

The Rt Hon Baroness Morris of Yardley  
Chair  
Public Services Committee  
House of Lords  
London  
SW1A 0PW

**MoJ ref:** Sub 124328

27 May 2025

Dear Baroness Morris,

**Government response to the Public Services Committee's report  
on Interpreting services in the courts**

The Government welcomes the Public Services Committee's report on interpreting services in the courts, and we are grateful to those who contributed to this inquiry. Thank you too for giving me and the HMCTS team the opportunity to provide evidence to the inquiry.

The Ministry of Justice (MoJ) is committed to providing an effective and high-quality interpreting service within the courts, and in 2024 only 0.7% of trials were delayed due to the lack of an interpreter. The procurement exercise currently underway is scheduled to deliver new contracts for these services, commencing operation in October 2026. We have listened to the feedback from the contributors to your inquiry, and carefully reviewed your report and its recommendations. We are familiar with many of the issues raised and have been working to ensure that our procurement includes improvements to the service that will address and resolve many of these challenges, delivering an improved service for court users, interpreters and other stakeholders.

These improvements will include:

- implementing the new Qualifications Framework, the result of an independent review into the qualifications requirements of the MoJ that ensures that we are matching the competencies required for court work to the capabilities of our interpreters.
- strengthening the Quality Assurance process, to improve confidence in the quality of interpreting delivered, as well as implementing assurance of the complaints process itself.
- a secondary spoken word supplier to satisfy short notice bookings, reducing frictions around short notice changes and reducing off-contract bookings.
- requiring our suppliers to provide new welfare support to interpreters.

The MoJ regularly and continually evaluates the service performance, identifying improvements that can be implemented within our existing contracts. The department is also mindful of the need to ensure value for money for the taxpayer. The increase to a two hour minimum face to face booking, negotiated with our suppliers and implemented in October 2024, has been well received, and has contributed to an improvement in service performance, with the most recent data, published on 25<sup>th</sup> March 2025, showing an increase in success rate to 96%.<sup>1</sup> Similarly, the data in Q4 2024 shows a 11-percentage point decrease in off-contract requests from the previous quarter. Despite this marked improvement we will not be complacent regarding future performance. We know the service is not perfect and our job is to ensure we support interpreters and our court staff to continuously deliver improvements as we manage our contracts.

I would like to thank the Committee again for their review on the interpreting service within courts. I want to assure you that we will draw on the valuable learning and insights the Committee has provided, as detailed in the memorandum attached as we manage these services in future.

Yours sincerely,

A handwritten signature in black ink, reading "Sarah Sackman". The signature is fluid and cursive, with the first name "Sarah" and the surname "Sackman" clearly distinguishable.

**SARAH SACKMAN KC MP**  
**Minister Of State**

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<sup>1</sup> Criminal court statistics quarterly: October to December 2024 - GOV.UK



Ministry  
of Justice

# Interpreting services in the courts

## Response from the Ministry of Justice to the Public Services Committee

May 2025

### Introduction

The Government is grateful to the Public Services Committee (PSC) for its *Interpreting services in the courts*<sup>1</sup> report.

The Ministry of Justice (MoJ) is committed to providing an effective and high-quality interpreting service within the courts. We recognise that interpreters are a vital part of the justice system and by listening to their feedback we have already begun to put steps in place to improve the service. Whilst we believe that the interpreter service operates well, as evidenced by the performance data, it is clear that not all stakeholders, court users, or interpreters, have good experiences of the service.

As outlined in the written evidence we previously provided to the Committee, the MoJ is running a procurement exercise for the interpreting service, with the new contracts scheduled to commence in October 2026. We are confident that the service improvements specified within the new contracts, and the actions that we are taking regarding the current service, will resolve the issues described by the PSC report, and deliver better experiences for our stakeholders, court users, and interpreters.

The MoJ is confident that the steps it has taken, and continues to take, strengthens the effectiveness of the interpreting service in courts. We will outline this work in response to the PSC's conclusions and recommendations below.

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<sup>1</sup> [Interpreting services in the courts](#)

## Data on Interpreting

1. **PSC Conclusion:** We have low confidence in the data the MoJ reports regarding interpreting in the courts.
- 1a. **PSC Recommendation:** The Government should take steps to improve the quality and consistency of the data gathered relating to interpreting in the courts, and should publish further data on the performance of interpreting services in the courts from the next quarterly data release onwards. This should include all data gathered by companies supplying the service, and data on the number and proportion of cases which are delayed due to problems in interpreting services.

### Government response:

- 1.1. MoJ accepts that the data it publishes on interpreting services can be restructured into a more coherent format. Data on booking fulfilment, interpreter quality, number of complaints, and the number and proportion of cases which are delayed (“ineffective trials”) due to no interpreter being available, are already published, but across four separate files.
- 1.2. The MoJ will publish the data relevant to the interpreter service in a specific file or section, grouping all of the data published elsewhere into a single “one stop shop” for this service, along with accompanying guidance for users, to aid analysis and understanding. The MoJ will establish this additional publication within a 6-month period.
- 1.3. The MoJ will include guidance within the Criminal Court Statistics to signpost users to the available data on interpreting, to provide a clearer, overarching view of the service’s performance. This guidance will be added within the quarterly data release scheduled for September 2025.
- 1.4. As part of the ongoing quarterly data release, the MoJ seeks out and acts on the needs of our users to make sure that we are providing useful and relevant statistics. Any decision on the publication of additional datasets must go through our dedicated team of Statisticians who are guided by the Code of Practice for Statistics.<sup>2</sup>
- 1.5. The MoJ will discuss with the suppliers of the new contracts what further data can be published which will improve understanding of the service performance, and be ready to publish this for the implementation of the new contracts in October 2026.

