



Ministry
of Justice

Statistics on the use of language services in courts and tribunals

Quarterly Update to September 2013

Ministry of Justice
Statistics bulletin

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Introduction

The data presented in this bulletin are for face-to-face language services provided to HM Courts & Tribunals Service (HMCTS) and the National Offender Management Service (NOMS). These services are supplied under a contract with Capita Translation and Interpreting (TI); formerly known as Applied Language Solutions (ALS). More information on the Language Services Framework Agreement can be found within the 'Explanatory notes' section.

The information published covers requests for services made and completed between the start of the national language services framework on 30 January 2012 and 30 September 2013, with accompanying commentary and analysis. The bulletin covers courts in England and Wales, all UK tribunals not transferred to devolved governments, NOMS prisons and MoJ and NOMS HQ.

Data are not centrally held for the number of completed language requests under previous contracts and therefore it is not possible to say whether performance levels since 30 January 2012 are higher, lower or similar to those under the previous arrangements.

The data used for these statistics are generated from management information reports taken from the web-based request system. As with any large set of data from a live management information system, there may be inaccuracies and errors. This means that the data, and the statistics derived from them reported here, must be regarded as provisional, and subject to revision in later publications.

This bulletin is the second quarterly publication in this series. Previous publications were released on an ad-hoc basis, presenting monthly figures on completed requests and complaints raised. This ad hoc approach to publication enabled us to gain a detailed understanding of the data generated from new management information reports, work through a number of initial reporting issues (for example, ensuring allocations of requests to the correct requester accounts and capturing of multiple complaints against single requests) and assess the needs of users of these statistics. We have decided it is appropriate to publish the bulletin on a quarterly basis, thus bringing it in line with other MoJ statistical publications. Within year quarterly releases will provide a snapshot of completed requests and complaints raised, with the final calendar year publication providing more detailed breakdowns – for example, by languages requested.

Also for the second time, in this publication we are presenting data on the number of bookings made "off contract", covering the period between 1 April 2013 and 30 September 2013. Data are not centrally held for "off contract" bookings made prior to this period.

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

Executive Summary

These statistics focus on four main areas: the number of completed language services requests; the 'success rate' of completed requests; the number of founded and closed complaints made relating to languages services requests; and the number of "off contract" bookings made.

Number of completed requests for language services

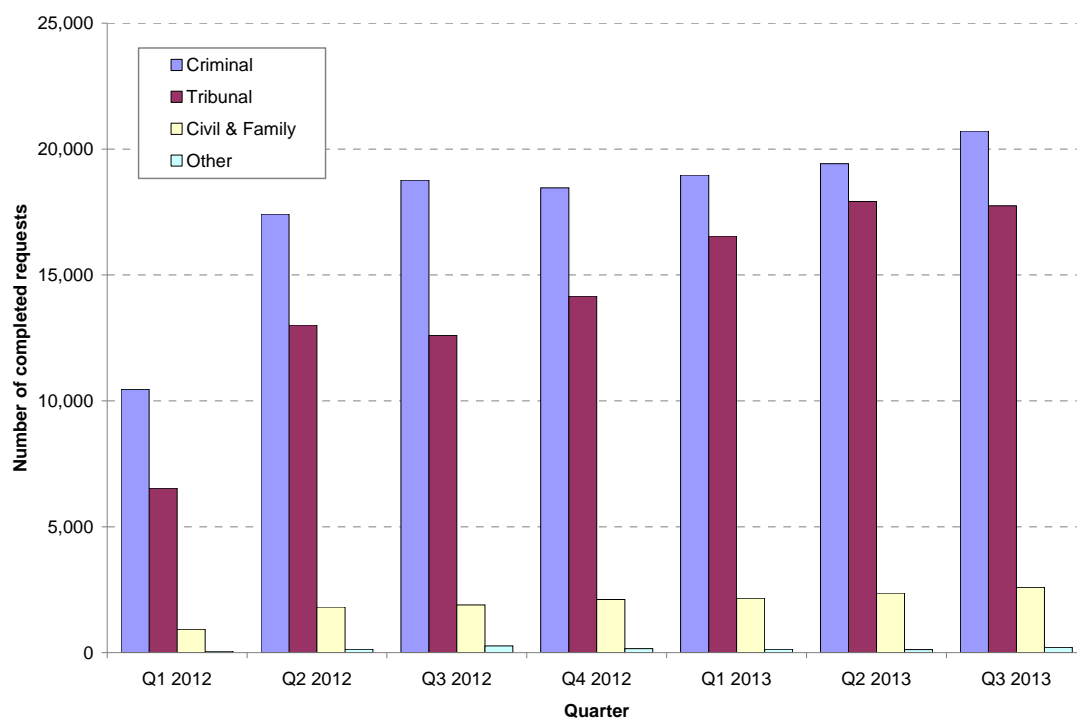
This section refers to the volume of completed requests for language services made under the contract through the web-based request system.

