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EURO-EXPERT: France Data Summary

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France Data Summary

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

PI: Livia Holden | Post-Doc: Anna Tsalapatani: Data Collector: Christiane Besnier

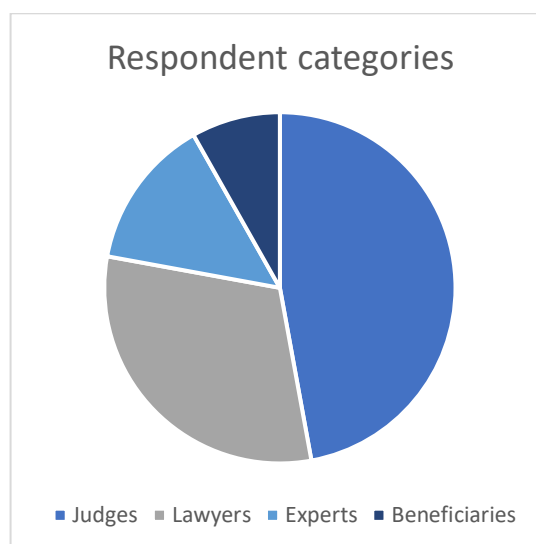
Date of First Publication: 20/05/2019

Date of Revision: 01/02/2022

Qualities of Sample

There were 452 respondents to the French survey, of which (47%, 213) were judges, (31%, 139) were lawyers, (14%, 63) were experts, (8%, 37) were beneficiaries.

Respondent categories	%	#
Judges	47%	213
Lawyers	31%	139
Experts	14%	63
Beneficiaries	8%	37
Total	100%	452



Country locations

Of the 99.5, 450, of respondents who indicated location, 26% (117) were based in Paris, (7%, 31), followed by 'Other' (20%, 88). Lille, (6%, 26) Nantes, (5%, 24) Marseilles and (5%, 21) Lyon. All of the remaining locations accounted for less than 4% of the respondents.

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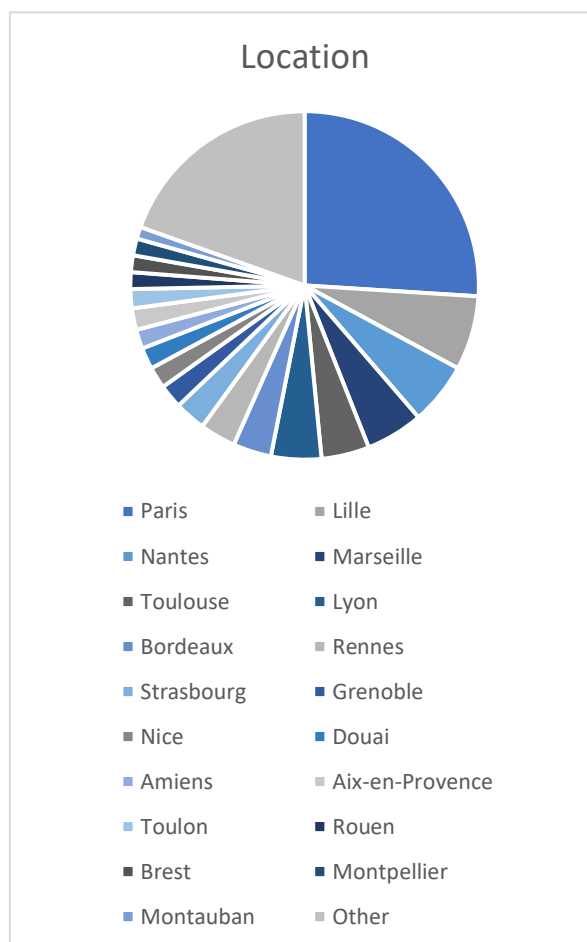
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Country location	%	#
Paris	26%	117
Lille	7%	31
Nantes	6%	26
Marseille	5%	24
Lyon	5%	21
Toulouse	4%	20
Bordeaux	4%	16
Rennes	3%	15
Strasbourg	3%	13
Grenoble	2%	10
Nice	2%	9
Douai	2%	9
Amiens	2%	8
Aix-en-Provence	2%	9
Toulon	2%	8
Rouen	2%	7
Brest	2%	7
Montpellier	2%	7
Montauban	1%	5
Other	20%	88
Total	100%	450



Judges

The most common degree of jurisdiction for Judges was 'Lower judiciary' (57%, 121), followed 'Middle judiciary' (33%, 70), 'Other' (8%, 17) and 'Upper judiciary' (2%, 4).