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<sup>2</sup> [Code of Practice for Statistics](#)

- 1.6. The MoJ recognises the importance of publishing quality data to ensure transparency and to align with the common law principle of open justice. The data on interpreting services (ineffective trials) forms a small part of the Criminal Court Statistics that the MoJ publishes on a quarterly basis. The Criminal Court Statistics were found to be of suitably high quality by The Office for Statistics Regulation (OSR) as part of their independent review published in March 2025, the OSR stated they were “confident in the quality” of the Criminal Court Statistics and “judged that it could retain its Accredited Official Statistics status.”<sup>3</sup>
- 1.7. Alongside the criminal courts quarterly statistics, MoJ also publishes contractual Key Performance Indicators (KPIs) as required by the Cabinet Office in an effort to increase transparency across government. Language services contracts are included within this data set and will continue to be throughout the future contracts. MoJ will consider whether this can be additionally included in the interpreter service-specific publication.
- 1.8. Two different channels for complaints about interpreters exist within HMCTS. One is the HMCTS complaints process as outlined on the Gov.UK website<sup>4</sup>, which received more than 30,000 complaints in 2024/25, with 20% of the complaints being from legal professionals. Of the 33,088 complaints received through this process over the last year, 11 of these complaints related to interpreters.
- 1.9. The second channel is an interpreter service-specific complaints channel, where complaints are made about an interpreter, or by an interpreter. These complaints are from internal MoJ staff, judges, and external complainants such as court users. The process for these complaints is for them to be sent directly to the supplier, and escalations are sent to the Contracted Services Team in HMCTS. The total number of complaints received through this channel in 2024 was 1,206, as published in the criminal court statistics (CCS) dataset.
- 1.10. Since the Committee’s report was published, there has been another quarterly release of data on interpreting services as part of the criminal court statistics series covering October to December 2024. This data shows that there were 53,133 completed language service requests in Q4 2024, up 11% on the previous year and the success rate increased to 96%.<sup>5</sup> This is a 6-percentage point increase in the success rate from the Q3 2024<sup>6</sup> data which was included in the Committee’s report.

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<sup>3</sup> [Review of the quality of criminal court statistics for England and Wales – Office for Statistics Regulation](#)

<sup>4</sup> [Complaints procedure - HM Courts & Tribunals Service - GOV.UK](#)

<sup>5</sup> [Criminal court statistics quarterly: October to December 2024 - GOV.UK](#)

<sup>6</sup> [Criminal court statistics quarterly: July to September 2024 - GOV.UK](#)

- 1.11. Whilst the MoJ is pleased to report of the promising statistics on aspects of the interpreting services in the Q4 2024 data, there was an increase in complaints (up 83% on the previous quarter). However, we do want to highlight that the overall complaint rate was 0.9% in the latest period and has remained below 1% since Q3 2020, and that complaints relating to interpreter quality are around 2% of total complaints and 0.01% of completed bookings.<sup>7</sup> The MoJ is grateful for these reliable data sets that enable us to identify where more intervention is required. Further information on cancelled requests and the work we are undertaking on complaints and stakeholder engagement are detailed further down within our response.
2. **PSC Conclusion:** We are concerned that the current provision of interpreting services in the courts is not acceptable and presents a significant risk to the administration of justice.
- 2a. **PSC Recommendation:** We are asking the National Audit Office to re-explore this area, following up the recommendations of the NAO's 2012 report. This should include but not be limited to an examination of how robustly the MoJ is gathering, analysing and communicating information regarding the quality of interpreting services in the courts and the arrangement of those services.

Government response:

- 2.1. The MoJ is confident in the quality of its published data, which has been externally reviewed recently (as outlined in the response above) and found to be of good quality.
- 2.2. Furthermore, the MoJ disagrees with the Committee's conclusion that the provision of interpreting services in the courts is not acceptable and presents a significant risk to the administration of justice. The quality metrics for the service are good (96% success rate in Q4 2024) and the number of trials that are delayed due to lack of interpreters is very low (0.7% of ineffective trials in 2024).
- 2.3. The measurements of quality, and the fact that there are no recorded examples of mistrials or miscarriages of justice caused by interpreter quality since the service has been operating, suggests that quality is sufficiently high. The strong fulfilment metric, and low numbers of ineffective trials due to lack of interpreter availability, both suggest that interpreter availability is not a significant drag on court performance.

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<sup>7</sup> Ibid.

- 2.4. The Committee heard a range of evidence during its inquiry, including allegations that poor quality interpreting was putting hearing outcomes at risk. However, as mentioned above, there were no identifiable court hearings where an interpreter quality defect affected the hearing outcome. The Committee's view on this therefore contrasts with the MoJ's data which includes examples of identifiable quality failures which have been detected, and acted upon, both to further assess the interpreter's capability and quality, and to inform the relevant judge to understand whether justice has been affected in that hearing. It is this quality assurance (QA) work that gives MoJ the confidence in its metrics and that interpreter quality is not compromising the delivery of justice. From October 2026, updates to the new contract, including introducing an independent review of the assessment process and assessors, will further strengthen the QA work.
- 2.5. However, this is not to suggest that the MoJ is complacent about performance. We have strived to improve fulfilment rates which can be seen in the increase of success rates (96%) in the Q4 2024 data. We have also implemented improvements in the new contracts with the objective of improving both fulfilment and quality.
- 2.6. The MoJ will consider what further data it can publish regarding quality assurance and complaints, more detail on this is provided within our responses below. However, it is important to note that any proposals to publish further data will require reflection and discussion with our suppliers and internal stakeholders to determine any sensitivities and ensure agreement across parties.

## Stakeholder Engagement

3. **PSC Conclusion:** Despite the Government's efforts, frontline staff do not feel engaged with or represented in discussions with the Government regarding interpreting in the courts.
- 3a. **PSC Recommendation:** The Government should improve existing mechanisms for stakeholder engagement. Within six months, the MoJ should create a stakeholder forum which provides opportunities for regular and direct feedback from frontline legal professionals working with interpreters in the courts, and interpreters delivering interpreting services in the courts.

