

Interpreters

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Policy Statement

Summary

Language Line Solutions (formerly CAPITA Translation & Interpreting (CAPITA TI)) have been awarded the contract to provide all interpreting and translation requirements to the Yorkshire Police region from 1st April 2019. Language Line Solutions will ensure that the interpreter has the necessary qualifications, experience and vetting to carry out the assignment. They cover both spoken and non-spoken languages.

This policy outlines the procedure for booking an interpreter or translator for police assignments, for court purposes and the process to follow in the event of Language Line Solutions being unable to provide a service. The Force will ensure there is an appropriate interpreter/translator to assist in communication when dealing with detainees in custody and victims and witnesses making statements. In addition to this, officers and staff will make arrangements for interpreters to be present in court, on behalf of HM Courts & Tribunals Service (HMCTS), if a detainee's appearance at court is within 48 hours of charge. Language Line Solutions do not provide this service – it is a separate contract managed by HMCTS.

The National Police Chiefs' Council (NPCC) Directive of August 2016 requires interpreters, who are undertaking face to face and transcription services, to hold NPPV Level 3 vetting and be registered under the Police Approved Interpreter and Translator (PAIT) scheme.

Scope

This policy applies to all police officers and police staff.

Principles

General

- Language Line Solutions can be contacted via telephone for immediate telephone translations or enquiries. If a pre-planned telephone interpreter is required, individuals must ring Language Line Solutions to arrange this.
- When requesting an interpreter or translator for face-to-face bookings or translations (including British Sign Language and Deafblind) officers must always use the Language Line Solutions online booking portal in the first instance. If, after making a booking, any changes are required or to cancel the assignment, individuals must contact Language Line Solutions by telephone at the earliest opportunity. If the online portal is not working ring Language Line Solutions to book an interpreter.
- Transcriptions can be requested through the Language Line Solutions portal and the documents required to be translated will need to be uploaded onto the system. If the portal is not working, individuals must contact Language Line Solutions and a secure email address will be provided to forward documents to.

- If an international call needs to be made, it must be done via the Force Incident Manager (FIM).
- In cases where detainees in custody are charged to appear at court within 48 hours, an interpreter must be booked on behalf of the court for the court appearance. This is NOT done through Language Line Solutions. See Interpreters for Crown or Magistrates Court for booking information.
- In all cases where an interpreter is required for court, officers must clearly endorse the MG4 charge sheet with the required language and the interpreter details. This also applies for cases of summons.
- The interpreter's role is to remain impartial from the investigation at all times. Their only purpose is to facilitate translation.
- Officers must ensure that the interpreter is not left alone with a suspect/victim/witness at any time.
- The officer must not delegate any part of an interview or statement to an interpreter.
- A Police Service User Guide and further information is available on the Language Line Solutions Interpreters page.
- In order to obtain an interpreter a PIN and/or password number relevant to District or Department is required.
- All translations must be completed at the time of the assignment. An interpreter must not be allowed to take away any paperwork with them to complete later (statements or translations). If for any reason an assignment cannot be completed, the interpreter must be re-booked to complete the work or individuals must request that a translation is done through the secure portal. See Data Protection policy.
- An interpreter may make notes during an interview to aid their memory. Any notes must be taken in hard copy. These notes must be handed to the interviewer at the end of the interview (except those subject to legal privilege) and referenced in the interpreter's witness statement.
- Interpreter's notes must be included in the disclosure schedule of unused material. To comply with Data Protection regulations, interpreters cannot retain a copy of their notes but they can make a separate note of any terminology of linguistic value for their professional glossary.
- When a face-to-face interpreter cannot be obtained, remote interpretation can be utilised for suspect/witness interviews. See Video Remote Interpreting (VRI) guidance.

After Using an Interpreter

Officer in charge (OIC) responsibilities

OICs are responsible for:

- Ensuring the booking portal is fully completed, paying particular attention to the start and finish times on the timesheet (consistent with the interpreter/translator timesheet and agreed with the interpreter), providing any feedback and closing the booking. This is primarily for the safeguarding of interpreters and also ensures that they get paid promptly.

OICs are reminded that the Force do not cover costs associated with travelling time/distance. Those are borne by Language Line Solutions.

