September 30, 2024

**APCI submission to the House of Lords Enquiry**

**ASSOCIATION OF POLICE AND COURT INTERPRETERS**

**Background**

APCI is the oldest and largest association of its kind. It was founded in 1974 and is a professional association of qualified and experienced public service interpreters working within the Criminal Justice System which represents its members’ interests to work providers and government. The objectives of the Association are to raise standards in the profession and foster good relations between its members and the users of their services. We have developed special relationships with a number of police forces and legal entities who rely on our interpreters regularly. APCI is keen to maintain and grow its membership based on experience, work ethics and a desire to promote standards. APCI works with other associations within PI4J, alongside the NRPSI, the Chartered Institute of Linguists and others.

APCI wishes to endorse responses made by NRPSI (National Register of Public Service Interpreters) and EULITA (European Legal Interpreters and Translators Association), entities which we work extremely closely with.

**We would like to reiterate that:**

1. The loss of experienced, valued professionals leaving public service either by fear of the prospects AI represents (huge technology issues already, inability to access TBW portal, difficulty closing jobs in the system, loss of earnings), or because they have found themselves unable to adapt, is having a negative effect on the delivery of quality translation services for courts and police stations.
2. **In answer to question 6**:

*‘What is the potential role of new technology (such as artificial intelligence, machine translation and the digitisation of court proceedings) in the future of interpreting or translation services in the courts?*

1. *Would adoption of this technology in the courts be an appropriate use?*
2. *What tools already are already in use in ITS, what form do they take and in what situations are they used?*
3. *Is the current and future ITS workforce being prepared to work with technology? If so, how?’*

CPD can be arranged in an ad hoc manner by professional associations, but training is much needed.

1. *Would adoption of this technology in the courts be an appropriate use?*

No, the adoption of this technology in the courts would not be an appropriate use.

In early January, a number of public service interpreters on thebigword MOJ list received an email requesting that they engage with a survey to help shape a proposed plan for simultaneous video remote interpreting (VRI) to be implemented across UK courts.

This has prompted strong reactions among a majority of the interpreters we have canvassed and whose interests we represent.

We would be most interested in TBW sharing with us the results of the survey they conducted, so that we might understand whether recommendations made by interpreters surveyed correspond to the recommendations of the interpreters we have surveyed ourselves.

Below are some of the responses to the suggested plan. There are distinct issues arising, some relating to simultaneous vs consecutive interpreting, others relating to the remote nature of a hearing in general. The latter are widely experienced already through the CVP process.

1. The universe of interpreters able to commit to simultaneous interpreting would shrink drastically (even though most interpreters practice simultaneous interpreting de facto when for instance, keeping a defendant abreast of the discussions within the courtroom). Many interpreters would refuse to practice simultaneous interpreting officially in a court setting.
2. The very nature of the interpreter’s job would change. Being tied to a desk 6 or more hours a day, plugging in and out of sessions is entirely different from the job as we know it. This would require different skills and different individuals, and we feel confident in saying that a very large proportion of the interpreters currently working for thebigword would feel unable to engage.
3. Much would be lost in the remote process:
* Difficulties with straining to hear what is being said for long periods of time, leading to increased stress and tiredness,
* Crucial issue of the need to provide 2 interpreting ‘booth partners’ for each hearing since official guidelines suggest simultaneous interpreting should NEVER be conducted for longer than a maximum of 30 minutes at a time,
* inability to express oneself if and when something is unclear,
* Loss of all non-verbal communication which can be crucial in a court setting,
* Dehumanisation of the process for all concerned,
* Inability to monitor the interpreting process, other than through retrospectively listening to tapes which would be time-consuming and impractical, and would only happen if a serious error were flagged up, which might be too late.
1. …‘exploring options to streamline the efficiency of court work’:

It is widely recognised by judges and court staff, as well as by interpreters themselves, that

Remote treatment of court matters adds several layers of complication to the process:

* Technology frequently fails, connections drop,
* Staff/interpreters are often unable to deal with the tech challenges,
* Court staff do not communicate with the interpreter on what is happening in the courtroom when hearings are delayed or cancelled, and the interpreter is left hanging, waiting for a dial-up,
* When the interpreter has been booked in a different court later that day, they will need to honour their commitment so that by the time the court dials the interpreter in, the interpreter may no longer be available, and serious cases may be put back months. In such cases, defendants serving custodial sentences will just remain in prison while the case is found a future slot, sometimes several months later,
* There is often a heightened feeling of tension in the courtroom when the interpreter is remote.

We think that for all these reasons, such a change would serve only to prevent or reduce efficiency.

1. Court proceedings are not as uniformly apt to being simultaneously interpreted as a conference for instance, where each of the speakers will address the audience in turn. The courtroom is often a place for debate and discussion, and speech is alternately interpreted consecutively and simultaneously.

These are some of the barriers which have been identified in an initial discussion as a response to TBW survey.

Anyone who has experienced a courtroom setting will know that the interpreter needs to be in the room, needs to flag up any issues concerning dialect, misunderstandings or culture; the non-English speaker might need to communicate something through body language, raising their hand, or simply may need something repeated.

**All ability to adjust for such issues would be lost in a remote/simultaneous environment.**

1. *What tools already are already in use in ITS, what form do they take and in what situations are they used?*

We cannot answer this question here.

1. *Is the current and future ITS workforce being prepared to work with technology? If so, how?’*

No, we do not believe they are. We recognise that new technologies are bound to play a role in the shaping of our profession, but there is a lack of provision for training in these technologies and minimal engagement with further education in relevant tools which would help our membership adapt to the shift towards AI/Machine Translation. Adapting to new technologies is really a matter for each individual in the current environment, and we feel that too few interpreters are engaging in courses provided by academic entities.

1. APCI recently experienced the way interpretation is conducted at the Senedd in Cardiff. Simultaneous interpreting is possible there because:
* The only language pair is English/Welsh
* All interpreting is performed by 3 resident interpreters
* All interpreters are fully versed in the matters discussed on a daily basis within the Senedd
* The booth arrangements provide the best technology, the best sound systems and a very comfortable working environment.
1. What court interpreters need is a far better set-up in terms of technology for face-to-face interpreting to enable proper sound and stable connections.
2. We have found that only around 30% of our membership are working for TBW. Many have given up and some have always refused to accept the terms provided by the company. Interpreters still providing services via TBW have had unsurmountable issues with a recent move to a new portal system. Many interpreters are left having to give up on large sums of money still owed to them by the company. They are dejected and demotivated. This makes them even more reluctant to consider increased technology in the courts.
3. APCI has learnt much from its overseas partners, in particular through EULITA gatherings and conferences. We continue to share best practice with our European partners and feel we can learn from the evidence they report.
4. The issue of liability is a major one that we feel needs to be brought up. Who will take responsibility for errors which we know occur frequently, but are masked by ever improving overall fluidity of machine translation? Years ago, it was evident that we could not rely on it, but it has now been refined to such an extent as to hide errors.

Are we really prepared to take that risk when dealing with such serious matters as the law, healthcare, police matters, and the general rights of the public to be safe in the hands of our institutions?

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APCI is most grateful for the interest this Committee is taking in ITS and looks forward to contributing further as needed.

With very best regards.

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For APCI

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