### Government response:

- 3.1. The MoJ actively engages with the representative bodies of interpreters through the existing External Stakeholder Forum which was established in 2021. The forum comprises members from organisations representing interpreters and visual and tactile communication practitioners, as well as voluntary regulator organisations, including the National Register for Public Sector Interpreters (NRPSI). The purpose is to share information, facilitate communication and understand key issues or concerns of their members. We are already in discussions with this forum about how we can create more dialogue with the interpreting community directly for example, working with their members and the MoJ User Insight Team to explore feedback routes such as surveys and in-person sessions.
- 3.2. Additionally, the MoJ hosts several engagement forums to make sure the department is consulting with professional and public user groups to better understand their needs.<sup>8</sup> The HMCTS Strategic Engagement Group (StratEG) includes strategic and operational leads from HMCTS and policy leaders from legal professional associations including the Bar Council, CILEX (Chartered Institute of Legal Executives), and the Law Society, all representing and acting on behalf of legal professionals. The group enables HMCTS to update external members on its work across different jurisdictions, as well as the wider MoJ<sup>9</sup>. It allows external colleagues to share feedback from their members and provide insights on changes or proposals within the wider justice system that may impact justice services.
- 3.3. The MoJ will ensure that interpreting services are included on the agenda for the next StratEG meeting in June 2025 to seek their views on the best way forward for effective and meaningful engagement with their members.
- 3.4. The MoJ requires our language service suppliers to gather feedback regularly from interpreters on the MoJ register and to share outcomes of this on a quarterly basis. We note that the feedback scores from these exercises is positive, ranging from 3.4 to 3.8 out of 5 over the last period. We will work with our suppliers to review if these feedback processes can be strengthened, and if the results can be shared with the wider stakeholder groups to improve mutual understanding of interpreter workforce and frontline staff satisfaction, as well as any sources of dissatisfaction with the service.
- 3.5. The MoJ has already stepped up its engagement with the judiciary to discuss interpreter services and will work with the Judicial Office to explore how best to maintain a regular dialogue regarding this service.
- 3.6. We are confident that we can deepen engagement with stakeholders within the 6-month period.

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<sup>8</sup> [HM Courts and Tribunals Service engagement groups - GOV.UK](#)

<sup>9</sup> [HMCTS Strategic Engagement Group meetings - GOV.UK](#)



## Quality

4. **PSC Conclusion:** The current assessment process cannot capture interpreting in key instances of court interpreting, such as closed courts and whispered interpreting. This means that assessment data may miss interpreter errors in certain court settings. It also means that assessment data used by the MoJ may provide a misleading picture of the performance of court interpreting, potentially leading to poor policy decisions.
- 4a. **PSC Recommendation:** As part of the new quality assurance process contract, the MoJ should ensure that assessments regularly take place in 'closed' settings such as family courts. Assessment processes should be amended to enable assessors to effectively judge the quality of whispered interpreting to parties, including through the use of recorded cases.

### Government response:

- 4.1. The MoJ acknowledges the challenges with assessing quality of interpreting in some court settings. This is why the QA operation samples interpreter bookings across the MoJ. It is evidently not possible to assess every interpreter booking, but it is designed that statistically every interpreter will be selected for assessment over time as interpreters do not work exclusively in the court settings with more restricted access.
- 4.2. However, from October 2026 we will further strengthen these QA arrangements through the introduction of more risk-based sampling in the new contracts. The QA supplier will be required to make intelligent decisions and use a risk-based approach when completing assurance and assessment activities, by reviewing management information and data obtained from the language providers and the MoJ. For example, this may result in interpreters who have been working in closed settings being prioritised for assessment when working in an open setting.
- 4.3. The Committee stated within their report that the nature of interpreting means that it is 'extremely challenging for non-interpreters to identify poor quality interpreting.'<sup>10</sup> This is why the MoJ has a contract with The Language Shop (TLS) to provide QA services. The QA contract is the only QA contract within the market assuring public sector contracts. As the leading department on this requirement, we remain committed to improvement and to set an example of best practice within the industry.

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<sup>10</sup> [Interpreting services in the courts](#) pg.21 [71]

5. **PSC Conclusion:** Even when a significant problem which could affect the course of a trial is identified and shared with the MoJ by the quality assurance provider, it is not clear whether the MoJ will share this information with relevant parties. This limits the ability to recognise potential appeals or miscarriages of justice.
- 5a. **PSC Recommendation:** The Government should clearly state the requirements for when and how the MoJ informs relevant parties when there have been problems with interpreting which may have implications for the outcome of the case, and should publish information setting out how this process works.

Government response:

- 5.1 The MoJ disagrees with the Committee's recommendation. The responsibility for the integrity of justice in court lies with the judiciary. The MoJ will inform the court if a problem with the quality of an interpreter is detected, provide additional information or analysis regarding the quality where required, and seek further instructions from the judge, which may entail notifying different parties or providing information. However, it is the court that will determine the actions required to ensure the integrity of justice.
- 5.2 Courts are a very specific environment, with well-developed checks and balances to protect the principles of justice. The bench, a judge or magistrate, is responsible for the case management and upholding justice. Those representing the court user, typically legal representatives, attempt to secure the best outcome for their client from the hearing. If they perceive any disadvantage to their client, they raise it appropriately with the court.
- 5.3 The interpreters provided by MoJ work for the court, but court users who require frequent interpreting will also have different interpreters booked by their legal representatives for consultation. Even if the court user is completely dependent on their interpreter to understand any discussion, it will be clear if the court user is struggling to engage with any proceedings due to the great scrutiny on all court discussions that could have a significant effect on justice, for example, witness cross-examination.
- 5.4 If a problem with interpreter quality is detected then the correct action is to inform the court, so they can determine the potential risk to justice and the appropriate actions to take, including, where required, informing the relevant parties. This is the same approach taken with perceived problems with expert witnesses, or any court activity that was perceived to present a

risk to justice, and is a standard part of case management, under the control of the court.

