

# United Kingdom Data Summary

## CULTURAL EXPERTISE IN EUROPE: WHAT IS IT USEFUL FOR? (EURO-EXPERT)

PI: Livia Holden | Post-Doc: Anna Tsalapatanis: Data Collector: Bridget Prince

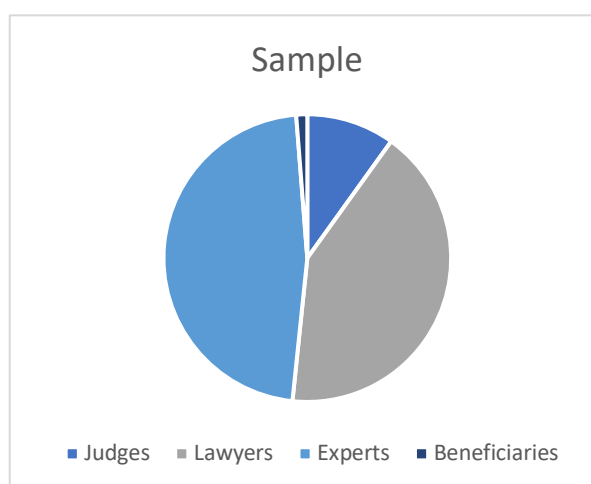
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## Qualities of Sample

There were 242 responses to the British survey, of which (10%, 24) were judges, (42%, 101) were lawyers, (47%, 114) were experts and (1%, 3) were beneficiaries.

Respondent categories	%	#
Judges	10%	24
Lawyers	42%	101
Experts	47%	114
Beneficiaries	1%	3
Total	100%	242



## Country locations

Of the 93%, 225, of respondents who indicated their location, (33%, 74) were based in London followed by 'Other' (18%, 40), United States (8%, 19) South East England (4%, 10), Birmingham (4%, 9), Wales (3%, 6), Glasgow, Oxford, South West England, West Midland, north West England (2%, 5) each, France and Yorkshire (2%, 5) each. All the remaining locations received 1% or less.

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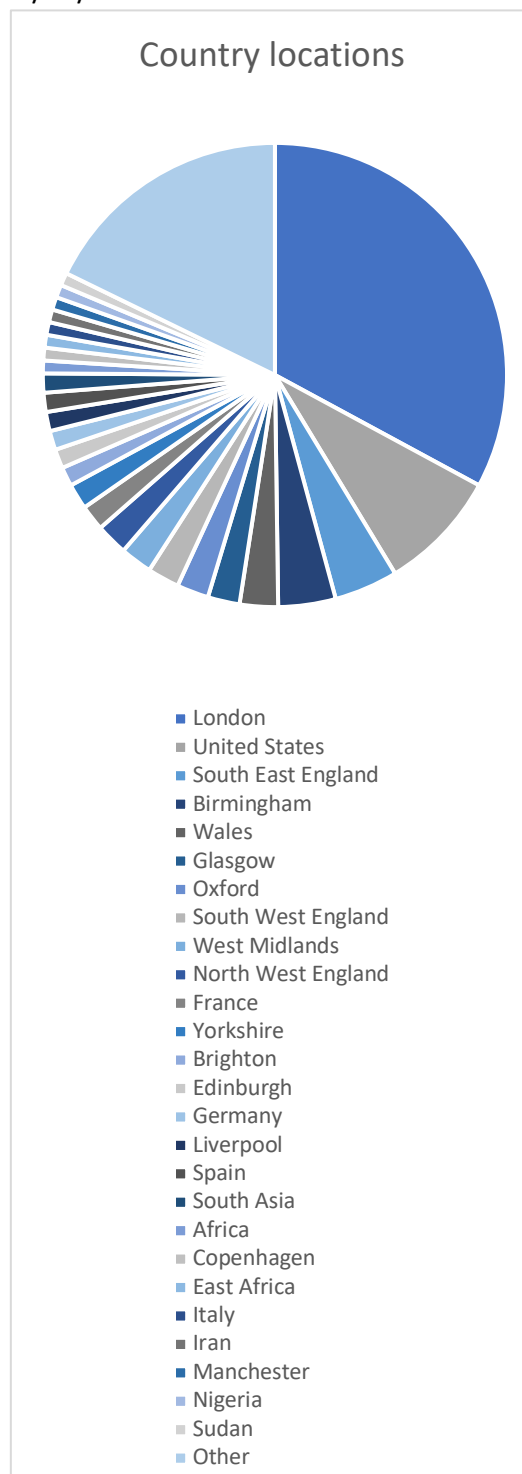
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Country locations	%	#
London	33%	74
United States	8%	19
South East England	4%	10
Birmingham	4%	9
Wales	3%	6
Glasgow	2%	5
Oxford	2%	5
South West England	2%	5
West Midlands	2%	5
North West England	2%	5
France	2%	4
Yorkshire	2%	4
Brighton	1%	3
Edinburgh	1%	3
Germany	1%	3
Liverpool	1%	3
Spain	1%	3
South Asia	1%	3
Africa	1%	2
Copenhagen	1%	2
East Africa	1%	2
Italy	1%	2
Iran	1%	2
Manchester	1%	2
Nigeria	1%	2
Sudan	1%	2
Other	18%	40
Total	100%	225



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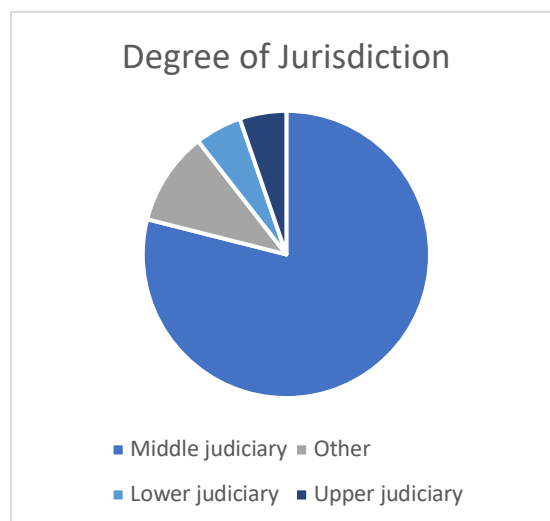
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### Judges

The most common degree of jurisdiction for Judges was 'Middle Judiciary' (79%, 15), followed by 'Other' (11%, 2) then 'Lower Judiciary' and 'Upper Judiciary' (5%, 2) each.

