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Mr McCullagh

c/o request-143398-20bdef5f@whatdotheyknow.com

24 January 2013

Our Reference: 79918

Dear Mr McCullagh,

Freedom of Information Request

Thank you for your online request of 27 December 2012, in which you asked for the following information from the Ministry of Justice (MoJ):

“On p.29 paragraph 3.17 of the National Audit Office memorandum on ‘The Ministry of Justice’s Language Services Contract’ (published 10.9.12) it states: ‘The Ministry [of Justice] is now keen to move short-notice magistrates’ court work and other outstanding aspects of the original contract over to the Capita/ALS system as soon as practicable; and by 30 November 2012 at the latest. The Ministry...is currently piloting the ...system for short-notice work at 20 magistrates’ courts. It has told us that the pilot is going well’. Meanwhile, according to the Ministry of Justice’s supplementary submissions to the Justice Select Committee’s inquiry into the Capita/ALS contract it transpires that ‘the [same] pilot consists of 20 criminal courts, consisting of 19 Magistrates Courts and 1 Crown. This [pilot] has progressed well and both the Midlands and Northwest HMCTS regions will begin to return their short notice bookings to the contract, commencing with the Midlands from 22 October. ALS provides booking services for interpreters in other areas and sectors; it is not possible to relate this to fulfilment or complaint statistics since some interpreters will choose only to work under one sector or contract, others may cover more than one’.

Please give the following information: What are the names of the courts involved in this pilot scheme? What precise statistics, if any, exist to gauge the success of this pilot given that any pilot, by definition, is intended to produce statistical evidence by which to assess the likely success of a future policy? If any or all of the pilot courts are in the North-West and the Midlands, why has the MoJ chosen areas where ALS have pre-existing Police contracts? Is this not guaranteed to cause confusion between statistics for the pilot and those for other contracts given that the same interpreters are likely to be signed up for both the pilot and one or more of the police contracts (under which police contracts short notice first hearings at court are bookable)? Which Midlands courts had

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returned their short notice bookings to the contract by 22.10.12? What aspects of the original Framework contract had been returned to the contract by 30 November 2012? Is it possible to gauge how successful the return of these aspects has been statistically? In what HMCTS regions or areas has there been no return of short notice bookings to the contract?"

Your request has been handled under the Freedom of Information Act 2000 (FOIA).

Having looked at your request carefully, I have determined that the following questions should be answered under the terms of FOIA

1. What are the names of the courts involved in this pilot scheme?
2. What precise statistics, if any, exist to gauge the success of this pilot given that any pilot, by definition, is intended to produce statistical evidence by which to assess the likely success of a future policy?
3. Which Midlands courts had returned their short notice bookings to the contract by 22.10.12?
4. What aspects of the original Framework contract had been returned to the contract by 30 November 2012?
5. In what HMCTS regions or areas has there been no return of short notice bookings to the contract?

The remaining questions will be dealt with outside of the terms of FOIA, since they do not ask for recorded information but for policy aspects of the pilot:

- If any or all of the pilot courts are in the North-West and the Midlands, why has the MoJ chosen areas where ALS have pre-existing Police contracts? Is this not guaranteed to cause confusion between statistics for the pilot and those for other contracts given that the same interpreters are likely to be signed up for both the pilot and one or more of the police contracts (under which police contracts short notice first hearings at court are bookable)?
- Is it possible to gauge how successful the return of these aspects has been statistically?

On questions 1-5 set out above, I can confirm that the MoJ holds all of the information that you have asked for. Please find this set out below, numbered to match the questions above.