- 5.5 However, for interpreters, the MoJ has additional proactive assurance provided by our QA supplier (our Mystery Shopper service, in addition to onboarding checks and training), and reactive assurance provided by our QA supplier to assess the interpreter and the situation. Both evaluate whether the interpreter should be subject to further quality assessment (such as an In Person Assessment), and to provide information to the court regarding the quality of the interpreter.
- 5.6 Additionally, within the current and future contracts there is an obligation for the Language Service Provider (LSP) to monitor the performance of an interpreter and investigate any breaches of the Authority Code of Conduct and Ethics, which the Interpreter is required to sign before taking any MoJ Bookings.<sup>11</sup> The obligation of the LSP includes informing the Commissioning Body, Authority and Quality and Assurance Supplier. The consequences for the interpreter are either an Individual Assessment, Suspension, or removal of the Interpreter from the register.
- 5.7 There is a strengthened reciprocal process for the Quality and Assurance supplier to investigate any Interpreter Complaints with the same process and outcome as above.
- 6. **PSC Recommendation:** The Government should publish assessment data for court interpreting from the next quarterly data release onwards. This data should include the number of assessments undertaken, the number and proportion of assessments which identified problems, the severity of problems identified, and the number of cases where the MoJ took further action such as informing parties to a case that problems had been identified. It should be clear within the data publication what types of court hearings have had assessments.

Government response:

- 6.1 The MoJ requires more time to consider this recommendation due to the complexities involved with publishing performance statistics on the quality of independent professionals. Therefore, we are not in the position to publish assessment data for court interpreting by the next quarterly data release.
- 6.2 The MoJ does not currently publish any complaints data relating to court hearings other than what is contained within the HMCTS annual report and

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<sup>11</sup> [Authority Code of Conduct.pdf](#)

accounts.<sup>12</sup> This annual report includes the number of investigations the Parliamentary and Health Service Ombudsman (PHSO) has conducted into complaints received against HMCTS.

- 6.3 The MoJ acknowledges the importance of being transparent about the quality of our service delivery and will consider what more can be done in this space to publish additional data. This will include initial discussions with our suppliers and stakeholders, including the judiciary, around the potential to implement an independent governance and oversight board to scrutinise complaints and service quality data.
- 6.4 However, the department cannot commit to publishing more data until these further discussions have taken place and we can be assured that all potential risks are identified, and any necessary mitigations are agreed.

## Complaints

- 7. **PSC Conclusion:** The Government's data on complaints significantly underrepresents the number of problems seen in the courts, due to low awareness, poor communication of the system, and cultural barriers among legal professionals. As complaints can result in interpreters being re-assessed or barred from working in the courts, this represents a significant issue in the quality assurance system which must be urgently addressed.
- 7a. **PSC Recommendation:** The Government must urgently take steps to improve awareness of complaints systems among legal professionals so that they are able to raise concerns through appropriate channels. This awareness raising should consider the wider issues facing legal professionals which prevent them from submitting complaints.

### Government response:

- 7.1 The MoJ acknowledges that not every problem experienced with the interpreting service results in a complaint being submitted. This is why we also use regular court user and HMCTS staff feedback surveys, and surveys of the interpreters on the MoJ register, to gather more information.
- 7.2 As previously mentioned, there are currently two processes through which we receive and handle complaints about the interpreting service, one for all general HMCTS complaints and the other which is the specific interpreter services complaints process. We will take action to improve the cohesion of these processes before the introduction of the new contracts

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<sup>12</sup> [HM Courts & Tribunals Service annual report and accounts 2023 to 2024 - GOV.UK](#)

in October 2026, and to raise further awareness of them with court users and stakeholders to ensure a better understanding of the user experience.

- 7.3 However, we note that court users, including legal professionals, are clearly aware of the general HMCTS complaints process, as evidenced by the 33,088 complaints received through the HMCTS complaints process in 2024, 20% of which were from legal professionals. This included 11 complaints that related to interpreting. The interpreter service-specific complaints process also received 1,206 complaints in 2024.
- 7.4 Current guidance is also available on the existing complaints processes. Should someone wish to complain directly to HMCTS on their experience with the interpreting service, the complaints procedure is fully detailed on the Gov.UK website.<sup>13</sup> Complaints can be made via the online complaints form, by speaking to a member of staff in a court or tribunal building, or via email, phone or in writing.
- 7.5 The Big Word have details on their website on how to log complaints, which include a contact number and email address.<sup>14</sup> The Language Shop also has a complaints and feedback form on their website and signposts users to The Big Word and Clarion if their feedback is related to a booking rather than a performance of a linguist.<sup>15</sup> The details of these processes were also circulated to stakeholders (such as NRPSI) who we understand have in turn shared these on their websites.<sup>16</sup>
- 7.6 There are also other avenues in place for receiving feedback on the interpreting service. Complaints can be anonymously submitted via the likes of NRPSI or similar membership organisations. Feedback expressing dissatisfaction about the service is also received by the MoJ Contract Management Team through several sources including the Judicial Office or senior judiciary, MoJ internal operational forums, the MoJ external stakeholder forum or articles in professional publications or via social media.
- 7.7 The MoJ will investigate what additional engagement activities can be implemented to raise awareness of the systems through liaising with our suppliers and existing stakeholder forums, within six months.
8. **PSC Recommendation:** The Government should clarify where responsibility sits for submitting complaints regarding problems in interpreting in the courts, and should publish data on who submits complaints, for example whether they are a judicial office holder, HMCTS staff, a legal representative, or party to a case. This will enable the MoJ to

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<sup>13</sup> [Complaints procedure - HM Courts & Tribunals Service - GOV.UK](https://gov.uk/complaints-procedure-hm-courts-tribunals-service)

<sup>14</sup> <https://moj.thebigword.com/feedback.html>

<sup>15</sup> <https://moj.languageshop.org/feedback>

<sup>16</sup> [NRPSI -For those who have misplaced the previously published guidelines regarding making official complaints about language services in the MoJ, please click here](#)

identify if particular groups are not engaging with the complaints system. We request an update from the Government on progress within 6 months of this report's publication.

