45.6%) male interpreters and 1,242 (54.4%) female interpreters recorded on the CIU database. A list of available languages contained 159 languages and 42 dialects.
- 5.19** IOU maintains a “Rare and Difficult” languages list, with interpreter availability broken down by UK region. The August 2019 list contained 176 language/dialect variants, 112 of which were classed as rare and difficult in all regions. Requests for these languages/dialects are prioritised by the Bookings Team upon receipt.
- 5.20** Sign language interpreters are available through the IOU. In August 2019, there were three who covered British Sign Language (BSL), and one each for International and Farsi sign language. Except for one female BSL interpreter, they were all male.
- 5.21** Figure 3 shows the expenditure on Home Office interpreters recorded by IOU. This includes all bookings made through and paid for by IOU, plus “a few” direct bookings by business areas where IOU subsequently processed payment. For example, Immigration Enforcement makes its own bookings directly but provides IOU with the information to process payment. Where an interpreter is booked directly and paid for from a local budget, which is common practice with Border Force, this expenditure is not captured by IOU.

¹⁴ <https://www.gov.uk/guidance/immigration-rules/immigration-rules-part-11-asylum>

¹⁵ Horizon is the Home Office’s internal intranet.

Figure 3

Expenditure on Home Office interpreters 2018-19 (£ ex VAT)

IOU heading	Fees	Travel	Hotel	Subsistence	Total
Asylum and Border Force	4,392,369	622,983	462,873	283,975	5,806,455
Immigration Enforcement	444,308	12,486	979	194	457,967
Total	4,836,678	635,470	463,852	284,169	6,264,422

Interpreter service providers: thebigword

5.22 The Home Office also uses the services of thebigword, a commercial company which has offices in Europe, Scandinavia, the Far East and the USA, providing “translation, interpretation, localisation and language technology solutions for businesses, the public sector and individuals”.¹⁶

5.23 thebigword contract was originally with the Crown Commercial Service (CCS) under its language services framework agreement.¹⁷ The CCS website states:

“The agreement ensures that public sector organisations that have an ethical and legal obligation and are bound by the Human Rights and Equality and Diversity Acts, are able to provide equal access to their services regardless of cultural/linguistic background.”

5.24 BICS directorates use thebigword interpreters in support of a range of functions. According to thebigword’s records, in 2017-18 BICS made 63,925 requests for a thebigword interpreter and, in 2018-18, it made 71,371. The Home Office was unable to provide data for thebigword usage specifically for asylum interviews. Inspectors were told that much of the information would be recorded on Casework Information Database (CID) in a “notes” field and could only be extracted manually.

5.25 Inspectors requested a list of interpreters available to the Home Office through thebigword, broken down by language, dialect and type of qualification. The Home Office was unable to provide this information,¹⁸ and thebigword declined to share it due to commercial sensitivity, and also stated that it was unable to provide a definitive list “as they cover over 150 different languages and dialects and it frequently changes”. However, inspectors were told that some thebigword interpreters were listed on the CIU database, having signed up to both.

5.26 The Home Office did provide a list of 126 languages and dialects supplied to it by thebigword during 2018-19, plus details of total Home Office expenditure on thebigword in 2017-18 and 2018-19 as recorded by thebigword – see Figure 4.

Figure 4

Home Office expenditure on thebigword by “department” (£)

Year	Home Office	Borders	UKVI	HMPO	Total
2017-18	600,000	300,000	120,000	“Minimal”	1,020,000
2018-19	720,000	360,000	120,000	5,000	1,205,000

¹⁶ <https://en-gb.thebigword.com/about-us/>

¹⁷ <https://www.crowncommercial.gov.uk/agreements/RM1092>

¹⁸ In its factual accuracy response, the Home Office pointed out that “there was no contract in place”.

Language Analysis providers

- 5.27** Language Analysis is used by the Home Office to help establish an individual’s place of origin where this is in doubt. The process involves language experts talking and listening to the individual speaking in their own language and dialect, analysing significant features in their speech, and producing written, reasoned conclusions about their place of linguistic origin.
- 5.28** The Home Office’s Language Analysis capability is provided by two commercial suppliers: Sprakab and Verified AB. Since August 2014, the latter has been the first-choice supplier. Figure 5 shows expenditure on language analysis in 2017-18 and 2018-19.

Figure 5

Home Office expenditure on language analysis (£)

Year	Sprakab	Verified AB	Total (£)
2017-18	26,116	106,521	142,637
2018-19	9,563	79,437	89,000

- 5.29** In 2018-19, applicants originating from Syria accounted for 78% (315 of 405) of all language analysis commissions.

Written translations

- 5.30** K International,¹⁹ a language services agency, provides translation and transcription services to the Home Office on request.
- 5.31** Expenditure with K International is recorded under “Home Office” and “Immigration”. The figures for 2017-18 and 2018-19 are at Figure 6.

Figure 6

Home Office spend with K International (£)

	Translation		Translation Premium		Translation Premium + DTP		Total
	Home Office	Immigration	Home Office	Immigration	Home Office	Immigration	
2017-18	23,673	10,717	17,613	978	55	-	34,389
2018-19	105,363	14,043	40	-	227	-	119,406

- 5.32** The Home Office could not provide a breakdown of expenditure by BICS directorate. It told inspectors:

“K international have provided their named contacts for some of the ‘imm’ teams and they are all Immigration Enforcement, however as K international could not provide a named contact for all of the ‘imm’ codes on the spreadsheet and none of the HO teams, apparently because they don’t hold them, and this is obviously not Home Office data, [the Home Office] cannot definitively say which parts of the Home Office K international are classifying as ‘imm’ and which are ‘HO’ in their data set.”

It was therefore unclear what proportion, if any, of the expenditure related to asylum cases.

¹⁹ <https://k-international.com/>

6. Inspection findings: ‘Expectation’ One

Background and explanatory documents are easy to understand and use

(e.g. statements of intent (both ministerial and managerial), impact assessments, legislation, policies, guidance, instructions, strategies, business plans, intranet and GOV.UK pages, posters, leaflets etc.)

- They are written in plain, unambiguous English (with foreign language versions available, where appropriate)
- They are kept up to date
- They are readily accessible to anyone who needs to rely on them (with online signposting and links, wherever possible)

Guidance

On using interpreters for Asylum Screening Interviews

6.1 Guidance for Home Office staff on asylum registration and screening is contained in ‘Asylum Screening and Routing’,²⁰ which can be found on the Home Office intranet and on GOV.UK. It was last updated in December 2019. The guidance is “for staff in UK Visas and Immigration (UKVI), Immigration Enforcement (IE) and Border Force (BF) who register asylum claims and complete the screening process for asylum claimants”.

6.2 The guidance states:

“An interpreter should be used for screening interviews where there is a limited understanding of English. Where possible the screening interview should be in the first or preferred language of the claimant. Should it prove impractical to engage an interpreter for the claimant’s first or preferred language, you should establish if there is an alternative language in which the claimant could complete the screening interview.”

6.3 The guidance makes it clear that:

“Where practical the interpreter should be present in person. Where an interpreter is not available in person, such as at a port, interviews may proceed by telephone or video conferencing. Any difficulties with understanding need to be noted. You must also note where the interpreter is not in the same room as the claimant (for example where the interview is taking place by phone, you must record the interpreter’s reference number followed by ‘service provided by phone’).”

²⁰ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/852483/screening-and-routing-v4.0-ext.pdf

6.4 The guidance is equally clear that applicants must be asked whether they want to be interviewed by a male or female officer as “some claimants may find it easier due to the nature of their claim to disclose to an officer of a particular gender”, and:

“If the claimant has a preference, where operationally possible there will also be a gender match for the interpreter. It should be noted that it is not always possible to find an interpreter of the preferred gender for some languages.”

6.5 The interviewer is also required to consider:

“Where no specific request has been made, but the demeanour of the claimant gives the impression that they would be more comfortable responding to questions if they were being asked by a male or female officer, they should be offered this opportunity as far as operationally possible.”

6.6 In terms of finding a suitable interpreter, staff are instructed that: “Home Office appointed interpreters must be used and the Central Interpreters Unit (CIU) should be contacted if there is difficulty in finding an interpreter.” No contact details for CIU are included within the guidance, but these can be found elsewhere on the Home Office intranet.

Immigration Enforcement guidance for enforcement interviews

6.7 Separate Immigration Enforcement guidance, ‘Enforcement interviews’, “tells Immigration Enforcement officers about interviewing suspects and witnesses”. This guidance was published for Home Office staff in July 2016 and is available on GOV.UK²¹ with some passages redacted as “Official-sensitive ... restricted for internal Home Office use”.

6.8 A section headed ‘Use of interpreters: administrative interviews’ includes the warning: “In asylum cases, do not approach the interviewee’s High Commission or Embassy for assistance with interpreting.” It goes on to explain that:

“Most immigration interviews are conducted with the assistance of Home Office approved self-employed interpreters. Where a longer interview is being conducted a Central Interpreters Unit interpreter can be used via telephone, ‘spiderphone’, video conferencing, dual phone, tablet or through BigWord [sic].”

6.9 The importance of ensuring that the interviewee understands the interviewer is made clear: “Any agreement to be interviewed in the absence of an interpreter must be recorded. The interview must not go ahead without an interpreter if the interviewer considers the person struggles to understand English.”

6.10 Under ‘Rare languages or dialects’, the guidance instructs Immigration Enforcement officers that they “must make exhaustive enquiries to locate an interpreter from:

- CIU
- the School of Oriental and African Studies (SOAS), University of London
- the BBC
- a Department of Linguistics at any college or university
- the Police List”

²¹ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/537358/Enforcement-interviews-v1.pdf

- 6.11 'Enforcement interviews' echoes 'Asylum Routing and Screening' guidance in stating that: "Where practicable, requests by the interviewee that the interpreter be of the same gender should be accommodated." However, it does not specify that the interviewee must be offered this option.

Border Force guidance for immigration interviews

- 6.12 Separate Border Force guidance, 'Immigration interviews', Version 2.0 of which was published for Home Office staff in February 2018, "tells Border Force officers how to conduct interviews and the procedure to follow in the various situations you may encounter at the primary control point (PCP)".²² The guidance includes a section on "The use of interpreters".

- 6.13 The introduction to the guidance carries the caveat in BOLD: "**All the content of this guidance is classified as official – sensitive and must not be disclosed outside of the Home Office**", which is repeated at the beginning of each section. While some of the content refers to interview techniques and administrative tasks which might be argued are purely internal to the Home Office, it is hard to see the justification for the blanket use of the protective marking and for not making publicly available those parts of the guidance that refer to the rights and obligations of passengers, for example, under 'Rare languages or dialects' the guidance states:

"In the event that a passenger speaks a rare language or dialect that cannot be provided through the avenues available to source an interpreter, you must first establish whether they speak a more commonly used language. The IOU may be able to offer advice. If you have reason to believe that the passenger **does** speak another language, you must advise the passenger that failure to make a prompt and full disclosure of material facts may delay a decision in their case and therefore prolong detention, if applicable, and that a decision will be made on the information available."

- 6.14 While there was some awareness of different dialects, Border Force officers at Heathrow told inspectors that dialect was "not really an issue" and that "they can just do it by language". The onus was placed on the applicant and interpreter to confirm they understood one another prior to the interview beginning.
- 6.15 The guidance identifies the "avenues available to source an interpreter" and instructs Border Force officers to use the Central Interpreters' Database when booking an interpreter for an "on site" or "face-to-face" interview, and for "telephone interpreting". For telephone interpreting "thebigword is an alternative source for shorter conversations". The relative costs are set out, with the steer: "If it is a short conversation, then 'thebigword' would be economical. If it is expected to be a long conversation, then the Home Office database of interpreters should be used as that will work out more economical."
- 6.16 The guidance makes no reference to gender. Officers at Heathrow told inspectors that where an individual was detained they did not ask about any gender preference. The individual "doesn't get a choice of interviewer ... that would be ridiculous ... it's what you get". In the case of asylum screening interviews, the view was that the screening form did not discuss sensitive issues. Meanwhile, gender matching was not considered important where the interpreter was not in the room. The officers were unsure how to go about organising a male or female thebigword interpreter, if required, but assumed it could be done by calling thebigword switchboard and speaking with an operator.

²² The immigration control desk.

Guidance on using interpreters for Substantive Asylum Interviews

- 6.17** ‘Asylum interviews’ guidance for caseworkers conducting substantive asylum interviews was last updated in June 2019.²³ The GOV.UK version has three redacted passages under the sections: ‘Interviews in prison’; ‘Evidence of war crimes or other serious international crimes’; and ‘Modern slavery: interview for NRM’.²⁴ The need for the redactions was unclear to inspectors, not least as one simply contained a hyperlink to an obsolete piece of further guidance.
- 6.18** ‘Asylum Interviews’ effectively repeats ‘Asylum Screening and Routing’ with regard to identifying the correct language and dialect, stating “every effort should be made to find an interpreter in the claimant’s chosen language”. If this is not possible, staff are instructed to “use the language that the screening interview was conducted in, unless the claimant’s command of that language is not good enough for the asylum interview”.
- 6.19** Similarly, “every effort” should be made to meet a request for a male or female interpreter “as far as operationally possible”. The same applies to requests for a male or female interviewer: “You should normally expect to meet this requirement and if it cannot be met on the scheduled day, the interview should normally be re-arranged.”
- 6.20** As with the screening interview, the interviewer is required to confirm that the applicant understands the interpreter and is content to proceed with the interview. If an applicant has difficulty with the language spoken by the interpreter, the guidance instructs the interviewer to “call Interpreter Operations Unit (IOU) to see if another interpreter can be found to allow the interview to continue on the same day”.
- 6.21** Meanwhile, if an interviewer has concerns about an interpreter’s conduct or ability they should pause the interview and discuss their concerns with the interpreter outside the interview room. If the problem cannot be resolved, the interview must be suspended, and “the matter discussed with a manager at senior executive officer level or above before arranging an alternative interpreter.”
- 6.22** An Interpreter Monitoring Form (IMF) must be completed and sent to the CIU in all cases where an interview is suspended or cancelled due to language difficulties or interpreter problems. However, the guidance does not include a link to the IMF, instructions on how to forward the IMF to the CIU, or the CIU’s contact details.
- 6.23** At the end of the substantive asylum interview the interviewer should ask the applicant: “Have you understood the questions and is there anything we have discussed today which you would like clarified?” If an applicant states that they did not understand any questions, this should be recorded and any questions which were not understood rephrased.
- 6.24** The guidance does not cover how to book an interpreter or how to use the Central Interpreters’ Database. Asylum Operations staff told inspectors they needed a Standard Operating Procedure (SOP) on “booking an interpreter”. They were unclear what scope they had to approach another provider, such as thebigword. IOU managers told inspectors that if they were unable to provide an interpreter they advised staff to contact thebigword.

²³ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/807031/asylum-interviews-v7.0ext.pdf

²⁴ National Referral Mechanism.

- 6.25** Separate guidance, 'How to buy goods and services', available on the Home Office intranet, provides staff with a 'Quick Guide' to the different ways to make purchases. This has a section for 'Translation Services', which lists K International and thebigword, with their contact details.

Children's asylum claims

- 6.26** The Home Office recognises that asylum claims from children require particular care. 'Children's asylum claims' Version 3.0 was published in August 2019. It deals "primarily" with "claims from unaccompanied asylum seeking children (UASC), but also covers children who may be accompanied, but are making an asylum claim in their own right".
- 6.27** The guidance is available, with redactions, on GOV.UK.²⁵ In most cases, it is clear from the context that the redacted passages concern the checks staff are required to make for safeguarding purposes. The comprehensibility of the guidance is not materially affected by these redactions, but nor is it evident why the Home Office should consider them necessary.
- 6.28** The guidance states that:
- "Staff must explain clearly to the child what is happening at all stages of the process and outline the next steps in the process, including information about accessing a legal representative (if not already instructed), the Statement of Evidence Form (SEF), the case management review and substantive interview, including that this interview may be conducted by video conference (VC). This must be done in a way that takes account of the child's age, maturity and vulnerability."
- 6.29** The use of interpreters is covered, with an explanation of the roles of the Home Office interpreter and of any interpreter provided by the child's legal representative. The guidance explains that it is "in addition to the general guidance offered to all interpreters" and its purpose is "to draw attention to the Home Office's commitment to safeguarding and promoting the welfare of children in the context of asylum interviews".
- 6.30** The guidance explains that "the interpreter plays a vital role in facilitating a child's right of expression as in article 12 of the Convention on the Rights of the Child" and they "must ensure adequate and appropriate interpretation of child-friendly and age-appropriate language is being used". Interpreters are told to pay extra attention to their body language and demeanour, "avoiding expressions of frustration", so that the child does not feel intimidated or threatened.
- 6.31** The guidance also notes that "some children, particularly younger children, may automatically view the interpreter as a cultural authority figure, role model and even a parental substitute in the interview situation". The interpreter can raise this as a concern which may mean that the interview is terminated and rescheduled "with an adult from the child's care situation or culture present to act as the authority figure / role model, freeing the interpreter to return to their role as interpreter".
- 6.32** More generally, the interpreter is expected to alert the interviewer if they believe that the child might not have fully understood a question. However, it is a matter for the interviewer whether to ask a follow-up question.

²⁵ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/825735/children_s-asylum-claims-v3.0ext.pdf

Information leaflets

- 6.33** Under ‘Guidance: Information leaflet for asylum applications’, GOV.UK contains a number of foreign language versions of ‘Information about your asylum claim’ in: Amharic, Arabic, Chinese, Farsi, French, Kurdish, Ndebele, Pashto, Punjabi, Shona, Somali, Tamil, Tigriny (sic) and Urdu.²⁶ In addition, Bengali and Dari versions are available on Horizon. The foreign language versions are undated, but appear to have been uploaded in 2014. Each displays the logo of the UK Border Agency (UKBA), which ceased to exist in April 2013. The English version is dated April 2016 and displays the UKVI logo.
- 6.34** In August 2019, the Home Office told inspectors:
- “The leaflet is only given out in English at asylum screening but earlier foreign language versions are still available online. Current advice to staff at Asylum Intake Units is not to hand out the foreign language versions of the ‘point of the claim leaflet’, as they were not updated when the English version was last updated. Work is in train to test, trial and implement improved communications for asylum applicants at the start of the asylum journey that support them to effectively engage with the asylum process. We recognise our point of claim leaflet in multiple language needs updating but we are awaiting the outcome of this work before deciding on next steps for the point of claim leaflet.”
- 6.35** Inspectors were unable to find any written instructions to Home Office staff not to issue foreign language versions of the leaflet and managers at the Asylum Intake Unit (AIU) in Croydon told inspectors “we print them up and send them out”. However, a manager at one of the other two Intake Units commented that the leaflet was not user friendly “even for English speakers” and expressed frustration at the length of time it was taking for the foreign language versions to be updated, despite chasing the responsible policy unit periodically and raising the issue with their senior management team. Meanwhile, staff in the same Intake Unit told inspectors that they had had the “point of claim” leaflet “translated by our interpreters into a number of languages”.
- 6.36** In July 2019, with the assistance of Non-Governmental Organisations (NGOs), ICIBI surveyed 12 asylum applicants who had experienced the Home Office’s language services. Of the 11 who responded to the question about an information leaflet about the asylum process, four said they had received one in their own language. In August and September 2019, inspectors also spoke to 11 detainees at Yarl’s Wood and six at Harmondsworth Immigration Removal Centres (IRCs) who had claimed asylum. They told inspectors that they had not been given any information leaflets explaining the asylum process.
- 6.37** In August 2019, IOU senior management told inspectors that they had been working on improving communications with asylum applicants and were considering “bite size leaflets in foreign languages” and SMS, text and short video communications. However, they could give no indication of when these new forms of communication would be in place.

Child-friendly information

- 6.38** ‘An inspection of how the Home Office considers the ‘best interests’ of unaccompanied asylum-seeking children’,²⁷ published in March 2018, recommended that the Home Office should “produce “child-friendly” information to hand to unaccompanied asylum seeking

²⁶ <https://www.gov.uk/government/publications/information-leaflet-for-asylum-applications>

²⁷ <https://www.gov.uk/government/publications/an-inspection-of-how-the-home-office-considers-the-best-interests-of-unaccompanied-asylum-seeking-children>

children, including foreign language versions for the main nationalities, covering all aspects of the asylum process, but especially key events such as age disputes/age assessments, the National Transfer Scheme process, and 'UASC leave' – plans to publish a 'point of claim' leaflet, which should be progressed, may answer this, but only in part."

6.39 The Home Office accepted this recommendation:

"We have already committed to publishing a 'point of claim' leaflet in a range of different languages and work to deliver this continues in consultation with stakeholders. This leaflet will include a wide range of information for children, including the roles and responsibilities of some of the people that children are likely to come into contact with. It will also explain the asylum process, including information about the Statement of Evidence Form and the substantive asylum interview, as well as key issues like age assessment, the National Transfer Scheme and the possible outcomes of their asylum claim, including the circumstances in which UASC leave may be granted."

6.40 In October 2019, inspectors asked the Home Office for an update. It replied:

"Unfortunately, due to translation difficulties, the Home Office haven't been able to publish these to date, however work continues to resolve this."

Guidance for interpreters

6.41 Inspectors surveyed Home Office interpreters and asked whether they thought that Home Office policy, guidance documents and instructions were easy to follow. Of 105 interpreters who responded to the survey, 81 provided an answer to this question. Of those 81, 77 said that they thought they were, although 19 respondents said that the guidance and instructions had not been updated since they began working with the Home Office. Just over half said they knew where to find policy, guidance documents and instructions, and a similar number said that they knew who to contact to obtain updated versions.

Interpreters' 'Code of conduct'

6.42 A 'Code of Conduct for UK Visas and Immigration Registered Interpreters' can also be found on GOV.UK. This was produced by the Central Interpreters Unit (CIU) in 2008.²⁸

6.43 In June 2019, the Home Office told inspectors that the 'Code of Conduct' had "recently [March 2019] been reviewed as there had been changes to working practices regarding the use of video conferencing for interviews". The revised 'Code' was awaiting final sign off. In the meantime, the Home Office had provided interpreters with a one-page update covering four areas; security clearance renewal, social media, medical conditions, and VC interviews. In future, the intention was to review the 'Code' annually or when changes occurred.

6.44 In October 2019, inspectors were told: "The redraft ... will involve wide stakeholder consultation and input. We ... will begin engagement with stakeholders in November 2019 to ensure that the document captures the wide-ranging needs and is sufficient for all our represented services. We envisage that the new version will be issued out by the end of January 2020 and will begin an exercise of obtaining signed declarations from interpreters."

²⁸ <https://www.gov.uk/government/publications/guidance-for-interpreters>

Language analysis

- 6.45** Guidance for Home Office staff about how to access the language analysis and when it should be used is available on GOV.UK. Version 21.0 was published in March 2018. In September 2019, inspectors were told that this guidance is updated annually, and that while an update was overdue only minor revisions were required.
- 6.46** The guidance “tells officers involved in the immigration system about the language analysis process used by the Home Office, how it is accessed and when it should be used”. It was for “all officers involved in asylum screening, asylum casework and appeals, and other immigration casework where someone’s true place of origin needs to be established”.
- 6.47** Inspectors found the contents comprehensive and clear. The Home Office policy lead told inspectors that they did not receive many queries about the policy which “had been relatively stable for a few years and caseworkers are used to it”. Inspectors found that asylum decision makers knew where to find the guidance and knew the process for requesting language analysis, but Detained Asylum Casework staff at Yarl’s Wood and Harmondsworth IRCs were not familiar with either. Inspectors were told that this was because language analysis was used “mainly by non-detained units”.
- 6.48** The GOV.UK version of the guidance contains a number of redacted passages mostly relating to the process and details required when submitting a request for language analysis, with contact details. Redaction of the latter is sensible and justified, while the steps in process are relevant only to Home Office users. But, there is less justification for redacting the details required in the request, since these help to explain what is being tested. Similarly, it is hard to understand why the whole of the text of the section headed ‘Process improvement’ should have been redacted, not least as it is in the Home Office’s interest to demonstrate that it is committed to improvement where this is required.
- 6.49** Again, the redaction of the whole of the text of the section headed ‘Sprakab’ suggests a lack of transparency, which is unhelpful, and also unnecessary since much of the redacted text merely repeats the history of the Home Office’s use of Sprakab and its new main supplier, Verified AB, which is both well-known and explained elsewhere in the non-redacted text.