During the period covered by this bulletin (30 January 2012 to 30 September 2013), there were a total of 237,700 completed requests for languages services. Of these, 118,800 completed requests were made in 2012, with a further 118,900 completed requests made during the first three quarters of 2013.

The number of completed requests made under the contract has increased each quarter since the contract began. In the most recent quarter (Q3 2013), 23% more completed requests were made when compared with the same quarter a year ago – from 33,500 in Q3 2012 compared with 41,300 in Q3 2013.

The criminal courts make the greatest use of face-to-face language translation services. In the latest quarter, 50% of completed requests were for criminal cases (including criminal cases in the Crown and magistrates' courts), 43% were for tribunal cases, 6% were for civil and family court cases, and 6% were for civil and family court cases.

Figure 1: Number of completed language service requests, by requester type, Q1 2012 to Q3 2013



These proportions in part reflect the numbers of people dealt with by the different courts and tribunals, with volumes of criminal proceedings at magistrates' courts and criminal cases heard at the Crown Court higher than the number of civil and family cases heard in court and tribunal receipts¹.

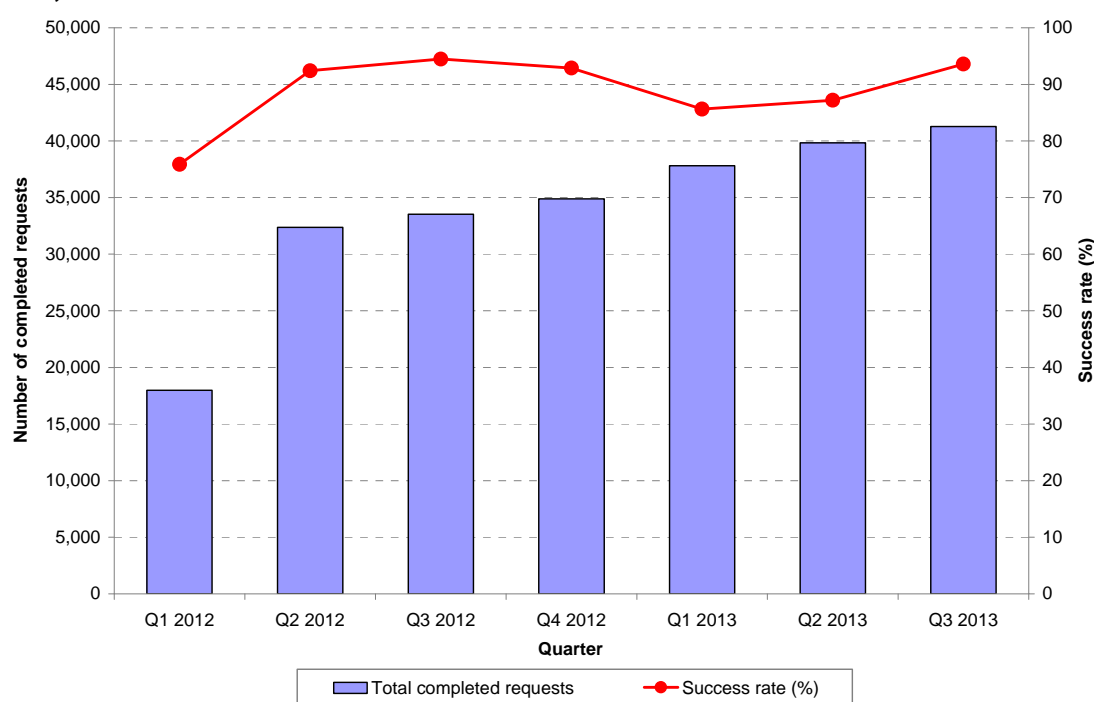
‘Success rate’ of completed requests

Requests completed according to the framework agreement are called ‘fulfilled’ in this bulletin. However, requests may also be cancelled by the customer (i.e. the requester) or the supplier Capita TI may not be able to provide the requested service (called ‘not fulfilled’ in this bulletin). Requests may also fail because either the supplier (i.e. the translator or interpreter) or customer does not attend (or arrives so late that the job is cancelled).