Government response:

- 8.1 The MoJ already receives a breakdown of which of our users submit complaints about court processes through the HMCTS complaints procedures i.e. users can state if they are a claimant, defendant, legal representative.
- 8.2 As stated above in our response to Recommendation 7, we will ensure that roles and responsibilities for submitting complaints are clarified and communicated as part of the planned engagement activities.
- 8.3 Further improvements to our complaints process will be implemented through our new contracts from October 2026. These will introduce new provisions for the quality and assurance supplier to assure the language providers complaints and feedback process including:
  - a. Conducting Mystery Shopping checks of the language providers complaints process.
  - b. Reviewing complaints and feedback escalated from the language providers.
9. **PSC Recommendation:** The Government should make complaints processes more accessible for non-English speakers. This should include making complaints forms and their signposting available in the most common languages used by the courts, and proactively sharing information about the complaints process with people who use interpreting services, in their native language, when they access the service. The Committee requests an update on progress within six months.

Government response:

- 9.1 In line with the requirements of the Welsh Language Scheme, HMCTS and the suppliers provide facilities to submit complaints in English and Welsh.<sup>17</sup> Complaints information available on Gov.uk and suppliers' websites can also be translated through several online translation tools such as Google translate.
- 9.2 We will meet with the suppliers of the new contracts to discuss methods of flagging a complaint regarding an interpreter in the language of the user, and how to incorporate this within the complaints process.

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<sup>17</sup> [HMCTS Welsh Language Scheme](#) pg.44

- 9.3 We will provide an update to the Committee on the progress of this within 6 months as requested.

## Interpreter Workforce – Remuneration

10. **PSC Recommendation:** The current system creates perverse incentives for court interpreters to work outside the main contracted system, due to issues with pay and terms and conditions. While we welcome steps the Government are taking to reduce the number of off-contract bookings, this should be achieved through improving pay and terms and conditions in the contracted service, removing incentives for interpreters to work off-contract.

### Government response:

- 10.1 The MoJ has already taken steps to improve interpreter remuneration, most recently through the increase of minimum face to face booking duration to two hours in October 2024, and this is improving on-contract fulfilment rates.
- 10.2 From October 2026 the new contracts will further reduce off-contract bookings through the design of the lotting structure, with a secondary spoken supplier for bookings which cannot be fulfilled by the primary supplier. This will give users a second contracted alternative before having to seek an off-contract route.
- 10.3 The department's view, reviewed as part of the procurement of the new contracts, is that the suppliers (as experts in the market) are best placed to set rates. We firmly believe that MoJ intervention is only required to hold suppliers to account for the rates they have set so they can't fall below these and to correct perverse outcomes.
- 10.4 MoJ have continued to work with suppliers to increase the pool of available interpreters through recruitment and professional development. Additionally, we are reviewing booking practices and optimising for specific venues and hearing types to make the bookings more attractive to interpreters.
- 10.5 The MoJ acknowledges that the Committee raised concerns with the data on off-contract bookings within their report.<sup>18</sup> We wanted to provide reassurance that the MoJ has undertaken a review of the off-contract data collection methods and have made improvements which have resulted in a

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<sup>18</sup> [Interpreting services in the courts](#) pg.15

more robust but higher baseline of activity.<sup>19</sup> Similarly, the data in Q4 2024 shows a 11 percentage point decrease in off-contract requests from the previous quarter, with a total number of 3,589 requests.<sup>20</sup>

- 11. **PSC Conclusion:** Both interpreters and language companies advocate for minimum pay rates. Without minimum pay rates, interpreters cannot guarantee their take-home pay for assignments, and companies are incentivised to reduce pay rates as a means of competing for fixed contracts.
- 11a. **PSC Recommendation:** To ensure sustainability of the interpreter workforce in the short- and long-term, the Government should take steps to improve pay for interpreters, including the introduction of minimum pay rates for interpreters, drawing on examples such as the PAIT scheme. The Government should ensure that the new contract includes provision for reviewing and increasing minimum pay for interpreters on at least an annual basis. Such increases should come alongside increased funding for the providers of interpreting services.

Government response:

- 11.1 The MoJ disagrees with the Committee's recommendation.
- 11.2 MoJ considered setting a minimum rate for interpreters during market engagement but concluded that the rate paid to interpreters itself was competitive when benchmarked with other government departments (OGDs) and other public sector authorities. The main difference between MoJ and OGDs was the application of other terms such as the minimum duration for which an interpreter is paid.
- 11.3 As mentioned previously, the department negotiated with the supplier to increase interpreter rates for face-to-face work and increase these bookings to a two-hour minimum.
- 11.4 Interpreters' pay rates are the most powerful lever that the suppliers have to ensure booking fulfilment, and the requirement for the suppliers to meet the contractual fulfilment metrics ensures that there is no race to the bottom from the suppliers on pay for interpreters.
- 11.5 The Consumer Price Index (CPI) will be applied to the new contracts in October 2026 and annually thereafter.

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<sup>19</sup> [Criminal court statistics quarterly: October to December 2024 - GOV.UK](#)

<sup>20</sup> Ibid.



12. **PSC Conclusion:** Interpreters and translators can lose significant amounts of money, with limited options to find alternative work, when cases are delayed or cancelled. Current provisions such as the two-hour guaranteed payment and cancellation payments are not adequate, especially when interpreters are booked for extended periods of time.
- 12a. **PSC Recommendation:** In the new contract, the Ministry of Justice should increase rates for minimum booking time and cancellation rates, ensuring that language companies pass on an appropriate amount to interpreters. The two-hour guarantee should be revised to ensure that payment is proportionate to the length of the booking, and cancellation fees should be proportionate to the notice of cancellation and the length of the booking.