Written translations

- 6.50** Inspectors asked the Home Office for the latest guidance about written translations. The Home Office provided a link to a document on GOV.UK,²⁹ published in November 2009, which was clearly out of date.
- 6.51** It stated that “all documents that the applicant wishes to rely upon should be provided in English, or accompanied by an English translation. The translator’s credentials should be provided, along with their affirmation that the translation is accurate”. There was no indication of what credentials the Home Office would accept.
- 6.52** Inspectors found that staff in different parts of Borders, Immigration and Citizenship System (BICS) were dealing with foreign language documents in a variety of ways. For example, a senior detained asylum casework manager said that if an applicant submitted an untranslated document with their application their staff would send it to the Interpreter Operations Unit to have it translated. Whereas Border Force officers dealing with arriving passengers at Heathrow

²⁹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/257449/translations.pdf

told inspectors “there’s no proper official Home Office way of how to translate documents, we rely on local knowledge”. They said they used an app on their mobile phones, which they held over a document to translate it.³⁰

- 6.53** Inspectors sent a survey to asylum applicants asking about their experience of submitting foreign language documents in support of their application. The sample size was small, just six respondents. All six stated that they had submitted documents in a foreign language to the Home Office during the asylum process. Of the six, two reported that the Home Office had accepted the documents in the original language, while four said the Home Office had required them to have the documents translated.

General correspondence/forms for asylum applicants

- 6.54** Home Office staff in a number of units raised concerns about the implications of applicants not understanding what they were receiving. Border Force officers referred to individuals not complying with reporting arrangements because they had not understood the documents handed to them. Asylum Operations workflow teams highlighted instances of applicants who did not have a legal representative not understanding a letter inviting them to attend an interview. As a result, they were treated as an absconder, risking arrest and having their asylum claim withdrawn.
- 6.55** General correspondence and forms are issued to asylum applicants by the Home Office in English. The workflow teams said that “in an ideal world we’d send out our letter and a translated letter. It would stop us booking interpreters [for interviews] that they don’t attend”, adding “it’s quite cruel. It’s a stressful process, it’s mad we can’t translate a letter they don’t understand”. Asylum decision makers also believed that sending letters in the applicant’s language could “mitigate ‘no show’ rates”.
- 6.56** Stakeholders also raised concerns about documents sent out by the Home Office in English only. One told inspectors that young people often feared letters from the Home Office, especially when waiting for asylum determinations. They were always in English and not easy to understand:

“Translated documents would be a huge comfort for clients without basic reading skills who can feel overwhelmed and frightened by the process. It would enable them to feel included in the process and empower them to feel informed regarding their case.”

They said that the lack of translated documents had “an adverse impact on the mental wellbeing of the unaccompanied asylum-seeking young people”.

- 6.57** The Independent Monitoring Board meanwhile highlighted the difficulty for applicants in understanding the legal technicalities in Home Office documents even if they have some command of English:

“The degree of education required to understand them if you’re English is substantial. If they’re translated into the appropriate language you’d still have a problem as it’s in the formal language from the original country.”

³⁰ In its factual accuracy response, the Home Office commented that: “On rare occasions, Border Force Heathrow have utilised thebigword interpreters to translate documents.”

7. Inspection findings: ‘Expectation’ Two

Processes are simple to follow and transparent

- They are IT-enabled and include input formatting to prevent users from making data entry errors
- Mandatory requirements, including the nature and extent of evidence required to support applications and claims, are clearly defined
- The potential for blockages and delays is designed out, wherever possible
- They are resourced to meet time and quality standards (including legal requirements, Service Level Agreements, published targets)

Capturing and recording information about an applicant’s language and dialect

Asylum Intake Unit (AIU) Database

- 7.1** GOV.UK³¹ instructs anyone already in the UK who wishes to apply for asylum to telephone the Asylum Intake Unit (AIU) and make an appointment for a screening interview. Callers are asked for basic information and called back with an appointment time for their interview.
- 7.2** In the initial conversation, the call handler confirms whether an interpreter is required (“Yes” or “No”) for the call back and, if so, for what language. This information is recorded in the ‘Initial conversation’ tab of the AIU database. In the call back conversation, the call handler asks: “Do you require an interpreter for the [screening] interview?”, and records “Yes” or “No”, and the language, and also asks whether the applicant has an interpreter gender preference. These details are logged in the ‘Callback’ tab of the database. There is no field for, or reference to dialect and inspectors were told that this was seldom probed once the main language was established.

Case Information Database (CID)

- 7.3** The Asylum Intake Units and asylum casework teams use the Case Information Database (CID) to record information about asylum applicants and their claims. ‘Asylum Screening and Routing’ guidance instructs staff that “CID must be completed as fully as possible”.
- 7.4** The CID “Person” screen captures an individual’s personal details and includes up to three entries under “Language/Dialect” and the option of designating one or more as a “Primary language”. There is a drop-down list of options, including languages in combination with dialects. In October 2019, the list contained 288 options, one of which was “Not specified”. There was no option to enter free text.

³¹ <https://www.gov.uk/claim-asylum/screening>

- 7.5 Inspectors were told by staff who used CID regularly that the language options were generally sufficient, although some mentioned shortcomings in relation to dialects. For example, “Arabic” was an option without further “regional” qualifications, such as “Arabic–Sudanese” or “Arabic-Middle Eastern”, as was “Kurdish-Kurmanji” without the qualification “Turkish” or “Syrian”. Where staff select the unqualified option there is a risk that the “wrong” interpreter will be booked.
- 7.6 However, the “Language/Dialect” field is not mandatory. It was left blank in just over 6% of CID records for asylum applicants each year since 2016-17 – see Figure 7.

Figure 7

CID “Language/Dialect” field entries for asylum applicants

Primary language	2016-17	2017-18	2018-19	Total
Non-English	24,598	22,702	27,376	74,676
English	3,028	2,755	2,758	8,541
“Not Specified”	140	97	34	271
Blank	1,865	1,695	2,100	5,660
Total	29,631	27,249	32,268	89,148

- 7.7 CID does not have a specific field to record where an applicant has a preference for a male or female interviewer or interpreter. Staff told inspectors that gender preferences were typically recorded in the free text areas of the “Case Notes” or “Special Conditions” screens. This means that workflow teams have to search for the information, which is more easily missed and gender preferences overlooked.

Use of thebigword for screening interviews

- 7.8 Inspectors spoke to Border Force officers at Heathrow, and to Immigration Enforcement officers in the Detention Engagement Teams (DET) at Harmondsworth and Yarl’s Wood IRCs, and in the Prison Operations and Prosecution (POP) Team. Most said they preferred to use thebigword for asylum screening interviews rather than a Home Office interpreter. The Glasgow Asylum Casework team also preferred to use thebigword for screening interviews.
- 7.9 Inspectors were told by officers at Heathrow that they encountered individuals seeking asylum at the Primary Control Point (PCP), where they tried to establish the language required for the screening interview. If not immediately evident, officers might use the Home Office translator application on their mobile phone to determine the language required and then use thebigword telephone interpreter service to conduct the screening interview. However, “quite often” individuals were granted immigration bail without the screening interview being completed.³²
- 7.10 The consensus was that thebigword was well-resourced, although it did not have Tigrinya or Mongolian interpreters, and Namibian, Georgian and Portuguese interpreters could be difficult to find. Typically, for these rarer languages it might be necessary to hold on for up to ten

32 In its factual accuracy response, the Home Office explained: “This is done in some circumstances, for example, to avoid the detention of a family group with children overnight, in such cases Border Force officers can arrange for screening interviews to be completed at a later date.”

minutes for an interpreter to take the call, although DETs said that an interview might have to be delayed until the next day if it was out of hours.³³

- 7.11** In September 2019, Border Force officers at Heathrow had been using thebigword for screening interviews for approximately 18 months. Previously, they had booked interpreters directly from the Central Interpreters Unit (CIU) database. Some believed this was still an option as a contingency, but others said they now only used thebigword, which was “local policy”. The Border Force Management Resourcing and Infrastructure Team told inspectors that they had researched the costs and had found that thebigword was cheaper than telephone interpretation offered by CIU interpreters. The team told inspectors that “costs have gone down” since switching to thebigword service.
- 7.12** The Home Office was “unable to provide” inspectors with thebigword charging rates “as Supplier charging rates for services is (sic) commercially sensitive and cannot be divulged to third parties in line with contractual agreements with suppliers”.³⁴ However, the per minute rates were quoted in Border Force guidance available on the Home Office’s internal intranet (Horizon). Comparing these to published Home Office interpreter telephone rates, thebigword appeared to be cheaper for calls of less than 20 minutes (or 40 minutes between 00.00 and 08.00). Screening interviews are likely to need longer than 20 minutes, but other Border Force business requiring interpretation may be completed more quickly.
- 7.13** Cost was not the only consideration. Inspectors were told that using the Home Office interpreter database was “massively labour intensive”, from locating and booking an interpreter to completing and processing the payment forms, and that by using thebigword Border Force officers were freed up from the “laborious” paperwork.³⁵ However, not having the interpreter present in person meant they might not be able to identify any medication or other items an applicant had with them.
- 7.14** POP teams used thebigword because it was quick and because “interpreters don’t like going to prisons as they don’t get the travel time”. A POP officer told inspectors they had resorted to Google Translate for some screening interviews but acknowledged that its accuracy could not be validated. Officers also reported that in some prisons they would “not bother” attempting to screen Vietnamese applicants because of the difficulty of finding an interpreter and would have the applicant moved to another location for the interview or managed without an interpreter. One told inspectors: “In five years I’ve only done two screenings with thebigword – the majority scrape by in English.”
- 7.15** DET told inspectors that they would use Home Office interpreters if they were as easy to access as thebigword as they “understood the [Home Office] process a bit more so it was easier” and they believed that Home Office interpreters’ greater familiarity with the screening form and procedure might save time.
- 7.16** Inspectors were told of one instance where a DET interviewer had asked another detainee to act as interpreter for a screening interview. This was after two failed attempts to use a telephone interpreter with an “emotional” applicant and the interviewer had sought permission from a senior officer. Other DET staff said that this was not the norm. In responding to ICIBI’s ‘Call for evidence’, one stakeholder called for the use of fellow detainees for

³³ In its factual accuracy response, the Home Office commented: “Border Force have stated that this would affect two to three cases per quarter and be the exception rather than the norm.”

³⁴ As previously noted, at the time the Home Office did not have a contract in place with thebigword.

³⁵ In its factual accuracy response, the Home Office commented: “However, using thebigword instead means that interviews can usually be started immediately, rather than waiting for an interpreter to attend in person and can help reduce overall detention times at a port for a detainee.”

interpretation to be explicitly forbidden as the use of untrained interpreters can result in lack of disclosure and “miscommunication”.

- 7.17** The use of fellow detainees for interpreting was criticised by Stephen Shaw in his review of the ‘Welfare in Detention of Vulnerable Persons’, published in January 2016, and he recommended that the Home Office review this practice. A follow-up report issued in July 2018 found that the use of “professional interpreters” was “now widespread but that quality remained an issue” and recommended that “The Home Office and Ministry of Justice should conduct a review of the quality of interpreter services in IRCs” (Recommendation 19).³⁶

The asylum registration (“screening”) form

- 7.18** At the beginning of the screening interview the applicant is read a declaration that includes the statement: “If you do not understand the interpreter please tell me.” At the end of the interview, the interviewer is required to check “have you understood all the questions asked?”
- 7.19** During the interview the interviewer completes a screening form. The form comprises a set of questions designed to ascertain the applicant’s personal details, any immediate safeguarding or security issues, details of their journey to the UK and the basis of their asylum claim. Staff told inspectors that the standard wording and some of the questions on the screening form were not particularly clear and contained “jargon” and “legalese”. They felt it should be written in “layman’s terms”.³⁷
- 7.20** AIU staff told inspectors that they typed directly onto the form during the interview. However, Border Force at Heathrow said they completed the form by hand. Inspectors were told that if the handwriting was not legible this could cause difficulties later in the process. Asylum caseworkers told inspectors that screening forms completed at port are “just a quick scrawl” and “usually even worse [than screening forms completed by other areas]”, and “they are handwritten, and you can’t read them”.³⁸
- 7.21** The screening form contains fields for the interpreter’s reference number (with a bracketed note asking whether the interpreter was male or female), and their location (“phone, VC, in room with claimant”). Inspectors examined 100 case files for asylum applications registered between 1 April and 30 September 2018, of which 92 contained a screening form. Of the other eight, six were for child applicants who do not have a screening interview, and two had no screening form on file. Of the 92 forms: 23 did not record the interpreter’s reference number and 52 did not record, or provide sufficient information to identify, the interpreter’s gender.
- 7.22** The screening form does not ask explicitly whether an interpreter is required for the substantive interview, but it does ask for the applicant’s language and dialect, providing a single field to record this. In 24 of the 92 screening forms examined this field was left blank. In 16 of the 92 the language recorded was Arabic, but only two of these specified a dialect.

³⁶ At the end of 2018, the Home Office updated ICIBI on its progress with Shaw’s Recommendations. In respect of Recommendation 19, it stated: “The results of a survey of all IRC custodial suppliers are currently being analysed.”

³⁷ In its factual accuracy response, the Home Office advised inspectors that the Business Design Team was “looking at amending the form to make it more user-friendly and understandable”.

³⁸ In its factual accuracy response, the Home Office commented: “However, Border Force at Heathrow said their holding area interview suites were not equipped with the necessary IT equipment to enable direct typing into an electronic form. There are also operational and Health and Safety implications of installing IT equipment in holding rooms due to the nature of the interview space. Consequently, interviewing Officers complete the interview questionnaire in manuscript.”

Asylum claims from children

- 7.23** Children do not have a screening interview but “must undergo a welfare interview and a series of checks”.³⁹
- 7.24** ‘Children’s asylum claims’ guidance takes the caseworker through the first encounter and welfare interview process,⁴⁰ after which all children must be issued with a Statement of Evidence Form (SEF) with a return date “not later than 60 Days from the date of completion of the welfare form”.⁴¹ The Home Office does not provide the child with an interpreter to assist them to complete the SEF.

Preliminary Information Questionnaire (PIQ)

- 7.25** According to Horizon, the Preliminary Information Questionnaire (PIQ) was “becoming part of the asylum process as of April 2018” and “will be sent to all non-detained, adult asylum claimants once their cases are routed” to a casework unit. Inspectors were told by non-detained casework workflow teams that this was one of the tools they relied upon to determine the language and gender preferences of an applicant prior to arranging their substantive asylum interview. However, inspectors found that it was not being used in all cases.
- 7.26** The 20-page PIQ is available in English only, and instructs the applicant “**THIS FORM MUST BE COMPLETED IN ENGLISH**” and warns that if the form is not completed and returned by the specified date (“within 15 days”), and no explanation is provided, “your asylum claim may be treated as withdrawn in accordance with paragraph 333C of the Immigration Rules”. The form comprises mostly free-text boxes, so there is no ready means of analysing the answers for planning or assurance purposes.
- 7.27** Page 16 is headed ‘Asylum Interview’. The text explains that: “We are aware that some parts of your account may be difficult to talk about or sensitive in nature so you may be more comfortable speaking to a man or a woman interviewer and interpreter.” It asks the applicant to state if they “have a preference whether you are interviewed by a man or a woman” and to indicate, where they have previously expressed a preference (the question is on the screening form), whether they have changed their mind, noting that: “We will do our best to arrange the interviewing officer you prefer. Where possible we will also arrange for the interpreter you have requested.”
- 7.28** Stakeholders told inspectors that applicants often did not appreciate the importance of the gender preference question when it was asked during the screening process. The PIQ provided another opportunity for the applicants to consider this. The ‘Asylum Interview’ page also asks: “Which language would you like your asylum interview conducted in?” and “Do you speak any other languages?”
- 7.29** In Croydon and Glasgow, Asylum Operations workflow teams and caseworkers told inspectors they used the PIQ along with CID to identify whether an applicant required an interpreter and

³⁹ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/825735/children_s-asylum-claims-v3.0ext.pdf

⁴⁰ This includes: consideration of any immediate welfare concerns; creation of a CID record; notification of the relevant local authority and referral to the latter’s children’s services where there are safeguarding concerns; completion of the welfare form, the purpose of which is “to obtain information that is necessary for a meaningful booking-in process, including bio data and information relating to the child’s needs and welfare concerns”; the taking of fingerprints (“all children aged 5 or over”); and referral to the National Asylum Allocation Unit (NAAU).

⁴¹ Staff are instructed to “show some flexibility on this deadline if the child has transferred to the care of another local authority under the UASC [Unaccompanied Asylum-Seeking Children] National Transfer Scheme”.

for what language. Staff in Glasgow said they achieved an 80% PIQ return, which they were working to improve.

- 7.30** Despite the fact that a ‘Preliminary Information Questionnaire – tracker’ (a spreadsheet) was available on Horizon, the Home Office was unable to provide data for the issue and return of PIQs, and inspectors were told this was not recorded centrally but the new casework system, Atlas, would have the functionality to do this.

The interpreter booking spreadsheet

- 7.31** Interpreter booking requests are submitted by business areas to the Interpreter Operations Unit (IOU) on an Excel spreadsheet attached to an email. A free text cell is used to record the required language, dialect, and gender.
- 7.32** The consolidated IOU spreadsheet is of little value in understanding immediate and longer-term requirements for interpreters with specific language skills. For example, in 2019 Q1 (January to March) it recorded 8,067 requests. Due to inconsistent word order, punctuation and typographical errors, this appeared to comprise 567 “different” languages.
- 7.33** A search for “Arabic” produced 94 differently formatted entries, combining regional variations and gender, for example, “female/Algerian/Arabic n African”, or multiple languages, for example, “Algerian Arabic/French”. A search for “Albania” produced 21 formats for the “Language” entry: five different spellings of Albanian; 13 different word orders and spellings of “female Albanian”; one “minor Albanian”; and two “male Albanian”.
- 7.34** Asylum caseworkers told inspectors they were not permitted to request interpreters by “nationality” and the request form does not have a field for the nationality of the applicant. The caseworkers said that this could materially affect the interpreter’s ability to communicate with the applicant, but IOU told inspectors they “cannot discriminate” by booking interpreters on the basis of their nationality and that this should not be happening. They pointed out that interpreters may have British nationality, so searching by nationality would not necessarily identify the language(s) an interpreter speaks.
- 7.35** Stakeholders expressed their concern about interpreters who did not speak the same dialect as the applicant. One reported “a number of instances” where the interpreter for a substantive asylum interview spoke the wrong dialect. This happened “particularly for Arabic, Pashto and Kurdish languages”. For example, for Kurdish “the Home Office provides Kurmanji interpreters from Turkey, Syria, and Iraq interchangeably, despite this having the potential for applicants and interpreters not understanding each other”.
- 7.36** Another stakeholder commented that:
- “interpreters should be able to speak in the asylum seeker’s language as competently as a native speaker, which usually means they originate from the same country. In relation to geographical areas that have many different dialects between and within countries – for example, the Arab World – it may not invariably be possible to achieve this. In such cases, the interpreter’s language knowledge should originate from as close to the asylum seeker’s country as possible.”
- 7.37** It was not simply a matter of language. One stakeholder explained that an interpreter may have the necessary language skills but may find it difficult to understand and interpret cultural

concepts, for example, an interpreter from France might be unaware of the realities of life in Cameroon, which could affect their interpretation of an applicant's answers.

Direct booking of Home Office interpreters

- 7.38** Most asylum applicants screened at the Midlands Intake Unit (MIU) have been encountered first by the police and had their personal details taken and checked by an Immigration Compliance and Enforcement (ICE) officer. More recently, some 'small boats' arrivals have also been processed at the MIU having been taken there because the Kent Intake Unit (KIU) did not have space for them.
- 7.39** Normally, any language requirements have been determined before the applicant arrives at the MIU and MIU has already made the necessary interpreter bookings.
- 7.40** MIU uses Home Office interpreters but contacts them directly rather than through the IOU. Interpreters mostly attend in person. MIU staff told inspectors that searching the CIU database to organise an interpreter can be a "time consuming" and "laborious". The database is not searchable by an interpreter's willingness to travel, which is pertinent as the MIU is inaccessible by public transport.⁴² According to MIU staff, Vietnamese, Kurdish Sorani and Oromo languages were particularly difficult to source from the CIU database. Officers highlighted that out of approximately 200 Kurdish Sorani interpreters "only a handful" were willing to attend the MIU.
- 7.41** MIU staff rely on a locally held folder with details of interpreters, and also on their personal knowledge of interpreters who are local and "reliable". However, as the CIU database on Horizon is updated weekly there was a risk that MIU's local database was not up to date and an interpreter's security clearance may have lapsed, for example.
- 7.42** MIU uses the thebigword as a contingency but told inspectors that this was "rarely necessary". Occasionally, MIU uses CIU interpreters for telephone interpretation or "borrows" an interpreter from the Asylum Intake Unit (AIU).

Booking Home Office interpreters through IOU

- 7.43** Most applicants attending the AIU in Croydon have contacted the Home Office by telephone in advance to make an appointment for an asylum screening interview, which enables AIU to book an interpreter where required. In most cases, the interpreter is booked to attend in person. Occasionally, asylum applicants at the AIU are unannounced "walk-ins", only the most urgent or destitute of whom are screened on the day.
- 7.44** The AIU has a Bookings Team. Each day, a member of the team is allocated the task of liaising with IOU to book interpreters and managing the interpreters onsite that day. Where it can, the Bookings Team "block books", so that the same interpreter is used for a number of interviews in a day and sometimes over a number of days. It helps if an interpreter speaks more than one language and is able to "double up". While interpreters are onsite but not required for a screening interview they are sometimes "loaned" to the enquiry line team or used to interpret for "walk-ins".
- 7.45** AIU told inspectors that there was a shortage of Vietnamese and Albanian interpreters, noting that Vietnamese and Chinese female applicants were the most likely to request a same gender interpreter. It was also difficult to get Oromo, Mongolian and Creole interpreters, and usually

⁴² MIU is located on the same site as Yarl's Wood Immigration Removal Centre.

not possible to arrange a Twi⁴³ interpreter on the day, so if there was a walk-in or if a Twi interpreter cancelled at short notice any interviews would have to be deferred for a day or two. There was a general problem with booked interpreters cancelling at late notice. According to AIU, this was a weekly occurrence.

- 7.46** AIU makes use of thebigword to assist with gathering initial information from “walk-ins”, with enquiry line callbacks, and as a contingency with screening interviews where a Home Office interpreter is not available. However, AIU told inspectors that Home Office interpreters were preferred as they were “cheaper than thebigword”.
- 7.47** All of the non-detained and detained asylum casework teams inspectors visited used Home Office interpreters. Bookings were made through IOU by local workflow or administrative teams. Two of the three non-detained casework workflow teams to whom inspectors spoke said they relied primarily on the PIQ to establish the language requirements for the substantive interview. The third said it normally relied on what was recorded on CID.
- 7.48** The staff who dealt with IOU were complimentary about the service they received. Comments included: “For me personally, it’s an impressive unit. They supply exactly what we are looking for”; “They are always quick to respond. They always try and facilitate. They are helpful and reliable”; “I can’t think of one example in three years where they haven’t gone out of their way”; and, “it’s all very pleasant and helpful”. However, they had difficulty contacting IOU by telephone: “We call, they are difficult to get hold of. It’s often engaged, I think they only have one phone. We can email but you don’t know when they will pick it up.” There was also a problem with IOU’s availability: “We have to keep an eye on them, because they shut up at 4pm.”

The IOU booking process

- 7.49** Requests for interpreters are sent by email to an IOU central inbox. The assignment details are recorded on a booking request spreadsheet attached to the email.
- 7.50** The booking request spreadsheet provides details of the appointment, including time, date, and location. There is a free text field for language, dialect, any gender preference. IOU told inspectors that the information provided in this free text box was sometimes unclear or incomplete. At the time of the inspection, a new version of the spreadsheet was being piloted including a drop-down list of languages to encourage consistency.
- 7.51** Business areas requiring interpreters worked to their own timescales for submitting booking requests to IOU. Two to three weeks prior to the interview was typical, although some requests were submitted up to two or three months in advance. Irrespective of when it was received, IOU did not deal with a request until one week before the assignment, unless the language was on the ‘Rare and Difficult’ list, in which case it was dealt with on receipt. The IOU Bookings Team told inspectors they usually tried to arrange bookings five days before the required date. They explained that if the interpreter was booked too far in advance there was a greater chance of them cancelling.
- 7.52** IOU staff search the interpreter database for the requested language, select an interpreter and check the “booked” spreadsheets to see that the interpreter is not already booked. Staff told inspectors that the IT was “the biggest bugbear of IOU”. Applications froze, crashed and if updates were not saved the database might not show that an interpreter was already booked.

43 Twi is a dialect spoken in Ghana.

Staff in other business areas who used the database to book interpreters directly were also critical of it.