1. The initial pilot for short notice bookings began in June 2012 at the following courts:

Region	Courts
South West	<ul style="list-style-type: none"> • Plymouth Magistrates' Court • Southampton Crown Court
South East	<ul style="list-style-type: none"> • Slough Magistrates' Court • Newbury Magistrates' Court • Reading Magistrates' Court • Bracknell Magistrates' Court • Maidenhead Magistrates' Court • Oxford Magistrates' Court • Banbury Magistrates' Court • Bicester Magistrates' Courts • Aylesbury Magistrates' Court

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Region	Courts
	<ul style="list-style-type: none"> • High Wycombe Magistrates' Court • Milton Keynes Magistrates' Court
Wales	<ul style="list-style-type: none"> • Neath Magistrates' Court • Merthyr Magistrates' Court
London	<ul style="list-style-type: none"> • Isleworth Crown Court • South Western Magistrates' Court
Midlands	<ul style="list-style-type: none"> • Birmingham Magistrates' Court
North East	<ul style="list-style-type: none"> • Sheffield Magistrates' Court • Doncaster Magistrates' Court

2. We received statistics from Capita showing the number of bookings placed with them specifically under the pilot (rather than normal bookings) and the fill rate per court. This was compared with data submitted by each court in the pilot.
3. Only Birmingham Magistrates' Court was part of the pilot at 22 October 2012 from the Midlands.
4. I assume you are checking which courts were using Capita exclusively at 30 November 2012. The 20 courts in the table above continued to use Capita exclusively following the pilot, with the additions of all other courts in the North West and Midlands Regions, effective from 5 November 2012. A regional approach will continue to be used to return all bookings to Capita.
5. In no area has there been no return of short notice bookings. Every region has at least one Magistrates' court placing all short notice bookings with Capita. For tribunals, all jurisdictions other than Immigration and Asylum place short notice bookings with Capita. Since 5 November 2012 Birmingham and Harmondsworth Immigration and Asylum tribunal centres have commenced a pilot to return short notice bookings to Capita.

Outside the terms of FOIA, I will answer your queries about the reasons for choosing the North West and Midlands regions for the pilots and to consider the issue of statistics.

The North West and Midlands regions were chosen by the project board for the regional roll-out following the pilot. The number of interpreters available in the regions was one criterion for the decision, but in addition, no courts in the North West had been involved in the courts pilot (as confirmed in the table above) so it would provide a good test for short notice bookings. Similarly, although Birmingham Magistrates' Court makes a relatively large number of bookings, it was the only court in the region which had participated in the pilot, so rolling out to the Midlands region would also provide a test of the system. Decisions on the next regions to return all bookings to the Capita contract will be made by the project board.

In relation to the statistics, the project board is satisfied that the data supplied by Capita was checked against data submitted by the courts, so the success rate gave an accurate indicator of performance for the pilot courts. This is also the method used for the current pilot tribunal locations. This will give an indication of the level of success.

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You can also find more information by reading the full text of the Act (available at <http://www.legislation.gov.uk/ukpga/2000/36/contents>) and further guidance <http://www.justice.gov.uk/guidance/freedom-of-information.htm>.

You have the right to appeal our decision if you think it is incorrect. Details can be found in the 'How to Appeal' section attached at the end of this letter.

Disclosure Log

You can also view information that the Ministry of Justice has disclosed in response to previous Freedom of Information requests. Responses are anonymised and published on our on-line disclosure log which can be found on the MoJ website: <http://www.justice.gov.uk/information-access-rights/foi-requests/latest-moj-disclosure-log>

The published information is categorised by subject area and in alphabetical order.

Yours sincerely,

Margaret Haig

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How to Appeal

Internal Review

If you are not satisfied with this response, you have the right to an internal review. The handling of your request will be looked at by someone who was not responsible for the original case, and they will make a decision as to whether we answered your request correctly.

If you would like to request a review, please write or send an email to the Data Access and Compliance Unit within two months of the date of this letter, at the following address:

Data Access and Compliance Unit (10.34),
Information & Communications Directorate,
Ministry of Justice,
102 Petty France,
London
SW1H 9AJ

E-mail: data.access@justice.gsi.gov.uk

Information Commissioner's Office

If you remain dissatisfied after an internal review decision, you have the right to apply to the Information Commissioner's Office. The Commissioner is an independent regulator who has the power to direct us to respond to your request differently, if he considers that we have handled it incorrectly.

You can contact the Information Commissioner's Office at the following address:

Information Commissioner's Office,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire
SK9 5AF

Internet address: https://www.ico.gov.uk/Global/contact_us.aspx