Government response:

- 12.1 The MoJ disagrees with the Committee's recommendation.
- 12.2 MoJ reviewed remuneration strategy as part of the procurement of the new contracts, concluding that the two-hour minimum booking provides a balance between attracting and supporting interpreters to take bookings while maintaining value for money for MoJ. The data analysis conducted showed that the majority of bookings were not over two hours and therefore it would be unjustified to increase the minimum duration beyond this.
- 12.3 The MoJ will intervene where required to correct perverse outcomes, or where the market pricing does not deliver the booking fulfilment that we require. The October 2024 increase in minimum booking duration to 2 hours for face-to-face bookings has improved fulfilment and interpreter pay, and demonstrates our successful approach.
- 12.4 The MoJ is aware of the challenge with cancellations and the impact this can have on interpreters. Currently, if a booking is cancelled by MoJ after 9am on the working day before the booking then this is classed as a 'short notice cancellation' and a cancellation fee is due to the interpreter. This cancellation fee is determined by the supplier and is more than the average hourly rate, 95% of the cancellation fee is passed on to the interpreter.
- 12.5 Our new contracts improve the cancellation situation for interpreters, from October 2026 the current cut off time of 09:00 currently will be made earlier at 12am (midnight) which means that more cancellations will fall into the 'short notice cancellation' category and will attract a fee payable to interpreters.

13. **PSC Conclusion:** While travel pay is left to language suppliers to set, their ability to incentivise bookings which include travel costs through dynamic pricing is not working. The lack of commensurate travel pay is causing interpreters to not take bookings and reducing their take-home pay.
- 13a. **PSC Recommendation:** The Ministry of Justice should insist that language service providers increase pay for travel time and expenses. A travel compensation system should be designed where travel expenses paid to interpreters is commensurate to travel costs.

Government response:

- 13.1 The high booking fulfilment metrics suggest that the remuneration arrangements are adequate for the majority of bookings. The MoJ audits the suppliers to ensure that the contract is followed, and that interpreters are paid appropriately. Our supplier management operations take into account fulfilment rates and actions required to maintain a pool of suitable interpreters.
- 13.2 The MoJ disagrees with the Committee's recommendation. As part of the Language Services contract, the department pays the supplier an agreed fixed price to manage the service which includes travel expenses. The new contracts have been set up with the same conditions, potential bidders were provided information showing the geographical spread of bookings, the percentage of bookings that take place face to face and, in their price submission, have specifically been asked to consider travel costs.
- 13.3 The reason for this approach is that suppliers are the experts in the industry and have the knowledge and experience to cost services accordingly with the understanding of what is needed to recruit and retain interpreters at the level required for the contract.
- 13.4 As interpreters are self-employed, they are eligible to claim business expenses when collating their tax return which may include travel through HMRC.<sup>21</sup> This will also impact the calculations of remuneration for interpreters and is another example of the complexity that can best be considered by market experts.
- 13.5 Additionally, to aid fulfilment in cases where an interpreter is not available to attend in person due to impracticalities with travel, the supplier may offer an alternative delivery channel based on interpreter preference but the decision regarding the mode or channel of a hearing is a judicial one.

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<sup>21</sup> <https://www.gov.uk/expenses-if-youre-self-employed/travel>

## Interpreter Workforce – Treatment

14. **PSC Conclusion:** We found that in some cases interpreters are not treated as professionals working within the court and are not considered key members in the running of the court. Interpreters are treated like members of the public and not kept up to date on court logistics. Further, interpreters are not given appropriate information about potentially long, complex or technical court cases, which may require extra preparation and resources by the interpreter ahead of time.
- 14a. **PSC Conclusion:** Interpreters feel that their wellbeing is often not considered, particularly when they are not warned about, or given the resources in a timely manner to prepare for, potentially distressing cases.
- 14b. **PSC Recommendation:** The Government should provide guidance for courts, focusing on the treatment of interpreters. Guidance should ensure that interpreters' key role in court proceedings is recognised, and that HMCTS provides information about cases ahead of time, in order to improve interpreters' wellbeing and ensure they can make necessary preparations.

### Government response:

- 14.1 Interpreters are critical for the courts to work properly, and the MoJ takes their wellbeing very seriously. The new contracts include better welfare provisions for interpreters. In addition, we are pursuing further actions described below.<sup>22</sup>
- 14.2 Through the new contracts we are implementing other changes to help both interpreters and service users. We have strengthened the Authority Code of Conduct and Ethics for interpreters and aligned it with other professional bodies' codes including NRPSI and other government departments such as the Police and NHS. The suppliers will have processes in place to support and signpost interpreters when dealing with bookings with sensitive subject matter. Interpreters will also have the option to "opt out" of bookings of a certain nature. Similarly, we will be strengthening safeguarding guidance for interpreters so that they can be confident in highlighting any safeguarding concerns they encounter whilst working with us.<sup>23</sup>

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<sup>22</sup> [Q116](#) Nick Goodwin

<sup>23</sup> [Shining a light on interpreting in our courts and tribunals – Inside HMCTS](#)

- 14.3 The MoJ is currently liaising with suppliers and internal and external stakeholders to strengthen working relationships with interpreters and identify any scenarios of poor working experience. This forms part of our planned stakeholder engagement activities that we referred to earlier in our response. Our work to improve the awareness of our complaints procedures will enhance identification of poor experiences, helping us to address them promptly.
- 14.4 The department will refresh and strengthen the guidance on interpreters, and the expectations of their roles, and recirculate to all court staff. Additionally, we will liaise with Operational colleagues across jurisdictions to identify what information is currently flagged on a case due to certain sensitivities, and what information could be disclosed with interpreters ahead of a hearing (subject to court permissions).

## Interpreter Qualifications

15. **PSC Conclusion:** It is unacceptable that individuals with qualifications as low as level 1 have been permitted to interpret in the courts. While we welcome the Government's ambition to ensure that all interpreters working in the courts hold an appropriate level 6 qualification, we note this is not reflected in the qualification requirements they expect to include in the new contract. We remain concerned that there are not currently enough interpreters with level 6 qualifications to meet existing demands.
- 15a. **PSC Recommendation:** The Government should set out a clear plan to ensure that all interpreters in the courts are qualified up to a level 6 standard wherever this qualification is available in a language, or an alternative appropriate qualification for rarer languages where there is not a formal qualification. The plan should include time-bound milestones and steps to develop qualifications in partnership with relevant stakeholders, while ensuring the workforce remains at a sustainable level.