France Data Summary

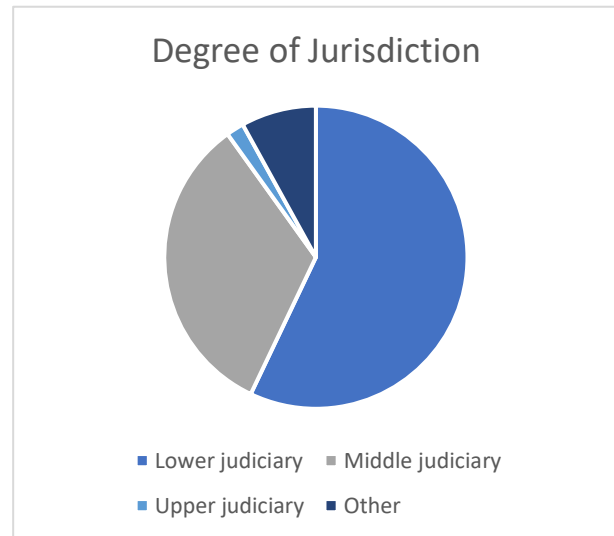
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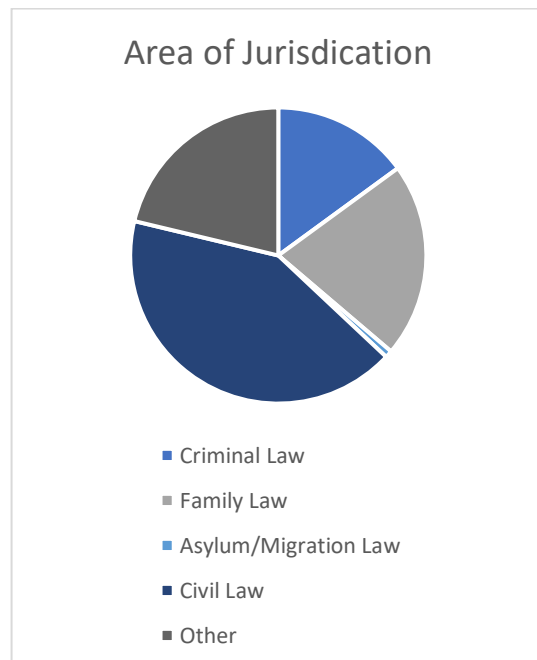
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Degree of Jurisdiction	%	#
Lower judiciary	57%	121
Middle judiciary	33%	70
Upper judiciary	2%	4
Other	8%	17
Total	100%	212



The most common area of jurisdiction was ‘Civil law’ with (42%, 106), followed by ‘Family Law’ and ‘Other’ (21%, 54) each, Criminal Law (15%, 38) and ‘Asylum/Migration Law’ (0%, 1).

Area of Jurisdiction	%	#
Criminal Law	15%	38
Family Law	21%	54
Asylum/Migration Law	1%	2
Civil Law	42%	106
Other	21%	54
Total	100%	254



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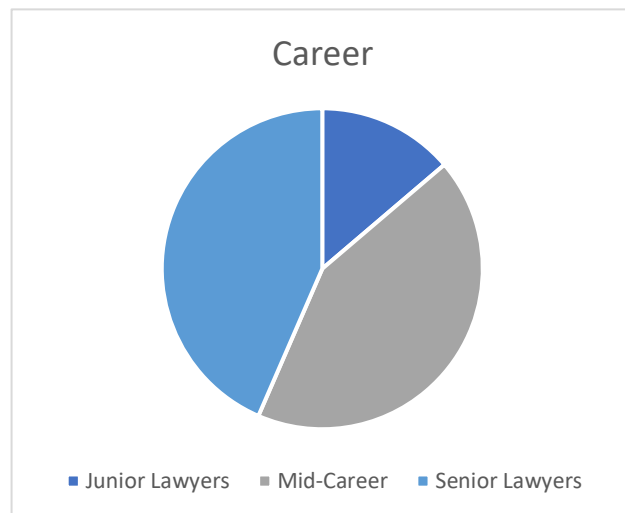
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Lawyers

Of the 138 lawyers who responded, (43%, 60) indicated ‘Senior’, (43%, 59) ‘Mid-Career’, and (14%, 19) ‘Junior’.