Degree of Jurisdiction	%	#
Middle judiciary	79%	15
Other	11%	2
Lower judiciary	5%	1
Upper judiciary	5%	1
Total	100%	19



The most common area of jurisdiction was 'Criminal law' (30%, 10) followed by 'Family law' (24%, 8), 'Civil law' (21%, 7), 'Other' (18%, 6), with 'Asylum/Migration Law and Constitutional Law accounting' for (6%, 2).

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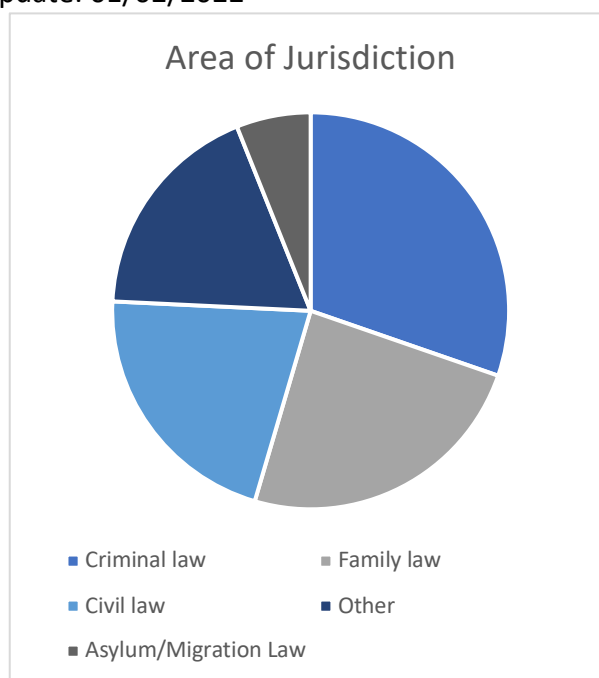
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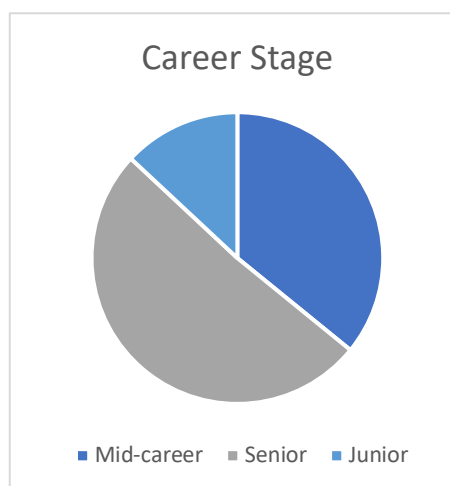
Area of Jurisdiction	%	#
Criminal law	30%	10
Family law	24%	8
Civil law	21%	7
Other	18%	6
Asylum/Migration Law	6%	2
Total	100%	33



## Lawyers

More than half of the responding Lawyers indicated that they were 'Senior' (51%, 47) followed by 'Mid-career' (36%, 33), and 'Junior' (13%, 12).

Career Stage	%	#
Mid-career	36%	33
Senior	51%	47
Junior	13%	12
Total	100%	92



For the areas of law practiced, 'Immigration Law' (23%, 57) was the most common, followed by 'Refugee and Asylum Law' (16%, 38), 'Administrative Law' (12%, 30), 'Criminal Law' (8%, 20), and 'International Human Rights Law' (8%, 19), with all the remaining areas accounting for 5% or less.

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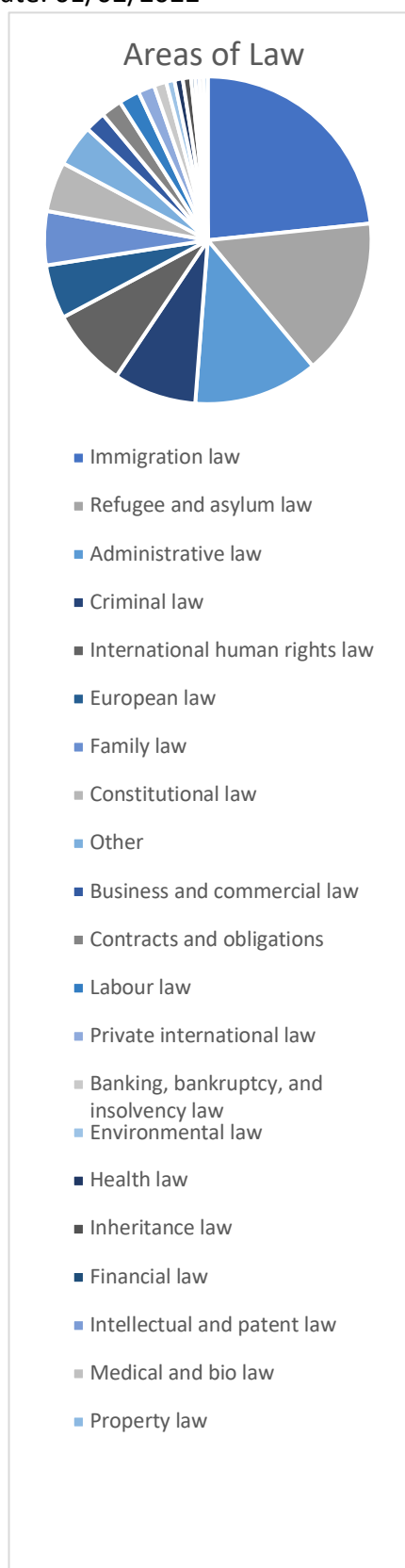
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Areas of Law	%	#
Immigration law	23%	57
Refugee and asylum law	16%	38
Administrative law	12%	30
Criminal law	8%	20
International human rights law	8%	19
European law	5%	13
Family law	5%	13
Constitutional law	5%	12
Other	4%	10
Business and commercial law	2%	5
Contracts and obligations	2%	5
Labour law	2%	5
Private international law	2%	4
Banking, bankruptcy, and insolvency law	1%	3
Environmental law	1%	2
Health law	1%	2
Inheritance law	1%	2
Financial law	0%	1
Intellectual and patent law	0%	1
Medical and bio law	0%	1
Property law	0%	1
Total	100%	244



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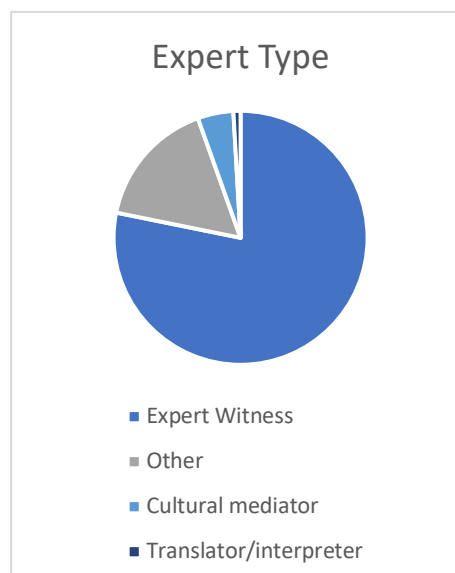
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### Experts

The most common expert type was 'Expert Witness' (78%, 86) followed by 'Other' (16%, 18), 'Cultural mediator' (5%, 5), and 'Translator/interpreter' (1%, 1).

