

Interpreters in Sweden – A Tool for Equal Rights?

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This paper deals with professional community interpreting as a tool for guaranteeing *equal rights*. The *main focus* is on the interpreter with *special focus* on children in interpreted meetings. Equal access to legal, social and medical rights is a prerequisite for a democratic welfare state. These rights depend to a large extent on verbal communication between an individual and a public servant such as a lawyer, a social worker, a teacher or a doctor. Non-Swedish speakers need interpretation in order to be able to come into contact with these services and enjoy their full rights. Professional interpretation, therefore, is a necessary tool to enable the public servant to do his/her job; more importantly, it is a tool to obtain maximum legal, social and medical security for the immigrant. The paper deals with the actors involved, and with issues of responsibility and synergy.

The empirical material has been collected from two research projects on community interpreting (2008-2011). A conclusion is that in community interpreting the interpreter and the public servant have responsibilities. Therefore, *professionalism* together with *mutual respect* and *teamwork* are important tools to avoid misunderstandings and to guarantee full access to equal rights.

Introduction

Observation 1: Several persons are present at the asylum interview taking place with Shamsi, 16 years old, a separated asylum seeking child. They are the guardian *ad litem*, a lawyer, a public servant and an interpreter. Shamsi strives to give a trustworthy reason for his request for asylum, something

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difficult in itself for someone who has endured heinous events, and to him the interview is of immense importance. It is a matter of “yes” or “no” to protection, a decision that will determine the rest of his life. The interpreter has a central position in the procedure but very soon it becomes clear that he does not fulfil the requirements of his crucial role; first, he has difficulties finding the right terms in Swedish and often uses the word “thing” instead of the proper term for what Shamsi has said; secondly, on three separate occasions, he interprets Shamsi’s expression “a grenade was thrown at our house” as “a pomegranate was thrown [...]”. Since for Shamsi the interpreter’s mistakes could have critical consequences, the question that arises is why a more skilled and trained interpreter was not appointed for this important asylum interview.

The described asylum interview is one of many observations of interpreted meetings in different settings that we have undertaken during the last three years, as part of our research on community interpreting in Sweden. With Shamsi’s experience we illustrate that there is reason to raise questions about the quality of interpreting in delicate situations. Obviously, he could not know about the interpreter’s mistake since “pomegranate” was part of the Swedish translation, but what about the case worker from the Swedish Migration Board? The interpreter repeated the word “pomegranate” several times in Swedish before she reacted, chuckling softly as she corrected the interpreter. We do not know if the interpreter told Shamsi about his mistake and, in any case, Shamsi was excluded from the conversation, while the case worker laughed and corrected the interpreter. This might seem like a minor mistake but it is not, as Shamsi is in a precarious situation where his legal right to be heard is undermined by the interpreter’s lack of professionalism and the laxity of the case worker.

This paper discusses professional community interpreting as a tool for guaranteeing *equal rights*. The *main focus* of the article will be on the interpreter, and there will be a *special focus* on children in interpreted meetings. Minors, under the responsibility of a parent or other legal guardian, are more vulnerable than adults as rights holders.²

Equal access to legal, social and medical rights is a prerequisite for a democratic welfare state. These rights depend to a large extent on verbal communication between an individual and a public servant such as a lawyer, a social worker, a teacher or a doctor. Non-Swedish speakers need interpretation in order to be able to come into contact with these services and enjoy their full rights. Professional interpretation, therefore, is a necessary tool to enable the public servant to do his/her job; more importantly, it is a tool to obtain maximum legal and medical security for the immigrant. The paper deals with the actors involved, and with issues of responsibility and synergy.

² Every year a number of children seek asylum in Sweden. The following figures are indicative: in 2009, out of a total of 24,353 asylum-seekers, 6,577 were children (2,250 of these children were separated minors); in 2010, out of 31,819 applicants, 10,493 were children (2,393 were separated minors) (www.migrationsverket.se).

Interpretation must be provided in accordance with existing legislation, and financed through public funds. Presently, the service of a community interpreter is more or less a standard feature in the reception of refugees and asylum seekers, as well as in other situations where public servants and individual clients/patients do not have a common language. On the one hand, this is a pragmatic solution to an otherwise impossible situation of non-communication and, on the other hand, it is supported by legislation, human rights values and immigration policies, such as equality and integration.