- 7.53** IOU staff told inspectors that after 'Language' they would filter by 'County' (of residence), although this was not always the best indicator of distance between an interpreter's home address and the location where they were required, and staff spent time on the internet checking these distances.
- 7.54** The selected interpreter is then called to see if they will accept the booking. IOU staff were allocated 10-12 bookings per day but would request more if they got through their initial allocation. They were expected to complete four bookings in an hour, but rare and difficult languages could take longer. If an interpreter did not answer when called, IOU normally tried another rather than leave a message.
- 7.55** IOU echoed what operational staff had said about rare and difficult languages. Vietnamese and Albanian interpreters were the hardest to arrange: "The Vietnamese are based down South and they just don't seem to want to travel. We've always had a problem with Vietnamese. Albanians hasn't been a problem for that long." Demand for Kurdish Sorani was said to be "sky high" but "manageable".
- 7.56** Within IOU, views varied on the importance of dialect. One member of the team told inspectors "we don't encourage [business areas to specify] dialect, we just encourage the main language" and "when we look on our database, we don't see dialects at all". However, others said they might contact the business area if they thought a particular dialect might be required, although there was no training for them to identify when this might be the case.
- 7.57** Once a booking has been made the details are copied and pasted from the booking request spreadsheet into four regional spreadsheets ("registers"). The latter are used to provide confirmation to business areas two working days before the appointment, or in the case of Croydon (AIU and asylum casework) one day before. Some casework teams, particularly in Croydon, told inspectors that receiving the registers so close to the scheduled interviews did not always give them time to correct any errors, especially when IOU is not available after 4 pm.
- 7.58** Interpreters listed on the Home Office database were asked to complete an ICIBI survey. Of the 105 who responded, over half (56) were satisfied with the booking process. But, almost a third (32) reported that they were not given sufficient information, with many saying they received only the date, time and location in advance. One stated: "Location and time only. I wish to be provided with the number of interviews I have on the day, dialect and nationality of the client. If there will be another interpreter from the client's solicitor to observe me. This makes me uncomfortable."
- 7.59** A dozen respondents were dissatisfied with the infrequency of their bookings and ten thought the distribution of work was "unfair". IOU staff told inspectors that they knew which interpreters tended to be available. However, they said there was a "fair rotation policy" which staff were reminded to implement. Business areas that booked interpreters directly, or had done so in the past, believed that one of the benefits was that they knew the "reliable" interpreters they could call upon.
- 7.60** Six interpreters responded to the survey saying they would like more notice of bookings, while seven raised issues about the IOU Booking Team contacting them by telephone to make booking requests. This included: being unable to take the calls during assignments; IOU not

leaving messages; and, because IOU call from a withheld number, not knowing it was IOU that had called.

- 7.61** The interpreters' 'Code of Conduct' did not permit interpreters to have their phones switched on while working on a Home Office assignment. However, asylum caseworkers told inspectors that it was common for interpreters to take booking calls during interviews and had become "normalised". One interpreter explained that they understood why they were not permitted to take calls while on an assignment but stated: "The fact that I cannot respond to calls in the middle of [an] interview, usually makes me lose one or two weeks' jobs at times."

Efficiency and effectiveness: Management Information

- 7.62** In order to understand and assess the efficiency and effectiveness of the interpreter booking arrangements for asylum interviews, inspectors requested a range of data from the Home Office, including:

- the number of screening interviews conducted using an interpreter
- the number of substantive interviews conducted using an interpreter
- whether interpreters used for screening and substantive asylum interviews met what the applicant had requested in terms of language, dialect and gender
- the number of asylum interviews cancelled, postponed or terminated (before and after commencement) due to interpreter related issues
- the number of asylum decisions served in person using an interpreter.

The data

- 7.63** The Home Office was unable to provide data about the use of interpreters in the asylum process across Borders, Immigration and Citizenship System (BICS) as a whole (UK Visas and Immigration (UKVI), Border Force and Immigration Enforcement) as this data was "not available in a reportable format".
- 7.64** From the data the Home Office did provide for booking requests made of IOU in 2018-19, inspectors identified the number of requests for each of the "top ten" non-English languages recorded on CID – see Figure 8.

Figure 8

IOU bookings by language 2018-19

Language requested	Number of requests
Arabic	4,974
Farsi	3,748
Urdu	2,807
Kurdish Sorani	2,499
Albanian	1,989
Bengali	1,775
Tigrinya	1,768
Vietnamese	1,365
Mandarin	1,136
Punjabi Indian	386
Total	22,477

- 7.65** The Home Office reported that there had been 33,712 bookings in total, although the spreadsheets recorded 35,563. The spreadsheets also gave the monthly and annual fulfilment rates (the percentage of requests for interpreter bookings satisfied by IOU). These were broken down by region but not by language/dialect or gender requests. According to the spreadsheets, “Lunar House”, “AIU” and “Third Country Unit” accounted for almost a third (10,839) of all IOU interpreter bookings. It was unclear what was covered by “Lunar House”, not least as the AIU and the Third Country Unit, since renamed the Dublin Cessation Unit, are based there.
- 7.66** The fulfilment rates are used as an IOU performance measure. It has a target of 97%. According to the spreadsheets, in 2018-19, of the 35,563 booking requests received by IOU there were 531 instances of “No Interpreter Available (NIA)”, giving a fulfilment rate of 98.51%. However, in 89 of the 531 cases the request was received less than four days before the required booking and was therefore not counted towards the “unfulfilled” total, raising IOU’s recorded performance to 98.76% overall. The fulfilment rate for certain languages will have been lower.

Interpreter numbers and ratios

- 7.67** In June 2019, the CIU database contained 2,182 registered interpreters.
- 7.68** The ratio of interpreters to asylum applicants varies significantly from language to language. Of the 32,268 asylum applicants who registered their application in 2018-19, 27,376 (85%) were recorded as non-English speaking. The “top ten” primary languages (highest first) were Kurdish Sorani, Arabic, Farsi, Albanian, Tigrinya, Urdu, Vietnamese, Mandarin, Bengali, Punjabi Indian. These accounted for 19,459 (71%) of the non-English speakers. Four of these languages were in the bottom six in terms of the interpreter to applicant ratio – see Figure 9.

Figure 9

Worst interpreter to asylum applicant ratios 2018-19				
Language	IOU Interpreters	Applicants 2018-19	Position (applicants)	Applicants per interpreter
Vietnamese	23	1,280	7 th	55.7
Albanian	46	2,357	4 th	51.2
Oromo	6	245	18 th	40.8
Tigrinya	56	1,792	5 th	32.0
Arabic-Sudanese	25	744	12 th	29.8
Kurdish Sorani	126	3,555	1 st	28.2

7.69 With the exception of Kurdish Sorani, the languages at Figure 9 were on the ‘Rare and Difficult’ language list: Albanian and Oromo in ten (of twelve) business regions; Arabic-Sudanese in eight regions; Tigrinya in seven regions; Punjabi Indian (Cardiff only); and Vietnamese (regions not specified).

Language/dialect ‘gaps’

7.70 Inspectors identified a number of languages/dialects recorded on CID as the primary language of applicants for asylum in 2018-19 that were not listed on the CIU database: Spanish-Latin American (164 applicants); Lingala-Zai (14 applicants); Sinhala (13 applicants); Kibajuni (ten applicants); French North African (eight applicants); Tigrinya Somali (eight applicants); Edo (seven applicants); Igbo (six applicants); and Greek (five applicants); plus others with fewer than five applicants.

7.71 In May 2019, a written Parliamentary Question to the Home Secretary asked why the Home Office was unable to provide an Otjiherero interpreter for substantive asylum interviews of Namibian nationals. The Home Office acknowledged this gap and stated that recruitment of Otjiherero interpreters was a priority and a recruitment campaign was underway. However, as at mid-March 2020, there was no Otjiherero interpreter listed in the interpreters’ database.

7.72 Similarly, in August 2019, the inspection team was told that there were no Rohingya interpreters listed on the database. Again, this remained the case as at mid-March 2020.

7.73 Since neither Otjiherero nor Rohingya is listed in the CID drop-down menu of languages, it was unclear how the Home Office was monitoring the demand for these languages, or any others that were not in the drop-down menu.

Meeting gender preferences

7.74 In 2018-19, roughly three quarters (74%) of asylum applicants were male, while over half (54%) of the interpreters listed on the Home Office database were female. However, of the 159 available languages, 35 had no female interpreters listed and 26 of these had only one male interpreter. For 30 of the 159 languages, only female interpreters were available, and for 20 of these only one was listed.

7.75 Stakeholders told inspectors that it should not be assumed that an applicant would prefer an interpreter of the same gender. There were several reasons why an applicant might prefer

an interpreter of the opposite gender, including where their claim was based on their sexual orientation or gender identity.

- 7.76** In 2018-19, the Home Office recorded 900 requests for a female interpreter. It could not say how many of these requests were met as this data is not captured.

Efficiency and effectiveness of thebigword

- 7.77** Figure 10 shows the number of fulfilled and unfulfilled telephone interpretation calls made to thebigword in 2017-18 and 2018-19.

Figure 10 Home Office requests for telephone interpreters from thebigword				
Year	Unfulfilled	Fulfilled	Total	Fulfilment %
2018-19	2,244	68,949	71,193	96.9%
2017-18	2,903	60,923	63,826	95.5%

- 7.78** The purpose of the assignment is not recorded, and the totals for asylum-related work are not known. However, the 2018-19 data contained account names for five sets of asylum users: “Asylum Screening Unit Croydon”, “Asylum Support Team North East”, “Asylum Support Team Wales”, “Asylum Teams Midlands”, and “North West Asylum Team 3”.
- 7.79** Together, these users accounted for 7,581 calls, of which 7,357 (97%) were fulfilled. There were 15 languages where the fulfilment rate fell below 90%, but 12 of those languages were requested fewer than ten times. The other three were: Sinhala (53 requests – 72% fulfilment), Ukrainian (29 requests 86% fulfilment), and Georgian (19 requests – 89% fulfilment).
- 7.80** In 2018-19, the “Asylum Screening Unit Croydon”⁴⁴ was the second largest user of thebigword by volume of telephone requests made - 4,456 (c. 7% of the total). Figure 11 shows that the top two languages requested by AIU were Albanian and Vietnamese, which have the worst CIU interpreter to asylum applicant ratio – see Figure 9.

Figure 11 Asylum Intake Unit’s five most requested languages for telephone interpretation by thebigword				
	Unfulfilled	Fulfilled	Total	Fulfilment %
Albanian	25	665	690	96.4%
Vietnamese	21	547	568	96.3%
Mandarin	6	345	351	98.3%
Arabic	8	337	345	97.7%
Punjabi	0	224	224	100.0%

- 7.81** For 2018-19, the data showed that there had been 179 requests made to thebigword to provide interpreting services in person rather than over the telephone. Of these, 150 (84%) were fulfilled. The Prison Operations and Prosecution (POP) Team had made the most requests

44 The correct name is the Asylum Intake Unit (AIU)

for an “in person” service, followed by the Glasgow Asylum Casework Unit. Two-thirds (121 or 68%) of the 179 requests were for a Vietnamese interpreter.

Other factors

Remuneration

- 7.82** Home Office interpreters are self-employed, and the Home Office is under no obligation to provide them with work.
- 7.83** For each “assignment”,⁴⁵ an interpreter receives a minimum of three hours pay, the first hour of which is paid at an “enhanced rate” to compensate for the fact that interpreters are not paid for the first three hours (each way) of any travelling time.⁴⁶ Figure 12 shows the hourly rates:

Figure 12

Home Office interpreter hourly rates			
Day	First hour	8.01 am – 6 pm	6.01 pm – 8 am
Monday – Friday	£48	£16	£20
Saturday	£72	£26	£26
Sunday/Bank Holidays	£72	£32	£32

- 7.84** The Home Office told inspectors that these rates were set:
- “around the year 2000 and was done as part of a consultation with various Home Office stakeholders ... The last review of interpreter pay was in December 2016. There was a proposal to decrease the rates, though this was reversed following a planned interpreter boycott and senior Government review. The decision was made to retain the current rates.”
- 7.85** For travel, the Home Office reimburses public transport costs over £13 (where receipted and pre-authorized) and petrol at 23.8 pence a mile for mileage above 50 miles each way (mileage up to 50 miles is not reimbursable).
- 7.86** Of the 105 interpreters who responded to the ICIBI survey: 13 identified the pay and expenses offered by the Home Office as an issue; 15 linked this to time and distance, which made assignments financially unviable and led to them refusing them. They commented:
- “Whenever I am contacted directly by the Home Office with a view to an assignment, the pay on offer is so derisory I cannot possibly accept.”
- “The current fee and non-reimbursement of public travel cost in London is not fair. The current rate of pay/fee is long overdue for review.”
- “The pay, especially for “face to face” interviews, can only be considered scandalous. When the expenses are factored in, the overall hourly rate can be as low as one third of the minimum wage!”

⁴⁵ “Assignments” may comprise more than one interview or other tasks.

⁴⁶ [guidance-for-interpreters/guidance-for-interpreters#fees-for-interpreters](#)

- 7.87** One interpreter gave an example of driving to a Home Office location 50 miles from their home, taking an hour each way for a three-hour assignment:
- “... for 100 miles travel costs, and a total of 5 hours travel and work, I receive £64. Given that the normal “tax office” mileage rate is 0.45p per mile, this means that if you deduct £45 for travel, I receive £19 for 3 hours work and 2 hours driving. That’s £3.80 per hour. How many people, in any sphere, would work for such a pittance? ... The pay and expenses were always poor, and well below Police rates.”
- 7.88** ICIBI’s ‘Call for evidence’ received responses from three large membership bodies for professional interpreters and translators. One commented that fees for Home Office interpreters had not been reviewed since 2002 and had therefore not kept pace with inflation: “This is not best practice and is liable to lead to increasing supply difficulties in future” and “there is considerable disquiet in this regard among interpreters on the Home Office panel”. With regard to travel, it noted that:
- “Interpreters are expected to travel for up to three hours without pay to reach an assignment. This compares unfavourably with other work providers competing for the services of the same interpreters and is liable to lead to supply difficulties. Such difficulties are likely to affect all locations and all languages, but with a disproportionate impact on more isolated locations and on languages in which fewer interpreters are working. We note that car mileage for the first 50 miles (each way) and travel costs up to £13.00 are not paid. We consider this to be unreasonable and would recommend a review of this policy.”
- 7.89** A second body echoed these concerns:
- “Travel by interpreters was highlighted repeatedly as a challenge. Travel time is not reimbursed at the usual hourly rate, and interpreters were not willing to travel long distances as a result.”
- 7.90** The third body was more positive:
- “The Home Office’s fees are not the best, but at least there are no agencies involved. Its current system of contracting interpreters directly via its own in-house call centre is working well and is far preferable to outsourcing and all the problems that entails.”
- 7.91** For comparison purposes, inspectors asked the Home Office about other users of interpreting services and were referred to open source information published by the police service and by Cintra, a Language Services Group that provides interpreting services to the Ministry of Justice (MoJ).
- 7.92** The Police.UK website has a page entitled ‘Price comparison for all forces’, showing the price paid for various items by each of the 43 police forces in England and Wales.⁴⁷ One tab is for ‘Telephone interpreting inc. recording services (per minute)’ and another for ‘Face-to-face interpreting for 4 hours (half-day)’.
- 7.93** For telephone interpreting, the “purchase date” for the services, where stated, was between November 2015 and February 2016, and 24 of the 43 forces agreed a per minute rate of 68 pence (the range was 45 pence to 80 pence).

⁴⁷ <https://www.police.uk/procurement/services/face-to-face-interpreting-for-4-hours-half-day/>

7.94 The “purchase date” for face-to-face interpreting was between October 2015 and October 2016, with most clustered around January/February 2016. The “Unit price” (for four hours) ranged between £80 to £600, with the latter looking to be an anomaly. The average for the 43 forces was £133.73, which reduced to £122.36 if the outlying £600 unit price was excluded. From the clustering around particular price points, it appeared that some neighbouring forces had negotiated the same rate – see Figure 13.

Figure 13

**Police rates for face-to-face interpreting
(agreed between October 2015 and October 2016)**

Number of police forces reporting payable amount	Total payable	Average rate per hour (assumed) £	Notes or Hourly rate where specified
One (Thames Valley)	80.00	20.00	
Two (Essex and Kent)	86.40	21.60	
Two (Suffolk and Norfolk)	93.75	23.44	Includes Initial booking fee
One (Lancashire)	104.00	26.00	One hour minimum then by minute Includes travel and all expenses
Three (Northumbria, Durham and Cleveland)	112.00	28.00	
13 forces (Home counties, South West and Wales)	120.00	30.00	Minimum two hour. Add £23 booking fee per assignment. Excludes expenses.
Nine (North West forces)	124.00	31.00	No travel or expenses charged for. Rate charged by minute at 0.5167
Two (West Mercia and Warwickshire)	135.32	33.83	
Three (North Yorkshire, Metropolitan and City of London)	137.04	34.26	One force noted: “£213.78 including VAT and travel time costs”
Four (Midlands)	151.40	37.85	£37.85 per hour (day rate) to £48.40 per hour (evening and weekends)
One (Lincolnshire)	173.00	43.25	£43.25 (rounding up to full hour)
One (Hampshire)	600.00	150.00	
One (Cumbria)	-		£24 to £71 per hour

7.95 A like-for-like comparison between the Home Office and the police is difficult because of the three-hour minimum payment and the variable rates (day/night/day of the week) of the former and the differences between forces in whether payment is by the minute or hour and whether

there is a minimum period. There are also differences between forces regarding initial booking fees and travel expenses.

- 7.96** Nonetheless, for a three-hour assignment on a weekday between 8.01 am and 6 pm, the Home Office would pay an interpreter £80, equivalent to £26.66 per hour, which is less than the hourly rate paid by 37 of the 43 forces.
- 7.97** Because of the three-hour minimum payment, the Home Office may be more attractive to interpreters for shorter assignments (although the length of an assignment may not be known in advance). However, payment of travelling time and the reimbursement of travel expenses may flip this.
- 7.98** For example, the Metropolitan Police (MPS) pays an hourly rate of £34.26 Mondays to Fridays from 8 am to 8 pm with a minimum two-hour booking, rising to £51.39 per hour after 8 pm and on Saturdays and £68.52 per hour for Sundays and Bank Holidays. In addition, interpreters receive travel time paid at 80% of the relevant hourly rate, with standard class travel reimbursed at cost or mileage reimbursed at 35.7 per mile. Therefore, a two-hour assignment with the MPS, with half an hour travelling time each way, adds up to £92.22 (£64.53 + £27.69) which is already more than the Home Office £80 for three hours, before the reimbursement of travel expenses is factored in.
- 7.99** Cintra’s website⁴⁸ describes it as “the exclusive provider for MoJ spoken word interpreting work in Cambridgeshire, Norfolk and Suffolk”, operating as a sub-contractor for thebigword.
- 7.100** Cintra’s ‘Rate card’ details its hourly rates paid to the interpreters, with “uplifts” for assignments that are “out of hours”, require a particular level of security clearance or are “urgent”. There are “supplements” for travel (time and distance), and a per diem “incidental bonus” for MoJ assignments – see Figure 14. The website does not reveal what Cintra charges the MoJ.

Figure 14

Cintra Translation spoken word interpreting rates				
	Standard	Complex	Complex written	Notes
Hourly rate	£18	£24	£29	Minimum one hour. Thereafter paid in 15-minute increments.
Out-of-hours rate	£21.6	£28.8	£34.8	7 pm to 7 am weekdays; weekends and Bank Holidays
Travel	20 pence per mile			Excludes the first five miles each way. Capped at 100 miles.
Travel time	£10 per hour			Excludes the first 60 minutes each way. Capped at two hours.
Incidental payment	£7.50			Paid per diem not per assignment

- 7.101** Again, the variables make a like-for-like comparison difficult. However, to take the same example of a two-hour assignment during office hours with half an hour travel from and to

48 <http://intranet.cintra.org.uk/information/linguist-registration-info-moj>

home, a Cintra interpreter would receive between £43.50 (for a “Standard” assignment) and £55.50 (for a “Complex” assignment), assuming no “uplifts” and no travel (distance) payments.

- 7.102** Cintra’s payment policy includes penalties payable to interpreters for assignments that are cancelled or curtailed on the day by Cintra or by MoJ, and by interpreters should they cancel or fail to attend an assignment (more than three instances in 12 months may mean the interpreter is removed from the register). There is no financial penalty for Home Office interpreters who cancel bookings.
- 7.103** Inspectors found there was a common perception among Home Office staff that interpreters were able to earn more elsewhere. However, IOU senior managers disputed this. They believed that Home Office rates were “competitive” and that “the police do not pay better than us on an hour basis”, but that the police “package” might be better. They saw the key issue as securing the services of interpreters who were in high demand and were more likely to cancel because they had a better offer. Inspectors were told that IOU had “recruited” a number of Vietnamese interpreters who had since “dropped off” as they were getting paid “excessively” by other users.
- 7.104** Of the 105 interpreters who responded to the ICIBI survey, 13 replied to questions about Home Office pay. Of these, six said they had cancelled a Home Office booking for a better paid assignment with another user. Ten did not feel that the Home Office terms and conditions were “adequate”, and nine thought they were less favourable than those offered by other users of their services.

Location

- 7.105** The location of some Home Office sites appeared to affect the ease with which IOU could book interpreters, although it was unclear to what extent this was due to their accessibility, the travel expenses policy, the nature of the site, or the availability of particular language(s) in certain regions. Figure 15 shows the sites with booking fulfilment rates below or hovering around the 97% target for 2018-19.

Figure 15

IOU fulfilment rates by location 2018-19

Location (as recorded by IOU)	Requests	No interpreter available	% Booked
Hounslow NSA	1,783	60	96.63%
Belfast	325	10	96.92%
Yarl’s Wood IRC	340	9	97.35%
Solihull	2,130	54	97.46%
Harmondsworth IRC	1,787	42	97.65%

- 7.106** Only Hounslow and Belfast fell below the target for the year as a whole.
- 7.107** IOU staff reported that some Home Office interpreters would not take assignments at Immigration Removal Centres (IRCs), however staff at Yarl’s Wood recognised that the IRC was quite remote and there is no public transport from the train station: “We’re in the middle of nowhere, which is a pain.” Staff at Yarl’s Wood told inspectors that: “Out of 200 Kurdish Sorani

interpreters, there’s only a handful that are willing to come here.” Although the fulfilment rate at Yarl’s Wood was above 97% for the year as a whole, there were four months when it fell below 97%.

7.108 Similarly, there were two months when Harmondsworth IRC fell below the target fulfilment rate. Staff at Harmondsworth said that where an interpreter could not be provided for an asylum screening interview it could result in the applicant being released: “... We had a few Namibians, they all had to be released because we couldn’t get an interpreter.”

7.109 POP teams told inspectors about similar difficulties in securing interpreters for prison interviews:

“... we get them transferred to other offices for the interview. This puts pressure on those offices. It costs a lot to move them around. It’s not good for the applicant who doesn’t speak English and is being moved from his familiar surroundings. They’re transported just for the interview. Some prisons only agree to have them for the interview as long as the other prison will have them back. What impact might that have on him?”

7.110 According to the data for calls to thebigword in 2018-19, four IRCs were amongst the top ten users by volume of requests. Together, the four accounted for 16,180 (23%) of the total of 71,371 requests. However, given the range of business at an IRC, many of these calls will have not been asylum-related.

Figure 16

Home Office requests for telephone interpreters from thebigword by account code – 2018-19

Account⁴⁹	No of calls
Brook House Immigration Removal Centre	5,862
Asylum Screening Unit Croydon	4,456
UKBA – Morton Hall IRC	4,168
UK Border Force (Gatwick)	4,011
Yarl’s Wood IRC	3,231
UK Border Force (Calais)	3,007
Harmondsworth Removal Centre	2,919
UKBA – Voluntary Departures	2,888
North West Asylum Team 3	2,734
UKBA – Immigration Team Becket	2,482

IOU recruitment policy

7.111 ‘Guidance for UKVI freelance interpreters’ is available on the GOV.UK website. It was last updated on 20 February 2020. The guidance explains how, where and why UKVI, Border Force and Immigration Enforcement use interpreters; the qualifications required; the details maintained by UKVI for existing interpreters; and the fees and expenses.

⁴⁹ The account titles have not been updated to reflect changes in BICS.

7.112 Under the heading ‘Prospective interpreters’, the guidance states that:

“The interpreter operations unit is now looking to increase its number of interpreters and central interpreters unit is happy to consider any applicants who meet the requirements.

Assessment will be made as to whether the language(s) or dialect(s) are in demand in the region in which the applicant resides. In the case of rare and difficult languages, CIU will also consider those willing to travel to assignments.

Only those in demand will be recruited immediately. If the language or dialect you speak is not considered to be in demand at the time of application your contact details will be kept and if the situation alters you will be contacted to find out if you still have an interest in registering with us.”

7.113 The CIU Team relies on input from the Booking Team manager to determine whether a language is “in demand”. The Booking Team manager is also the CIU’s workflow lead and responsible for monitoring requests for any “spikes” in demand for particular languages, which is done on a weekly basis, and for maintaining the KPI spreadsheets and identifying emerging issues.

7.114 Inspectors were told that, historically, IOU had not used the normal Home Office recruitment channels but had published calls for new interpreters with the National Register of Public Service Interpreters (NRPSI). At the time of this inspection, the most recent NRPSI newsletter to carry an IOU call for interpreters was dated October 2018.⁵⁰ This noted that “the Home Office is still keen to recruit additional interpreters in Rohingya and Vietnamese languages”. Previous NRPSI newsletters carried calls for other languages:

August 2018⁵¹

Kabli, Nubian, Otjiherero and Rohingya

July 2018⁵²

Vietnamese, Romanian, Kurdish Sorani, Sudanese Arabic and Middle Eastern Arabic.

