

## **NRCPD Complaints Committee meeting - 31 October 2016**

### **Registrant - Diana Smith RSLI**

At a hearing of the NRCPD's Complaints Committee in London on 31 October 2016, Ms Diana Smith was found guilty of professional misconduct.

### **Summary**

In February 2014 the Complaints Committee had heard a case against Ms Smith and found the case proved. It decided to impose an Order of Conditions on the registrant for a two year period, and Ms Smith was held effective on the register during that period. The Order prohibited the Registrant from practising as an NRCPD registered interpreter until she had demonstrated to the satisfaction of the reviewing Committee that specific conditions had been demonstrated.

In January 2016, NRCPD's Registration Service Manager wrote to the Registrant in relation to the Order of conditions, requesting that the Registrant provide evidence of compliance. NRCPD did not receive a reply to that letter and accordingly, the Registration Services Manager wrote a further letter in February 2016 requesting a reply by 11 March 2016. The letter stated that if no reply was received by that date, NRCPD would assume that the Registrant did not intend to demonstrate compliance with the Order and that NRCPD would consider the next steps. No reply was received from the Registrant.

In accordance with the NRCPD Complaints Process, the Registration Services Manager sought advice from the Chair of the Complaints Committee which had issued the Order in 2014. The Chair advised the Registration Services Manager to write again to the Registrant to highlight that if she did not reply the matter would be referred to another Complaints Committee for consideration of her failure to comply with sanctions.

The Manager wrote to the Registrant in June 2016 to which there was no reply. The Chair of the original Committee then directed that the matter should now be referred to a new Complaints Committee to consider whether this amounted to professional misconduct.

The Registration Services Manager wrote to the Registrant in September 2016 to inform her that the matter of her alleged failure to comply with sanctions had been referred to a Complaints Committee. The letter gave details of the date, time and venue for the Committee hearing.

The registrant contacted the NRCPD by email on 10 October and indicated during the email correspondence that she would not be attending the hearing on 31 October 2016.

### **Complaints Committee decision**

The Committee considered that the conditions of the 2014 Order were directed towards professional competence and knowledge of practice guidelines. As the Registrant had not complied with any part of the Order of Conditions, the Committee considered that this failure amounted to a breach of paragraph 4.1 of the Code of Conduct, in that she did not have up-to-date knowledge of practice theory, including relevant practice guidelines, nor had she incorporated that knowledge into her practice.

The Committee further considered that the above failure to comply amounted to a breach of paragraph 6.1 of the Code of Conduct. The Committee considered that for the public to have trust and confidence in the profession it was essential that the public be assured that registrants would comply with sanctions issued by a regulator. The Committee's view was that in failing to comply with the Order, the Registrant had not justified public trust in her and her profession, and accordingly it found that she had breached paragraph 6.1 of the Code.

The Committee had regard to the Registrant's statement in her email of 10 October 2016 that she had no intention of working as an interpreter and had no intention of having any further involvement with NRCPD. Further, that she had asked that her details to be removed from the NRCPD website. The Committee notes that there is no provision for voluntary removal in such circumstances. Accordingly, the only appropriate sanction which the Committee could use was removal from the Register.

The Registrant did not appeal against the decision of the Complaints Committee, and her name was removed from the Register.