In the following pages, we shall examine the legal framework for the right to an interpreter, the organisation of interpreting services in Sweden, the role of the interpreter, working conditions for interpreters, and the organisation of interpreting services in Sweden. In the last part of the article, we argue for the necessity of *professional* interpreting as a tool for equal access to legal, medical and social rights. Let us start with a short presentation of our material and methods.

Material and method

The empirical material has been collected from two research projects on community interpreting (2008-2011): *The Community Interpreter – A Cultural Broker*, and *Behind Closed Doors – The significance of community interpreting for guaranteeing legal, medical and social rights and integration, with a special focus on the reception of separated children and the processing of their asylum cases*.³ The aim of the research is to analyse the position of community interpreters as cultural brokers in interpreted meetings and in communication between public servants and clients/patients, to describe and analyse the reception of separated minors through the eyes of the community interpreter, and to analyse the significance of interpreting for obtaining legal, social and medical rights, and for integration processes.

Our research is based on qualitative methods such as *interviews* and *observations*. We have held three in-depth interviews with twenty six interpreters of different origin from various regions in Sweden, as well as three in-depth interviews with ten persons who had arrived as separated minors.⁴

Participatory observations have taken place in the residences of separated minors, along with observations of a large number of interpreted conversations between children and staff members or guardians *ad litem*. Silent observations

³ *The Community Interpreter – a Cultural Broker* is financed by Riksbankens Jubileumsfond (www.rj.se). *Behind Closed Doors – The significance of community interpreting for guaranteeing legal, medical and social rights and integration, with a special focus on the reception of separated children and the processing of their asylum cases* is co-financed by the European Refugee Fund III. The project has been ethics tested in accordance with the Ethical Review Act (2003: 460). All places and names are fictitious.

⁴ The numbers in parenthetical references refer to which interpreter we are quoting *and* whether it is the first, second or third interview.

have been conducted during asylum interviews at the Swedish Migration Board and in different settings in the premises of social services, health care services, courts, and schools.

Recurrent meetings have been held with five different reference groups: 1. Interpreters, 2. Separated minors, 3. Public service providers, 4. Educators, and 5. Agencies and Procurers. In March 2011, a consulting seminar was held with fifteen interpreters experienced in interpreting for children. All these meetings and the seminar covered interpreting in all areas of public Sweden: the courts, health care, migration authorities, the police, social welfare offices, group homes for children, speech therapists etc.

A survey about the working conditions of interpreters was carried out in 2011; a questionnaire was sent to just over 2,000 of the estimated 6,000 persons listed at agencies as interpreters, including authorised interpreters. More than 450 interpreters answered.

All in all, we have collected a vast and wide-ranging material, allowing us to describe and analyse community interpreting services in Sweden from various perspectives.

Legal framework

The legal right to interpretation in the Swedish courts is regulated under the Code of Judicial Procedure (1942: 740) and the Administrative Court Procedure Act (1971: 291).⁵

The Administrative Procedure Act (1986: 223) regulates the procedures followed in each case by administrative authorities. The Act has played an important role as a democratic tool, and is seen as an instrument for the realisation of an open society. It recommends rules of contact and communication between authorities and citizens based on principles of equal rights, equal treatment, non-discrimination, and the right to understand and make one's opinion heard.

The Act prescribes that an interpreter: "should be used when needed". It would, for example, be impossible to respect the right of a newly arrived child refugee to "express his or her views, obtain information, and make ideas or information known, regardless of frontiers" (*Convention on the Rights of the Child*, Article 13) without proper interpretation.

The Social Services Act and the Health and Medical Services Act do not state anything about community interpreting.⁶ The Health and Medical Services Act, however, states that health care must be provided with respect for equality and human dignity. All persons, regardless of background, must have the same access to health care, and to information about their illness and the care they are receiving. In many cases, it is necessary to use an interpreter to achieve this goal.

⁵ Rättegångsbalk (1942: 740), Förvaltningslag (1986: 223), and Förvaltningsprocesslag (1971: 291).

⁶ Socialtjänstlag (2001: 453) and Hälso-och sjukvårdslag (1982: 763).

All public services are obliged to respect the Public Procurement Act (2007: 1091),⁷ which will be discussed further down.