April 2017⁵³:

Gorani, Kurdish Bahdini, Kurdish Gorani, Kurdish Kurmanji, Lugandan, Malayalam, Oromo, Pashto, Sinhalese, Sudanese Arabic, Tamil, Thai and Vietnamese.

7.115 Inspectors questioned the apparent lack of concerted effort to recruit more interpreters. The Home Office responded that recruitment was “often via word of mouth”. In August 2019, IOU staff said that they contacted current interpreters to see if they knew anybody who might be interested in interpreting, and suggestions for recruitment ideas had been identified such as putting posters up in community groups but these had not yet been implemented as “these have to go through policy for approval”.

7.116 The standard procedure is to check a potential interpreter’s qualifications and residency requirements. If the language is “not required”, their details are retained under ‘CIU Liverpool – Recruitment – Expressions of Interest’. If it is required, a recruitment pack is issued with requests for references and security clearance forms to complete. The candidate has 63 days to complete the latter and return them to the Security Vetting Unit (SVU). However, CIU is

50 <http://www.nrpsi.org.uk/news-posts/NRPSI-Newsletter-71-October-2018.html>

51 <http://www.nrpsi.org.uk/news-posts/NRPSI-Newsletter-69-August-2018.html>

52 <http://www.nrpsi.org.uk/news-posts/NRPSI-Newsletter-68-July-2018.html>

53 <http://www.nrpsi.org.uk/news-posts/NRPSI-Newsletter-53-April-2017.html>

prepared to grant extensions, especially in the case of “in demand languages”. Interpreters are added to the database only when security clearance is confirmed by SVU. Staff told inspectors “the recruitment process can take forever” and be “long-winded”. It was not flexible and not able to respond to sudden changes in demand.

- 7.117** One senior manager commented “... we try to be proactive because if we get a language spike, we scramble to find interpreters, the chances are, they are in demand with other services too”, adding that this happened with “one or two languages a year” and observing that: “We aren’t recruiters. We need to upskill on that.” The manager also told inspectors: “It’s hard for us to analyse our work for capacity, we might have lots, but they could all be booked up”, while “it can take six months to get people through the recruitment process. We could plug a gap and then the demand drops off and another language is in demand.”
- 7.118** Another senior manager noted that IOU was “getting the right people in the right place at the right time” despite a significant year-on-year increase in the number of requests: “They absolutely know what they’re doing. However, with increasing demand, there will come a point where this is not sustainable.” Nonetheless, the manager believed there were significant efficiency savings and improvements to be made “over the next two or three years”.

IOU initiatives to increase efficiency of use

- 7.119** Inspectors were told that the Asylum Operations workflow managers, including IOU, met fortnightly. The meetings discussed interpreter shortages and methods of managing demand, but a senior manager told inspectors that the conversations felt “sterile” and there needed to be more focus on effecting change.
- 7.120** Inspectors were also told of initiatives by IOU to try to manage the high demand for certain languages, particularly Albanian and Vietnamese. These included “next date available” bookings, where a business does not schedule the interview until an interpreter has been booked, “back to back” bookings on a particular day, and “block” bookings over a number of consecutive days, which could help incentivise interpreters to attend more remote locations.
- 7.121** It was unclear to what extent IOU sought to maximise the attendance of an interpreter at a location, such as the Croydon estate which accounts for almost a third of all interpreter bookings, by aligning bookings from different business areas so that they can be fulfilled in one visit. This was particularly relevant where the assignments were quite short, such as “service in person” and language analysis, which required an interpreter for approximately 30 minutes. Workflow teams sometimes noted this on the request they submitted to IOU.
- 7.122** According to asylum caseworkers, asylum interviews might typically last around three hours, but it was not possible to predict how long one would take. Staff working in IRCs and prisons told inspectors that approaches such as back to back bookings might not work as these sites had restricted times for conducting interviews. And, for smaller casework offices there might not be the volume of interviews in a particular language to make back to back bookings viable.
- 7.123** Meanwhile, staff in an IRC told inspectors that they were aware of an interpreter who was willing to attend IRCs who could interpret another language in addition to the one for which they were registered but staff had been told by the IOU that they were not recruiting the other language at present. The IRC staff thought this was inefficient as “it would be helpful and save us travel and other costs if we could use him for more than one language on the same day”.

7.124 At Heathrow and in Croydon, inspectors were told about a scheme to enable Home Office staff who spoke other languages to obtain approval to provide interpreting services, for which they would be paid. Details about this were sparse. In September 2019, it appeared that the scheme had ceased and there was no longer a register of approved staff, although the 2016 ‘Enforcement interviews’ guidance, which has not been updated, states that: “In administrative cases, but not criminal cases, a linguistically qualified immigration officer conducting an interview can act as interpreter. Any linguistically qualified Home Office employee may also act as an interpreter.”

Language analysis

7.125 According to ‘Language analysis’ guidance,⁵⁴ language analysis may be conducted “on one of two bases:

- on case-by-case consideration, particular doubts are held about an individual’s claimed origin
- targeted basis, because an inadequately documented individual claims to be a nationality or have a national origin that may be tested under an exemption to the Equality Act 2010”

7.126 The guidance explains that Sprakab was the Home Office’s main supplier until August 2014, since when Verified AB has been the main supplier, with Sprakab “providing services in a secondary capacity”, the use of which is “determined and authorised by the LA [Language Analysis] team.”⁵⁵ Some Asylum Operations staff favoured one supplier, but others spoke highly of both.

7.127 Asylum decision makers told inspectors that they found language analysis “really easy to arrange”. It was commonly used for undocumented Syrian applicants.⁵⁶ Decision makers described language analysis reports as “in-depth”, “amazingly detailed”, and said that they “helped me write my decision”. However, language analysis had its limitations. It could not always differentiate nationals from neighbouring countries, and, for example, Gulf Arabic made the identification of Kuwaitis difficult.

7.128 In September 2019, the Home Office told inspectors that the number of requests for language analysis had fallen and the Language Analysis Team was trying to identify the reasons for this. The data indicated that in 2017-18 there had been 491 requests and in 2018-19 there were 405. Earlier data was not available but, anecdotally, it had been nearer to 2,000 a year.

Service of asylum decisions

7.129 Most asylum decisions are served by post to the applicant’s last notified address and to their legal representative.⁵⁷ ‘Drafting, implementing and serving asylum decisions’ guidance, published in May 2015, makes no reference to the use of interpreters when decisions are served in person. Where an applicant is assessed as vulnerable, the Safeguarding Hub⁵⁸ will decide whether the decision should be served in person at the casework unit.

⁵⁴ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/685203/Language-analysis-AI-v21.0EXT.pdf

⁵⁵ The Language Analysis Team is a virtual team, with two members of staff sitting in Asylum Operations Business Support Unit. When required, policy support for the LA Team and asylum caseworkers is provided by a policy lead sitting in BICS Policy and Strategy Group, who has responsibility for language analysis and other related asylum policies.

⁵⁶ At the time of the inspection, the Home Office held an Equality Act 2010 exemption, effective from 20 February 2013, that permitted the targeted testing of asylum claimants claiming to be from Syria, Palestine and Kuwait.

⁵⁷ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/428551/Implementing_Substantive_Asylum_Decisions_v11_0.pdf

⁵⁸ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/721237/Adults_at_risk_in_immigration_detention_-_statutory_guidance__2_.pdf

- 7.130** Asylum caseworkers told inspectors that workflow teams were responsible for organising and, in some cases, serving the decision to applicants with safeguarding “level three and some level two needs”. Staff expressed concern that workflow teams were not “customer-facing” and had not received training in interviewing or using interpreters, for example checking that the applicant understood the interpreter.
- 7.131** Where an interpreter was required, non-detained casework teams used Home Office interpreters, with thebigword as a contingency. The casework teams told inspectors that ‘Service in Person’ (SiP) was a relatively quick process, taking around 20 minutes, but because Home Office interpreter bookings were for a minimum of three hours: “We try and specify on the booking that they will be used for 20 minutes. It would be better if we could utilise them better.”
- 7.132** The Detention Engagement Teams (DETs) used thebigword when an interpreter was required to assist with serving asylum decisions in an IRC. The Prison Operations and Prosecution (POP) teams told inspectors that they sometimes used professional interpreter services to explain asylum decisions when serving them in a prison, and sometimes other inmates: “We put a positive note for that person to the Prison Service and they get a £5 bonus if they’ve done it a lot for us.”
- 7.133** However, this practice was criticised by a stakeholder, who responded to the ICIBI ‘Call for evidence’ and recommended that “the use of fellow detainees to interpret in detention centres” is outlawed and that “punitive measures are implemented in order to deter detention centres from doing so”. Meanwhile, Home Office senior management told inspectors that other prisoners/detainees should not be used to interpret when serving legal paperwork.
- 7.134** Inspectors asked the Home Office for data for asylum decisions served in person with an interpreter present. This was not available. The Home Office stated: “It is common practice to book an interpreter to translate, however this information isn’t recorded in a reportable format.”
- 7.135** A manager in another Asylum Operations unit acknowledged that serving decision letters in English was “not ideal” but said that translating them into foreign languages would be “very difficult to implement”. They also said that “a lot” of applicants were represented by organisations such as Migrant Help and Refugee Council who could help explain decision letters to them.
- 7.136** Of the eight applicants surveyed who said they had received a decision on their asylum application, only one said that it was explained to them by the Home Office in their preferred language.

8. Inspection findings: ‘Expectation’ Three

Anyone exercising an immigration, asylum, nationality or customs function on behalf of the Home Secretary is fully competent

- Individuals understand their role, responsibilities, accountabilities and powers
- Everyone receives the training they need for their current role and for their professional development, plus regular feedback on their performance
- Individuals and teams have the tools, support and leadership they need to perform efficiently, effectively and lawfully
- Everyone is making full use of their powers and capabilities, including to prevent, detect, investigate and, where appropriate, prosecute offences
- The workplace culture ensures that individuals feel able to raise concerns and issues without fear of the consequences

Direction and Training

- 8.1** In addition to whatever published guidance is made available to staff, it is clearly essential that all staff receive direction regarding their role and responsibilities and the training they need to perform them competently.

Staff training - booking an interpreter

- 8.2** Staff joining the Interpreter Operations Unit (IOU) Bookings Team are presented with an ‘Interpreter Bookings Team: New Starter Pack’ (2019) and the ‘Interpreters Bookings and Cancellations Process’ (2019).
- 8.3** The ‘New Starter Pack’ explains how to book interpreters, deal with requests and cancel interpreters. It does not refer to the consideration of dialect or gender requests during the bookings process, only to finding “the appropriate language”. The Process document provides a step-by-step guide, with screenshots, for how to book and cancel interpreters. Again, there is no instruction to consider dialect and gender when making a booking. The only reference to dialect is to note that the Central Interpreters Unit (CIU) database shows “the Language, Dialect, telephone number, where they live and the interpreter Adelphi code”.⁵⁹
- 8.4** Staff in the Bookings Team told inspectors that they had not received any training about dialects; but relied on experience and described it as “something that you pick up during your time working here”. They believed responsibility for determining whether a particular dialect was required lay with the business area making the request, though they conceded that the level of detail provided in requests, including about dialect, varied between casework hubs.

⁵⁹ Adelphi is the Home Office’s HR IT system.

- 8.5** Asylum Intake Unit (AIU) staff accepted that it was their responsibility to determine the appropriate dialect. They too relied on experience, as there was no training or guidance. Managers in Asylum Operations confirmed that knowledge of languages and dialects was developed through experience, but information about particular dialects would be “really helpful”.

Training for interpreters

- 8.6** Inspectors requested information about training and best practice guides provided to Home Office interpreters. The Home Office stated that “there is no training as such however guidance is provided in the Code of Conduct”.
- 8.7** The Home Office told inspectors that “no induction, guidance or training is provided by the Home Office to thebigword interpreters” used in the asylum process. Staff in the casework units reported that it took longer to get across screening questions if the interpreter had limited experience of asylum interviews, especially with thebigword interpreters who were not UK-based.

The interpreters’ ‘Code of Conduct’

- 8.8** New Home Office interpreters receive a ‘Welcome Pack’ that includes the ‘Code of Conduct for the Home Office Registered Interpreters’, along with information on administrative functions and guidance on ‘Best Practice for Interpreting in Minors’ Interviews’.
- 8.9** The ‘Code of Conduct’ sets out the role and responsibilities of an interpreter as well as the standards of conduct expected of them. However, inspectors found that compliance and enforcement were inconsistent. For example, the ‘Code’ emphasises confidentiality and states that “a freelance interpreter engaged by the Home Office should treat everything heard or seen, while on an assignment as confidential”. However, Home Office interviewers told inspectors that when interpreting over the telephone, interpreters were “quite often” in a public space, outdoors or on public transport. Inspectors were also told that interpreters sometimes discussed cases among themselves in the interpreters’ waiting room.
- 8.10** The ‘Code’ requires an interpreter to “retain every single element of information that was contained in the original message and interpret in as close verbatim form as English style, syntax and grammar will allow” and to ensure that what the applicant states is “precisely and accurately interpreted”. Asylum decision makers told inspectors about interpreters not providing verbatim answers and summarising what the applicant had said.
- 8.11** Interpreters are required to remain impartial and not “offer opinion, comment or declare any personal observations on truthfulness”. However, stakeholders raised concerns about a lack of neutrality and unprofessional behaviour, citing instances of interpreters passing extraneous comment to claimants which “insult, demean or frighten them” and “rebuking or judging” them. AIU staff reported examples of a lack of neutrality, of “bad” body language, and a “tut” in response to answers.
- 8.12** In the sample of 100 case files examined by inspectors there were 31 with Interpreter Monitoring Forms (IMFs). Of these, 13 contained references to the interpreter’s inappropriate tone and attitude, and 19 (including nine of the 13) referred to the interpreter’s inability to translate all statements fully and accurately.

- 8.13** According to the 'Code', "interpreters must turn off all mobile phones, beepers, watches etc which may otherwise cause a distraction in the interview while in the interview rooms". Asylum decision makers described interpreters answering phone calls during interviews as "an issue", but said they were uncomfortable about complaining, not wanting to appear "condescending" or to "get off on the wrong foot", and also because some of the calls were from the CIU looking to book the interpreter for another assignment.
- 8.14** The Home Office did not provide interpreters from the big word with the 'Code of Conduct' or an equivalent document. Some Home Office managers thought some sort of "formal" document would be beneficial. For example, Border Force officers highlighted frequent instances of unprofessional behaviour, with interpreters engaged in other activities, such as housework or child-minding, while interpreting or "hanging up" or stopping responding if the interview was taking some time.

The interviewer's role and responsibilities

- 8.15** 'Asylum Interviews' guidance is clear that interviewing officers "are responsible for the overall conduct of the interview". Home Office staff "must ensure that the interpreter behaves in line with ... the professional standards set out in the Interpreters Code of Conduct". However, several of the staff to whom inspectors spoke said they were unaware of the interpreters 'Code of Conduct' or its contents: "never heard of it", "never seen it", which called into question how they monitored and enforced compliance with the required standards.

Staff training – working with an interpreter

- 8.16** An expert stakeholder raised concerns with inspectors that there had been "no national training for Home Office staff in the appropriate use of interpreters" nor in "taking statements when the interviewee does not speak English", and understood from Home Office staff that they had been "given no guidance beyond the phone number or access details for the central database".
- 8.17** The Home Office confirmed that "there is no 'training' as such" given to decision makers (DMs) and it's something they learn 'on the job' and with mentors once they leave training". However, inspectors were told that during the Foundation Training Programme, which those involved in asylum interviews and decision making were required to complete, staff were alerted to the sections of the policy guidance relevant to working with interpreters.
- 8.18** The Foundation Training Programme featured an 'Interview Module'. This made no reference to working and interviewing with an interpreter. However, the 'Asylum FTP Course Trainer's Notes' for the module included an activity on "working with interpreters", designed to encourage discussion of the topic, in particular the role of interpreters and the interpreters' 'Code of Conduct'.
- 8.19** Asylum decision makers told inspectors that the interview training was "not interpreter focused". It was more about the process of obtaining an interpreter rather than how to work with one. Some could not recall their training including anything about working with interpreters. There was general agreement that such training would be beneficial and that inviting an interpreter to participate in it would encourage discussion about issues and expectations and enable decision makers and interpreters to work together better.

- 8.20** Staff responsible for carrying out asylum screening interviews told inspectors that they received no training specific to using an interpreter or how to look out for indications of mistranslations between the interpreter and applicant.

Interpreter briefings on asylum cases

- 8.21** Asylum Operations managers believed that interpreters would benefit from a general understanding of the asylum system to “take away any grey areas”. The police did this, holding joint training events for police officers and police interpreters looking at how they can work together to obtain the best evidence.⁶⁰
- 8.22** Home Office staff commented that thebigword interpreters, who were often based in another country, did not have an understanding of the Home Office’s asylum process, which resulted in a “disjointed” service as staff explained the basics to them.
- 8.23** A professional institute representing translators and interpreters argued that, beyond any general briefing about the asylum process, interpreters should be briefed about the nature of each asylum case (including the basis of the claim and sight of relevant documents) before the start of an interview in order to ensure the interpreter feels prepared and to achieve the best results.
- 8.24** The ICIBI survey of Home Office interpreters asked: “Are you provided with sufficient information at the start of an asylum interview to be able to interpret accurately and sufficiently?” The majority of respondents (64 of 105) replied “Yes”, but 32 said “No”,⁶¹ adding comments such as “no information at all is provided in advance” or “not as much as required”. One suggested that Home Office staff “should brief interpreters about the content of the interview and provide some context and background information about the nature of the asylum claim” and should “provide training on acting as an interpreter in immigration and related settings” with “legal terminology updates”.

Interviewing minors

- 8.25** Stakeholders raised concerns about the conduct of interpreters in asylum interviews with minors. ‘Best Practice for Interpreting in Minors’ Interviews’ is provided to Home Office interpreters in their ‘Welcome Pack’. The guidance is clear about the “vital role” played by the interpreter “in facilitating a child’s right of expression as per Article 12 of the Convention on the Rights of the Child” and the need for impartial interpretation and sensitivity, including with regard to the use of “child-friendly and age-appropriate language”, and avoiding body language that might be intimidating and prevent full disclosure.
- 8.26** However, one stakeholder said that child applicants had reported incidents where an interpreter had “steered” them to respond in a certain way and had inserted their own views into the questions and answers, taking on the role of adult authority figure. The stakeholder believed that the Home Office should maintain a pool of interpreters who specialise in children’s asylum cases, supported by mandatory child-specific training to complement the child-friendly interviewing techniques offered to Home Office asylum staff.

60 <http://eulita.eu/wp/wpcontent/uploads/files/The%20first%20UK%20National%20Joint%20Training%20for%20Police%20Officers%20and%20Police%20Interpreters%20v2.pdf>

<http://www.nrpsi.org.uk/news-posts/CPD-Joint-Training-for-police-officers-and-interpreters-Suffolk-12-September-2019.html>

61 Nine left the answer to this question blank.

- 8.27** Another stakeholder said that some interpreters were patient, spoke slowly and repeated questions when interpreting for children, while others were the opposite and caused distress. The stakeholder called for consistency.
- 8.28** Inspectors examined 100 case files, of which eight featured child asylum applicants. From the IMFs, the interpreter in two of the eight cases behaved in a manner that caused the interviewer concern. In one case, the IMF recorded that the interpreter expressed their frustration at having to ask the child on a number of occasions to expand on their answer. In the second, the interpreter started a conversation with the child and did not stop when asked by the interviewer.

Interpreter qualifications

- 8.29** The eligibility criteria for anyone seeking to become a Home Office interpreter include full membership of the National Register of Public Service Interpreters (NRPSI).
- 8.30** According to its website,⁶² NRPSI is “the UK’s independent voluntary regulator of professional interpreters specialising in public service”. NRPSI maintains an online register of “around 1,800 [interpreters] in 100 languages”, which is free to access. NRPSI states that: “Every interpreter on our Register has met the standards that we set for education, training and practice in public service. All Registrants are subject to the NRPSI Code of Professional Conduct and we investigate allegations of professional misconduct.”
- 8.31** However, anyone who is not a full member of NRPSI may be eligible to become a Home Office interpreter if they hold either a Diploma in Public Service Interpreting (DPSI) (Law), or a letter of credit in all oral components (Law), or TQUK Level 6 in Public Service Interpreting (RQF), or CIOL Qualification Diploma in Police Interpreting (DPI) Level 6, or to have been assessed by the Asylum and Immigration Tribunal (AIT) or by the Metropolitan Police.
- 8.32** Responding to the ICIBI ‘Call for evidence’, a professional body for interpreters argued that these alternative criteria were not sufficient and that a professional interpreter should not only be trained and qualified to interpret but should also be registered with a regulator.

Assessment of qualifications and ongoing fitness to practice

- 8.33** The CIU’s Standard Operating Procedure (SOP) for the recruitment of Home Office Freelance Interpreters, last updated on 20 January 2016, requires an applicant to send by post their original qualification certificates. The SOP does not specify how staff should validate the certificates. A manager told inspectors that this was done by “Googling” the issuing institution.
- 8.34** Inspectors saw no evidence of any ongoing checks on interpreters’ fitness to practice once they had been placed on the Home Office database. A senior manager acknowledged that “the ongoing fitness to practice is something we should do”.
- 8.35** Of the 3,597 entries⁶³ on the CIU’s database at the time of inspection, 405 were marked as “No Qual – Rare”, referring to “Rare and Difficult” languages. According to CIU’s SOP for interpreter recruitment, ‘Rare and Difficult’ languages do not hold associated qualifications. Instead, applicants must provide evidence of 150 hours plus in interpreting work and this must be presented “on headed paper from a recognised public body e.g. Metropolitan Police,

⁶² <http://www.nrpsi.org.uk/>

⁶³ The database listed 2,182 individuals, many of whom were competent in more than one language.

Law Courts, Big Word". CIU staff told inspectors that they checked whether letters from organisations were genuine by looking up the organisation on Google.

- 8.36** Senior management acknowledged that interpreters on the 'Rare and Difficult' list were not qualified to the same standard as those with recognised qualifications and that this was "a weakness".

Gaps in CIU database records

- 8.37** Of the 3,597 entries on the CIU's database, there were 196 against which no qualification was recorded. These were in addition to the "No Qual – Rare" entries. Meanwhile, 625 entries had blank "Year of assessment" fields. It was not clear whether these were examples of poor record keeping or whether they accurately reflected the fact that the interpreter in question did not hold a qualification or had not been assessed for that language.

Interpreters qualifications: thebigword

- 8.38** Inspectors requested information about the qualifications held by thebigword interpreters used by the Home Office. The Home Office replied:

"thebigword has declined our request to share this information with a third party, citing commercial sensitivity. thebigword stated: "This information cannot be provided given the sensitivity of this and the impact on the business given this will be published."

Interpreters' fluency of the English language

- 8.39** Stakeholders raised concerns about interpreters' fluency in English. This was also raised by some Home Office decision makers, who described it as one of the most common issues they experienced during interviews.
- 8.40** Responses to the ICIBI survey indicated that interpreters did not know how the Home Office checked their knowledge of English. Comments included "[I am] not aware of any checks ever being made", "[I have] no idea", "[the Home Office has] never done it before". Some interpreters believed checks were done "during substantive interview" or "through feedback from the interviewing officer". One observed that there were "not enough checks", and another said they were "unsure [about the process] but judging by poor written and spoken English of several fellow interpreters, checking procedure is unsatisfactory".
- 8.41** Decision makers told inspectors that they had raised issues about individual interpreters in IMFs, and inspectors found examples of IMFs where the interviewer had written "No" in answer to the question "Was the standard of the interpreter's English acceptable?", or referred to the interpreter's English as poor in the comments section.
- 8.42** CIU's recruitment SOP states that an interpreter must speak English fluently to be eligible. However, inspectors found no evidence of any testing. IOU management told inspectors that an individual's interpreting qualifications were used as an indicator of English fluency.

Raising concerns: workplace culture

- 8.43** An IOU senior manager highlighted the importance of asylum claimants feeling "empowered to have an expectation" of an interpreter and knowing how to report it if this expectation was not met. However, an NGO stakeholder believed claimants, especially the more vulnerable

ones, felt deterred from complaining about a government department, would not know their rights, and would not want to “rock the boat”. Asylum caseworkers pointed out the practical difficulties as a claimant would have to raise such issues through the interpreter, and another stakeholder agreed, describing the situation as “socially challenging”.

- 8.44** Of the 105 interpreters who responded to the ICIBI survey, 69 answered “Yes” to the question: “Do you feel that the culture and environment in the Home Office allow you to raise concerns or issues about the asylum interview process?”, while 21 answered “No”, and 15 did not provide an answer.⁶⁴

Religious terms

- 8.45** Stakeholders raised concerns with inspectors about the translation of religious terms. In 2016, the All-Party Parliamentary Group (APPG) for International Freedom of Religion or Belief and the Asylum Advocacy Group (AAG) recommended that:

“All [caseworkers, interpreters used by the Home Office and decision makers] should be trained to have adequate knowledge of different forms of religious persecution and the right to freedom of religion or belief, the specific religious terminology of different religious groups as well as the cultural contexts of applicants, especially if the applicant identifies as a member of a religious group perceived as ‘heretical’ by others adhering to the same religion. This depth of knowledge is needed so that the religious and cultural contextual meaning of the asylum applicants’ words can be understood and clearly conveyed. In particular, it must be ensured that the case worker/interpreter’s own cultural context does not give rise to bias in their work.”