Alongside this, the Government should ensure the new contract can be adjusted to require level 6 qualifications for all work in the courts and should introduce this requirement once an appropriate number of level 6 qualified interpreters are on the register. We request that the MOJ writes to the Committee providing progress updates every six months following the publication of the Government's response to this report.

### Government response:

- 15.1 MoJ's position, supported by evidence from independent industry experts, is that we do not require all interpreters to be qualified to level 6 professional interpreting qualifications for all assignments. The varying

levels of qualification and experience currently in place for interpreters has been developed to meet the specific and varied needs of the justice system and its users. Our requirements focus on the characteristics of assignments and language groupings, as we must provide services across a wide range of both core and rare languages.

- 15.2 In 2022, Ann Carlisle, a professional linguist and former Chief Executive Officer of the Chartered Institute of Linguists, completed an independent review into the qualifications and experience requirements for the provision of interpreting in MoJ. Recommendations for the MoJ from this review included applying:
- a. RQF Level 6 as the default level to the provision of MoJ interpreting services for those bookings classified as Professional level assignment types;
  - b. RQF Level 3 as the minimum standard for those bookings classified as Community level assignment types (e.g. Telephone Interpreting; non-evidential hearings).<sup>24</sup>
- 15.3 Analysis of interpreter bookings in 2023 and 2024 indicates that fewer than 20% of bookings will be assigned to RQF Level 3 or equivalent.
- 15.4 The recommendations from the review have been fully accepted by the MoJ and those related to interpreter qualifications and experience have been incorporated into the new contract specifications following Ministerial approval. Transitional planning is due to commence as part of the procurement process and will include engaging with suppliers and stakeholders such as interpreter representative bodies and interpreters on the MoJ register.
- 15.5 The MoJ has subsequently published the full independent review on the Gov.UK website and confirmed its acceptance of the recommendations and framework as proposed by Ann Carlisle.<sup>25</sup>
16. **PSC Conclusion:** We welcome efforts to improve training and funding to those seeking level 6 qualifications through the Trainee Scheme managed by The Language Shop. However, there remains significant issues in the training and development opportunities for interpreters working in the courts.
- 16a. **PSC Recommendation:** The Government should take steps to expand and improve awareness of the Trainee Scheme. Alongside this,

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<sup>24</sup> [Independent Technical Review of Qualifications and Experience Requirements for the Provision of Spoken Language Interpreting - GOV.UK](#)

<sup>25</sup> [Shining a light on interpreting in our courts and tribunals – Inside HMCTS](#)

the Government should consider how to subsidise or fund further professional development opportunities for interpreters in public services.

Government response:

- 16.1 The MoJ is already taking steps to expand on the Trainee Scheme for interpreters. We have made updates in the new contract to reduce the burden on new entrants and existing interpreters by dispersing the costs of qualification. From October 2026, as part of the new contract, trainees will pay for 25% costs rather than the current 50%, and with uplifts for certain types of work. The focus is on developing the capabilities of interpreters with those languages which are the highest priority for our pipeline.
- 16.2 This forms part of the department's consistent efforts to make the MoJ work more attractive to interpreters.

## Interpreter Register

- 17. **PSC Conclusion:** A number of registers exist which allow interpreters to access work in the courts depending on whether it is an MoJ booking or off-contract booking. In order for interpreters to access work across the criminal justice system, they will require membership to several of these registers, all of which have different qualification and vetting requirements, and varying fees.
- 17a. **PSC Recommendation:** The Government should ensure that a new independent single register of interpreters is established which ensures a high standard of vetting and entry criteria, so that highly skilled interpreters have access to work across the criminal justice system.

Government response:

- 17.1 The MoJ disagrees with the Committee's recommendation. The MoJ register fulfils the requirements of the MoJ, including the vetting requirements, entry criteria, and, crucially, the ability to remove interpreters from our register if they fail our quality standards. The MoJ register is free to join, as is the Police register (PAIT), allowing interpreters to work across the justice system with no entry fees. The Police have their own requirements, hence their use of the PAIT register.
- 17.2 The additional complexities and costs involved with establishing a different cross-cutting register does not represent value for money and would present issues regarding removal of interpreters that had not met quality requirements.

- 17.3 As described above, the MoJ will explore the creation of an independent governance and oversight board, which could oversee the operation of the MoJ register of interpreters, as well as the output of quality assurance findings and complaints.

## Remote Interpreting

18. **PSC Conclusion:** Remote interpreting in courts is hampered by a lack of infrastructure such as insufficient audio-visual equipment and the integration of remote links into court proceedings. Many of these issues could be addressed with thoughtful refurbishment of the court estate.
- 18a. **PSC Conclusion:** The use of remote interpreting, if done correctly, can increase opportunities for interpreters to undertake more work, retain more of their take-home pay, and help stabilise the number of interpreters leaving the profession.
- 18b. **PSC Recommendation:** The Government should use their court refurbishment project to ensure that the court estate infrastructure is suitable for remote interpreting, including appropriate audio-visual equipment, court layout and procedures. It should also ensure that the necessary infrastructure, training and culture change are implemented to maximise the benefits of remote interpreting where appropriate.
- 18c. **PSC Conclusion:** The introduction of sound booths would allow interpreters to undertake an improved level of simultaneous interpreting through audio equipment without interruption of court proceedings. This would also remove whispered interpreting in the dock, allowing for better independent assessment.
- 18d. **PSC Recommendation:** The Government should introduce dedicated audio equipment, including sound booths, for interpreters as part of court refurbishments, and provide appropriate portable equipment for un-refurbished courts.