Expert Type	%	#
Expert Witness	78%	86
Other	16%	18
Cultural mediator	5%	5
Translator/interpreter	1%	1
Total	100%	110



The most common response to the question regarding area of specialisation was 'Sub-Saharan Africa' (32%,41) followed by 'Other' (18%, 24), the 'Middle East' (15%, 20), 'South Asia' (11%, 14), 'North Africa' (8%, 11), 'Minority/Indigenous Populations', (6%, 8), with all other areas receiving 5% or less.

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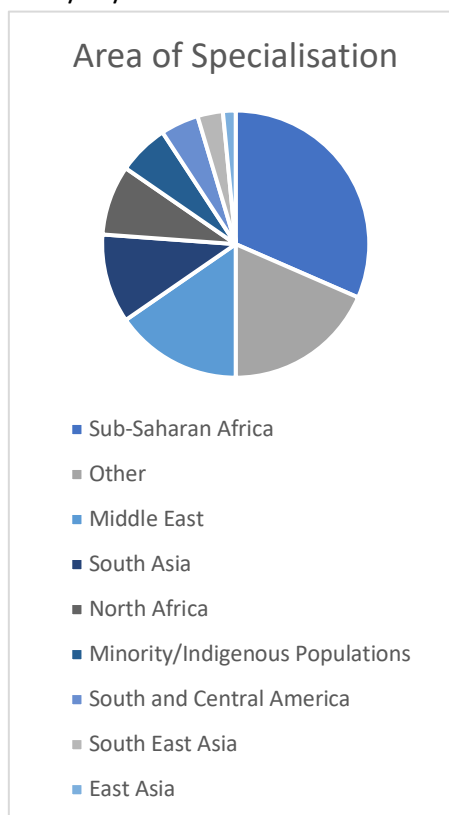
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Area of Specialisation	%	#
Sub-Saharan Africa	32%	41
Other	18%	24
Middle East	15%	20
South Asia	11%	14
North Africa	8%	11
Minority/Indigenous Populations	6%	8
South and Central America	5%	6
South East Asia	3%	4
East Asia	2%	2
Total	100%	130



## Frequency

### Frequency of involvement

To the question of how many experts did they instruct annually, most responding judges and lawyers (49%, 48) chose 'Less than 10', followed by 'Between 10 and 20' (18%, 17), 'Never appointed experts' (16%, 16), 'Between 20 and 30' (13%, 13) and 'Between 30 and 50' (3%, 3).

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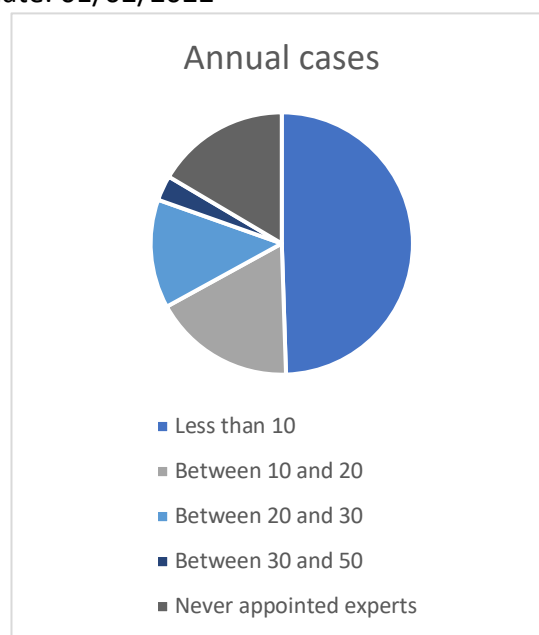
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Annual cases	%	#
Less than 10	49%	48
Between 10 and 20	18%	17
Between 20 and 30	13%	13
Between 30 and 50	3%	3
Never appointed experts	16%	16
Total	100%	97



(22%, 23) of experts provided 'Less than 5' written reports, (20%, 22) chose 'Other', (17%, 19) indicated a number of written reports 'Between 20 and 50', (15%, 17) indicated 'Between 5 and 10 and (11%, 11) indicated 'Between 50 and 100'.

(61%, 67) of experts choose 'Other', (27%, 30) choose 'Less than 5', (7%, 8) a number of oral reports 'Between 5 and 10', (3%, 3) indicated a number of oral reports 'Between 50 and 100' and (2%, 2) indicated a number of oral reports 'Between 10 and 20'.