It is the public servant who calls for an interpreter “when needed”. Some authorities have detailed policy documents; others do not (Integrationsverket 1999). According to interpreters and service providers, there is a greater understanding of the importance of using a professional interpreter when there are rules to follow. Sometimes, service providers try to save money by not using an interpreter, or settling for an unqualified interpreter, something that often leads to misunderstandings and repeated meetings.

The courts have the highest standards in Sweden with regard to interpreting. The majority of the courts are aware of the need for highly qualified, authorised interpreters and call for interpreters as soon as it is evident that misunderstandings might otherwise occur (Domstolsverket 2010: 4).

In other authorities, the tradition of using interpreters varies, as does the awareness of the risks of bad communication with a client/patient. It is not uncommon within the health care system, for example, to have relatives perform the role of an interpreter, or use English as a language of communication. In both cases, the right of the immigrant is at risk. S/he might not be able to speak freely in front of a relative; moreover, if the relative is a child, it is also a violation of the rights of the child according to the UN convention (1989). The use of English instead of an interpreter raises a number of problems. It is very rare that an immigrant masters medical, social or legal English or, for that matter, English that covers a nuanced description of feelings and fears. The same goes for most staff. What is more, quite often interpreters are called in “too late”, i.e. when misunderstandings have already occurred between immigrant and authority.

A state has tools to fulfil commitments made through legislation. In Sweden, there is a state-funded training program, and provisions for authorisation and specialisation, but no supervision of the interpretation agencies or of interpreters (except for authorised interpreters, who amount to about ten per cent of the total).

The organisation of community interpreting in Sweden

The daily number of interpreted hours in Sweden is about 6,000, and they occur mainly within health care services, refugee reception, social services and legal settings.⁸ In 2009, public funds financed interpreting services which amounted to SEK 500-600 million (Letter, Reg. No. 82/09).

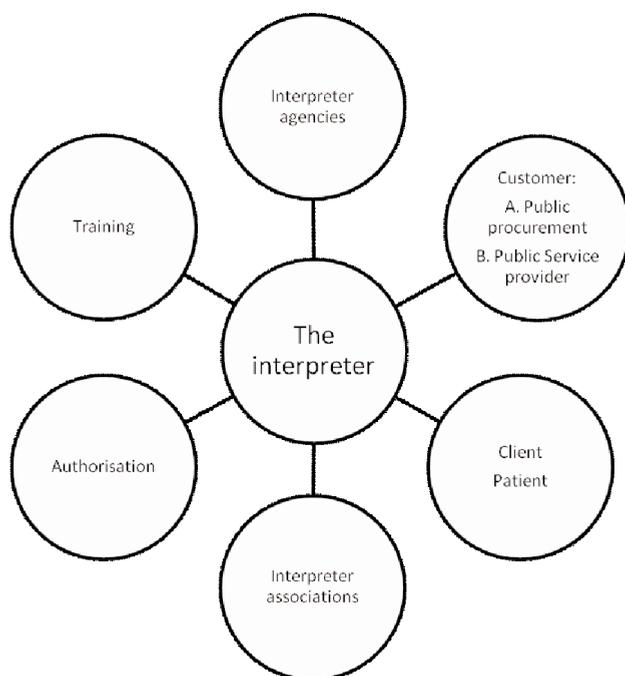
There are many actors to consider when understanding how interpretation services are organised: *interpreters* who set up their *associations*; *agencies*, where

⁷ Lag om Offentlig Upphandling (2007: 1091).

⁸ There are no regular statistics available. The figure is based on an official government report from 2004, which estimated that 3,000 interpreted hours took place daily (SOU 2004: 15). 30,000 of these hours took place in Gothenburg, where the number of interpreted hours has doubled since then.

interpreters are listed, which compete for contracts; *customers*, such as authorities, county councils and municipalities; *public servants* and *clients/patients* who depend on the quality of interpretation; *educational institutions and other training bodies*, responsible for the quality of interpreting through the provision of *training* programs, the establishment of *working conditions* and *supervision*.

The above actors function within a web of interdependencies. In the diagram below we have put the interpreter in the middle, as the key figure in our study. All actors are important for establishing professional interpretation services, but this does not mean that all actors are in contact with each other. The arrows show where there is contact between the different individuals/bodies.