- 8.46** ‘Asylum interviews’ guidance pre-dating the APPG/AAG recommendation, instructed caseworkers:

“You must ensure that the interpreter can translate the concepts and terminology of religious or non-religious groups in the country of origin and of asking questions in a way that encourages the claimant to elaborate on their personal journey.”⁶⁵

- 8.47** Nonetheless, the Home Office accepted the APPG/AAG recommendation, noting:

“With regards to training, the role of the interpreter is of course different to that of a caseworker. An interpreter must impartially interpret the spoken word accurately and clearly, meaning a more detailed knowledge of claims (such as religion) is unnecessary. However, it is of course important that an interpreter, in a professional capacity, is familiar with the concepts and terminology of religious groups in the country of origin. Any interpreter who is found not to be capable of ensuring understanding between claimant and interviewer will not be used.

We recognise, however, that there may be issues interpreting the specific religious terminology of different religious groups. As such, we will work to produce an information document to be issued to all Home Office interpreters to raise awareness of the issues at hand, remind them of their professional obligations and to ensure they keep their skills and knowledge up to date via their own personal professional development. We will be happy to receive input from the APPG in developing this.”⁶⁶

64 69 said “Yes”, 21 “No”, and 15 left this blank

65 ‘Asylum interviews’ version 6.0, published 4 March 2015.

66 [Home Office response to APPG Report on religious claims - August 2017.pdf](#)

- 8.48** Inspectors asked the Home Office for an update in relation to the information document. In August 2019, the IOU replied that “having reviewed actions to date, we recognise that we could have made more progress”. However, it had “liaised with asylum specialists to establish trends around terminology” and told inspectors on 23 October 2019 that it had now produced a leaflet which would be shared with representatives of the APPG to get their views. The Home Office also had plans to “initiate quality assurance measures to ensure interpreters meet the requirements of terminology related issues for religion and other relevant subjects as part of their working remit”.
- 8.49** Current ‘Asylum interviews’ guidance repeats the instruction to caseworkers to “ensure that the interpreter can translate the concepts and terminology of religious or non-religious groups in the country of origin”. However, managers and staff expressed concern about the onus being on them, stating “there is only so much we can do” and “we cannot possibly assure that if we cannot understand the language”. Senior managers observed that decision makers were “reliant on the interpreter as much as the applicant is”.
- 8.50** Asylum decision makers told inspectors that interpreters tended to struggle when religion was discussed, particularly if they had no understanding of a particular faith. Interpreters sometimes referred to their phones for help with religious terms and some attended interviews with “crib sheets”. The latter were of concern because they were not “standardised” and had not been checked for accuracy, however a standardised “crib sheet” of religious terms “would make things a lot more reliable”.
- 8.51** There were occasions where the interpreter had “no clue” how to translate certain terms and concepts. Iranian “Christian convert cases” were problematic, for example, with interpreters unable to translate such terms as “Holy Trinity”. Senior managers and decision makers recognised the risk of mistranslations being taken as evidence of inconsistencies in an applicant’s account and suggested that interpreters should receive “religious knowledge training”. A stakeholder went further, suggesting it would benefit applicants and the Home Office if the latter created a pool of “specialists”.

Other “specialist” language

- 8.52** Inspectors were told that other “specialist” areas caused difficulty for interpreters, such as mental health conditions. One NGO reported: “There are some words that do not have an English equivalent. For example, we know from our experience, that depression is not easily translated in Tigrinya and Amharic.” Similarly, an asylum applicant reported that their interpreter had had difficulty translating political terms.

Vicarious trauma training

- 8.53** Home Office staff received vicarious trauma training and support was available should they need it. Staff were concerned that there was no equivalent for interpreters, although they could attend a large number of asylum interviews with “emotionally draining elements” and hear “harrowing stuff” and “horrific stories on a daily basis”. Decision makers told inspectors they sometimes noticed a lack of sensitivity from interpreters. Some managers wondered whether interpreters should have the same “after care” as Home Office staff, as listening to such cases could have “psychological effects” or create “a blasé attitude” or “case hardening”.
- 8.54** A senior manager in Asylum Operations was clear that interpreters should receive vicarious trauma training to help with resilience and to tackle cynicism, and to signpost them to available

support. An interpreter echoed this, stating that it was not acceptable to expose interpreters to details of “extreme human suffering, murder, rape, torture and other forms of abuse” without consideration of their mental wellbeing.

9. Inspection findings: ‘Expectation’ Four

Decisions and actions are ‘right first time’

- They are demonstrably evidence-based or, where appropriate, intelligence-led
- They are made in accordance with relevant legislation and guidance
- They are reasonable (in light of the available evidence) and consistent
- They are recorded and communicated accurately, in the required format and detail, and can be readily retrieved (with due regard to data protection requirements)

Introduction

9.1 In looking at whether the Home Office was getting asylum decisions and actions involving language interpretation ‘right first time’, inspectors focused on three parts of the process: interpreter-assisted asylum interviews (screening and substantive); translations of supporting documentary evidence; and, language analysis tests.

Asylum interviews

9.2 Inspectors examined 100 asylum case files for asylum claims received between 1 April and 30 September 2018.

9.3 For the screening interview, 17 of these 100 applicants were interviewed without an interpreter. Of these:

- six had specified English as their main language
- three applicants had specified Arabic as their main language, two Bengali, two Urdu, one Oromo, and one Patois West Indian – all were interviewed in English, which they had all specified as an alternative language, except for the Oromo speaker⁶⁷
- one was interviewed in Farsi and another in Punjabi Indian, however neither of the screening records contained the interpreter’s details, with the latter record stating “N/A”, making it unclear as to whether an interpreter had been provided or the screening officer had used another method to screen the applicant in the stated language

9.4 Home Office staff told inspectors that alternative methods of interpreting were occasionally used for the screening interview where an interpreter was not available, for example, ‘Google Translate’ or another member of staff who speaks the language.

9.5 Of the 100 applicants, 98 had received a substantive interview. Of the 98, seven were interviewed without an interpreter:

⁶⁷ In the screening registration questionnaire, the applicant had stated that she spoke “a little English”.

- four had specified English as their main language
- three (main languages Arabic, Bengali and Patois West Indian) had specified English as an alternative spoken language

Cancelled and suspended interviews

- 9.6** Asylum casework units who used Home Office interpreters told inspectors that there were instances where substantive interviews were terminated due to issues between the interpreter and the applicant, but these were “uncommon”. Cancellations were more common.
- 9.7** Interpreter Operations Unit (IOU) kept a record of cancelled bookings, broken down by: those where the interpreter cancelled; those where the business area cancelled (recorded on a regional basis); those where IOU cancelled the booking because no interpreter was available; and those where the booking had been rescheduled.
- 9.8** In 2018-19, IOU recorded 35,563 booking requests of which 5,387 (15%) were cancelled. Over half of the cancellations (3,003/55.8%) came from the business area that had requested the booking. IOU recorded 1,819 of these as “no reason given”, 433 as “other”, and 150 as “wrong language requested by region”. Just over a quarter of the cancellations (1,446/26.8%) were made by the interpreter. IOU recorded 938 (17.4%) cancellations against itself, including 565 “No Interpreter Available”, 161 “rescheduled”, plus smaller numbers of “booking error” and “double booking”.
- 9.9** Figure 17 shows cancellations for the top ten primary languages. For most of these languages, roughly two-thirds of the cancellations came from the business that requested the booking. The exceptions were Albanian, Vietnamese and Farsi, which had higher rates of cancellation by the interpreter.

Figure 17

Cancellations of IOU bookings in 2018-19 for the top 10 primary foreign languages

Language	Cancelled by			Total
	Interpreter	Region	IOU	
Arabic	130 (23.4%)	369 (66.5%)	56 (10.1%)	555
Albanian	152 (30.5%)	238 (47.7%)	109 (21.8%)	499
Urdu	133 (28.0%)	324 (68.2%)	18 (3.8%)	475
Vietnamese	141 (37.9%)	124 (33.3%)	107 (28.8%)	372
Kurdish Sorani	69 (21.2%)	204 (62.8%)	52 (16.0%)	325
Farsi	108 (36.9%)	155 (52.9%)	30 (10.2%)	293
Bengali	51 (23.6%)	152 (70.4%)	13 (6.0%)	216
Mandarin	39 (25.8%)	94 (62.3%)	18 (11.9%)	151
Tigrinya	32 (28.8%)	71 (64.0%)	8 (7.2%)	111
Punjabi Indian	23 (21.5%)	72 (67.3%)	12 (11.2%)	107
Total	878 (28.3%)	1,803 (58.1%)	423 (13.6%)	3,104

9.10 According to the IOU data, in 2018-19, 559 (1.57%) of the 35,563 interpreter bookings were cancelled on the day of the assignment – see Figure 18.

Figure 18
“Same-day” cancellations of interpreter bookings in 2018-19

2018-19	Interpreter	Region	IOU	Unclear	Total
Q1	53	73	28		154
Q2	46	62	20	2	130
Q3	56	59	22		137
Q4	67	46	23	2	138
Total	222	240	93	4	559

- 9.11** Where an interpreter attended for an interview which was cancelled on the day, or begun and then suspended, the interpreter received payment for three hours minimum. The Home Office was unable to provide any data for interviews suspended due to language issues.
- 9.12** IOU did capture re-bookings, but not what happened about the original interview. In 2017-18, IOU made 1,222 re-bookings, and in 2018-19 it made 903. Business areas told inspectors that where last-minute issues occurred with an interpreter booking, for example they called in sick, the process of replacing them through IOU was too slow and often led to the interview having to be rescheduled, typically for one to three weeks ahead, although it was sometimes possible to reschedule within a matter of days.
- 9.13** Three of the 35 stakeholder submissions received in response to ICIBI’s ‘Call for evidence’ raised the issue of short-notice cancellations because of interpreter issues, with applicants sometimes not being made aware until they arrived for their interview. Stakeholders said that the impact on applicants, particularly young people, could “often [be] traumatic and unsettling”. It was also a waste of time and money for all parties.
- 9.14** Stakeholders gave examples of interviews taking several months to rearrange after the wrong interpreter had been booked initially. In one case, a Kurdish Kurmanji-speaking applicant from Syria was due to attend a substantive asylum interview in November 2018. The first appointment was cancelled at short notice due to “interpreter issues”. It was then cancelled and re-scheduled on two further occasions. Following a complaint, the interview finally went ahead in March 2019 with a Kurmanji interpreter from Turkey. However, due to regional differences, a number of misunderstandings had to be cleared up in correspondence after the applicant had been provided with the interview transcript.
- 9.15** In 2018, an NGO published a report containing an example of an applicant⁶⁸ who “had not even been allocated an interpreter who spoke his language”, whose first interview was cancelled for this reason but:

“when he went back again two months later they still had not found the correct interpreter and told him that it would be difficult to do so. He was given the choice between postponing his interview yet again, with a possibility that the same thing would happen a third time or carrying on in a language he didn’t speak well. He chose the second option, but said that, as a result, there were some misunderstandings during the interview.”

68 [Waiting-in-the-Dark-A4-16-May-2018.pdf](#)

9.16 One Asylum casework unit told inspectors of an applicant who had been interviewed unsuccessfully three times because the interpreters provided did not speak the applicant’s first language, Rohingya. The casework unit understood that IOU did not have a Rohingya interpreter on its database.

Getting the dialect wrong

9.17 A focus group with asylum applicants led by the British Red Cross as part of the Home Office’s ‘Making Better Decisions’ project raised the importance of providing an interpreter who spoke the right dialect. Inspectors were told that this had been fed back to the IOU and would inform transformation work across the Immigration and Protection Directorate and Asylum Operations.

9.18 Figure 19 shows the sample of 100 case records examined by inspectors broken down by those conducted in the applicant’s main language and those conducted in the applicant’s specified dialect. In addition to the cases where the record showed that the applicant was interviewed without an interpreter (17 screening interviews and seven substantive interviews), there were eight screening interviews and seven substantive interviews where the record did not state whether an interpreter was used.

9.19 Where an interpreter was used, the information recorded on the Case Information Database (CID) and associated interview transcripts was more often than not insufficient to see whether the specified dialect was used. The poor standard of record keeping raised questions about how the Home Office was monitoring any of this.

Figure 19

Case file sample broken down by language and dialect

	Screening interview			Substantive interview		
	Yes	No	N/K	Yes	No	N/K
Conducted in applicant’s main language	70	5	0	77	2	7
Conducted in the applicant’s requested dialect	15	2	58	21	1	64
Total	75			86		

9.20 Home Office caseworkers told inspectors that it was an “infrequent occurrence” that an interpreter with the wrong language or dialect was booked. Nine of the 105 interpreters who responded to the ICIBI survey reported that this had happened to them and said that it was more common for certain languages and dialects. For example, according to one interpreter, interpreters who spoke Kurdish Sorani were booked for applicants who required Kurdish Kurmanji “most of the time”, despite this being “a totally different language”.

9.21 Almost half (16 out of 35) of the stakeholder submissions received for this inspection raised the issue of interpreters for asylum interviews having a different dialect to that of the applicant, in some instances “markedly different”, making it difficult for them to understand one another. Stakeholders were concerned that the Home Office sometimes adopted a “one language fits all” approach, ignoring regional disparities, with interpreters “glossing over gaps in their understanding”, and resulting in inaccuracies that impact negatively on the asylum decision.

One stakeholder cited a case where despite having waited for 18 months for their interview an applicant was provided with an interpreter who did not speak the right language and dialect. The interview was rearranged, but the same thing happened again, resulting in another cancellation.

- 9.22** Dialect was seen as a problem for Pashto and Kurdish, but particularly for Arabic, because of what one stakeholder described as “marked differences in phraseology in different countries”. Stakeholders reported frequent instances of the Home Office providing an interpreter for a substantive asylum interview who came from a different country and spoke “a completely different [Arabic] dialect”, quoting examples of applicants who had requested Sudanese Arabic interpreters but were presented with an Arabic speaker from Egypt, Libya or Iraq. This created misunderstandings and led to interviews having to be rerun.
- 9.23** Staff who conducted screening interviews confirmed that they had most difficulty with Arabic dialects, with applicants unable to understand or make themselves understood. During focus groups and interviews, it was clear that Asylum Operations staff also had concerns about interpreters with the wrong dialects being fielded for certain languages, pointing to the differences between Moroccan and Egyptian Arabic dialects and of Southern and Northern Vietnamese as examples, resulting in “some words that get completely lost”. An Asylum Operations manager reported that dialects, especially Arabic, featured regularly in weekly senior leadership calls and seemed to be a problem nationally.
- 9.24** Of the 12 asylum applicants⁶⁹ surveyed by inspectors only two had been provided with an interpreter who spoke the requested language and dialect. Seven stated that the interpreter did not speak the correct language or dialect, with one commenting that “the interpreter spoke completely different dialect and vocabulary it wasn’t easy for both of us to understand each other I imagine how he would interpret something which he himself didn’t understand”. Three respondents did not answer the question or wrote “N/A”.

Getting the dialect right

- 9.25** Home Office staff dealing with asylum applicants at the intake and screening interview stages are expected to identify and respond to an applicant’s language and dialect requirements. Staff in the Asylum Intake Unit (AIU) told inspectors that where applicants were referred by Immigration Enforcement, there was limited information about dialect and they had to make “educated guesses”. Operational managers said that frontline officers who encountered a person who wished to apply for asylum “wouldn’t know the [different] types of dialects” and did not need this knowledge as it was for the applicant to provide this information. Some felt that at the screening interview stage dialect was not important and if there were any specific requests these could be met by using thebigword.
- 9.26** According to Home Office data, between 1 April 2018 and 31 March 2019, 19,608 substantive asylum interviews were conducted. For 590 of these the ‘Primary language’ field on the CID was not completed. While information about language and dialect may be captured elsewhere on CID, managers raised concerns about its retrievability, commenting that any information recorded in the ‘Case Notes’ “gets lost”.
- 9.27** Examination of the sample of 100 case files confirmed that languages and dialects were not recorded consistently on CID. Of 23 applicants recorded as speaking Arabic as their main language, two-thirds (16) had no dialect specified.

69 The 12 comprised: four Pakistani, three Bangladeshi, three Iranian and two Afghani.

- 9.28** Asylum workflow staff, including those dealing with applicants who were in detention, said that not specifying the dialect on CID, or the Preliminary Information Questionnaire (PIQ) and screening form, meant that any disparities came to light at the substantive interview. One Asylum Operations unit told inspectors that it had to cancel a substantive interview “once a fortnight” because of dialect difficulties between the interpreter and applicant. Another gave the example of Bangladeshi nationals from Sylhet often wanting a Sylheti-speaking interpreter rather than one who spoke Bengali, but without having this information on record it was most likely that a Bengali-speaking interpreter would be provided.
- 9.29** Managers and decision makers in Asylum Operations said that complying with the instruction not to request or book interpreters according to the nationality or country of origin of the applicant sometimes resulted in an interpreter being provided who spoke a different dialect to the applicant.
- 9.30** IOU relied on the person requesting an interpreter to include information about dialect, however such information was “very rarely” included in booking requests from operational units dealing with asylum applicants. An IOU senior manager thought this could be due to “lack of knowledge” or simply “human error”. But, IOU’s Bookings Team commented “we don’t encourage dialect, we just encourage the main language”, and “the assumption is that if someone can speak modern Arabic, then [a] Sudanese Arabic [interpreter] is fine”.
- 9.31** Inspectors found that of the 290 Arabic speakers listed on the Central Interpreters Unit (CIU) database, 222 did not have a specified dialect, while 28 were specified as “North African”, 25 as “Sudanese”, and 15 as “Middle Eastern”.

Issues with telephone interpreting

- 9.32** Where the interpreter is on the telephone rather than in the room there are additional challenges.
- 9.33** Stephen Shaw’s 2018 report⁷⁰ ‘Assessment of government progress implementing the report on the welfare in detention of vulnerable persons’ commented on problems with telephone interpretation: “The presence of domestic noise in the background”; “background noise including children and a dog”; and, “examples of poor conduct including when (sic) an interpreter hanging up half-way through a mental health session, and background noises suggesting the interpreter might not be in private”. This led to a recommendation that: “The Home Office and Ministry of Justice should conduct a review of the quality of interpreter services in IRCs [Immigration Removal Centres]”, noting that “use [of telephone interpretations services] is now widespread, but that quality remains an issue”.
- 9.34** In August 2019, inspectors asked the Home Office about its response to this recommendation and were told it had undertaken “a month-long internal review of spoken interpretation services at IRCs” and “the data gathering phase” was complete. During summer 2019, it planned to pilot “measures to promote interpreter professionalism” with implementation beginning in autumn 2019, subject to approval from the Shaw Programme Board.
- 9.35** In October 2019, the Home Office told inspectors that Detention and Escorting Services (DES) had been conducting a six-month review of interpreting services in IRCs which was due to end in November 2019.⁷¹ It had captured over 200 survey responses from detainees and staff at

⁷⁰ [Shaw report 2018 Final web accessible.pdf](#)

⁷¹ The review was due for completion in November 2019.

IRCs. As part of this review, the Home Office was running three pilots – two on introducing new equipment and one on prompting better service quality. It did not provide any further details.

- 9.36** Based on what staff told inspectors, the issues identified in Stephen Shaw’s report were still very much in evidence. Some managers and staff were complimentary about the range of languages offered by thebigword and the immediacy of the service, but others described the service as “awful”, “noisy”, “poor quality”, with calls that “will cut off half way through” or after 15 minutes, and when redialled connect to a different interpreter, which “disrupts the flow and disrupts the rapport”. Staff were particularly concerned about calls cutting off when interviewing vulnerable applicants. Inspectors were told of an interview with a trafficking victim where the call cut off three times.
- 9.37** Staff described the quality of the service from thebigword as “a bit of a gamble”, “pot luck,” and “hit and miss”. There were also concerns about the conduct and professionalism of thebigword interpreters, with some “shopping, driving or looking after kids”, with “the clink of crockery” and other domestic noises in the background, and some calls conducted from public spaces. Because some interpreters were overseas, phone signals, connections and time delays were sometimes a problem, as well as unease about where the interpreter was calling from, including possibly from the applicant’s country of origin, potentially compromising the undertaking read out to all applicants at the start of an asylum screening interview that: “We will not inform your own country that you have claimed asylum and the reasons. We will not share any information if doing so would put you or your family at risk.”
- 9.38** Staff on the Detention Engagement Teams (DETs) said that, despite instructing thebigword interpreters to ask the questions as worded, questions were “quite often mistranslated”. Inspectors were also told that there were “numerous times” when the information provided in the substantive interview and what was recorded in the screening interview did not match. After their screening interview, applicants sometimes raised their dissatisfaction with the interpreter through their legal representative.
- 9.39** Interpreters listed on the Home Office database were also concerned about telephone interpreting, describing it as “problematic”. They believed that the lack of non-visual cues, which were important as applicants often pointed to certain body parts or items, led to misinterpretations, and to questions having to be repeated, which contributed to longer interviews. They also felt it was important to discuss sensitive information face to face, a view shared by a stakeholder agreed that “many of the nuances used in face-to-face interpreting are lost in telephone and remote/video interpreting sessions” and who said that many of the applicants with which it worked had reported feeling uncomfortable speaking about their experiences, including torture and abuse, with “an anonymous voice”.

Use of video conferencing

- 9.40** The Asylum Transformation Team ran a ‘Faster Decisions Pilot’ in Sheffield from January to April 2016, which was designed to deliver streamlined asylum interviews for straightforward asylum cases using video conferencing (VC) facilities in Sheffield. The pilot’s evaluation report, dated July 2016, concluded that VC had “succeeded in breaking the geographic link between the asylum claimant’s location and the interviewer/case working team” also enabling the Home Office to “speed up the initial decision-making process”.
- 9.41** IOU management told inspectors that this method of interviewing allowed the Home Office to “use resource flexibly” and some Asylum Operations managers added that VC enabled

interviews to be arranged faster, with a good standard of interpretation. However, inspectors heard from asylum decision makers that a VC interview could take longer, for example, the interpreter may need to spell out places and names rather than writing them down for the interviewer as was common practice. Some managers also questioned whether VC was conducive to building a rapport with the applicant as it was “less personal” and might seem “intimidating”, which was of particular concern for vulnerable applicants.

- 9.42** The Home Office interpreters who expressed concerns about telephone interpreting had similar concerns about VC, which was described as “flawed”, and argued that face-to-face interpreting was “better for visibility and audibility” and for the welfare of the applicant. As with telephone interpreting, they cited poor connections and the need to repeat questions.
- 9.43** In the 100 asylum case files examined by inspectors there was a clear example of VC affecting the quality and flow of an interview.⁷² The applicant, who was already distressed, told the interviewer that she was unable to see the interpreter, after which the VC (‘Skype’) connection failed (the record did not show for how long). The interview continued regardless, and a note was placed on the file stating “interview completed, no issues”. There was no acknowledgement that the technical problems with the VC may have had an impact. Inspectors asked the Home Office at what point and after how many interruptions an interview would be suspended and were told that this would be considered “if the connection is constantly breaking”.

The consequences of mistranslations

- 9.44** The interpreters’ ‘Code of Conduct’ emphasises that “inaccurate interpretation may have serious implications” as the interviewing officer “will be relying entirely on the interpreted version of the account given by the interviewee and may draw conclusions about the interviewee’s credibility”.
- 9.45** Concerns about mistranslations and their impact on asylum decisions were a common theme in the submissions received from stakeholders, who contended that mistakes by interpreters resulted in “inconsistencies” that the Home Office used as grounds for refusal, and reported several cases where “a subtle poor translation had affected a case outcome negatively” which was revealed after listening to the interview recording at a tribunal. Stakeholders said that applicants with some understanding of English had reported instances where interpreters were “getting words wrong” and “sometimes completely changing the meaning of whole sentences”.
- 9.46** Where the interviewer had no understanding of the applicant’s language they were unable to spot mistranslations and were “really unable to police things like this”. However, interviewers who had used an interpreter when they were familiar with the applicant’s language told inspectors of instances where they had noticed that the interpreter had mistranslated something.
- 9.47** Inspectors discovered instances of mistranslations in asylum interviews among the 100 case files examined for this inspection. In one case, mistranslations were specified in the appeals determination as the reason for the refusal decision being overturned.

⁷² The individual was later refused asylum – he appealed this decision which was ‘allowed’ but the basis for this is unclear and cannot safely be attributed to this VC failure.

Case Study 1

Mistranslations during an asylum interview leading to an 'allowed' appeal against a decision to refuse asylum

The interview

For his substantive interview, the applicant, an adult male, was interviewed using a Kurdish Sorani interpreter, as he had requested.