Career Stage	%	#
Junior Lawyers	14%	19
Mid-Career	43%	59
Senior Lawyers	43%	60
Total	100%	138



For the areas of law practiced, ‘Family Law’ was the most common (17%, 33), followed by Inheritance Law (12%, 24), Criminal Law (10%, 19), Financial Law (9%, 18), Property Law (7%, 14) and Contracts and Obligations (6%, 12) with all the remaining areas accounting for 5% or less.

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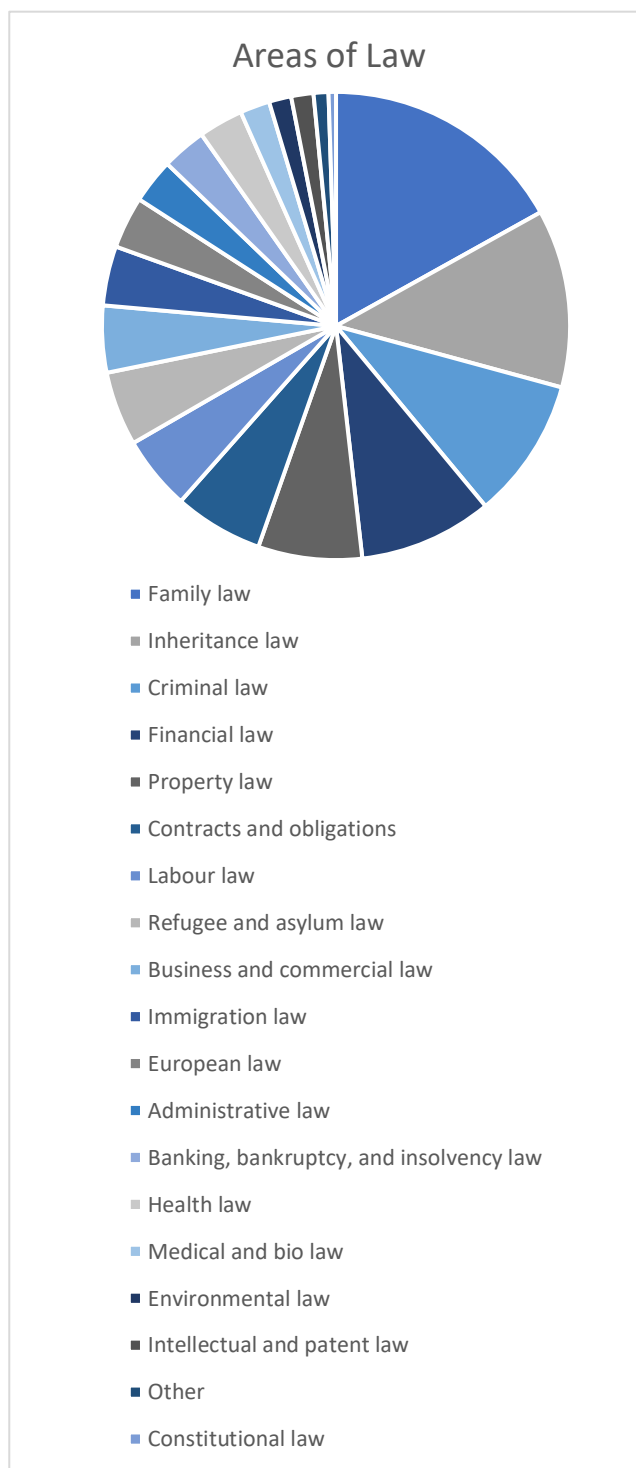
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Areas of Law	%	#
Family law	17%	33
Inheritance law	12%	24
Criminal law	10%	19
Financial law	9%	18
Property law	7%	14
Contracts and obligations	6%	12
Labour law	5%	10
Refugee and asylum law	5%	10
Business and commercial law	5%	9
Immigration law	4%	8
European law	4%	7
Administrative law	3%	6
Banking, bankruptcy, and insolvency law	3%	6
Health law	3%	6
Medical and bio law	2%	4
Environmental law	2%	3
Intellectual and patent law	2%	3
Other	1%	2
Constitutional law	1%	1
Total	100%	276