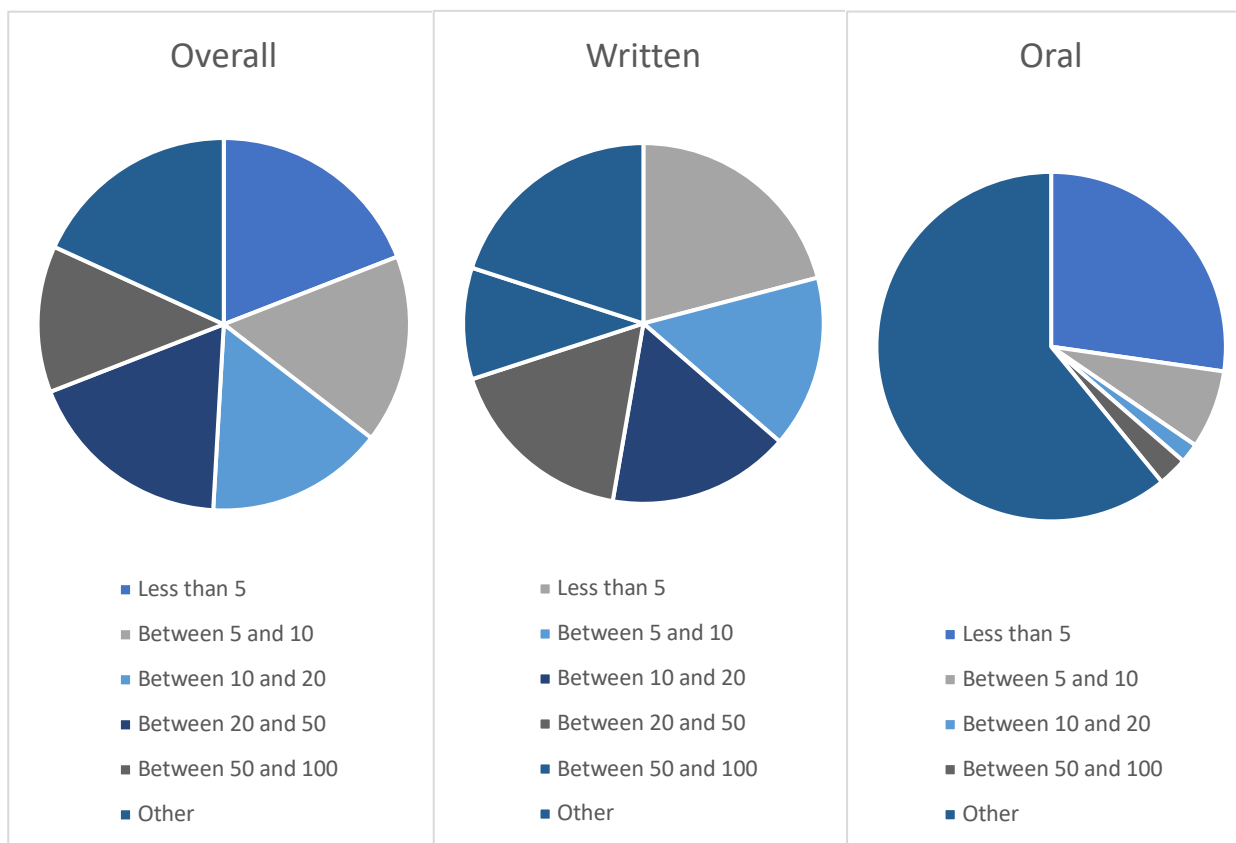
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### Fields of law

The most common area of use of cultural expertise was ‘Immigration Law’ (24%, 119), followed by ‘Refugee and Asylum Law’ (22%, 113), then ‘International Human Rights Law’ (11%, 54), ‘Family Law’ (10%, 53) and ‘Criminal Law’ (7%, 36), with all remaining categories accounting for less than 5%.

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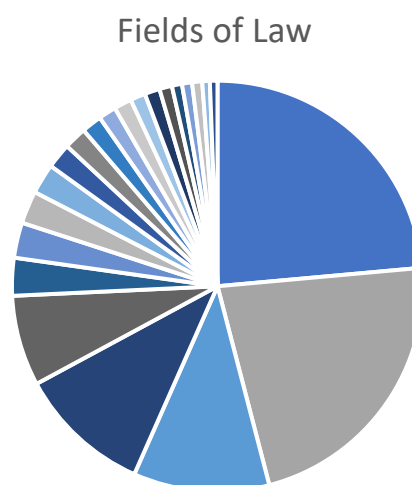
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Fields of Law	%	#
Immigration law	24%	119
Refugee and asylum law	22%	113
International human rights law	11%	54
Family law	10%	53
Criminal law	7%	36
Administrative law	3%	15
Other	3%	14
Constitutional law	3%	13
Inheritance law	2%	12
Private international law	2%	10
European law	2%	9
Contracts and obligations	2%	8
Labour law	1%	7
Property law	1%	7
Business and commercial law	1%	6
Health law	1%	6
Sports law	1%	5
Banking, bankruptcy, and insolvency law	1%	4
Environmental law	1%	4
Financial law	1%	4
Intellectual and patent law	1%	3
Medical and bio law	1%	3
Total	100%	505



- Immigration law
- Refugee and asylum law
- International human rights law
- Family law
- Criminal law
- Administrative law
- Other
- Constitutional law
- Inheritance law
- Private international law
- European law
- Contracts and obligations
- Labour law
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- Health law
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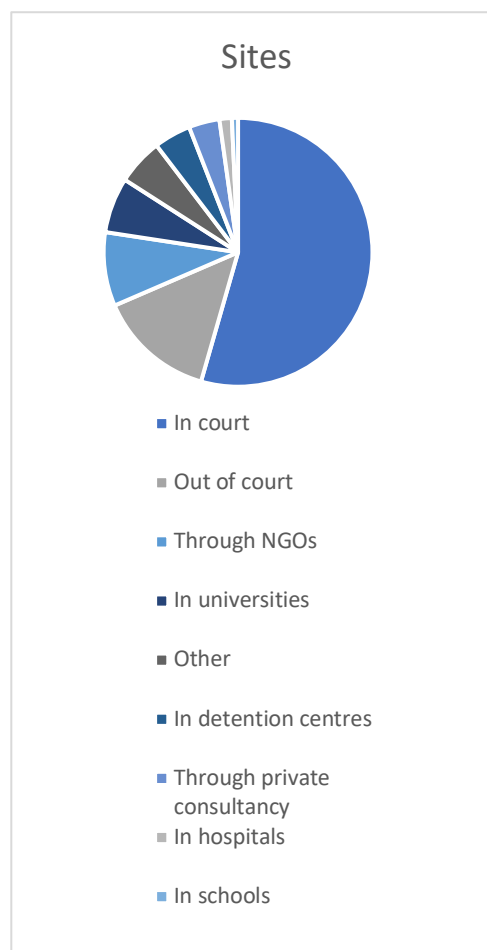
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### Sites

The most common site of cultural expertise was 'In court' (54%, 147), followed by 'Out of court' (14%, 38), 'Through NGOs' (9%, 24), 'In universities' (7%, 18) and 'Other' (6%, 15) with all remaining areas receiving 4% or less.

Sites	%	#
In court	54%	147
Out of court	14%	38
Through NGOs	9%	24
In universities	7%	18
Other	6%	15
In detention centres	4%	12
Through private consultancy	4%	10
In hospitals	1%	4
In schools	1%	2
Total	100%	270



### Typology of Experts

The most common response to the question regarding the expert type was 'Country experts' (32%, 64) followed by 'University professors' (23%, 45), 'Native lawyers' (15%, 30), 'Native language speakers' (12%, 23), 'Other' (8%, 16), 'Religious leaders' (7%, 13) and 'Community leaders' (4%, 7).