The asylum claim was refused. The refusal decision referred to inconsistencies in the applicant's account, including a statement that he had been returning from work on a certain day and a later statement that he had not been to work at all. It also referred to discrepancies between the information provided in the PIQ and the substantive interview.

The appeal

In his appeal, the applicant stated that the inconsistency regarding when he was working "was a misunderstanding between him and the interpreter".

In their determination, the judge wrote: "I have considered very carefully the areas of inconsistency of account provided by the Appellant. While it can be all too easy, on occasion, to blame inaccuracies in translation, it would seem as if there are certain inaccuracies in the translation in the asylum interview which have been clarified."

In relation to the PIQ, the judge found that this "was probably just another misunderstanding", noting that the appellant "suggests the interpreter got it wrong".

The appeal was 'allowed' and the appellant was granted asylum.

ICIBI comment

Inspectors sought clarification from the Home Office about how this case went to appeal and any feedback provided to Asylum Operations and the IOU.

Home Office comment

The Home Office responded that Asylum Operations had not been notified about the mistranslations by the applicant or by their representative, and the first sight they would have had of an issue would have been on receipt of the appeal determination.

IOU had not been made aware of the case as "feedback from appeal determinations is not provided to IOU", and therefore had taken no action.

- 9.48** Home Office 'Asylum Interviews' guidance states that where an applicant does not understand the interpreter, the interviewing officer must call the IOU to see if another interpreter can be found. In a second case from the file sample, the interpreter provided by the applicant's legal representative highlighted repeated mistranslations by the Home Office interpreter throughout the interview, but the interviewer took no action.

Case Study 2

Repeated mistranslations during an asylum interview with no follow-up action with the interpreter

The interview

An adult male registered a claim for asylum while in immigration detention. A date was set for the substantive interview which was eight weeks after the claim was registered. However, this had to be cancelled and re-arranged for the following week because no Hindi-speaking interpreter was available.

During the substantive interview, the applicant's legal representative raised the issue that the Home Office interpreter was not clearly translating the questions asked and so that the applicant was "unable to fully respond" and advised that the interview should be cancelled. The interview transcript shows several interjections by the legal representative's interpreter to correct translations.

During a break, the applicant's difficulties in understanding the Home Office interpreter were escalated to a Senior Executive Officer (SEO) on duty in Asylum Operations who advised that they were happy for the legal representative's interpreter to "get involved".

The interview recommenced after a few minutes. The applicant was asked if they were happy to continue and responded: "I do not understand the Home Office interpreter." They were told that the legal representative's interpreter would "intervene when the question is not put to you correctly" and replied "OK".

The individual was refused asylum. There was no appeal.

The Interpreter Monitoring Form

The interviewing officer completed an Interpreter Monitoring Form (IMF) citing "Poor" performance, stating that the interpreter "did not translate with full clarity" and that they had had to use the legal representative's interpreter "in order to seek clarification and to translate the question".

The IOU spreadsheet for IMFs recorded: "Warning let[ter] sent ackno[wledgment] to DM (decision maker)". However, when inspectors asked for further details the Home Office responded: "On this occasion the interpreter was not informed about the concerns raised as it appeared to be a one off, and no further monitoring forms have been received for this interpreter."

ICIBI comment

The interview transcript shows repeated mistranslations by the Home Office interpreter. Despite these being highlighted by the applicant and the legal representative's own interpreter and referral to the Asylum Operations duty Senior Executive Officer, the interview continued with the same interpreter.

Although the interviewing officer completed an IMF, it is unclear whether anything was said to the interpreter by IOU about their performance.

There was no evidence that the interpreting problems were taken into account in relation to the reliability of the interview itself as the basis for an asylum decision.

Home Office comment

The Home Office commented that the decision to continue the interview was taken to avoid prolonging detention, “it was considered that if there were any major inconsistencies that their interpreter would pick up on this” and “if the IO [Interviewing Officer] was not satisfied post interview a further interview would have been arranged”.

It also stated: “The representative would have been given 5 working days to submit any representations in relation to the asylum interview, this would have been looked at by the decision maker and a decision would have been made to accept the amendments or re-interview.”

- 9.49** In the 100 case files examined by inspectors there were 43 appealed decisions, and 18 of these appeals were allowed. While mistranslations featured in some of these appeals, inspectors were unable to establish the extent of this as it was not reported consistently in determinations or captured consistently in Home Office records.
- 9.50** Inspectors asked the Home Office for data and any analysis it had done regarding appeals raised and allowed on the basis of mistranslations and errors by interpreters but were told that “there is no analysis being undertaken to specifically look at the impact of interpretation/ translations errors on appeal determinations”. The Home Office had undertaken a wider piece of work on “Grant Rate v Win Rate” which had looked at 175 determinations, 25 each for seven countries.⁷³ However, the “outcome of this analysis did not raise interpreter performance as a theme”.
- 9.51** Inspectors also asked for data for terminated interviews, with the reasons, to establish how many had been stopped because of interpreting difficulties. The Home Office replied that:
- “Data relating to the cancellation and termination of substantive interviews are not available. Interview outcomes are recorded in a reportable format in CID but as they are not used in any existing reporting, extensive testing and assurance would be required before the data could be shared. This testing and assurance would take several weeks and even when complete, may conclude that the data is not fit for purpose.”

Gender

- 9.52** In response to ‘An inspection of Asylum Intake and Casework’, published in November 2017⁷⁴, the Home Office committed, wherever possible, to meet a request from an asylum applicant for an interviewer of a particular gender. This commitment extended to the interpreter where one was used.
- 9.53** Submissions from stakeholders highlighted the importance of the interpreter’s gender to the applicant feeling able to disclose their experiences fully, especially in cases of gender-based human rights abuse. However, asking an applicant if they have a preference at the PIQ and screening stages was insufficient, as applicants did not understand the significance of the question or feel confident making any demands. Asylum Operations staff agreed that the “timing is not great” and that applicants were eager to please and went along with whatever was provided.

⁷³ Afghanistan, Albania, Iraq, Pakistan, Sri Lanka, Turkey and Vietnam

⁷⁴ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/662769/An_Inspection_of_Asylum_intake_and_casework.pdf

- 9.54** A stakeholder pointed out that applicants might feel under pressure to accept an interpreter of the non-preferred gender to prevent the processing of their claim being delayed, citing an example of a trafficking victim who had agreed to be interviewed with a male interpreter because she was told she would have to wait for eight months if the interview had to be rescheduled.
- 9.55** Immigration Enforcement officers who carried out screening interviews highlighted that applicants were not asked whether they are happy with the gender of the interpreter until “half way” through a screening interview, while Asylum Operations managers commented that the question about gender preference on the screening form was “quite open”, expressed as “preference not a requirement” and “could be made clearer”.⁷⁵ Border Force operational managers told inspectors that they assumed the question in the screening interview about gender preference applied to the interviewer rather than of the interpreter. Both Immigration Enforcement and Border Force officers understood that the big word did not take into account gender preferences and “you got what you got”.
- 9.56** Asylum caseworkers agreed that the gender of the interpreter was important, and told inspectors of female applicants who had been unwilling to disclose the details of their claim, for example Female Genital Mutilation (FGM), to a male interpreter. However, some staff appeared confused about whether they were permitted to make gender requests. They stated “it’s within policy that we can’t stipulate that we want a female interpreter”.
- 9.57** Asylum Operations senior managers acknowledged that it was “very important” to provide an interpreter of the requested gender because failure to do so risked the applicant not feeling able to speak freely. They were “not confident” that it happened in every instance. However, one said that they would automatically try and match a female interviewing officer and interpreter to a female applicant.
- 9.58** Asylum Operations workflow teams told inspectors that “a lot of the time” the gender preference fields on the PIQ were left blank, and when a preference was stated and relayed to the IOU it was not always met. The workflow staff told inspectors that they would judge whether to make a gender request according to the nature of the claim, for example “if they have suffered sexual assault, it might be wise to book a female”.
- 9.59** The ICIBI survey of applicants included the question: “Did you request a specific gender of interpreter and if so, did you receive the requested gender?” Eleven applicants responded. Five chose not to make a gender request, three did but their request was not met, while three said they were not given the option.
- 9.60** Inspectors asked the Home Office for data for interpreter gender requests from applicants and what proportion were met. The Home Office responded that this information was “not available in a reportable format”.
- 9.61** However, inspectors were told that, between 13 November 2017 and 16 February 2018, UK Visas and Immigration (UKVI) had conducted an ‘Automatic Gender Allocation Pilot’, in which applicants were automatically allocated an interviewer and interpreter of the same gender, unless they had expressed a gender preference, in which case this was met. The pilot ran in Glasgow in collaboration with United Nations High Commissioner for Refugees (UNHCR),

⁷⁵ Referring to the substantive interview, the screening form asks: “Do you have any preference whether you are interviewed by a man or a woman at your asylum interview?”, adding “We will accommodate your request including the interpreter’s gender where possible.”

Asylum Aid and local organisations.. One of the thoughts behind it was that women were less likely to disclose sexual and domestic violence to a male interviewer and interpreter.

- 9.62** During the 14-week pilot, 236 substantive asylum interviews were carried out in Glasgow, with 133 male applicants and 103 female applicants. Of the 236 interviews, 209 were automatically allocated an interviewer of the same gender. There were 27 interviews where this was not done, 19 of which because a same gender interpreter was not available.
- 9.63** In July 2018, the Home Office and Scottish Refugee Council held a ‘Gender pilot evaluation focus group’ but only three female applicants participated, which was “too low [a number] to draw generalisations from”. Inspectors asked if there were any planned next steps. In October 2019, the Home Office said the plan was “to look at this again when Atlas has been rolled out so that the concept is tested with the automation that the new system may provide”.
- 9.64** In the 100 asylum case files examined by inspectors, only 12 applicants (eight female and four male) were recorded as having indicated a gender preference for the interviewer or interpreter at the substantive interview stage. Of these 12: three requests were met; two were not; one was not met in terms of the interviewing officer but the gender of the interpreter was not recorded; and, in six cases the record was unclear. In a further 15 cases it was not clear whether a gender request had been made, while in 73 cases did not specify a preference.
- 9.65** Inspectors examined one case involving an applicant who had suffered sexual assault. Despite the nature of the claim, the applicant had not expressed a gender preference, nor had the Home Office considered the possible importance of the interviewer’s and interpreter’s gender.

Case Study 3

Consideration of the gender of the interviewer and interpreter

The screening interview

In early 2018, an adult female registered a claim for asylum. The Home Office conducted an asylum screening interview on the same day.

The basis of claim was the threat of rape and violence by the applicant’s father-in-law, who had sexually assaulted her since the age of 11. During her asylum screening interview, the applicant requested that her substantive interview be conducted with the assistance of an Urdu-speaking interpreter but expressed no preference regarding the interpreter’s gender.

The substantive interview

The substantive interview took place five months later, with a female interviewing officer and an Urdu-speaking male interpreter. Home Office records indicate that during this interview, the “applicant appeared quite teary” and the interviewing officer “had concerns about her mental health”. Furthermore, “during [a] break, [the] applicant complained that she felt the interpreter was shouting at her”.

The Interpreter Monitoring Form

An IMF was completed by the interviewing officer, who reported that the tone and attitude of the interpreter was not appropriate, that he had engaged in untranslated exchanges, and that his behaviour was not acceptable. Home Office records show that the interviewing officer had requested a softer approach from the interpreter and had also suspected that the interpreter was avoiding words associated with sexual assault.

The interviewing officer stated that they would not be happy to work with the interpreter again on a sexual assault case.

Follow-up

The IOU issued a warning to the interpreter and sent an acknowledgement to the decision maker.

The Home Office told inspectors: "CIU wrote to the interpreter with the issues which had been raised by the IO (Interviewing Officer). The interpreter was warned that there had been previous complaints received (on two occasions) when he had been rude to the applicant. Following the (second) complaint, the interpreter was sent the code of conduct. The interpreter was reminded to be aware of his demeanour, particularly when working with vulnerable and minor applicants."

ICIBI comment

The Home Office confirmed that no further action was taken beyond issuing the interpreter a warning and providing a copy of the 'Code of Conduct'. Given the two previous complaints about the interpreter's rudeness, inspectors felt that further action was warranted, for example formal monitoring of the interpreter.

Home Office comment

The Home Office stated that: "During subject's screening interview at section 4.2 she was asked: Do you have a preference whether you are interviewed by a man or a woman at your asylum interview? We will accommodate your request including the interpreter's gender where possible. The applicant responded that she did not have a preference" and "a female Interviewing officer was allocated to this case."

Independent Chief inspector's comment

Although the applicant was asked if she had a preference for a male or female interviewer and interpreter and responded that she did not, in light of what she revealed in her screening interview it is reasonable to expect the Home Office to have given further consideration to this issue, in line with 'Asylum interviews' guidance that: "In all cases, you must also be aware of gender related issues, since this may affect how the applicant responds during the interview."

- 9.66** In one of the examined cases, the applicant stated during her asylum screening interview that she had been exploited for prostitution. The Home Office recorded her as a Potential Victim of Modern Slavery. Migrant Help requested a female Albanian-speaking interpreter for the substantive interview, set for nine days' later. The request was noted on IOU's booking records, but a male interpreter was provided for the interview. IOU told inspectors that a female interpreter had been booked for the interview but had failed to turn up, and a male interpreter who was already working onsite was used instead. Home Office records showed that the applicant became upset several times during the interview but that she stated she was content to continue with the male interpreter.
- 9.67** A stakeholder expressed concerns about there not being enough female interpreters for certain languages, such as Albanian, and asylum decision makers agreed. In 2018-19, according to Home Office data, Albanian was the primary language for 859 female asylum applicants. But, in August 2019 there were only 16 female Albanian interpreters on the Home Office's database, along with 30 male interpreters.
- 9.68** In another case, the applicant requested a female Amharic-speaking interpreter for her substantive interview. Despite this, she was provided with a male interpreter. The Home Office told inspectors that this was because a female interpreter had not been requested by

Asylum Operations. Decision makers in one Asylum Operations unit told inspectors that gender preference requests were not always clear from screening records. In the sample of 100 case files, the gender preference field on 15 screening interview forms was left blank. Meanwhile, staff who carried out screening interviews highlighted that there was nowhere on CID to record an applicant's gender request except in 'Case Notes', where they were easily lost. IOU senior management agreed that this was a problem.

Interpreter bias

- 9.69** Stakeholders raised the issue of interpreter bias and the impact on applicants during asylum interviews. One argued that this was particularly prevalent in LGBTQI+ claims, with applicants reporting interpreters using derogatory slang and making judgements, which impacted the confidence of applicants. Another referred to reports from LGBTQI+ applicants about interpreters "mistranslating, rebuking or judging people, or being dismissive of their fears such as the death penalty". There were concerns that applicants could feel inhibited about talking about their claim which could affect the decision.
- 9.70** Decision makers in Asylum Operations confirmed stakeholders' concerns, commenting that with some LGBTQI+ claims they could "feel the tension" between the applicant and interpreter, describing the latter as "fairly old guys who have their views". In such cases, some decision makers would "try and ignore it", not wanting to "cause trouble". In some instances, applicants expressed discomfort about disclosing LGBTQI+ issues to interpreters from the same culture and some decision makers had witnessed applicants' discomfort because the interpreter was not "open" and simply summarised the applicant's words rather than interpreting them verbatim. Applicants also raised this issue, saying that the bias stemmed from the interpreters' religious beliefs.

The interview environment

- 9.71** Home Office staff told inspectors that where the asylum interview took place could affect its quality and accuracy. For example, Prison Operations and Prosecution (POP) teams expressed concerns about the lack of suitable, private rooms in prisons. Asylum Intake Unit (AIU) staff referred to screening interviews held in rooms with doors left open and at counters with people walking past, or in booths where they could hear the sounds of other interviews taking place concurrently in the next booth via the 'spider phone'. Asylum Operations decision makers also highlighted the need for "noise proofing" for rooms where substantive interviews were conducted, citing an incident where a minor applicant had become upset after hearing the reaction of another applicant who had been served their decision.

Decisions made without interview

- 9.72** The Immigration Rules provide for asylum claims to be progressed without an interview in certain circumstances, including where "it is not reasonably practicable, in particular where the Secretary of State is of the opinion that the applicant is unfit or unable to be interviewed owing to enduring circumstances beyond their control".
- 9.73** Inspectors asked the Home Office for data for asylum decisions that had been made without an interview due to interpreter non-availability. In 2017-18, there were 5,401 out of 25,517 asylum claims were decided without a substantive interview. In 2018-19, this was 5,786 out of 24,371. The Home Office explained that there could be a range of reasons, for example the applicant

may have been vulnerable or there may have been specific health concerns. It was unable to say how many of these were attributable to interpreter non-availability.

Documentary evidence in support of an asylum claim

9.74 Home Office guidance on ‘Translations’, which has not been updated since 2008,⁷⁶ states that: “All documents that the applicant wishes to rely upon should be provided in English or accompanied by an English translation. The translator’s credentials should be provided, along with their affirmation that the translation is accurate.” While “it may on occasion be appropriate for an asylum officer to commission the translation of a foreign-language document at UK Border Agency’s expense” this should be done only “where it is justifiable in the circumstances of the case, and where the document is clearly central to the claim”. Home Office staff must take into account:

- “what stage in the process the claim has reached, and whether the applicant could reasonably be expected to have obtained a translation previously
- whether or not the applicant has what is considered a reasonable excuse for failing to get the document translated up to that stage; and
- whether waiting for the translation is likely to assist earlier case conclusion and improved quality of decision-making.”

9.75 Notwithstanding this guidance, AIU managers said they were unclear if or when it would be appropriate for them to commission the translation of documents, while Asylum Operations decision makers told inspectors that “if it wasn’t translated, we wouldn’t use it”, commenting “we have a policy that says we can do it that no one seems to know about”. Some of their managers felt that placing the onus on applicants to provide translations of documentary evidence was not “completely fair”.

9.76 The same managers raised the issue of evidence recorded on USBs and CDs, referring to a recent example where an applicant had provided a USB containing a ‘YouTube’ clip of them giving a speech on a topic that formed the basis of their claim. The decision maker was unable to access the clip using Home Office systems and therefore to consider this evidence.

Language analysis

9.77 Home Office ‘Language analysis’ guidance states that, where appropriate, a language analysis test should be arranged at the “earliest point that testing criteria are engaged”.

9.78 Asylum decision makers told inspectors that most language analysis tests were booked after the substantive interview. However, they felt it would be better done before the substantive interview, so they could question the applicant more thoroughly.

9.79 Inspectors examined 12 language analysis cases. One illustrated the value of arranging the language analysis test at the earliest point, in this case on the same day as the substantive interview. The test confirmed that the language used was consistent with the applicant’s stated linguistic background and a decision to grant asylum was made within ten days.

9.80 However, decision makers told inspectors that they were frustrated that the results of language analysis tests were not more definitive. There were seven possible outcomes, ranging from “clearly inconsistent with [the claimed] linguistic community” to “clearly consistent”, but with

⁷⁶ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/257449/translations.pdf

three outcomes that “neither confirm nor refute” or “somewhat suggest” that the language spoken by the applicant is consistent with the account they have given of their personal history.

- 9.81** According to locally-held data,⁷⁷ in 2017-18 there were 491 language analysis tests, and in 2018-19 there were 405. Figure 20 shows the number of these that were categorised by the Home Office as “favourable to the applicant”, “unfavourable” and “neutral”⁷⁸ and the number of asylum claims granted and refused.

Figure 20
Results and outcomes from language analysis tests 2017-18 and 2018-19

	Granted	Refused	Other	Total
Favourable	477	48	161 ⁷⁹	686
Unfavourable	25	110	50 ⁸⁰	185
Neutral	10	8	7 ⁸¹	25
Total	512	166	218	896

- 9.82** ‘Language analysis’ guidance states that:

“An asylum decision must not rely solely on the language analysis (LA) report (or a failure to comply with or complete LA), to the exclusion of other evidence. As with all decisions, the totality of evidence available in the case must be fully and properly considered, including the applicant’s interview evidence and any relevant country of origin information, and the decision maker must assess the weight to be given to the LA in each case.”

- 9.83** The data in Figure 20 suggests that asylum decisions are not being made solely on the basis of the language analysis report. Inspectors heard different views from Asylum Operations managers and staff about the weight given to the test outcome. Decision makers in one unit told inspectors that they made decisions “in the round” and senior operational managers from the same unit described the test results as “just another piece of evidence” and “certainly not sufficient” to support a refusal.
- 9.84** However, decision makers in another unit said that a language analysis test report had “quite a lot” of impact on the asylum decision. They believed “the Courts gave it a lot of weight” and it could “make or break” a decision by confirming the nationality of the applicant, which could be enough to turn a grant of asylum into a refusal. But, where the result was “ambiguous” the decision was likely to go in the applicant’s favour. Managers in this unit described test results as a “big player in the decision-making process”, stating that it could “really underpin your entire decision”. Managers in a third unit agreed that in some instances, a language analysis outcome could “completely change the decision” and could make the difference between a grant and refusal.
- 9.85** The Home Office’s policy lead for language analysis testing verified operational staff members’ “tendency to put too much weight on reports sometimes”.

77 The Home Office commented that this “Management Information (MI) is retained for business purposes only”.

78 In its factual accuracy response, the Home Office explained that: “Strictly speaking, these are not actual report outcomes. Rather, they are broad categorisations created and applied by the Home Office to simplify and make consistent between suppliers the more detailed outcomes in the reports that we receive.”

79 Pending 24, Refused TCU 98, Withdrawn 7, Other 32

80 Pending 10, Refused TCU 20, Withdrawn 10, Other 10

81 Pending 1, Refused TCU 5, Withdrawn 1

10. Inspection findings: ‘Expectation’ Five

Errors are identified, acknowledged and promptly ‘put right’

- Safeguards, management oversight, and quality assurance measures are in place, are tested and are seen to be effective
- Complaints are handled efficiently, effectively and consistently
- Lessons are learned and shared, including from administrative reviews and litigation
- There is a commitment to continuous improvement, including by the prompt implementation of recommendations from reviews, inspections and audits

First and second line assurance of casework

Line management checks of screening interviews

- 10.1** The majority of screening interviews are conducted by UK Visas and Immigration’s (UKVI) National Asylum Intake Unit (NAIU) (comprising the Asylum Intake Unit (Croydon), the Kent Intake Unit and the Midlands Intake Unit). Inspectors were told that the majority of NAIU interview records are quality assured by a Higher Executive Officer (HEO), who checks that the claim is for a Convention reason⁸² and considers further actions and whether there are any safeguarding issues. HEOs told inspectors that they also check to see that language and any gender preference have been recorded. However, the HEO check is a local management requirement and is not mandatory for all cases.
- 10.2** Border Force line managers told inspectors that they counter-sign the screening forms unless there are any “glaring errors”. They did not think there was anything on the screening form that could be misunderstood. They did not look to check the quality of interpretation.⁸³
- 10.3** At Harmondsworth Immigration Removal Centre (IRC), Detention Engagement Team (DET) staff told inspectors that there were no local assurance checks of screening interview records. The screening forms are sent to Detained Asylum Casework (DAC), who conduct the substantive asylum interviews, and DET staff understood that DAC check them.

Line management checks of substantive interviews

- 10.4** The Home Office told inspectors that there are several assurance mechanisms in place for substantive asylum interviews.

⁸² https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/852483/screening-and-routing-v4.0-ext.pdf - See pages 17-19.

⁸³ In its factual accuracy response, the Home Office made the point that “it is not possible for front-line managers to quality assure language interpretation as they are not themselves qualified in a particular language”.

10.5 All new decision makers are observed for their first interviews and all of their decisions are checked before being served until the relevant HEO technical specialist is satisfied that their work is of the required standard, after which it is subject to dip-sampling. In addition, one Asylum Operations unit told inspectors that “LGBT and religious conversion cases have to be checked with the technical specialists”.

Quality Assurance Team Review Outcome (QATRO)

10.6 QATRO is a Home Office assurance tool used to monitor interview and decision quality at both the screening and substantive interview stages. The QATRO spreadsheet records a mark of “Correct”, “Minor errors”, “Significant errors” or “Fail errors” against different elements of the asylum process.

10.7 Inspectors were told that QATRO checks are completed on 5% of screening interview records. This includes confirming that the checks specified in the UKVI Operating Mandate for asylum cases have been carried out.

10.8 Inspectors reviewed the QATRO marking forms. There was no reference in any of them to checking whether the correct language and dialect were used or whether any gender preference was met, nor were these points mentioned in the UKVI Operating Mandate.