Bearing these interrelationships in mind, we will go on to discuss the different actors of importance to a professionally interpreted meeting. In this way, we will demonstrate the role and competences that immigrants, as well as public servants, have a right to expect, and why Shamsi was left with insufficient interpreting help.

The community interpreter – profession and role

Observation 2: conversation between a guardian ad litem and a 14-year-old Dari-

speaking boy. The guardian *ad litem* and the boy sit by the phone in a special interpreting room at a residence for asylum seeking minors, as the conversation is going to be interpreted by telephone. The guardian *ad litem* dials the number, the interpreter answers, everyone says hello and they introduce themselves to each other. The interpreter starts with his presentation in Dari and then repeats it in Swedish. He introduces himself and states that he will interpret everything that is said, omitting and adding nothing, that he will use the first person, and that he has the obligation to observe confidentiality.

Telephone interpreting is complicated, because without the physical presence of all involved parties misunderstandings are much more frequent. As one of the interviewed interpreters suggested: “Telephone interpreting is more difficult because you do not see the body language” (Interview 8: 3). A common mistake is that the interpreter believes that information from one party to another in the meeting is directed at him/her, and therefore answers instead of interpreting the dialogue.

This is what happened in the above observation. For about thirty minutes the parties discuss the boy’s financial situation. They do not agree, and after a while they change the subject. Soon, the boy returns to the financial problem. The guardian *ad litem* looks puzzled and says that she does not understand. Instead of interpreting the statement: “I do not understand”, the interpreter repeats the boy’s message, as well as adding information. The guardian *ad litem* does not react to this but repeats her question: “I still do not understand”. The interpreter develops the message from the boy even further, and repeats information that appeared earlier in the discussion. On this third attempt from the interpreter, the guardian *ad litem* understands and answers the boy’s question. By now, the boy is lying bent over the table as if he is asleep and just shrugs his shoulders.

The boy’s “voice” was silenced by the interpreter and this was sanctioned by the guardian *ad litem*’s failure to react against the interpreter stepping out of his role. The two of them were talking to each other, excluding the boy who lost interest in the discussion. This kind of confusion about the role of the interpreter is well explored by researchers mostly in cases of medical interpretation. Research shows that within medical settings doctors, nurses and even patients often let the interpreter take the role of a mediator, by explaining or by adding, questions. This creates a risk situation, as both client/patient and doctor/nurse lose control of the situation (Hale 2007: 44-45).

People seem to think of interpreters as a uniform group of professionals with equivalent training and qualifications. This is a misleading generalisation; interpreters are a heterogeneous group: from authorised interpreters with special qualifications for court/medical interpretation, to individuals who are hired to interpret and have no formal training at all. The profession of the *interpreter* is not legally protected, which means that practically anyone can call him-/herself an interpreter (SOU 2005: 37).

What, then, is professional interpretation and why is it so important to use trained interpreters?

A professional interpreter is a skilled performer, producing utterances which

are presumed to have a similar meaning and/or effect as previously existing utterances in another language and culture (Pöchhacker 2010: 12). This means that the interpreter masters both the source language and the target language in all areas where the interpreter accepts work, as one of the interviewed interpreters stated: “The interpreter needs to be highly qualified in both languages – what you don’t know you don’t hear!” (Interview 26: 3).

Interpreters need to keep up their language skills continuously, as all languages are constantly developing and changing. If the source language is Arabic, English, Spanish or any other language spoken in several countries, the interpreter is supposed to know and keep up with the national differences.

A fairly common problem, observed by interpreters in encounters between public servants and children, is that public servants tend not to adjust their language level to that of the child. They also tend to forget that many refugee children have had no schooling, and therefore cannot read or write. When this happens, the interpreter finds him/herself in a dilemma: to interpret exactly what is said at the level it is said or to interpret in a way that will help the child understand. One interpreter explains: “Should I interpret as a *bad* interpreter and explain, or should I interpret as a *good* interpreter and use the authority language level?” (Seminar 2011). Whatever the interpreter chooses to do, quite often children fail to understand the message. As a consequence, the child cannot respond, and his/her wishes and needs end up not being listened to.

The interpreter must have *factual knowledge* of the content of the interpreted conversation. It is thus not enough to know anatomy concepts in order to interpret between a doctor and a patient, but also types of diseases, types of treatments that can be offered, etc. In the courtroom, the interpreter has to know the language of the lawyers and the language of the defendant, and s/he has to know the factual language of the trial, whether it is about fraud, narcotics, assassination, family matters, technical matters and so forth.