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

Presenting a single success rate does not provide the whole picture on the changes in the operation of the contract since commencement.

Figure 2: Number of completed language service requests and overall success rate, Q1 2012 to Q3 2013



Over the first two months of the contract (“Q1 2012”, including the period 30 January to 31 March), the contractor was able to fulfil the request or the requesting customer failed to attend for 76% of non-cancelled requests. In Q2 2012, this success rate increased to 92% and remained relatively flat for the remainder of 2012. However, in

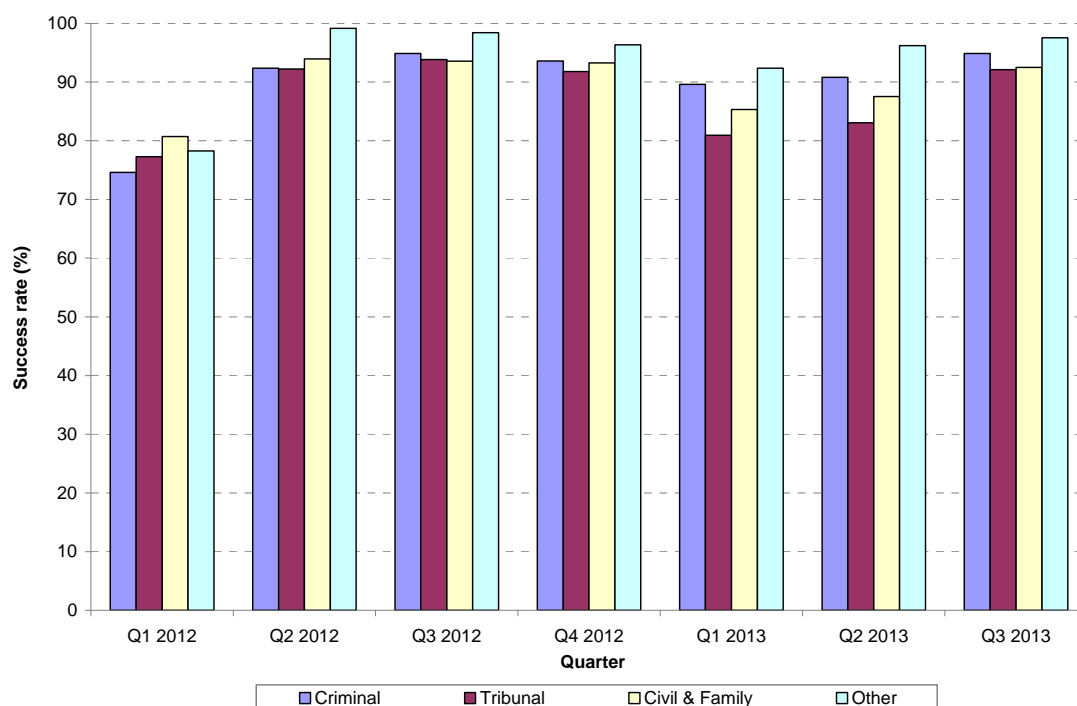
¹ Caseload statistics for criminal, civil and family courts and tribunals can be accessed in the *Court Statistics Quarterly* and *Quarterly Tribunal Statistics* bulletins, both published on the Ministry of Justice website.

Q1 2013, the success rate decreased to 86% – the fall coinciding with the contractor reducing the mileage rate paid to interpreters – and stood at 87% of completed requests in Q2 2013. In Q3 2013 however, the success rate increased to 94% of non-cancelled requests.

During 2012, success rates were broadly similar across the different requester types. However, the decrease in success rate in the first two quarters of 2013, driven by a large increase in requests not fulfilled by the supplier, was observed in particular for requests made by tribunals. In Q1 2013, the success rate for requests made by tribunals was 81% – almost five percentage points below the overall success rate. Similarly, in Q2 2013, the success rate for requests made by tribunals, though increased to 83%, was still four percentage points below the overall success rate. In the latest quarter, the success rate for requests made by tribunals had increased to 92% – one and a half percentage points below the overall success rate.