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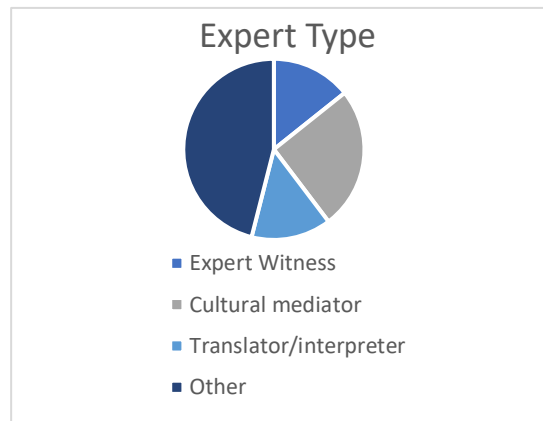
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Experts

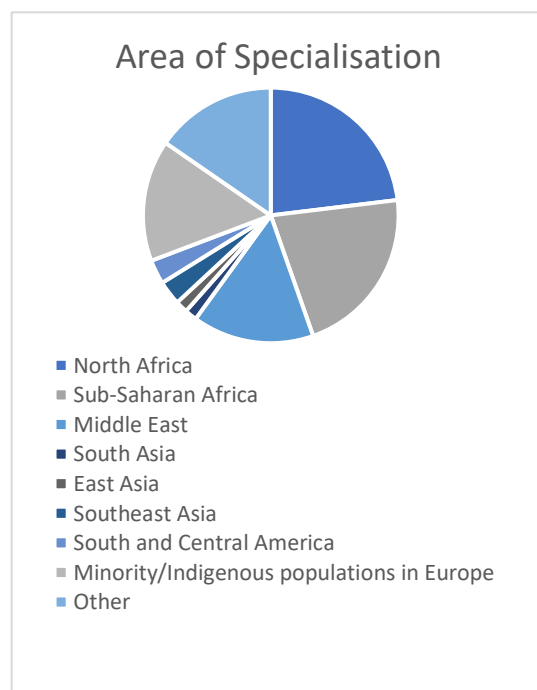
(46%, 14) of the experts chose ‘Other’ as expert type, followed by ‘Cultural mediator’ (25%, 16), and ‘Translator/ interpreter’ and Expert witness’ (14%, 9) each.

Expert Type	%	Count
Expert Witness	14%	9
Cultural mediator	25%	16
Translator/interpreter	14%	9
Other	46%	29
Total	100%	63



The most common response to the question regarding area of specialisation was ‘North Africa’ (23%, 15), followed by ‘Sub-Saharan Africa’ (22%, 14) and ‘Middle East’, ‘Minority/Indigenous Populations in Europe’ and Other (15%, 10) each, with all the remaining areas accounting for 3% or less.

Area of Specialisation	%	#
North Africa	23%	15
Sub-Saharan Africa	22%	14
Middle East	15%	10
Minority/Indigenous populations in Europe	15%	10
South and Central America	3%	2
Southeast Asia	3%	2
East Asia	2%	1
South Asia	2%	1
Other	15%	10
Total	100%	65



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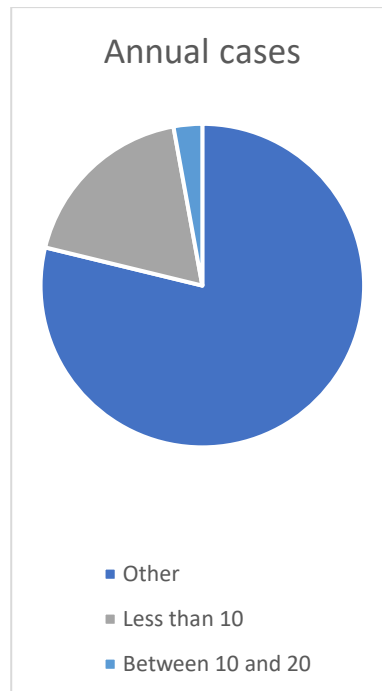
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Frequency

Frequency of involvement

To the question of how many experts did they instruct annually, most responding judges and lawyers (78%, 275) chose 'Other', followed by 'Less than 10' (19%, 64), and 'Between 10 and 20' (3%, 10).