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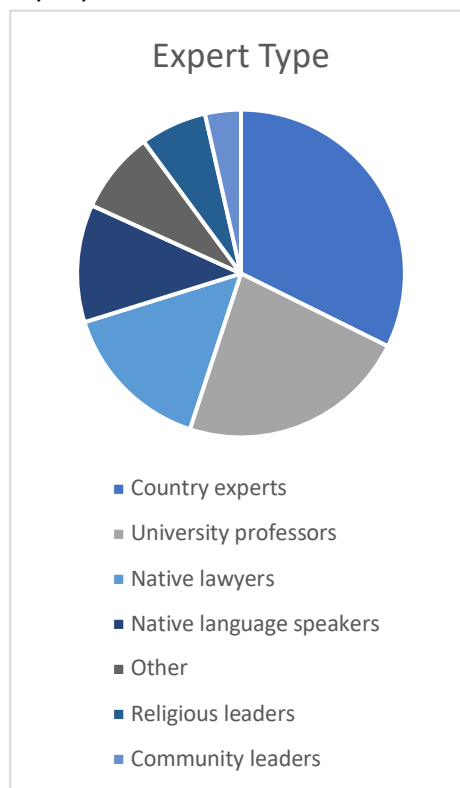
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Expert Type	%	#
Country experts	32%	64
University professors	23%	45
Native lawyers	15%	30
Native language speakers	12%	23
Other	8%	16
Religious leaders	7%	13
Community leaders	4%	7
Total	100%	198



## Discipline

The (23%, 45) who selected 'University professors' were asked to specify the disciplines of those professors. Anthropology (22%, 31) followed closely by Sociology (20%, 28), then Law (16%, 22), Political Science (15%, 21), Linguistics (13%, 18), History (9%, 13) and 'Other' (4%, 5).

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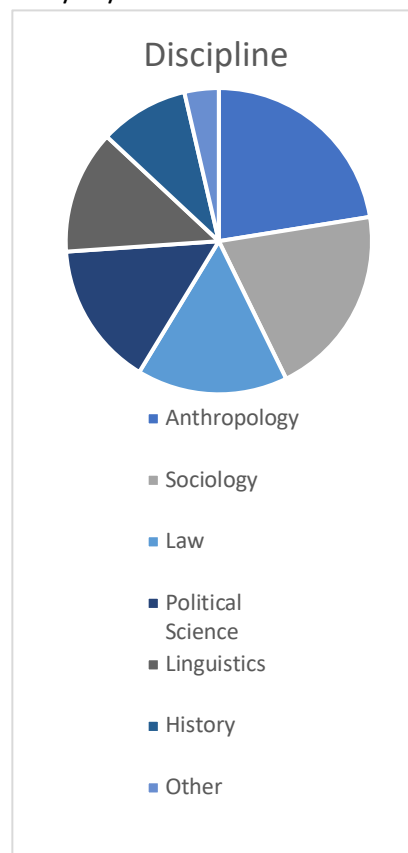
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Discipline	%	#
Anthropology	22%	31
Sociology	20%	28
Law	16%	22
Political Science	15%	21
Linguistics	13%	18
History	9%	13
Other	4%	5
Total	100%	138



## Modalities

### Appointment of Experts

The most common factor influencing the decision to appoint experts was 'Funding' (14%, 93), followed by 'The reputation of the expert' (12%, 78), then 'Client's request' (12%, 77), 'Cost' (11%, 74), 'The law allows the appointment/instruction of experts' (11%, 73), 'Experts facilitate successful legal outcomes' (11%, 72), 'The Court is keen to hear cultural arguments' (6%, 41) and 'Advised by the court' (6%, 39). With all remaining categories accounting for 2%.

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How experts are selected	%	#
Funding	14%	93
The reputation of the expert	12%	78
Client/Defendant/Claimant/Applicant's request	12%	77
Cost	11%	74
The law allows	11%	73
Experts facilitate successful legal outcomes	11%	73
Time	11%	72
The court is keen to hear cultural arguments	6%	41
Advised by the court	6%	39
Other	2%	15
Expertise can also be used for an out of court settlement	2%	14
The court/prosecutor/Home Office appoints the expert	2%	11
Total	100%	660



Most experts started giving opinions after being 'Contacted by a lawyer' (76%, 74), followed by 'Referred by a colleague' (18%, 17), with all remaining areas accounting for 3% or less.

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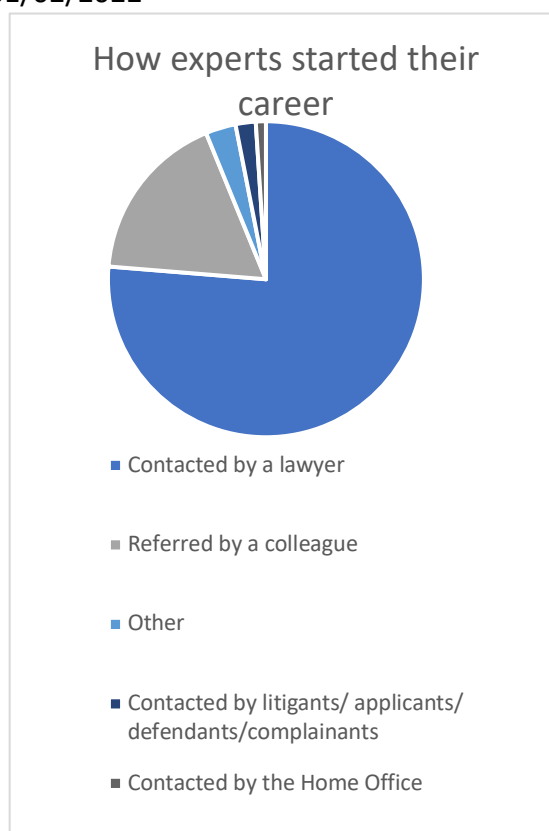
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How experts started their career	%	#
Contacted by a lawyer	76%	74
Referred by a colleague	18%	17
Other	3%	3
Contacted by litigants/ applicants/ defendants/complainants	2%	2
Contacted by the Home Office	1%	1
Total	100%	97



Experts were most frequently appointed by ‘Lawyers’ (28%, 11), followed by ‘The Ministry of the Interior’ (25%, 10), then having been ‘Contacted directly by clients’ (23%, 9), Other (18%, 7), ‘Instructed by courts’ (5%, 2), (3%, 1) choose ‘Work as an expert for NGOs’.