Of the total completed requests made in Q3 2013, 5,000 (12%) were cancelled by the requesting customer (HMCTS or NOMS). There has been little change in proportions of requests in which the customer has cancelled over the last six quarters.

Figure 3: Success rate (%) by requester type, Q1 2012 to Q3 2013



Number of complaints made relating to languages services requests

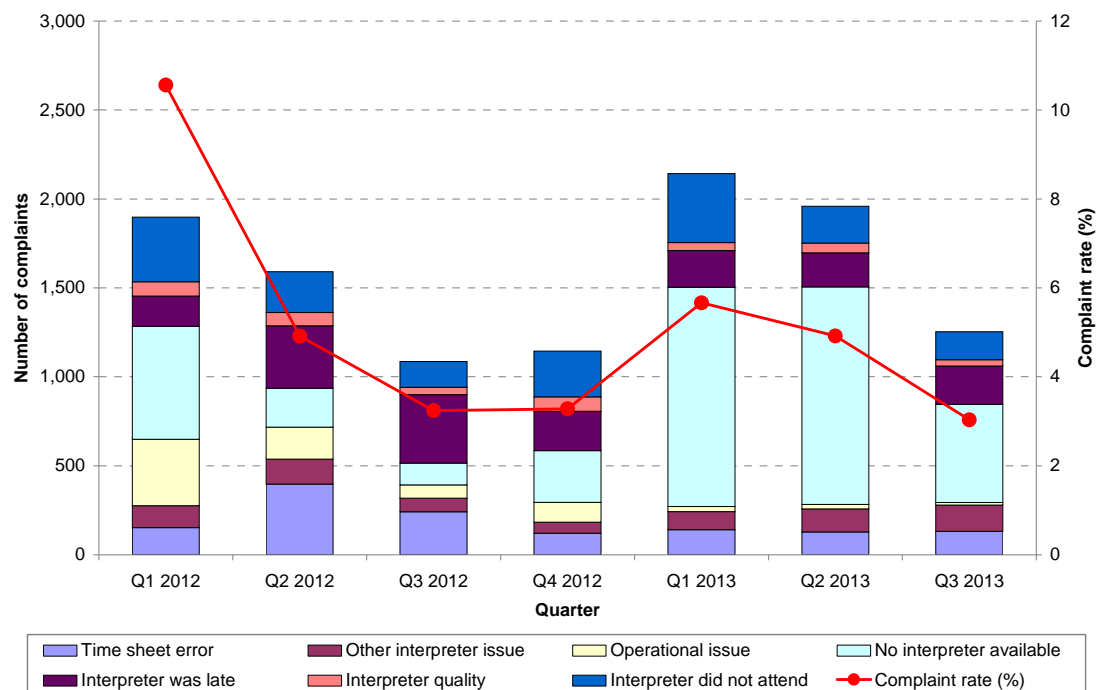
Complaints are submitted through the web-based language service booking portal managed by Capita TI. They are categorised according to a range of possible issues identified by the complaint, ranging from aspects of service provision – such as issues around interpreter quality, lack of interpreter availability, the non-attendance of a booked interpreter – to administrative concerns, such as operational issues and interpreter time sheet errors.

Complaints are reported according to the quarter during which the related language service request was completed. Complaints lodged through the web-based request system relating to requests completed in 2012 are recorded based on a categorisation created by ALS/Capita TI. The range of complaint categories available on the web-based request system at the time of lodging a complaint were expanded during 2012. Complaints made relating to requests completed in 2013 are categorised using the category of complaint entered on the web-based request system by the requester at the time the complaint was lodged.

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

During the period covered by this bulletin (30 January 2012 to 30 September 2013), there were 11,100 complaints recorded relating to completed requests made. There were 5,700 complaints made in 2012, with 5,400 complaints made in the first three quarters of 2013.

