



Pawel Janicki
request-379178-45e6ed2b@whatdotheyknow.com

Maralyn Fawell
Senior Commercial Officer
Commercial and Contracts
Division
Post Point 10.08
102 Petty France
London
SW1H 9AJ

Maralyn.Fawell@justice.gsi.gov.
uk

Date 16th February 2017

Dear Pawel Janicki,

Freedom of Information Act (FOIA) Request – 109367

Thank you for your request dated 28 December 2016, in which asked for the following information from the Ministry of Justice (MoJ):

In your email at 23:16:

- 1. What was the total procurement cost with regard to the contract with Applied Language Solutions / Capita for language services.**
- 2. What was the total procurement cost with regard to the contract with thebigword for language services.**
- 3. What was the agreement between the MOJ and the service provider(s) with regard to providers' internet portals, i.e. is it true the taxpayer is paying twice for these portals and that they don't belong to the ministry who is paying for them. What is the rationale for paying for an internet portal to Capita who then owns it and then again to thebigword who in turn owns it. Please provide a copy of it with regard to this point. How much did each of them cost?**

In your email at 23:31:

- 4. How many notices to improve were served on thebigword since the beginning of the contract. Please provide copies.**
- 5. How many interpreters are there correctly qualified in legal interpreting with DPSI Law, DPI, Met Test and BA / MA in interpreting on the register available for the MOJ interpreting jobs. (if the MOJ does not have this information, what is the total number of interpreters on this register)**
- 6. How many of the 12010 jobs for the period between 31/10/16-27/11/16 were assigned to these interpreters in (2).**
- 7. What was the rationale for tiering interpreters in 2012 and what was the rationale for tiering jobs in 2016 instead. Also, please include definitions for each old interpreter Tiers 1, 2 and 3 and of the standard, complex and written complex jobs now.**

Your request has been handled under the FOIA.

I can confirm that the MoJ holds some of the information that you have requested.

Questions one and two

The MoJ does not hold any information in the scope of your request for the total procurement cost with regard to the contract with Applied Language Solutions / Capita for language services and the MoJ does not hold the total procurement cost with regard to the contract specifically with thebigword for language services. This is because there is no legal or business requirement for MoJ to do so. FOIA does not oblige a public authority to create information to answer a request if the requested information is not held. The duty is to only provide the recorded information held. To establish whether this information was held we made enquiries with relevant officials within the Commercial and Contract Management Directorate.

Question three

The internet portals were developed by the suppliers in accordance with the requirements defined in each contract specification. The suppliers own all intellectual property associated with the internet portals. The internet portal used by Capita is their property and could not be transferred to the new contracts.

Question four

No notices to improve have been served on thebigword since they began the providing services to the MoJ on 31 October 2016.

Question five

Thebigword utilises the services of correctly qualified interpreters for a range of language services, as defined in the contract between thebigword and the MoJ for the range of assignments required.

The total number of interpreters on the MoJ Register who deliver face to face interpretation services is currently 4,240. This includes 1503 linguists with the four qualifications set out in Schedule 2 of the contract, a link to which is provided at question seven.

Question six

All of the jobs in the period specified were delivered by interpreters on the MoJ Register.

Question seven

The rationale for 'Tiering' interpreters in 2012 and for replacing these with 'Complexity' levels in the new contracts are the same - to enable and best ensure the delivery of a robust, cost effective, and responsive suite of language services that meet the needs of its users, the Justice System and deliver value for money to the tax payer.

The complexity level assigned to each booking in the new contract is determined by a range of factors and then reviewed and agreed on a case by case basis in consultation with the judiciary who operate independently from the MoJ.

The definitions for Tiers 1, 2 and 3 in the old contract were:

- Tier one: the interpreter is able to speak fluently in the language required and is also able to provide a written translation to a pre-determined standard;
- Tier two: the interpreter can provide fluent spoken interpreting services but will not be able to provide a written translation that would suffice for justice sector needs; and

- Tier three: the interpreter can provide an interpreting service but not to the standard that would be required for court, tribunal or other evidential requirements; this may be used, for example, in a community-based setting.”

The MoJ holds the definitions used to determine complexity levels. However, the information is exempt from disclosure under section 21 of the FOIA, because they are reasonably accessible to you. The information can be accessed via the following link
<https://www.contractsfinder.service.gov.uk/Notice/975cb99e-fec6-430f-8f31-fd532a907137>

You can also find more information by reading the full text of the FOIA, available at <http://www.legislation.gov.uk/ukpga/2000/36/section/21> and further guidance <http://www.justice.gov.uk/information-access-rights/foi-guidance-for-practitioners/exemptions-guidance>

Appeal Rights

If you are not satisfied with this response you have the right to request an internal review by responding in writing to one of the addresses below within two months of the date of this response.

data.access@justice.gsi.gov.uk

Data Access and Compliance Unit, Ministry of Justice, 10.38, 102 Petty France, London, SW1H 9AJ

You do have the right to ask the Information Commissioner’s Office (ICO) to investigate any aspect of your complaint. However, please note that the ICO is likely to expect internal complaints procedures to have been exhausted before beginning their investigation.

Yours sincerely

Maralyn Farwell
Commercial and Contract Management Directorate