Who instructs the experts	%	#
Instructed by lawyers as need arises	61%	95
Instructed by the Ministry of the Interior	7%	11
Contacted directly by clients	25%	39
Other	2%	3
Instructed by courts	6%	9
Total	100%	157



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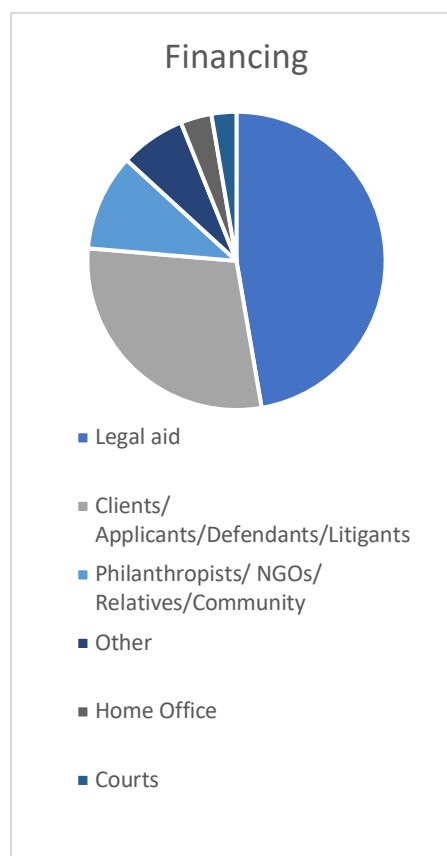
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### Cost of Cultural Expertise

Cultural expertise is most commonly financed by using ‘Legal aid’ (47%, 140), followed by ‘Clients’ (29%, 86), then ‘Philanthropists/ NGOs/ Relatives/ Community’ (10%, 31) and ‘Other’ (7%, 21) with all remaining areas accounting for 3% or less.

How are experts paid?	%	#
Legal aid	47%	140
Clients/ Applicants/Defendants/Litigants	29%	86
Philanthropists/ NGOs/ Relatives/Community	10%	31
Other	7%	21
Home Office	3%	10
Courts	3%	8
Total	100%	296



### Remuneration of cultural expertise

The most common response indicated that experts were paid at a ‘Standard hourly rate’ (40%, 57), followed by at a ‘Set price per report’ (31%, 44), ‘Voluntary basis’ (24%, 34) and ‘Other’ (6%, 9).



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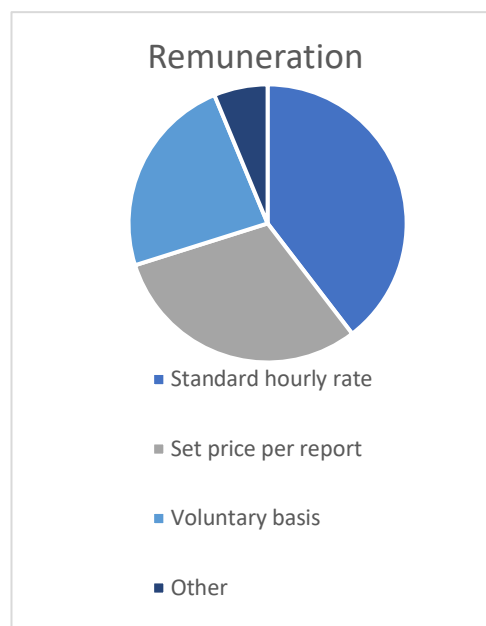
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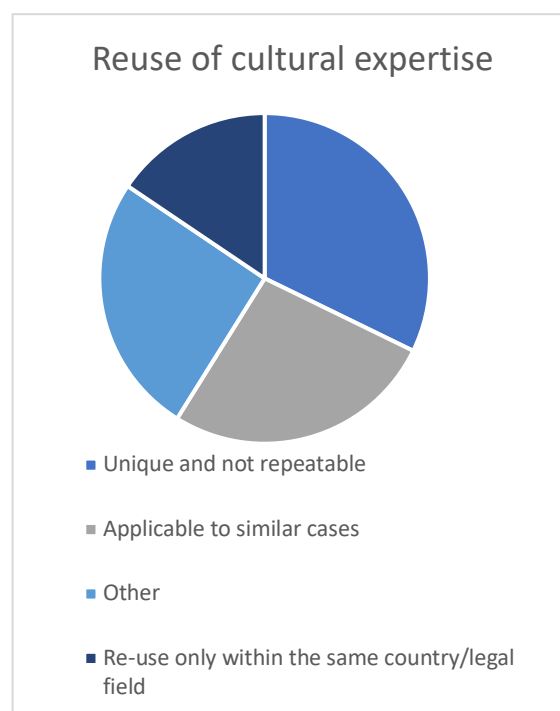
Remuneration of experts	%	#
Standard hourly rate	40%	57
Set price per report	30%	44
Voluntary basis	24%	34
Other	6%	9
Total	100%	144



## Reuse of cultural expertise

To the question of the reuse of cultural expertise were almost a third indicated 'Unique and not repeatable' (32%, 29) followed by 'Applicable to similar cases' (27%, 24), 'Other' (26%, 23) 'Reuse only within the same country/legal field' (16%, 14). (18%, 10) chose 'Other'.

Reuse of cultural expertise	%	#
Unique and not repeatable	32%	29
Applicable to similar cases	27%	24
Other	26%	23
Reuse only within the same country/legal field	16%	14
Total	100%	90



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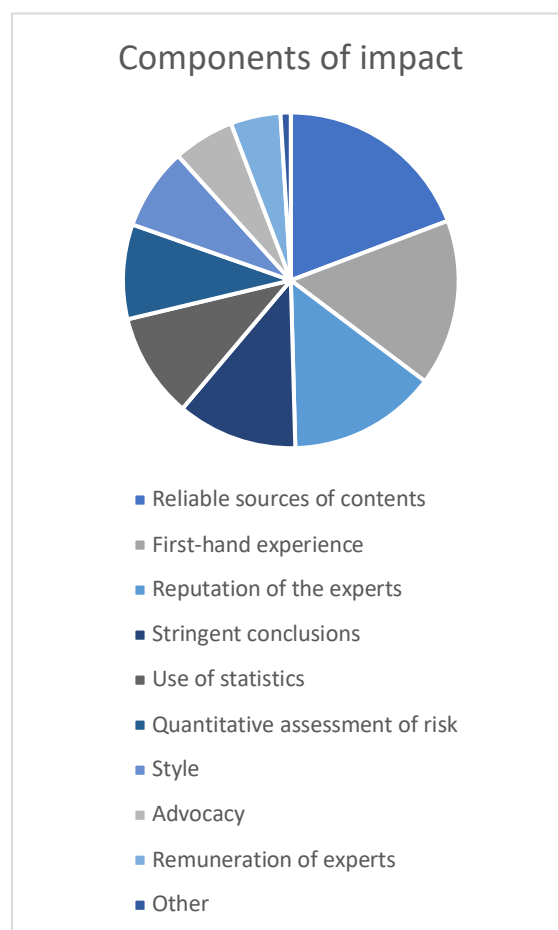
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### Impact

#### Components of Impact

The most common components of impact include ‘Reliable sources of contents’ (19%, 156), followed by ‘First-hand experience’ (16%, 130), ‘Reputation of the experts’ (14%, 116), ‘Stringent conclusions’ (12%, 94), ‘Use of statistics’ (10%, 82), ‘Quantitative assessment of risk’ (9%, 74), ‘Style’ (8%, 64), ‘Advocacy’ (6%, 48) ‘Remuneration of experts’ (5%, 39) and ‘Other’ (1%, 8).