Figure 4: Number of complaints made, by category of complaint, with complaint rate, Q1 2012 to Q3 2013



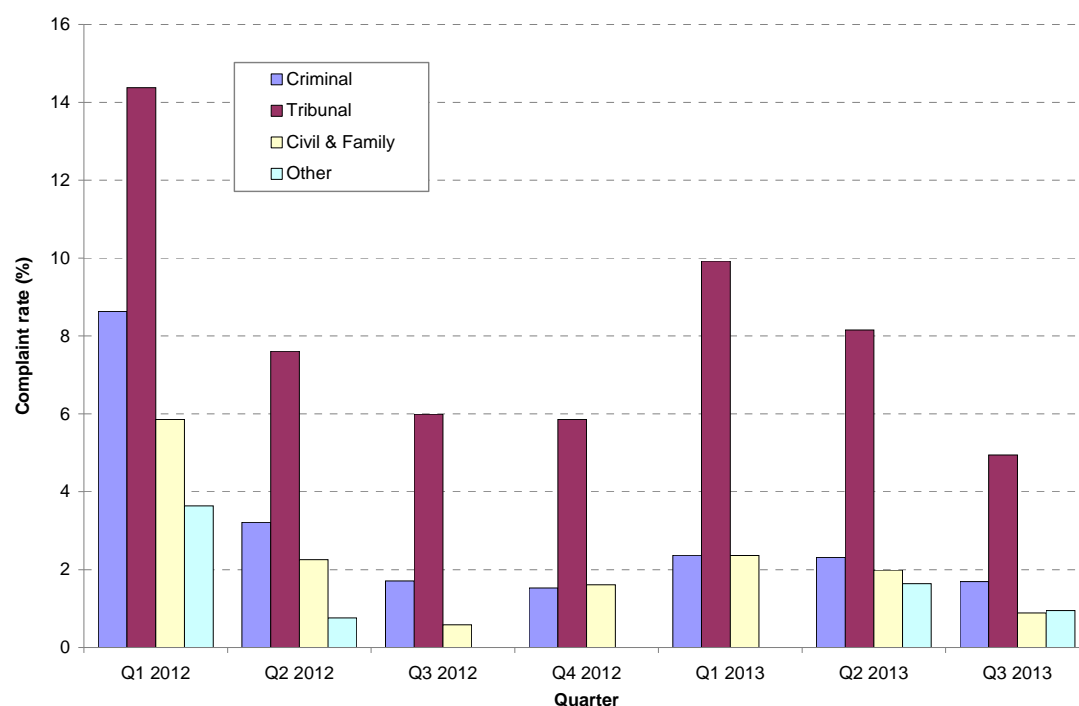
Complaint volumes increased to 2,150 in Q1 2013 – a high since the contract began – before decreasing to 2,000 in Q2 2013 and again to 1,300 in Q3 2013. The overall

complaint rate decreased from a complaint relating to 6% of completed requests in Q1 2013, down to 5% of completed requests in Q2 2013 and to 3% of requests in Q3 2013.

The decrease in the complaint rate in Q2 and Q3 2013 coincided with the improvement in the success rate, again coinciding with the settlement in the mileage rate paid to interpreters. In the first two quarters of 2013, around 60% of complaints made related to a lack of interpreter availability.– in 2012, this category accounted for 22% of complaints. In Q3 2013, the category accounted for 44% of complaints lodged.

Tribunals have recorded the highest number of complaints in each quarter since the contract began. However, in the latest quarter, complaints from tribunals have decreased by 40% (from 1,500 in Q2 2013 to 900 in Q3 2013). Complaints by tribunals accounted for 74% of all complaints made thus far in 2013. Further, tribunals have a significantly higher rate of complaint than other requester types – in the latest quarter, tribunals made a complaint regarding 5% of completed requests, compared with 2% of requests in criminal cases and 1% of civil and family cases.

Figure 5: Complaint rate by requester type, Q1 2012 to Q3 2013



Number of “off contract” bookings made

“Off contract” bookings are requests for translation and interpretation services made outside the Capita TI contract. Bookings for the service are made directly by the courts and tribunals – that is, not through the language service booking portal.

In Q3 2013 – the second quarter for which data is held centrally – a total of 1,349 off contract bookings were made by criminal courts, civil & family courts and tribunals. This accounted for 3% of all bookings made for languages services in Q3 2013. By comparison, off contract bookings accounted for 7% of all bookings made for languages services in Q2 2013, and have decreased in volume by 55% over the latest quarter.

Tribunals accounted for 41% of off contract bookings made in Q3 2013 (compared with 51% in the previous quarter), and criminal courts accounted for 56% (compared with 48% in the previous quarter).