10.9 Asylum Operations has a target to check 3.5% of all asylum decisions using the QATRO tool. However, inspectors were told that in caseworking units with large numbers of new decision makers the level of checking might exceed the 3.5% target. In 2018-19, Asylum Operations increased its QATRO checking of screening interviews and decisions, the latter by a third – see Figure 21.⁸⁴

Figure 21

QATRO data for 2018-19 (2017-18 figures in brackets)			
	Asylum Ops	Total events 2018-19	% checked 2018-19
Screening	324 (269)	20,040	1.6%
Interview	430 (432)	19,608	2.2%
Decision	1,342 (1,067)	24,371	5.5%

Second line assurance

10.10 UKVI’s Assurance, Compliance, Improvement and Risk (ACIR) unit, part of Strategy, Transformation and Performance directorate, provides “second line assurance” of UKVI decision making, monitoring and measuring this against “the standards set out in guidance, legislation and judicial judgments”. There were no targets set for ACIR checks, but in 2017-18 311 screening interviews were checked, along with 276 substantive interviews, and 271 decisions. In 2018-19, these checks reduced significantly across the board to: 119 screening interviews, 122 substantive interviews and 121 decisions.

84 This is internally produced MI and has not been through the assurance process used for external reporting.

Interpreter quality assurance

Interpreter Monitoring Form (IMF)

- 10.11** The Horizon webpage for the 'Interpreter Monitoring Form' states: "This form is used to feedback any concerns about interpreters that arise during or after an interview." The form is not used for thebigword interpreters or Home Office interpreters not booked through the IOU.
- 10.12** The IMF was updated in December 2019. Like the old form, the new IMF asks the interviewer if any issues arose during the interview because of the interpreter which required the interview to be suspended or terminated. The new form allows the interviewer to identify "up to three" issues from a drop-down list:
- interpreter arrived late
 - interpreter did not translate verbatim
 - inappropriate tone from interpreter
 - interpreter inaudible
 - interpreter not clearly understood by customer
 - Interviewer not clearly understood by interviewer
 - interpreter engaged in untranslated exchanges with customer
 - other – please clearly explain what the issue was
- 10.13** The interviewer is asked to complete a "Further information" box and reminded that "what you write on this form may be used to build feedback given to the interpreter, please be factual and do not offer personal opinions of the interpreter. Relevant information is required, but you should remain polite and professional when completing this form."
- 10.14** Although the webpage explains that the form is for feedback about "any concerns", it includes the question: "Do you wish to recommend the interpreter for a letter of merit? (A letter of merit may be awarded for service from the Interpreter that exceeded your expectations)."
- 10.15** The earlier version of the form asked a number of questions that have been omitted from the new form:
- language
 - was the interpreter totally impartial?
 - was the interpreter co-operative and easy to work with?
 - was the standard of the interpreter's English acceptable?
 - was the interpreter's behaviour acceptable? (If not please provide more detail, for example expressions of disbelief, sighing, staring out of windows, doodling, answering mobile telephone calls or chewing.)
 - did the interpreter refrain from acting independently, for example did they provide a judgment on the applicant or offer advice?
 - did the interpreter perform the task you asked of them?
 - overall impression of the interpreter's performance

10.16 While the interviewer might cover some or all of these points in the “Further information” box, the free text nature of the latter makes analysis more difficult.

Interpreter Monitoring Form data and analysis

- 10.17** There were some inconsistencies in the IMF data provided by the Home Office, not helped because some of the data was for calendar years and some for financial years.
- 10.18** The Home Office told inspectors that 288 IMFs were completed in 2017 and 1,183 in 2018. It explained that the IOU did not introduce a Quality Assurance Monitoring (QAM) process until 2018-19. In 2017, IOU made 419 requests to interviewers to complete an IMF, receiving just 75 (18%) completed forms. In 2018, it made 1,652 requests and received 1,051 (64%) forms.
- 10.19** The data indicated that the IOU was continuing to increase the number of requests it made. The requests were only in relation to substantive interviews. During 2018-19, it made 1,778 requests, in some cases noting the requirement for an IMF on Case Information Database (CID) in advance of the substantive interview so that the interviewer was primed. Home Office statistics show that 19,608 substantive asylum interviews were completed in 2018-19 but not all of these would have involved an interpreter.
- 10.20** The number of IMFs submitted spontaneously appeared to have increased sharply in the first quarter of 2019, reaching 633 for 2018-19 as a whole. It was unclear whether any of these related to screening interviews.
- 10.21** The Home Office provided inspectors with the Standard Operating Procedures (SOPs) for IOU staff requesting completion of an IMF and for how completed IMFs should be processed. These two SOPs describe detailed processes, involving the completion of multiple worksheets within a spreadsheet, highlighting the IOU’s need for better IT. The third SOP, which was last updated in June 2019, has instructions about how to escalate concerns about an interpreter, suspension and removal from the database and revocation of security clearance. It too involved multiple updates to spreadsheets, which appeared to be repetitive and time consuming.
- 10.22** Inspectors examined the IOU spreadsheet for the interviewers’ “Overall impression of the interpreter’s performance” – see Figure 22.

Figure 22

“Overall impression of the interpreter’s performance”

	Excellent	No concerns	Minor concerns	Poor	N/A	Total
2017-18	75 (41%)	29 (16%)	30 (16%)	42 (23%)	8 (4%)	184
2018-19	589 (53%)	418 (37%)	90 (8%)	20 (2%)	1 (>1%)	1,118
Total	664 (51%)	447 (34%)	120 (9%)	62 (5%)	9 (>1%)	1,302

10.23 The options, “Excellent”, “No concerns”, “Minor concerns” or “Poor”, were not defined. Nonetheless, the data indicates that a significant majority (85%) of interviewers who completed an IMF had formed a “positive” overall impression of the interpreter, with over half describing them as “Excellent”. The data also suggests that the picture is improving, although the removal of the “overall impression” question from the revised IMF will make this hard to test after December 2019.

- 10.24** Inspectors also compared the “Overall impression” ratings with the responses to other questions on the pre-December 2019 IMF. There were some inconsistencies, raising questions about the reliability of the assessments and the IOU record. For example, according to the spreadsheet, there were nine instances where the answer to “Was the interpreter’s behaviour acceptable?” was “No” but where the interviewer had indicated “No concerns” under “Overall impression”, and a further five instances where the interviewer had marked “Overall impression” as “Excellent”.
- 10.25** Inspectors asked what action the IOU took when such discrepancies arose. Senior management believed that the interviewer would be contacted in such instances, but IOU staff said that the details of the “sub-questions” were not monitored. An IOU manager told inspectors the comments received from decision makers were “useless”, which was why the form had been redesigned with the sub-questions removed. The manager said that the IOU needed to “educate decision makers on what is poor” and they could provide user guides with the IMF to remove confusion from the process.
- 10.26** Inspectors examined 31 case files where the IMF indicated concerns about the interpreter’s performance or behaviour. In seven cases the IOU record stated that “No further action” was taken. But, in a further eight of the 31 cases there was nothing in IOU’s records to indicate whether any action had been taken. IOU managers agreed that the spreadsheet was “a bit of a mess”, which they needed to review and enforce consistency. However, the poor record keeping extended to CID. Only one update was made to the case record by the decision maker to detail the action taken following concerns raised during the interview.
- 10.27** In some of the cases where action was taken inspectors considered that it was not robust enough and that “enforced monitoring” would have been appropriate for some of the interpreters concerned.⁸⁵ However, there were also examples of firm IOU action. See Case Studies 4 and 5.

Case Study 4

Slow IOU response to negative IMFs

The IMF

The interviewer indicated on the IMF that the interpreter:

- arrived late for the interview
- was not totally impartial, did not behave acceptably, did not refrain from acting independently, and did not perform the task asked of them
- questioned the veracity of the applicant’s statements

The interviewer recorded their “Overall impression” as “Poor”

The IOU spreadsheet

IOU noted that:

- a letter was sent to the interpreter reminding them of the ‘Code of Conduct’
- an acknowledgement was sent to the decision maker
- no further action was taken

⁸⁵ Enforced monitoring is one of the possible outcomes following receipt of an IMF. It is also used with some new interpreters, where they do not have the qualifications the IOU requires as standard.

Home Office comment

The interpreter had received a commendation for his work two months earlier, and when this IMF was received had had “both positive and negative reviews”.

Subsequently, a further four monitoring forms were received. Two identified “Minor concerns”, one noted late attendance, and one described “Overall impression” as “Poor”.

The interpreter has now received a final warning and “any further complaints are likely to result in removal from the HO [Home Office] Panel”.

ICIBI comment

It took almost a year from the IMF in this case, and three further unsatisfactory interviews (not including the late arrival), before a final warning was issued. The IOU should have acted sooner and been firmer.

Case Study 5**Prompt action taken on receipt of IMF****The IMF**

The interviewer indicated that the interpreter:

- wrote the applicant’s address on their hand, which the interviewer thought could be regarded as a breach of confidentiality and misuse of personal data
- seemed eager to complete the interview without any breaks in order to be signed off early
- attempted to argue with the interviewer in front of the applicant
- was distracted by their phone on numerous occasions

The IOU spreadsheet

IOU noted that:

- a warning and reminder of the relevant parts of the ‘Code of Conduct’ were sent to the interpreter
- an acknowledgement was sent to the decision maker

Home Office comment

“The interpreter was immediately suspended from the database and a panel review was held to consider the position as an interpreter for the Home Office. The decision was made to delist them and the interpreter was removed from the database.”

ICIBI comment

The action in this case was prompt and decisive. Without further information, it is difficult to judge whether it was proportionate, however in light of other examples that inspectors saw it raises questions about the IOU’s consistency in dealing with interpreters who are the subject of negative IMFs.

- 10.28** IOU managers told inspectors that where concerns are raised about an interpreter’s performance, previous IMFs are reviewed, their length of service is considered, and they are contacted for their comments on the issues raised. The most common outcome is that interpreters are reminded about the ‘Code of Conduct’ and their expected behaviour. If a pattern of poor behaviour is identified a panel is convened to consider whether the interpreter

should be removed from the database. Panels were infrequent, there were just “two or three” in the previous year.

- 10.29** From the responses to ICIBI’s survey, it appeared that most interpreters were unaware of how the Home Office monitored their performance. Of 105 respondents, 79 said that they did not know how the Home Office monitored their performance, and 72 said that the Home Office did not provide them with regular feedback on their performance. This compared with 20 and eight respectively who said they did know and did receive regular feedback.
- 10.30** Inspectors spoke to asylum caseworkers involved in screening and substantive interviews for both non-detained and detained applicants. Awareness of the IMF was mixed. Staff working in prisons and IRCs said they had never heard of it and did not know where to find it. Detained Asylum Casework staff told inspectors that they had never been asked to provide any feedback on interpreters and were reluctant to do so for fear of offending them and risking that they would no longer attend at their location.
- 10.31** Staff in one of the Asylum Intake Units (AIUs) were aware of the IMF but did not use it as their interpreters were “very good”. Asylum Operations staff in Croydon thought completing an IMF should be mandatory but said they did not have the time to do it, although this was disputed by their managers. Others said they completed an IMF only if the interpreter was “really bad” and they sometimes gave them “the benefit of the doubt” or had been “close to filling it out but it’s having the time to do it.”
- 10.32** A number of stakeholders raised concerns about the effectiveness of the IOU interpreter monitoring process. One recommended that the Home Office should implement “a robust mechanism of feedback regarding the use of interpreters, both employed and self-employed”. Another cited examples of interpreters being used again after an issue had arisen with them on a previous assignment, and said that there was “no learning when a problem with an interpreter arises.”
- 10.33** This view was shared by caseworkers who said they had “no confidence” that IOU followed up concerns raised about interpreters as it “sends the same ones again”, even when the concerns related to alleged racism.

Case Study 6

Ineffective follow-up to negative IMF

The IMF

The interviewer (who spoke the applicant's language) indicated that the interpreter was adding lines and mentioned things the applicant did not say or claim and commented "all in all very poor standard of translation".

The IOU spreadsheet

IOU noted that:

- further information was requested from the decision maker
- no reply was received despite a follow-up
- no further action was taken

ICIBI comment

Inspectors were concerned that the IOU did not continue to press the decision maker for further information and sought clarification about IOU processes in this instance.

Home Office comment

"CIU contacted the IO (interviewing officer) for clarification about whether they raised the issue of verbatim interpretation during the interview and whether any complaint was received from the applicant. The IO did not respond after a second email was sent to the IO and no further action was taken by CIU. This process is now under review."

- 10.34** A former IOU manager said that as asylum caseworkers "can only access the interpreters available to them via the IOU" and there was "no opportunity for them to use an interpreter who has been struck off" they did not need to know what action had been taken in response to an IMF. However, some Asylum Operations staff reported that they had been informed when an interpreter had been removed from the database following a complaint they had made to the IOU.
- 10.35** The interpreter's database is updated weekly, but inspectors were told that some units did not always refer to the online version. Staff in one unit said that if they worked regularly with a particular interpreter they would not check the database each time, but "should check it if we haven't used them for a few months". They said they relied on the interpreters to tell them if their security clearance had expired.
- 10.36** The process of removing an interpreter from the database includes asking Home Office Security to revoke their security clearance. According to Home Office data, 57 interpreters were removed from the database in 2017-18 and 95 were removed in 2018-19. In 2017-18, 11 interpreters were removed for security-related issues. In 2018-19, the figure was 44, including eight whose security clearance had expired and 31 who were "Security renewal non-compliant".

IOU systems

- 10.37** IOU staff told inspectors that they would like to receive more IMFs but this was difficult with their current systems. A senior manager told inspectors that the system used by the IOU was 17 years old. IT transformation was “well overdue”.
- 10.38** Managers agreed that a more robust assurance process was needed and suggested that the options might include a “trusted interpreter review” of certain cases, random “spot checks”, targeting of cases that could give rise to issues, and using a second interpreter to check an audio recording of an interview to ensure that a verbatim translation was provided, although they were unsure how often interviews were recorded. Longer term, they would like to move away from spreadsheets to an online bookings system which would reduce the potential for double bookings and transcription errors.
- 10.39** In June 2019, a member of staff from an AIU submitted a suggestion to the ‘All Ideas Matter’ page on the Home Office intranet regarding an interpreters’ availability system. The idea, which was first raised by another member of staff in 2016, was to create an “add-on” to the Central Interpreters Database that would enable Home Office teams to show when an interpreter had been booked for a set date, time and date, or one that allowed interpreters to provide their availability. Although the idea was acknowledged, by the end of 2019-20 it had not received a formal response.

Contract assurance: thebigword

- 10.40** In June 2019, the Home Office told inspectors that it was out of contract with thebigword. Contract management for language services was transferred from Crown Commercial Service (CCS) to the Home Office in early 2018, by which point the language services contract had already expired. However, the Home Office was continuing to use thebigword using an existing CCS “framework”.⁸⁶
- 10.41** Inspectors were told that a procurement strategy had been agreed and the Home Office was looking to have a new contract in place by the end of October 2019. Quality assurance would be factored into the new contract. However, Home Office Commercial staff told inspectors they had been unable to trace the previous contract documents, neither the supplier nor CCS could provide a copy, which meant they were unaware of the key performance indicators (KPIs) in that contract.⁸⁷
- 10.42** Home Office Commercial told inspectors that it was difficult to get an overall view of the service currently provided by thebigword as “there is no single owner”. In Border Force, management of existing services from thebigword was delegated to local teams, except at Heathrow which had a lead for commercial contracts including thebigword and where operational teams were responsible solely for monitoring their monthly bills and invoices. Immigration Enforcement had a thebigword lead,⁸⁸ and Detention Engagement Team (DET) managers confirmed that they just monitored bills and invoices, although one said that the DET

⁸⁶ The CSS website explains: “CCS publishes commercial agreements for more complex requirements. For example, for buying a fleet of vehicles or for legal advice. We call these frameworks. A framework comprises a description of common public sector requirements, a list of suppliers who have been evaluated as capable of delivering the requirements, and standardised contract terms. Frameworks are often divided into lots, typically by product or service type. You can buy from a framework in various ways, such as running a further competition among suppliers.”

⁸⁷ In its factual accuracy response, the Home Office noted that: “thebigword have since provided an undated copy of the previous contract. A copy has been provided as requested (NB: Personal information has been removed).”

⁸⁸ At interview, commercial staff told inspectors that they had learned who the lead was the previous week, however the Home Office disputed this in its factual accuracy response stating that: “Home Office commercial staff were engaged with a lead for Immigration Enforcement for a number of months prior to the inspection.”

had recently conducted a three-week pilot looking at the quality of the service provided by thebigword but they were unaware of the outcome.

- 10.43** In September 2019, a Border Force point of contact for thebigword service told inspectors that they relied on staff to provide feedback on the performance of thebigword interpreters. As they had received no feedback in the previous four months, they believed that problems with the service were “very rare”. They took the lack of feedback as an indication that past problems when the service was being set up – wrong numbers and certain languages not being available at certain times of day – had been resolved.
- 10.44** This picture was at odds with what staff across the Borders, Immigration and Citizenship System (BICS) told inspectors. Concerns about the quality of thebigword service were commonplace and several users remarked on the lack of performance monitoring and feedback mechanisms.

Contract assurance – K International

- 10.45** In June 2019, the Home Office told inspectors that it was also out of contract with K International. The contract had expired before being handed over to the Home Office.⁸⁹ Home Office Commercial staff said they were working to determine what K International was providing. However, current usage and K International performance was not monitored centrally. Home Office Commercial was looking at language services “in the round”, including possible mobile applications, video conferencing and rare and difficult languages, as well as written translation.

Contract assurance – Verified AB and Sprakab

- 10.46** UKVI’s Language Analysis (LA) Team and Home Office Commercial held quarterly meetings with Verified AB and Sprakab to review contract performance. The LA Team compared its bookings data with that provided by Verified AB on a monthly basis to check compliance with deadlines and the number of analyses being billed. At the time of the inspection, this was not replicated for Sprakab, where the number of analyses was much lower, however the team was looking to introduce a process to monitor the Sprakab analyses.
- 10.47** The LA Team said that Verified AB conducted an annual customer survey with caseworkers who had booked a test through them. The response rate was low, around 20, but responses were “very positive”. However, technical specialists in one location told inspectors that Verified AB was not able to determine whether applicants were from Iran or Iraq, whereas Sprakab could. They had stopped using Verified AB for those analyses and had fed this back “numerous times to try and change the supplier.”
- 10.48** In terms of quality assurance, the Home Office told inspectors that:
- “As language analysis services require the specialist skills of experts there is a requirement placed on the supplier by the Home Office to conduct regular routine checks on the quality of analyses conducted.”
- 10.49** The policy lead for language analysis confirmed that the Home Office did not have the skills to monitor the quality of analyses. They were unsure how many “spot checks” of their analyses the suppliers conducted. ‘Language analysis’ guidance instructs staff to “email or telephone

⁸⁹ In its factual accuracy response, the Home Office informed inspectors that an interim contract with K International had been signed covering 1 March to 31 May 2020.

the LA Team” if they have “questions relating to the findings of the report”. The policy lead said they had not received any feedback about problems with the quality of the service provided and therefore believed it was not a significant issue. It was clear from comments made to inspectors that some caseworking units were frustrated that language analysis reports were not more definitive.

10.50 Managers in one Asylum Operations unit told inspectors that they did not routinely review asylum decisions that included a language analysis report. They said that there was no process in place and no training for them on how to interpret and quality assure reports.

10.51 Stakeholders raised concerns about language analysis tests reaching the wrong conclusion. They included accounts from applicants who reported being spoken to by testers who were from a different country and of the difficulty of identifying the country of origin when applicants come from border areas. One linguistic expert recommended that the Home Office should set up a panel of academic and legal experts to create a quality threshold for the methods used by language analysis contractors, including:

“the qualifications of the report author team (especially: proven academic training and experience in linguistic analysis in the language that is being analysed), the method of data elicitation and data presentation, and the accessibility of any data samples or sources that the authors rely on for comparison (i.e. the forensic element of the procedure, which requires the availability of a verifiable control sample)”.

10.52 In 2019, media reporting⁹⁰ quoted criticisms from “campaigners and experts” about the use of “discredited pseudoscience” as “a political tool to exclude migrants” and referred to “cases where visas had been issued or reliable documents existed”. It cited Freedom of Information Act (FOIA) requests that had established that:

- between 2011 and 2018, the Home Office had carried out 5,900 language analysis tests
- “about 3,900” of the applicants tested had claimed Syrian nationality
- in that period, a total of 10,255 Syrians applied for asylum, meaning “almost 40%” of all Syrian applicants were tested

10.53 The media report quoted a spokesperson for Verified AB, who said that one or more trained native-speaker analysts always contributed to an analysis report, along with the professional linguist who oversees and signs the report, in line with the approach endorsed⁹¹ by the International Association for Forensic Phonetics and Acoustics (IAFPA). The spokesperson said that Verified AB’s method was supported by

“observations and detailed references to scientific literature. Verified includes a clear account of the limitations of the method as well as the cautions that should be taken into account where each language test is concerned.” The method, he added, “does not operate with geographical communities or nationalities, but with linguistic communities – dialects – which can sometimes straddle borders”.

10.54 Meanwhile, a Home Office spokesperson was quoted as saying:

“Language analysis testing is just one piece of evidence used as part of the consideration process to ensure genuine refugees receive our support. It can provide a speedy resolution

⁹⁰ <https://www.theguardian.com/uk-news/2019/jun/17/discredited-test-used-on-two-in-five-syrian-asylum-seekers-in-uk>

⁹¹ <http://www.iafpa.net/langidres.htm>

to claims by helping to confirm an asylum applicant's place of origin, and its use in immigration cases has been supported by the courts, including the Supreme Court."

"Asylum caseworkers follow the published guidance on the use of this testing and carry out routine quality checks to ensure compliance."

- 10.55** The Home Office stressed to inspectors that the approach from Verified AB and Sprakab is to have university-educated linguists who are able to speak to native-speaker level and have the aptitude to identify and distinguish linguistic features. Critics of the Home Office's use of language analysis did not like the model of a linguist working with an analyst.
- 10.56** Inspectors examined 12 cases where a language analysis test had been conducted (11 by Verified AB and one by Sprakab). All 12 assessed the applicants' linguistic background to be as claimed. Of the 12 applicants, nine were granted asylum and one was recorded as "granted other". Two were refused. Both successfully appealed. An Asylum Operations manager said that they read the determinations in appeal cases from their unit and noted that the judge sometimes overturned a decision where reliance had been placed on a language analysis report.
- 10.57** In some cases, the applicant's legal representative produced their own language analysis to support an appeal, and sometimes this was provided by Sprakab. Inspectors asked the Home Office for data about independent language analyses submitted in support of an appeal, including how many of those appeals were allowed. It was unable to produce statistics from its systems showing whether an appellant had submitted their own independent language analysis report, because the information was not recorded in a reportable field.
- 10.58** The language analysis policy lead told inspectors that they intended carrying out a review of appeal cases to determine the value of the language analysis report and how it had been used by the caseworker, which would feed into the guidance in order to drive better decision making. At the time of the inspection, they were not informed about language analysis cases that go to appeal and did not see any appeals determinations from these cases.

Complaints

- 10.59** 'Asylum interviews' guidance has a section on 'Complaints made during an interview', which instructs caseworkers to "try to resolve" any "complaint or expression of dissatisfaction" by the claimant or legal representative "at the time". The guidance continues: "You should, if requested, provide the name and address of your line manager, so that any complaint made after the interview can be quickly dealt with. Alternatively, a complaint may be made on line via the GOV.UK website."
- 10.60** 'Asylum interviews' also has a section on 'Complaints about an interpreter'. This also instructs caseworkers to try to resolve the matter at the time: "If it is not possible to resolve the complaint, suspend the interview while an alternative interpreter is found. You should also complete the interpreter monitoring form." There is no suggestion that the applicant or their representative should be directed to the formal complaint procedure.
- 10.61** A third section, 'Complaints of discrimination', provides a link to the Equality Act 2010, but otherwise repeats the instruction to "try to resolve the issues at the time if at all possible" and to make a full record for future reference. It is unclear from the guidance how and by whom an unresolved complaint about discrimination would be managed. Again, there is no suggestion

that the applicant or their representative should be directed to the formal complaint procedure.

- 10.62** The BICS has two separate complaints handling teams that manage service and minor misconduct complaints relating to Border Force (the Border Force Correspondence Team – BFCT) and to UKVI and Immigration Enforcement (UKVI Central Correspondence Team),⁹² the latter being much larger since it handles significantly larger volumes of complaints. These teams do not deal with serious misconduct complaints, which are investigated separately by the Home Office’s Professional Standards Unit (PSU).
- 10.63** If UKVI’s Central Correspondence Team (CCT) received a formal complaint about an interpreter or other language service it would be categorised under “Other”. CCT was not sighted on complaints made during asylum interviews or reported in IMFs unless they were followed up with a formal complaint. CCT did not collect data, collate information or produce customer insight reports in relation to formal complaints about interpreters, although any such complaints would be forwarded to the Central Interpreters’ Unit to investigate and provide a draft response. Managers in one Asylum Intake Unit said they were unhappy that when they were asked to contribute to a response to a complaint, they did not see the final reply that was sent to the complainant by CCT.
- 10.64** Stakeholders had questions and concerns about making a complaint about an interpreter. One asked whether there was a procedure for doing so, while another recommended that: “There should be a clearly advertised mechanism for giving feedback on the quality of interpreting, recordings of any hearing or interview at which interpreting services are used should be kept and made available upon request.”
- 10.65** Another stakeholder commented: “Claimants are vulnerable and will not want to rock the boat and complain about an interpreter/an official. Because of their circumstances, they will be deterred from complaining about a government department and will not know their rights.” This was echoed by the applicants who took part in the ICIBI survey, who were unsure how to communicate their concerns and did not want to risk delaying their asylum application, while applicants in an IRC told inspectors that they did not know how to make a complaint about an interpreter.
- 10.66** Inspectors found that asylum caseworkers and managers were unclear about the process to follow if a complaint was made about an interpreter during or following an interview. One manager said that their starting point would be to go to the IOU, but decision makers in another unit said that they did not pass on complaints about interpretation to the IOU if they were received after the interview.
- 10.67** Technical specialists at another unit highlighted that applicants and their representatives had five days to comment on the interview transcript following the interview and their comments were taken into account by the decision maker. In rare instances, a second interpreter may be asked to listen to the interview to validate the record. If an “official complaint” was made about an interpreter, it would be sent to the IOU.
- 10.68** One of the case files examined by inspectors provided an example of a lack of clarity and rigorous processes when dealing with complaints about interpreters.