In parallel with factual knowledge, interpreters have “*everyday knowledge*” that also influences the interpretation. In the telephone interview above, the interpreter obviously knew about everyday life at the residence where the boy lived, and elaborated on the boy’s statement without asking him. Interpreters who have worked for a long time in smaller places are often familiar with everyday gossip and the persons for whom they interpret. Professionalism requires that the interpreter distances himself from such knowledge, which in small places may mean isolation from compatriots.

Interpreters need to *prepare* before the interpretation, especially given the fact that community interpreting is an oral activity which allows no time for thought. However, in real working conditions this is very difficult to realise as agencies hardly ever give any information prior to a booked meeting. The courts usually provide the interpreters with pre-trial material.

The interpreter is *present in all types of meetings*, many times in very difficult situations; these include serious illness, social problems, criminal activities, child abuse and traumas of various kinds, such as experiences of war or torture.

Trust between all persons present in an interpreted meeting is necessary for complete communication. The public servant builds his/her relation to the client/patient together with the interpreter (Raddum and Nilsen 2010). This means that not only the public servant but also the interpreter must be able to *build trust*.

The interpreter needs communication skills and other personal skills in order to meet this requirement. Stress and lack of time during meetings make building trust more difficult. Sometimes it takes several meetings to gain trust, especially when dealing with teenagers, as one interpreter explains: “Given time, trust mostly grows but then it can be too much, very valuable and vulnerable” (Seminar 2011). In the case above, the interpreter hampers the trust-building process by not giving the boy a chance to verbalise his thoughts. By not stopping the interpreter, the guardian *ad litem* becomes an accomplice.

In their effort to build trust, some interpreters push ethical limits, using words as “my son, my niece” etc., thus placing themselves in the role of a mother, father, uncle or aunt (Interview 22:2; Interview 25:3). This may be useful in a difficult situation, but it becomes complicated in the long run, interfering with the public servant’s methods and undermining secrecy and impartiality.

Interpreters work within a set of *ethical rules* published in “Good Interpreting Practice” by the Legal, Financial and Administrative Services Agency.⁹ These rules provide that the interpreter is obliged to observe confidentiality under the Official Secrets Act and the Confidentiality Obligation of Certain Interpreters and Translators Act.¹⁰ However, children are often suspicious of the role of the interpreter. Therefore, interpreters make an extra effort to build trust, by explaining their obligation to observe confidentiality when they interpret for minors. If the public servant tells the parents what the child said, trust in the interpreter is undermined and the child may well blame the interpreter: “But you interpreted and you said that everything I said was to remain between us!” (Seminar 2011).

Another ethical issue is related to the distinction between translating everything that is said, maintaining a neutral/impartial stance (directly interpreted interaction) or summarising what has been said, explaining and helping steer the conversation (mediated interaction) (Hale 2007). In Sweden, ethical rules state that everything said must be interpreted and nothing may be added or omitted. In the observation above, the boy’s rights were violated since the interpreter obviously did not honour his obligation to interpret everything that was said.

However, maintaining a completely neutral position, as several interpreters have stated, is usually more difficult when working with children than when working with adults. When seeing that there is a problem in the communication between an adult and a child, the interpreter may be tempted to “do something” (Seminar 2011). As we have seen, it is not the interpreter’s task to rectify, to interfere with or in any way influence the relationship between the adult and the

⁹ God tolksed.

¹⁰ Sekretesslag (1980: 100) and Lag om tystnadsplikt för vissa tolkar och översättare (1975: 689)

child. It is the public servant's obligation to obtain all information needed for performing his/her duties satisfactorily.

The interpreter in similar situations faces the challenge that the interpreter faces in the interpreting situation. Should s/he act as a broker, mediator, lawyer or something else (Hale 2007; Gustafsson, Fioretos & Norström 2012)? The community interpreter is responsible for *enabling communication between the public servant and the patient/client* across different cultural, linguistic, religious and educational boundaries in an unequal relationship of power and knowledge (Lee and Buzo 2009; Shackman 1984). In Sweden, there is a notion that neutrality and objectivity may be jeopardised if the interpreter acts out his or her cultural knowledge. However, language is cultural in its construction and content, and therefore it is not possible to convey messages without applying cultural knowledge, in an attempt not to be perceived as partial. "Language is one of the media through which thoughts, ideas, feelings are represented within a culture. Representation through language is therefore central to the process by (through) which meaning is produced" (Hall 1997).