### Government response:

- 18.1 The MoJ acknowledges the opportunity that is presented by new technology and the impact this could have on the interpreting services.
- 18.2 In the majority of courts and tribunals, HMCTS Reform has ensured that where appropriate, and at the discretion of the judiciary, cases can be heard with some or all participants attending remotely. This includes remote interpretation when necessary. There is guidance for users on how

to access a remote hearing as well as staff guidance on how to set up and support participants to attend a hearing remotely, including interpreters. Whether a specific hearing can be conducted remotely is a judicial decision.

- 18.3 The MoJ will continue to upgrade audio-visual equipment across courts, reducing the remaining technical barriers to remote interpretation, but due to the complexity of the court estate this will be a significant exercise and subject to funding availability over the coming years.
- 18.4 The MoJ introduced dedicated audio equipment including headsets to HMCTS staff as part of the Covid-19 pandemic to enable safer working. Therefore, much of this equipment is readily available within the courts for interpreters to use, and provides the same benefit as sound booths.
- 18.5 We will review the use of this equipment and promote its use where appropriate, within a 6-month period.
- 19. **PSC Recommendation:** The Government should seek to introduce remote interpreting more widely in cases with lower stakes such as procedural, administrative, and technical hearings in order to incentivise interpreters to take shorter bookings, while retaining in-person interpreters for higher stake hearings such as full trials, plea hearings and sentencing.

#### Government response:

- 19.1 As described above, in the majority of courts and tribunals HMCTS have the tools to support remote attendance should that be appropriate, and we are improving the equipment to enable this more widely, but the decision on whether remote interpreting can be utilised in a hearing remains for the judiciary.

## **Use of Artificial Intelligence**

- 20. **PSC Conclusion:** Risks associated with artificial intelligence (AI) translation and interpreting means that, for the most part, they cannot currently be deployed in the courts, especially without human interpreter oversight. However, the use of AI tools in translation in the private sector, and the rapid development of AI, suggests that there are significant future opportunities for use in the courts. It is essential that the Government uses upcoming spending reviews to plan for these opportunities, which have the potential to transform public services including interpreting in the courts. We welcome the aspirations in the Government's AI Opportunities Action Plan to develop and scale AI products in the public sector.



- 20a. **PSC Recommendation:** Using the principles and milestones outlined in the Government's AI Opportunities Action Plan, the MoJ should develop and publish a funded roadmap for the introduction of AI tools for interpreting in public services within six months. This roadmap should include proposals to make court technology capable of implementing AI tools for interpreting. Engagement with AI companies, language companies and interpreters should also inform the roadmap.
- 20b. **PSC Recommendation:** In line with the Government's ambition to rapidly pilot and scale AI services, the MoJ should, as soon as possible, develop 'exemplar courts' which pilot the introduction of different audio-visual technologies and the use of AI to support interpreters and translators, in order to test and develop standards for AI use in courts.

Government response:

- 20.1 The MoJ acknowledges the opportunity of using AI tools to support with delivering interpreting services and recognises that we need to take an ambitious and proactive approach to adopting AI as outlined in the Government's AI Opportunities Action Plan.<sup>26</sup> The MoJ is taking action in this arena as follows.
- 20.2 The MoJ has established an AI working group with representatives from the Language Services Project to explore the potential applications of AI across the courts and tribunals service and to increase preparedness for incorporating AI into the interpreting service.
- 20.3 In the requirements within the new contracts, we have captured the need for suppliers to actively engage with us to develop related AI capability. This will ensure that we continue to learn and identify opportunities as the new contracts are delivered, which will help us prepare for the future.
- 20.4 The MoJ has already launched an AI Proof of Concept (PoC) for Non-legal discussions in 6 Prison facilities where this service seeks to provide interpretation as well a line-by-line transcript of the conversation that has taken place for approximately 100 languages. The PoC is being tested in a variety of Prisons, ranging from Victorian-era facilities to modern ones, allowing us to evaluate the technology's ability to adapt to the diverse demands of different estates. This PoC went live in March and will continue for three months.
- 20.5 Evaluation of this pilot will comprise a wide range of metrics including feedback from the prisons, performance of the system and lessons learned to inform further developmental work for language-based AI across the whole of MoJ.

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<sup>26</sup> [AI Opportunities Action Plan - GOV.UK](#)

- 20.6 However, the department also recognises the sensitivities and risks of using such innovation particularly in a court or tribunal settings. There are complex policy, legal, ethical and social issues regarding AI use in the justice system. The MoJ has a Responsible AI framework in place to address challenges when driving AI Adoption. The department is also committed to ensuring that any application of AI aligns with the UK Government's commitment in the Bletchley Declaration<sup>27</sup> signed at the 2023 AI Safety Summit: safe, responsible, and beneficial for the global community.
- 20.7 Other challenges to the successful rollout of AI solutions across courts include ensuring that technical solutions meet business requirements; building buy-in across HMCTS staff, trade unions, and the wider public; creating sufficient organisational change capacity; and addressing commercial risks from suppliers of existing managed services. It is also important to note that any AI involvement within a court setting requires judicial engagement.
- 20.8 To ensure the successful adoption of AI, it is crucial to engage in long-term strategic planning. By proactively addressing potential impacts, we can create a clear pathway for scaling pilot projects, thereby maximizing the benefits and ensuring sustainable implementation. This long-term planning, and complexity of the environment as outlined above, means that reliable AI based interpretation in courts could take several years development.
- 20.9 The MoJ is satisfied that the current AI pilots across the department, including the PoC, are already supporting the development of standards for AI use in courts. Our current position is that access to justice and the requirement of a fair trial is vital, and we will not start introducing further technology before we know it is safe and robust to do so.<sup>28</sup>
- 20.10 The Committee's recommendation for the development of 'exemplar courts' will be captured within the development and piloting of the specific elements required for successful introduction of AI. We will communicate our plans in this regard, including our roadmap, at the appropriate time, but not necessarily within six months.

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<sup>27</sup> [AI Safety Summit 2023: The Bletchley Declaration - GOV.UK](#)

<sup>28</sup> [Q124](#) (Sarah Sackman KC MP)