Components of impact	%	#
Reliable sources of contents	19%	156
First-hand experience	16%	130
Reputation of the experts	14%	116
Stringent conclusions	12%	94
Use of statistics	10%	82
Quantitative assessment of risk	9%	74
Style	8%	64
Advocacy	6%	48
Remuneration of experts	5%	39
Other	1%	8
Total	100%	811



### Usefulness

The most common response to the question regarding the usefulness of cultural expertise was ‘Very useful’ (40%, 37) followed by ‘Moderately useful’ (25%, 24), then ‘Extremely useful’ (21%, 20), ‘Slightly useful’ (9%, 9) and ‘Not useful at all’ (5%, 5).

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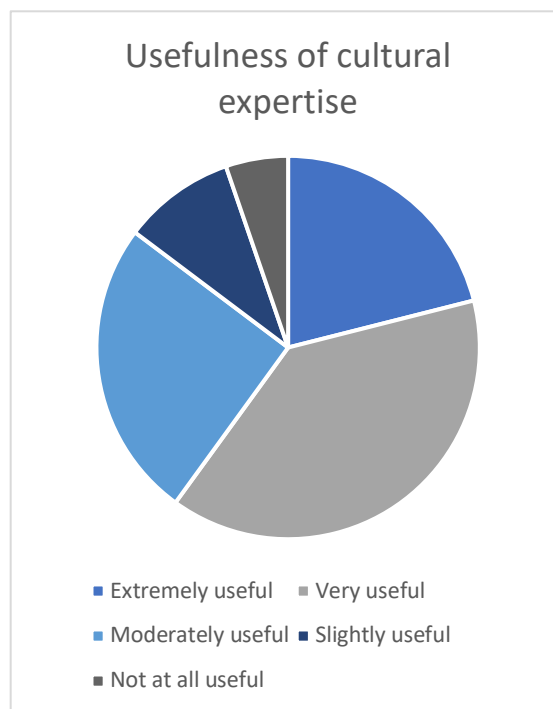
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Usefulness of cultural expertise	%	#
Extremely useful	21%	20
Very useful	40%	37
Moderately useful	25%	24
Slightly useful	9%	9
Not at all useful	5%	5
Total	100%	95



### Usefulness: fields

Cultural expertise is most useful in 'Migration law' (68%, 106), followed by 'Other' (25%, 40), then 'in civil law more than criminal law' (4%, 6), and 'in criminal law more than civil law' (3%, 5).

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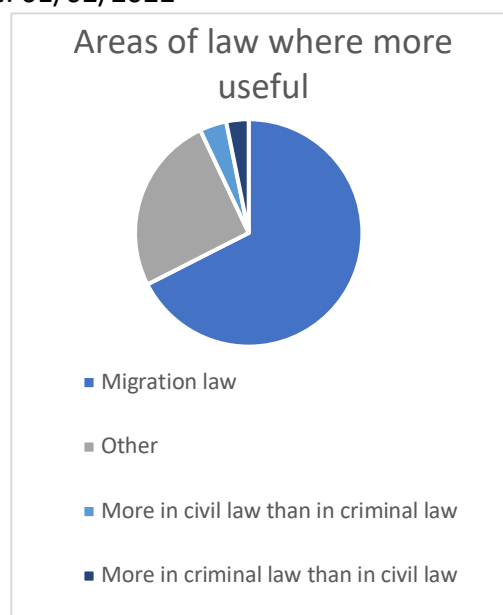
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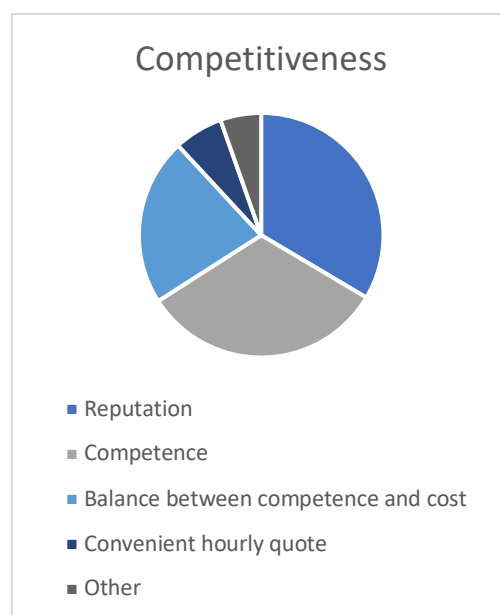
Areas of law where cultural expertise is more useful	%	#
Migration law	68%	106
Other	25%	40
More in civil law than in criminal law	4%	6
More in criminal law than in civil law	3%	5
<b>Total</b>	<b>100%</b>	<b>157</b>



## Competitiveness

Experts thought that their expertise was competitive because of their 'Reputation' (34%, 62), followed by 'Competence' (32%, 60), 'Balance between competence and cost' (22%, 41), 'Convenient hourly quote' (6%, 12), and 'Other' (5%, 10).

Competitiveness	%	#
Reputation	34%	62
Competence	32%	60
Balance between competence and cost	22%	41
Convenient hourly quote	6%	12
Other	5%	10
<b>Total</b>	<b>100%</b>	<b>185</b>



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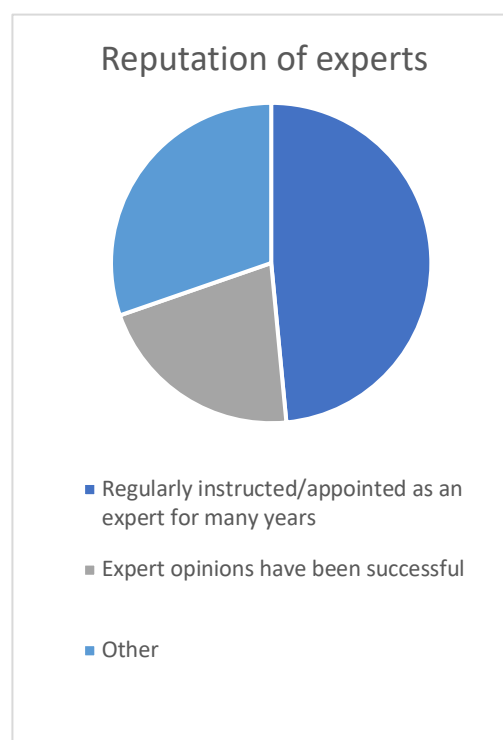
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### Reputation of Experts

The majority of experts said that they had been ‘Regularly instructed/appointed as an expert for many years’ (49%, 48), followed by, ‘Expert opinions had been successful’ (21%, 21) and ‘Other’ (30%, 30).