What should the interpreter do, then, to handle feelings, reactions and frustrations? The ethical rules are seen as important tools that require practice and experience to master. Impartiality and neutrality mean that the interpreter has to manage his/her own emotions, opinions and reactions even in the most difficult situations. In other words, a professional interpreter needs *self-knowledge*, as we can understand from the following comment: "It takes time to know oneself and to deal with the role and everything that you see and experience. In the beginning I cried many nights". Another interpreter says that "it takes many years to become experienced and aware of your own feelings. You are completely on your own as an interpreter" (Seminar 2011).

Knowing one's role and the ethical rules helps if there are misunderstandings between the parties. The interpreter has to be able to analyse whether it is a misunderstanding that s/he needs to be concerned about, and to evaluate the parties' relationship – is it collaborative, neutral, or adversarial? What is the goal of the communication – problem-solving, or the gathering and/or presenting of evidence? What is the nature of the misunderstanding – linguistic, cultural, social, clash of personalities (Lee and Buzo 2009)? Self-reflection, critical thinking and cultural self-knowledge are concepts used within academic qualitative research but might also be useful as tools for understanding and scrutinizing the interpreter's role (Gustafsson, Norström and Fioretos 2012).

In this section, we have discussed various components that constitute professional interpreting and how the role of the interpreter is challenged in different ways in different situations. We have examined the impact this might have on the interpreted situation. In the following section, we shall change perspective and look into training and working conditions for community interpreters. These two areas are important as they largely influence the quality of the interpretation offered the asylum seeking minors, the guardian *ad litem* and the public servants, in the asylum interview and at the residence.

Training and authorisation

Interpreter training was established in the late 1960s by local immigrant services bureaus. Today, the principal responsibility for state-funded interpreter training lies within the mandate of the Institute for Interpretation and Translation Studies (TÖI) at Stockholm University.¹¹ TÖI has the overall responsibility for developing a uniform training program and authorisation system for interpreters and translators. At Stockholm University, interpreting courses are held in a number of languages.

A new basic training program for interpreters was introduced in 2007, following many years of lobbying from trainers. The training is provided by four “folk high schools”,¹² and three adult education associations. The curriculum includes courses in social services, medical care, the labour market, the workplace and legal matters. Each course contains facts, language and interpreting training, technique and ethics. Training has taken place in more than 100 languages.

Compared with other training programs for interpreters, such as university courses, the military academy and sign language interpretation training, basic training for community interpreters is very short. It is well recorded in the relevant literature that, in order to achieve equality for those who depend on interpreters, there is a need to develop existing training for community interpreters in spoken languages in terms of duration and content (see Englund Dimitrova 1991, 2000; Hale 2007; Paulsen & Galal 2005; Pöchhacker 2008; Pöchhacker & Shlesinger 2008; Roy 2000; Wadensjö 1992, 1998).

It is possible to become an authorised interpreter through proficiency examinations held by the Legal, Financial and Administrative Services Agency.¹³ The applicant must be of legal age, of known personal integrity and suitable for working as an interpreter. The Agency supervises authorised interpreters, it can take disciplinary action, and complaints against interpreters are lodged with it. Authorisation has developed in order to guarantee skilled and trustworthy interpreters. Authorisation currently exists for 39 languages, while interpreting is done in almost 170 languages. After becoming authorised, one can take further tests to be authorised as a court interpreter and/or a medical interpreter.

Labour market and working conditions for community interpreters

The labour market for interpreters is controlled by supply and demand. There are constant adjustments due to changes in immigration and due to integration processes among immigrants. During the 1990s, the market of interpretation services in Sweden was deregulated. There are currently two kinds of agencies: non-profit municipal or county council agencies, and private agencies. In 2008, there

¹¹ Tolk- och översättarinstitutet.

¹² *Folkhögskola* is an institution for adult education that generally does not grant academic degrees.