The observed decrease in the number of off contract bookings made in Q3 2013 coincides with an increase in the volume of and success rate for completed requests made under the contract, and a decrease in the complaint rate associated with completed requests made under the contract.

Explanatory notes

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

Symbols and conventions

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

‘-’ = Nil

Data sources and data quality

Data for completed requests and complaints relating to face-to-face services provided to HM Courts & Tribunals Service (HMCTS) and the National Offender Management Service (NOMS) are taken from the language service booking portal managed by Capita TI.

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

These statistics are generated from datasets provided by the contractor from their web-based portal of the numbers of completed requests and details of complaints associated with each request. This bulletin uses raw data from the portal covering the period 30 January 2012 to 30 September 2013. The data are from a snapshot of the system on 3 December 2013.

As the data are taken from a live management information system, the data should be considered provisional, correct as at 3 December 2013, for requests and complaints raised. Any updates or corrections to the data will be reported in subsequent bulletins. In particular, the status of requests for services near the end of the reporting period may be updated, and complaints may be raised after 3 December 2013 relating to services provided before 30 September 2013. For the same reason, some differences will be observed between the January 2012 to June 2013 complaints figures and January 2013 to June 2013 completed request figures in this bulletin and those included in the quarterly bulletin published in October 2013. Completed request figures for 2012 have been considered for this bulletin to be finalised and subject to no further change.

Two different schemes for categorising complaints have been used since the use of the language service booking portal commenced. Under the earlier classification scheme, complaints were simply described as ‘closed’ once they were dealt with. A more advanced scheme has been introduced that can classify complaints as founded, unfounded or duplicates (complaints submitted twice in error), and only founded complaints are counted by the Ministry of Justice. It is not possible to break

down the 'closed' complaints further, so this bulletin reports all complaints counted as 'closed' or 'founded', which will include a small number of unfounded or duplicate complaints from the earlier classification scheme.

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

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

All bookings closed by interpreters are scrutinised by HM Courts & Tribunal Service staff, and any discrepancies are reviewed with the Ministry of Justice Contract Manager and Capita TI with the necessary action taken.

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

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

Further to recommendations made by the Justice Select Committee², a method has been developed to collect statistical information on "off contract" bookings (i.e. all translation and interpretation services provided to courts and prisons outside the Capita TI contract), which commenced for all courts in April 2013.

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

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

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

² www.publications.parliament.uk/pa/cm201213/cmselect/cmjust/cmjust/645/645.pdf

The Language Services Framework Agreement

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

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

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

Services provided under the framework

Capita TI provides interpretation, translation, sign and other non-defined language support services to MoJ, HM Courts & Tribunals Service and NOMS prisons. The service is not available for use by Probation Trusts but the framework agreement is available.

- Face-to-face interpretation that can be divided into three tier-based needs.
 - Tier One: the interpreter is able to both speak fluently in the language required and is also able to provide a written translation to a pre-determined standard.
 - Tier Two: the interpreter can provide fluent spoken interpreting services, but will not be able to provide a written translation that would suffice for justice sector needs.
 - Tier Three: the interpreter can provide an interpreting service, but not to the standard that would be required for court, tribunal or other evidential requirements; this may be used, for example, in community-based settings.
- Telephone interpreting;
- Translation services – written (including Braille and Easy-read) and recorded (including transcription);
- Services for the deaf and deaf blind (including, but not limited to, British Sign Language, Sign Supported English, Note Taking, Finger Spelling and Lip Speaking); and,
- Other non-defined language support services as and when they arise.

Translation of Welsh in Wales is not included in the framework.

Glossary of terms used

Descriptions of outcomes of requests dealt with

Fulfilled

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

Not fulfilled by supplier

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

Cancelled by customer

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

Customer did not attend

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

Supplier did not attend

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

Success rate

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

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

Categories of requester

Criminal

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

Tribunals

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

Civil & Family

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

Other

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

Categories of complaints

Interpreter did not attend

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

Interpreter quality

The quality of the interpreting skills is being questioned.

Interpreter was late

The assigned interpreter was late getting to the assignment.

No interpreter available

The supplier was unable to provide an interpreter.

Operational issue

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

Other Interpreter issue

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

Time sheet error

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

Unknown

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

Contacts

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

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

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

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