Reputation of experts	%	#
Regularly instructed/appointed as an expert for many years	49%	48
Expert opinions have been successful	21%	21
Other	30%	30
Total	100%	99



### Improved Access

#### Database

Regarding the question of the usefulness of a case law database, the most common response was that it would be ‘Very useful’ (53%, 88) followed by ‘Somewhat useful’ (31%, 51), ‘Other’ (12%, 20) and ‘No use’ (5%, 8).

# United Kingdom Data Summary

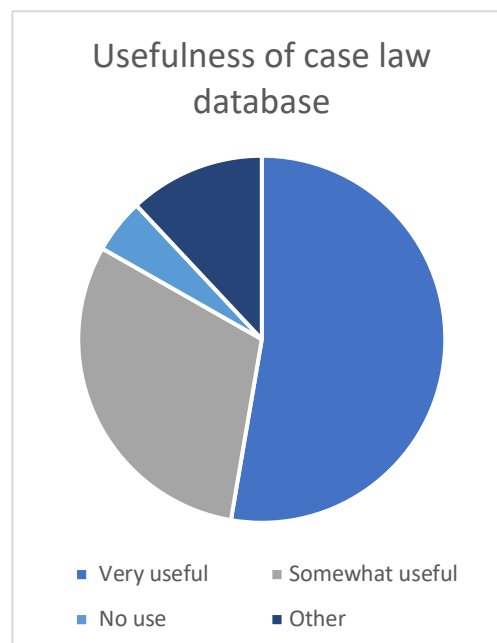
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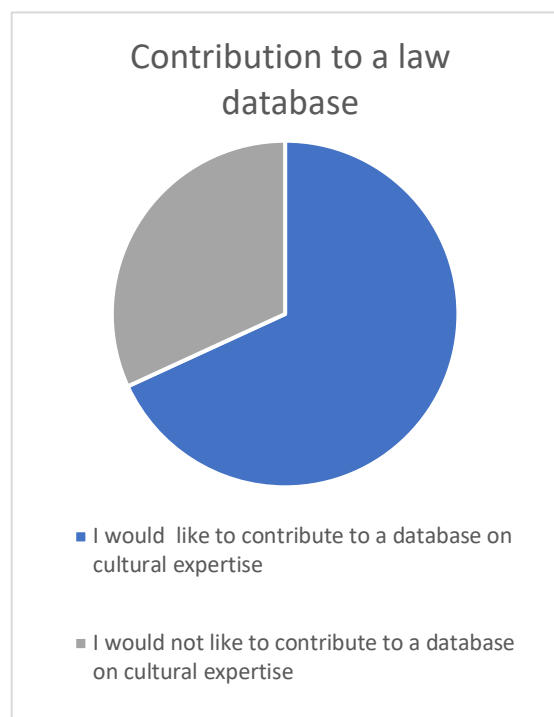
Usefulness of case law database	%	#
Very useful	53%	88
Somewhat useful	31%	51
No use	5%	8
Other	12%	20
<b>Total</b>	<b>100%</b>	<b>167</b>



## Contribution to law database

Most respondents indicated that they would be interested in contributing to the establishment of a database (68%, 77) with the remaining 32% (36) indicating that they would not.

Contribution to a law database	%	#
I would not like to contribute to a database on cultural expertise	32%	36
I would like to contribute to a database on cultural expertise	68%	77
<b>Total</b>	<b>100%</b>	<b>113</b>



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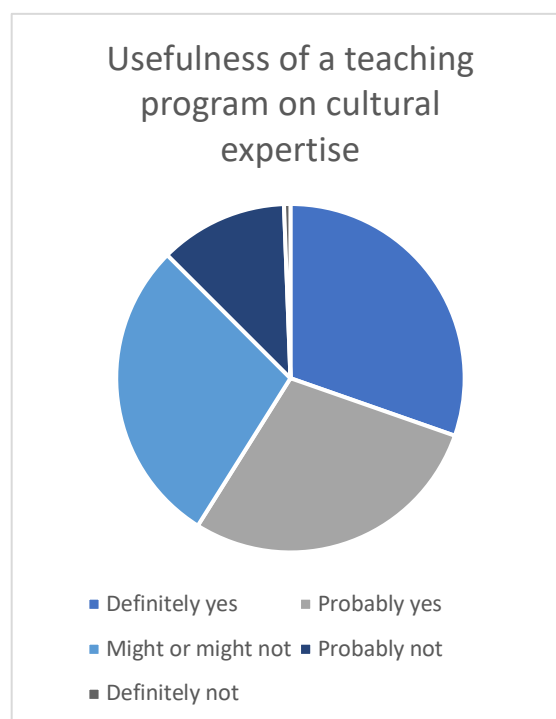
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### Capacity Building

The most common response to the question regarding the usefulness of a program teaching cultural expertise was 'Definitely yes' (30%, 51), followed by 'Probably yes' (29%, 48) 'Might or might not' (29%, 48), 'Probably not' (11%, 20) and 'Definitely not' (1%, 1).

Usefulness of a teaching program on cultural expertise	%	#
Definitely yes	30%	51
Probably yes	29%	48
Might or might not	29%	48
Probably not	11%	20
Definitely not	1%	1
Total	100%	168



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### Organisations interested in a teaching program

With regards to the question on interest in the teaching program of cultural expertise, (55%, 41) would be ‘Interested in teaching themselves’ followed by (22%, 16) indicating that they ‘Know educational institutions interested in teaching’, (14%, 10) ‘Know professional organisations interested in teaching’, and (9%, 7) chose ‘Other’.

Organisations interested in a teaching program	%	#
Know educational institutions interested in teaching	22%	16
Know professional organisations interested in teaching	14%	10
Interested in teaching themselves	55%	41
Other	9%	7
Total	100%	74