¹³ Ordinance (1985: 613) on the Authorisation of Interpreters and Translators.

were over twenty non-profit agencies and forty private agencies. Only two or three agencies employ staff (permanent) interpreters; interpreters usually register with one or more agencies and work in all kinds of settings as freelancers. In the course of one working day, an interpreter can move from a hospital to a police station and then to a school and a social welfare office. It is almost impossible to work without a car.

1. Interpreters and agencies

The relationship between interpreter and agency varies in matter of quality of their contact, support the agency offers and the compensation the interpreter receives. Some agencies pay for training, authorisation, coaching and professional support, while others provide nothing at all.

However good the above relationship might be, the interpreter's situation in the Swedish labour market is highly insecure. According to a survey we carried out earlier this year, interpreters like their work: it is diverse, engaging, stimulating and meaningful. At the same time, it is a lonely and stressful profession and many respondents feel that they are not met with respect by public servants. It appears that the courts and the police are the two authorities that interpreters trust most, perhaps due to their higher use of authorised interpreters. Interpreters feel that they are "socially invisible", perhaps due to the lack of regular employment and the constant moving between appointments. It is quite difficult to earn a decent salary and they often worry about the future. There is much frustration with unprofessional agencies and unfair treatment. Another recurring comment in the survey is that public servants show little knowledge about interpreting and a lack of understanding of the conditions for interpreters (Survey 2011).

It also emerges in the interviews that interpreters feel that they are regarded as a necessary evil rather than a useful tool. An interpreter comments on the adversity of the working conditions: "If we are going to talk about support for the profession that is a story in itself. The interpreter is not permanently employed and therefore has an uncertain position, has to do his/her best every time to prove him/herself good enough to be hired again [...] Sometimes you have time, perhaps, to have lunch but those occasions are rare. I have a larder in my car [...] there is no time to go to the toilet, eat or take a coffee break. And you do not have a working place of your own, a chair, a staff room, a staff toilet [...] You endure because you like the job, but you are affected both physically and psychologically – the question is for how long" (Interview 8: 3).

There is one organisation for agencies, the Interpreter Services Council (TSR) with 23 non-profit and two private members.¹⁴ The Council's work aims to raise the quality of interpreting services by increasing the knowledge of procurement procedures, introducing methods for quality control and monitoring, and providing training to customers.

¹⁴Tolkservicerådet.

2. Procurement of interpreting services

Authorities are obliged to respect the Public Procurement Act (2007: 1091). Public procurement for all authorities is carried out by the National Police. County councils and municipalities do their own procurements.

For several reasons, both agencies and interpreters are critical of the procurement system. One point of criticism is that the competition for contracts is addressed to agencies and not interpreters, which undermines interpreters' possibilities of influencing their labour market situation. Interpreters feel that they are bought and sold like commodities in a market. Another issue is that there is no state supervision over agencies and non-authorized interpreters, which means that proper quality supervision is impossible. There are exceptions, but as a rule procurers do not know how to make qualitative requirements and are, therefore, inclined to sign contracts based on mere quantitative measurements.

3. Interpreters and public servants

From our interviews we understand that public servants usually take it for granted that the contracted agency will send an authorized or otherwise qualified interpreter. The public servants are supposed to write incident reports when the procured service is not delivered, but often fail to do so. There are testimonies from all over Sweden of non-qualified persons working full time as interpreters, while authorized interpreters are not fully booked. Another problem is that some public servants try to save money by purchasing fewer interpretation hours, as one of the interviewed interpreters suggested: "Health care providers reduce time but not precision. [...] the smallest event causes delays which often mean a chain of delays. And all the time you feel ashamed [...] What is damaged is legal and medical security! I mean, through the lack of knowledge amongst providers" (Interview 8: 3). Faced with these problems, many authorized and specialised interpreters move into other jobs.

There are obviously many public servants who know how to work with interpreters, but the testimonies in our material show a lack of knowledge about this tool of communication. Some procedural issues include the following: the public servant does not wait for the interpreter to finish speaking; the interpreter is told not to interpret everything that is said; the interpreter is asked to do things that are not part of their work, such as help move beds or wheelchairs, give patients a lift home, or call taxi services for the disabled; the interpreter often shares the waiting room with clients/patients and is therefore forced to develop different strategies to avoid contact with the latter before and after meetings: "Toilets have become my second home!" is a common refrain from interpreters.