Language Line Solutions Unable to Provide a Service

Principles

- In the exceptional circumstance that Language Line Solutions are unable to provide an appropriately qualified, experienced and vetted interpreter from their normal pool of interpreters, they will clearly communicate this to the OIC. They will then consult with the officer and, with their agreement, take action to obtain an interpreter who is registered with them (e.g. those whose vetting applications have been submitted but not completed by Warwickshire) and as a last resort consult the National Register of Public Services Interpreters (NRPSI) for spoken languages or National Registers of Communication Professionals working with Deaf and Deafblind people (NRCPD) for non-spoken languages, on behalf of the police.
- The final decision whether to accept the interpreter will rest with the OIC, a decision based on if it is appropriate to the particular circumstances of the case.
- In the event that the interpreter does not have the required “vetting level”, the OIC must carry out “due diligence” checks on PNC, PND, Voters Register and WYP systems, to ensure that they are of reasonable character to have access to police buildings and information, and liaise with an inspector for approval. The rationale for accepting an interpreter who does not have the required vetting standard must be recorded. See NPCC/PAIT guidance.
- If Language Line Solutions are still unable to source an interpreter, it will be recorded as unable to provide (UTP).
- In the case of a “UTP”, officers must:
 - Consult with an inspector and consider if another method of translation is appropriate (e.g. use of a telephone interpreter or the online translation service);
 - If other methods are not appropriate, as a last resort, make an attempt to source an interpreter through the NRPSI by contacting the PNC Bureau via telephone or the NRCPD (available publicly) taking into account those interpreters who have already been contacted by Language Line Solutions. A “Police Clearance” vetting status on the NRPSI register must be prioritised above those with a lower level of vetting clearance; and
 - Complete a FIN51 form and ensure the interpreter has a copy. FIN51s can be found via Force Forms (General > Finance). FIN51 must include the original Language Line Solutions booking reference and both sides must be scanned to HQ Payments mailbox, Contract Support and Custody Services mailbox for quality of service monitoring and to ensure that the interpreter gets paid promptly.
- Please note that interpreters obtained from the NRPSI and NRCPD may not be vetted to NPPV3 standard. Officers must ensure that they carry out

“due diligence” checks on PNC, PND and WYP systems, on the interpreter, to make sure that they are of reasonable character to have access to police buildings/information.

- The decision to approve the use of a person who does not hold Level 6 Qualifications to communicate with a deaf/deafblind person must only be taken in exceptional circumstances after all attempts to obtain a properly qualified and vetted interpreter have proved unsuccessful.
 - Right to Work checks and IR35 tax checks must also be undertaken. The full guidance is available on the intranet.
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Service Issues

Principles

- At the conclusion of the assignment booking, there is an opportunity to provide feedback.
 - Complaints/compliments must be raised through the portal on any issues for Language Line Solutions to deal with. Complaints can be made regarding the quality of service (e.g. poor quality translation of statement) or service provision (e.g. non availability of specific type of interpreter).
 - Any complaints raised in relation to non-service provision must be recorded as a “UTP” with the booking reference number. In order to obtain an alternative interpreter, individuals must follow the process in the Language Line Solutions Unable to Provide section.
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Defence Solicitor Requires Interpreter

Principles

- When a defence solicitor requires an interpreter to facilitate the provision of advice between the solicitor and client, the same interpreter may be used for the interview, unless the solicitor or interpreter declares a conflict of interest, where a different interpreter must be used.
 - If a defence solicitor wants to appoint their own interpreter instead of one provided by the Force, then they may do so at their own expense.
 - The interpreter employed by the defence may be selected from the Language Line Solutions register, but the costs will be payable under the ‘Legal Advice at Police Stations Scheme’, provided the expense is reasonably incurred.
 - Solicitors who are unclear about these provisions must be advised to contact the relevant regional Legal Services Commission.
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Interpreters for Crown or Magistrates Court

Principles

- Officers are obliged to book interpreters on behalf of the HM Court Service for court appearances (within 48 hours) including short bail dates, using

the following arrangements:

- Spoken foreign language interpreters must be booked through 'thebigword' via telephone; or
 - Non-spoken language interpreters, for example British Sign Language, must be booked through 'Clarion UK' via telephone.
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- For impartiality, the court will always seek to appoint a different interpreter for the court appearance from those used in the same case, therefore the officer making the booking must provide the supplier with the details of any interpreters that have already been used.
 - In cases where there are multiple defendants with language requirements, officers must determine whether more than one interpreter is required at the hearing and ensure the language supplier is aware of this at the time of the booking.
 - Where the defendant's hearing is expected to take place in excess of two working days of the date of the charge, the relevant court will be responsible for making the arrangements for an interpreter.
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Additional Information

Compliance

This policy complies with the following legislation:

- Code C 13.1 of the Police and Criminal Evidence Act 1984, Codes of Practice
- Data Protection Act 2018

Further Information

Further guidance in relation to this policy can be sought from:

- Interpreters intranet page
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