⁹² www.gov.uk/government/organisations/uk-visas-and-immigration/about/complaints-procedure

Case Study 7

Complaint about an interpreter not forwarded to the complaints team

The complaint

The applicant's legal representative made a complaint about the screening interview while the interview was in progress.

The interviewer and local management

- Recorded a complaint from the applicant's representative about the screening interview
- Addressed the matter through a meeting between the screening officer and the head of the management team
- Established that the screening officer had only passed on information from the interpreter and that no concerns had been raised at the time
- Reminded the screening officer about customer care
- Received a monitoring form in the Central Interpreters' Unit (CIU) referring to the complaint raised by the legal representative

CIU

CIU responded to the interviewing officer that they were unable to investigate the complaint or reply to the representative. CIU advised the interviewing officer to send the complaint to the "Central Complaints Team".

ICIBI comment

Record keeping in this case was poor. There were no notes on CID relating to the complaint.

- Good customer service would have been demonstrated by the IOU forwarding the complaint to UKVI's CCT (which handles service and minor misconduct complaints about UKVI and Immigration Enforcement) rather than sending it back to the interviewing officer
- No details are provided as to whether the complaint was forwarded to the Central Complaints Team and investigated
- The absence of any guidance on how to handle complaints about interpreters suggests the interviewing officer forwarded the complaint to the IOU in good faith

Home Office comment

"IOU can and do provide lines to take in response to complaints and this is what should have happened in this case. No further monitoring forms have been received about the interpreter and the legal representative's claims remain unsubstantiated."

10.69 Interpreters on the Home Office database were also unsure about the complaints procedure. The ICIBI survey of interpreters asked: "Are you informed by the Home Office if a complaint is raised against you?" Of the 105 interpreters who replied to the survey, 95 answered this question: 21 replied "Yes", 20 replied "No", and 54 replied "Don't know". The survey also asked whether these processes were sufficiently robust. Of the 67 who responded, 40 replied "Yes", 26 "No", and one "Don't know". Meanwhile, 70 interpreters said they knew how to raise any concerns and issues they might have about an asylum interview, and 69 said they felt that the culture and environment in the Home Office allowed them to raise concerns or issues about the asylum interview process.

10.70 The Border Force Heathrow lead for thebigword told inspectors that they had no access to complaints data relating to thebigword interpreters. A senior manager at Heathrow said they understood there was a mechanism to raise complaints but did not know what it was, while frontline staff who used thebigword commented:

“At least with the central interpreters database, you did have a system where you could report instances of issues and the interpreter would be investigated, however with this system [thebigword], “it’s faceless” and you don’t have that quality control - they could be saying anything and it’s down to that officer’s judgement whether something is going on.”

10.71 The policy lead for language analysis tests had been made aware of a complaint where the analyst was alleged to have been terse with a claimant. This had been fed back to the supplier, but the policy lead did not know the outcome. The Language Analysis Team said they had not had any complaints forwarded to them by UKVI’s CCT for comment or to note.

Digital interviewing

10.72 ‘Asylum interview’ guidance states:

“Digital interviewing capability is being introduced across all asylum casework operational sites as part of the Home Office aim to become digital by default. This means that where the appropriate equipment has been installed, as a matter of policy, you must ensure that the substantive asylum interview is digitally recorded and that any audio copy made of the interview is provided to the claimant and or legal representative.”

10.73 The Home Office told inspectors that the first interviews were recorded on the digital interviewing (DI) system in November 2016 and full roll-out began in April 2017. The system provides digital audio recording, replacing out-of-date tape cassette and CD recording, and an electronic form. The audio recording and form are held on a cloud-based storage system and can be accessed from any Asylum Operations location via a portal. By July 2019, there were 31,833 audio recorded interviews on the system. There were also 1,623 interview records without an audio recording.

10.74 The guidance instructs the interviewer: “Where the interview has been digitally recorded, you must normally provide the claimant with a digital audio copy of the interview record and a written verbatim record of the interview.” Inspectors were told that the long-term aspiration was to develop the technology that would enable the written verbatim record to be produced automatically. In the meantime, it was difficult to see how any contemporaneous record produced by the interviewer could be genuinely “verbatim”.

10.75 At the time of the inspection, the DI system was not installed at Yarl’s Wood IRC. At Harmondsworth IRC, the equipment had been installed in May 2018 but was not working because the broadband was not strong enough to support it. Staff at Harmondsworth told inspectors that the site did not have any Wi-Fi connectivity. According to senior management, potential changes to “the Heathrow estate” (which includes Harmondsworth and Colnbrook IRCs) due to the proposed Heathrow Airport expansion meant that the Home Office “cannot invest in this upgrade.” However, staff said they had been told by a senior manager in Asylum Operations that a review of the DI and video conferencing infrastructure was being undertaken to ensure the appropriate equipment was in place.

10.76 Stakeholders were concerned about the fact that some substantive interviews are conducted without audio recording. One said that wherever interpreting services were used the event

should be audio recorded and the recording retained and available on request. Another commented that: “Even the best interpreter is fallible, so we do not believe it is fair, just or efficient to ask asylum applicants to go ahead with an interview – particularly a substantive interview – if the mp3 recorder is broken or unavailable.” A third argued that there were “almost no circumstances where an interview should proceed” without audio recording.

- 10.77** In the sampled records, inspectors found an example of a substantive interview that went ahead without an audio recording. At the end of the interview, the applicant’s legal representative noted that the case was complex and, in the absence of an audio recording, they had no way of proving whether the interviewer’s record was wholly accurate. The Home Office told inspectors that where DI equipment is installed all interviewing officers have access to it. In this instance, it believed there had been an issue with the interviewing officer’s log in details.
- 10.78** Inspectors asked the Home Office for the numbers of substantive asylum interviews conducted with and without audio recording – see Figure 23.

Figure 23

Number of recorded and non-recorded interviews

Year	Recorded	Not recorded
2017-18	11,624	638
2018-19	13,770	797

- 10.79** These figures did not reconcile with the total number of substantive asylum interviews conducted by the Home Office, which in 2018-19, for example, was 19,608. This would suggest that a significantly larger proportion of interviews are not audio recorded, or if they are it is done without using the DI system.
- 10.80** Asylum Operations staff told inspectors about a pilot to improve the digital interviewing system. This allowed legal representatives to log on to a portal and access the DI record of the interview, enabling them to review the interview record more quickly and reducing the risk that USBs posted to legal representatives go missing. This system is also being used to pilot the provision of language analysis information from Verified AB to the Home Office, removing the need for CDs to be sent by post and attached to files.

Video conferencing

- 10.81** Asylum Operations had been using video conferencing (VC) technology to undertake interviews since 2016. VC equipment had been rolled out and would shortly be available at all sites. Asylum Operations managers said that it worked well and that they were planning to expand it to include interviews of Unaccompanied Asylum-Seeking Children (UASC). They said that stakeholders were keen to see this expansion as it would decrease the time UASCs spent waiting for an interview and mean that children will not need to travel long distances to attend an interview and can be accompanied by a social worker or responsible adult.
- 10.82** IOU managers said that VC allowed them to use interpreter resources more flexibly. However, there were some concerns about an interpreter being left in a room alone with an applicant, with the interviewer joining the interview by VC. Health and safety risk assessments had been drafted covering this, but IOU managers noted that the monitoring of interviewing facilities

was the responsibility of Asylum Operations and they wanted reassurance that the risks were being monitored and regularly reviewed. Senior management saw the advantages of using VC but acknowledged that it may not be suitable for some applicants, including those where there were safeguarding and vulnerability issues, and the business needed to find the right balance.

- 10.83** Asylum caseworkers told inspectors that VC could feel “quite intrusive” and “intimidating” for the applicant. It was also less “personal” and made building a rapport harder. There were issues with legal representatives passing notes to the applicant out of camera shot and instances when the interpreter and applicant had been left in a room unsupervised during breaks in the interview. While VC should not be used for vulnerable applicants, it was often only at the substantive interview that an applicant’s vulnerability issues became known.
- 10.84** Stakeholders raised largely the same concerns about the use of VC for asylum interviews as Home Office staff, including the health and safety issues associated with having the interpreter and applicant alone in the same room, and the different dynamic when the interviewer and applicant are not. An interpreters’ professional body also raised issues with connection and hearing difficulties and said that nuances identified in face-to-face interpreting are lost in telephone and video interpreting.
- 10.85** ICIBI’s survey of interpreters asked about the benefits and disbenefits of different interview methods. None of those who responded identified any disbenefits with face-to-face interviews and a number stressed the importance of observing body language. However, 15 reported negative experiences with telephone interpreting, including issues with poor connections and sound quality, and six reported negative experiences with VC.

Translation devices

- 10.86** The Annual Report of the Independent Monitoring Board for the Non-residential Short-Term Holding Facilities, London Heathrow Airport, for the year February 2018 to January 2019, published in July 2019,⁹³ recommended that,

“The Home Office should provide each holding room with a translator device so that DCOs [Detainee Custody Officers] can interact with detainees more easily and so reduce their feeling of isolation and respond to any urgent needs (paragraph 4.7).”

- 10.87** The Daily Telegraph⁹⁴ quoted a Home Office spokesperson as saying:

“We understand that some detainees have difficulty understanding or cannot speak English which is why the Home Office is considering the introduction of electronic translation devices, to supplement the existing telephone interpreting arrangements already in place.”

- 10.88** Inspectors were told that, following a review, the Home Office had:

“introduced dedicated handheld electronic translation devices across holding rooms in the removal estate. This will supplement the existing telephone service to help support Detainee Custody Officers (DCOs) in their interactions with detainees. These devices are not intended to replace the existing service. It is important that DCOs continue to use the

⁹³ [Heathrow-Airport-2018-19-FINAL.pdf](#)

⁹⁴ <https://www.telegraph.co.uk/news/2019/07/21/uk-border-officers-using-hand-signals-communicate-detainees/>

well-established telephone service for any communications where complete accuracy is required.”⁹⁵

- 10.89** During the course of this inspection, inspectors were told by frontline staff that they occasionally made use of other translation applications. The Microsoft Translator application is available as standard on Home Office-issued mobile phones, however Border Force officers told inspectors that they used Google Translate at the immigration controls, saying it worked “very effectively.” In the asylum context, Prison Operations and Prosecutions staff said that they too used Google Translate for screening interviews “as it lets the applicant type in their answer” and a screening interview was “not as confidential as a substantive interview.”
- 10.90** UKVI Immigration and Protection directorate senior management were keen to look at the potential offered by translation applications but stressed that the Home Office needed to assure itself that any translation was as accurate as possible. In the meantime, they did not think it was acceptable to use such applications for asylum screening interviews. A stakeholder went further, arguing that the use of computer translation by public bodies was not appropriate in the execution of their responsibilities as “courts have found such tools not to be “trusted translators” as they produce “unintelligible” results”.
- 10.91** Inspectors were unable to find Home Office guidance on the use of translation devices. A search of Horizon for “translation devices” produces a single “hit”, a staff suggestion from September 2017 that the Home Office should provide translation software/devices to frontline staff across BICS to reduce the “over reliance on interpreters for basic questioning and investigation”, citing an almost trebling of translator costs over five years. The “final evaluation” of this idea was provided in April 2018:

“As part of its transformation, Border Force will increasingly be looking to digital solutions in support of delivering its objectives. However, at this time there are no specific plans to run a procurement exercise for translation services.

If in the future, if this becomes a requirement for Border Force, all procurement activity is undertaken by the Home Office in accordance with relevant regulations which stipulate that there must be fair competition between potential service providers.

Given that there are no current plans, your suggestion will now be closed on HORIZON, but thanks for offering it and for your patience in awaiting a final response.”

⁹⁵ In its factual accuracy response, the Home Office sought to amend its earlier evidence. It stated that: “A decision has been made (in Detention and Escorting Services) to introduce dedicated handheld electronic translation devices, but implementation has not yet started.”

11. Inspection findings: ‘Expectation’ Six

Each immigration, asylum, nationality or customs function has a Home Office (Borders, Immigration and Citizenship System) ‘owner’

The BICS ‘owner’ is accountable for

- implementation of relevant policies and processes
- performance (informed by routine collection and analysis of Management Information (MI) and data, and monitoring of agreed targets/deliverables/budgets)
- resourcing (including workforce planning and capability development, including knowledge and information management)
- managing risks (including maintaining a Risk Register)
- communications, collaborations and deconfliction within the Home Office, with other government departments and agencies, and other affected bodies
- effective monitoring and management of relevant contracted out services
- stakeholder engagement (including customers, applicants, claimants and their representatives)

BICS ‘ownership’ of language services

- 11.1** Any consideration of where BICS ‘ownership’ of language services best lies needs to take account of the ways that language services are used operationally. But it also needs to include the creation and maintenance of the policies and guidance required to underpin their use and ensure it is lawful, effective, and consistent, and the management of third-party suppliers to ensure contractual compliance, efficiency, and value for money. Any ‘owner’ would also need to be across new technologies that could improve the efficiency and effectiveness of BICS.
- 11.2** All three BICS operational directorates are involved in the asylum process and they all make use of language services. The bulk of asylum work falls to UK Visas and Immigration (UKVI) Asylum Operations, but Border Force and Immigration Enforcement encounter asylum seekers and conduct asylum screening interviews at ports and in detention facilities. Immigration Enforcement staff also serve asylum decisions on immigration detainees.
- 11.3** Meanwhile, BICS staff, in particular Border Force and Immigration Enforcement officers, make extensive use of language services for other core functions unconnected with asylum.
- 11.4** The Interpreter Operations Unit (IOU) manages most of the bookings of Home Office interpreters, mostly in support of Asylum Operations. Both the IOU and Asylum Operations are in UKVI’s Immigration and Protection (I&P) Directorate. Asylum Operations is a Senior Civil Service (Grade 5) command. The 30-strong IOU, which is headed by a Senior Executive Officer

(SEO) sits in another of I&P's Grade 5 commands, Immigration, Information, Improvement & Support (3iS).

- 11.5** Inspectors were told that regular, either weekly or fortnightly, dial-in meetings were held between asylum casework workflow managers and the IOU, but it was unclear to what extent the IOU is held accountable by Asylum Operations for service delivery. Within the IOU, the Central Interpreters' Unit (CIU) is tasked with monitoring the performance quality of interpreters but is reliant on feedback from operational users. Its outreach via the Interpreters Monitoring Form (IMF) is limited to asylum decision makers, covers a small percentage of substantive interviews, and feedback and follow-up actions lack consistency.
- 11.6** BICS does not have a system-wide policy on the provision of information and services in foreign languages. Policies and guidance have developed separately for asylum and for other BICS functions, for example, enforcement, and practice varies not only for these different functions but between and within the operational directorates, in some cases from one location to another. Some of this is a pragmatic response to the (non-)availability of particular language services.
- 11.7** There is also no single BICS budget for language services. Costs are met from the delegated budgets of each of the operational directorates. As the biggest user of Home Office interpreters, Asylum Operations' budget has a separate line for "Interpreters & Translation". In 2017-18, the budget was £5,111,994. In 2018-19, with the IOU element moved to 3iS, it was £3,839,424. The budget holder is the head of Asylum Operations (a Senior Civil Servant) and budget management is delegated to the Asylum Business Support Unit (BSU), which is managed by a Deputy Director (Grade 6).
- 11.8** In Border Force, the cost of interpreters is met from the regional budgets, and it is a matter for each Regional Director to decide what amounts and authorities to delegate to their various Assistant Director (Grade 7) commands. However, inspectors were told that there was no separate budget allocation for language services and any expenditure is recorded against the general "non-pay" budget. Immigration Enforcement took a similar approach.
- 11.9** The contractual relationship with Verified AB and Sprakab is managed by a dedicated SEO in the Asylum BSU. Both suppliers have specific measurable Key Performance Indicators (KPIs), principally concerned with timely delivery of a preliminary assessment and full written analysis report. Performance against these KPIs is reviewed monthly for Verified AB, but less often for Sprakab as there are fewer requests. The Home Office maintains a record of when each request was received from the business area, authorised, sent to the supplier, the test was conducted, and the report received. However, it relies on performance data provided by the suppliers to assess whether the KPIs have been met. BSU also holds quarterly performance review meetings with the suppliers, together with a representative from Home Office Commercial directorate.
- 11.10** Language services contracts with thebigword and K International were transferred from Crown Commercial Services (CCS) to Home Office Commercial in 2018 (Q1), having already expired. The Home Office advised inspectors that during the transfer some documents went missing or were untraceable, including thebigword contract. At the time of inspection, the Home Office Commercial directorate was reviewing thebigword contract and had not engaged with suppliers over any matters other than the tender for the new contract.
- 11.11** Some BICS business areas understood that there were regional or local contracts in place covering their use of thebigword. Border Force Heathrow, for example, told inspectors its local

“corporate services team” had agreed a contract with thebigword for Border Force’s Heathrow Command. Similarly, the Yarl’s Wood Detention Engagement Team (DET) told inspectors that the Detention and Escorting Services (DES) Team at each IRC had agreed a local “contract” with thebigword.

- 11.12** The operational business areas’ involvement in the contracts was limited to monitoring spend. However, as usage of thebigword was not recorded locally, except on Case Information Database (CID) or screening forms, it was hard to see how the itemised bills that were received could be effectively monitored, except to look out for any significant changes from previous bills or anything clearly out of the ordinary in terms of usage.

Risk Registers

- 11.13** The Home Office told inspectors that there was no central Risk Register for the provision of language services. At the time of the inspection, the Asylum Operations Risk Register did not contain any risks linked to the provision of language services.
- 11.14** IOU maintained a Risk Register. Inspectors were told that if a risk emerged that needed to be escalated it would be flagged for inclusion in the 3iS Risk Register and after that in the I&P Directorate Risk Register. Depending on the severity of the risk, the I&P Risk Assurance lead might raise it for possible inclusion in the UKVI or Home Office Risk Registers.

Stakeholder engagement

- 11.15** Inspectors were told that Asylum Operations had a Head of Customer Experience, who was responsible, with an NGO representative, for co-chairing the Decision-Making Sub-group of the National Asylum Stakeholder Forum (NASF).⁹⁶ The Home Office reported that the subject of interpreters had not formally been raised at the Decision-Making Sub-group.
- 11.16** Inspectors were also told about UKVI I&P Directorate’s “Making Better Decisions” project, which had a work strand looking at improving communication and engagement with customers. The Home Office reported that findings from this project concerning “the importance of dialect” and the ability of an applicant to raise concerns about interpreters had been fed back to the IOU. I&P planned to use the project’s findings, including the availability of guidance, information and applicant communications in other languages, to inform its improvement and transformation work.

⁹⁶ The NASF was launched in 2007. See <https://www.gov.uk/government/publications/response-to-a-report-on-a-inspection-of-asylum-accommodation> Recommendation 8. In August 2019, the Home Office told ICIBI that it hoped that new draft Terms of Reference and structure of the NASF’s Strategic Engagement Group would be signed off by the end of April 2020, including arrangements for sharing and cascading information.

Annex A: Role and remit of the Independent Chief Inspector

The role of the Independent Chief Inspector of Borders and Immigration (until 2012, the Chief Inspector of the UK Border Agency) was established by the UK Borders Act 2007. Sections 48-56 of the UK Borders Act 2007 (as amended) provide the legislative framework for the inspection of the efficiency and effectiveness of the performance of functions relating to immigration, asylum, nationality and customs by the Home Secretary and by any person exercising such functions on her behalf.

The legislation empowers the Independent Chief Inspector to monitor, report on and make recommendations about all such functions. However, functions exercised at removal centres, short-term holding facilities and under escort arrangements are excepted insofar as these are subject to inspection by Her Majesty's Chief Inspector of Prisons or Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (and equivalents in Scotland and Northern Ireland).

The legislation directs the Independent Chief Inspector to consider and make recommendations about, in particular:

- consistency of approach
- the practice and performance of listed persons compared to other persons doing similar activities
- the procedure in making decisions
- the treatment of claimants and applicants
- certification under section 94 of the Nationality, Immigration and Asylum act 2002 (c. 41) (unfounded claim)
- the law about discrimination in the exercise of functions, including reliance on section 19D of the Race Relations Act 1976 (c. 74) (exception for immigration functions)
- the procedure in relation to the exercise of enforcement powers (including powers of arrest, entry, search and seizure)
- practice and procedure in relation to the prevention, detection and investigation of offences
- the procedure in relation to the conduct of criminal proceedings
- whether customs functions have been appropriately exercised by the Secretary of State and the Director of Border Revenue
- the provision of information
- the handling of complaints; and
- the content of information about conditions in countries outside the United Kingdom, which the Secretary of State compiles and makes available, for purposes connected with immigration and asylum, to immigration officers and other officials.

In addition, the legislation enables the Secretary of State to request the Independent Chief Inspector to report to her in writing in relation to specified matters.

The legislation requires the Independent Chief Inspector to report in writing to the Secretary of State. The Secretary of State lays all reports before Parliament, which she has committed to do within eight weeks of receipt, subject to both Houses of Parliament being in session.

Reports are published in full except for any material that the Secretary of State determines it is undesirable to publish for reasons of national security or where publication might jeopardise an individual's safety, in which case the legislation permits the Secretary of State to omit the relevant passages from the published report.

As soon as a report has been laid in Parliament, it is published on the Inspectorate's website, together with the Home Office's response to the report and recommendations.

Annex B: ICIBI's 'Expectations'

Background and explanatory documents are easy to understand and use (e.g. statements of intent (both ministerial and managerial), impact assessments, legislation, policies, guidance, instructions, strategies, business plans, intranet and GOV.UK pages, posters, leaflets etc.)

- They are written in plain, unambiguous English (with foreign language versions available, where appropriate)
- They are kept up to date
- They are readily accessible to anyone who needs to rely on them (with online signposting and links, wherever possible)

Processes are simple to follow and transparent

- They are IT-enabled and include input formatting to prevent users from making data entry errors
- Mandatory requirements, including the nature and extent of evidence required to support applications and claims, are clearly defined
- The potential for blockages and delays is designed out, wherever possible
- They are resourced to meet time and quality standards (including legal requirements, Service Level Agreements, published targets)

Anyone exercising an immigration, asylum, nationality or customs function on behalf of the Home Secretary is fully competent

- Individuals understand their role, responsibilities, accountabilities and powers
- Everyone receives the training they need for their current role and for their professional development, plus regular feedback on their performance
- Individuals and teams have the tools, support and leadership they need to perform efficiently, effectively and lawfully
- Everyone is making full use of their powers and capabilities, including to prevent, detect, investigate and, where appropriate, prosecute offences
- The workplace culture ensures that individuals feel able to raise concerns and issues without fear of the consequences

Decisions and actions are 'right first time'

- They are demonstrably evidence-based or, where appropriate, intelligence-led
- They are made in accordance with relevant legislation and guidance
- They are reasonable (in light of the available evidence) and consistent
- They are recorded and communicated accurately, in the required format and detail, and can be readily retrieved (with due regard to data protection requirements)

Errors are identified, acknowledged and promptly 'put right'

- Safeguards, management oversight, and quality assurance measures are in place, are tested and are seen to be effective
- Complaints are handled efficiently, effectively and consistently
- Lessons are learned and shared, including from administrative reviews and litigation
- There is a commitment to continuous improvement, including by the prompt implementation of recommendations from reviews, inspections and audits

Each immigration, asylum, nationality or customs function has a Home Office (Borders, Immigration and Citizenship System) 'owner'

The BICS 'owner' is accountable for

- implementation of relevant policies and processes
- performance (informed by routine collection and analysis of Management Information (MI) and data, and monitoring of agreed targets/deliverables/budgets)
- resourcing (including workforce planning and capability development, including knowledge and information management)
- managing risks (including maintaining a Risk Register)
- communications, collaborations and deconfliction within the Home Office, with other government departments and agencies, and other affected bodies
- effective monitoring and management of relevant contracted out services
- stakeholder engagement (including customers, applicants, claimants and their representatives)

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