Interpretation is a serious tool for exercising public authority in a legally secure manner. Yet, while most public servants in Sweden are used to working with people who are unable to speak or understand Swedish, the educational programs for these professions have not taught them how to work with interpreters. Programs may include a few optional hours of information on the subject, but that is not nearly enough. As mentioned earlier, agencies offer information and training

to interested customers, but emphasise that it is difficult to reach them. Appropriate training of public servants constitutes a form of insurance for them as well. Improper medical treatment, even if due to bad interpretation, will render the doctor a reprimand, not the interpreter.

4. *Interpreters' associations*

The fact that interpreters work on their own in a competitive and insecure environment has made them less prone to unionise. The Swedish Interpreters Association, founded in 1975, is the oldest association for interpreters.¹⁵ Its primary mandate is to safeguard its members' financial, social and professional interests. The association has very few members and only a handful of interpreters work to improve conditions at all levels. An association for authorised interpreters was founded in 2010, and an association for court interpreters in 2011. The incitement for action came when a court called an agency for an English-speaking court interpreter and was sent a non-authorised interpreter who interpreted on video; the interpretation was so bad that the hearing had to be cancelled. At the same time, specialised court interpreters in the very same town were sitting idle. Court interpreters decided to create an association, because "if we succeed it will mean better conditions for all interpreters, specialised or not!" (Interview 26: 3).

5. *Conclusion*

The above description provides an insight into a working situation in which relationships are constantly being tested and ultimately determined by the institutional and national conditions for providing interpreting services. Public servants have hardly any guarantees that they will receive a professional interpreter. Without supervision of this area, which turns over so much public money, legal security and the rights of individuals will continue to be compromised (see Norström, Gustafsson and Fioretos 2011).

Community interpreting and equal rights – a question of professionalism, mutual respect and teamwork

The difficulties and possibilities as well as the ethical rules we have described in the section about the role of the interpreter hold for all types of interpreted situations. These are no different for interpreted situations with children and young people, except that the legal and social status of a minor differs from that of an adult. Minors are under the supervision of parents or guardians *ad litem* who often speak for them, even in situations when the child's voice should be heard. Additionally, "a child's status in society has often been conceptualised in terms similar to those of a minority group [...] commonly signified by marginalisation and stigma as well as by the denial of 'majority status' rights" (Barnes et al qtd. in Keselman 2009: 16).

In the case of Shamsi, his rights were undermined in several ways. Ac-

¹⁵ Sveriges tolkförbund.

According to the convention on the rights of the child, he has the right to make his voice heard (Convention on the Rights of the Child). As an asylum-seeker he has the right to give his account and be judged as trustworthy (Geneva Convention, the Swedish Aliens Act).

His rights were not undermined just because the interpreter used the word “thing” instead of proper terms, and the word “pomegranate” in a story about war and violence, but also because the case worker failed to react. Evidently, the interpreter is not expected to find the specific term always. Interpreters are not dictionaries, and cooperation with the case worker is important. In community interpreting, the interpreter and the public servant have responsibilities. Therefore, *professionalism* together with *mutual respect* and *teamwork* are important tools to avoid misunderstandings and to guarantee full access to equal rights. The clients, on the other hand, are rights holders and have no responsibilities as far as the professionalism of the interpreter and the case worker is concerned.

This relationship between the interpreter and the public servant is unequal, since the public servant has the right to dismiss the interpreter. At the same time, the Swedish-speaking public servant is dependent on the professionalism of the interpreter in order to fulfil his/her duties. In the two cases discussed in this article, the public servants undermined their own positions. Neither Shamsi’s case worker nor the guardian *ad litem* took responsibility. In both cases, they accepted that the young persons were silenced and that a serious and violent situation recapitulated in the asylum interview was partly ridiculed and maybe, as a consequence, perceived as less reliable evidence.

Due to problems such as questionable procurements, lack of coordination between the need for certain languages and training programs, unqualified interpreter users in public services, lack of cooperation between the different actors in the field of community interpretation etc., a de-professionalisation of interpreting services is taking place. Trained and authorised interpreters are well aware of this situation and have tried to alert authorities and politicians for a long time. People depend on professional interpreting – sometimes their lives even depend on it. It is a fair demand that the state fulfils its obligations by developing training programs for both interpreters and public servants, extending the possibilities for authorisation, and above all by supervising the agencies.

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