Annual cases	%	#
Other	78%	275
Less than 10	19%	64
Between 10 and 20	3%	10
Total	100%	349



To the question about the number of written reports produced, (44%, 28) experts chose 'Other', (29%, 18) indicated 'Less than 5', (11%, 7) each indicated 'Between 5 and 10' and 'Between 10 and 20' and (5%, 3) 'Between 20 and 50'.

(35%, 22) of experts provided 'Between 10 and 20' oral reports, (22%, 14) indicated 'Between 20 and 50', followed by 'Less than 5' (19%, 12), 'Between 5 and 10' (14%, 9), 'Other' (8%, 5) and 'Between 50 and 100' (2%, 1).

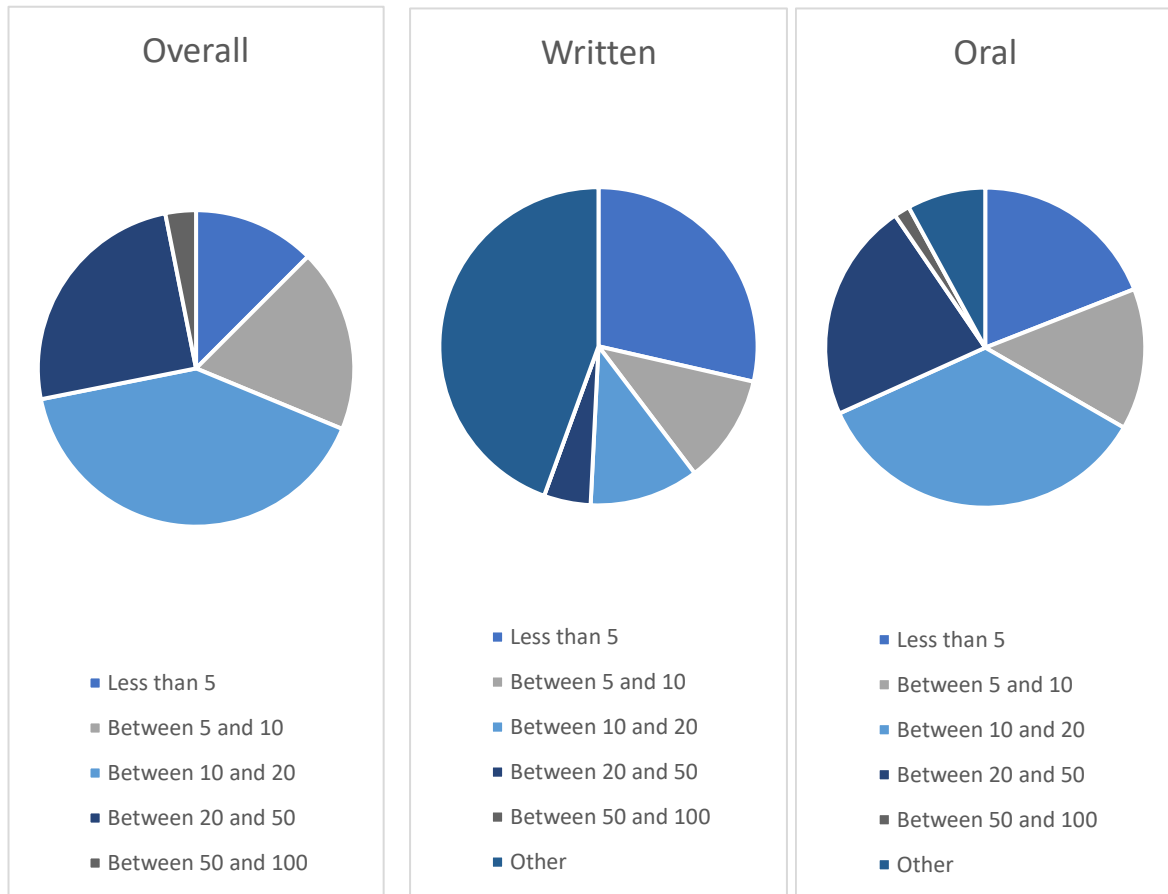
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Fields of law

The most common area of use of cultural expertise was 'Immigration Law' (32%, 235), followed by 'Refugee and Asylum Law' (29%, 213), 'Criminal Law' (12%, 85), 'Family Law' (10%, 77), 'International Human Right Law' (6%, 45) and European Law (4%, 32) with all the remaining areas accounting for 3% or less.

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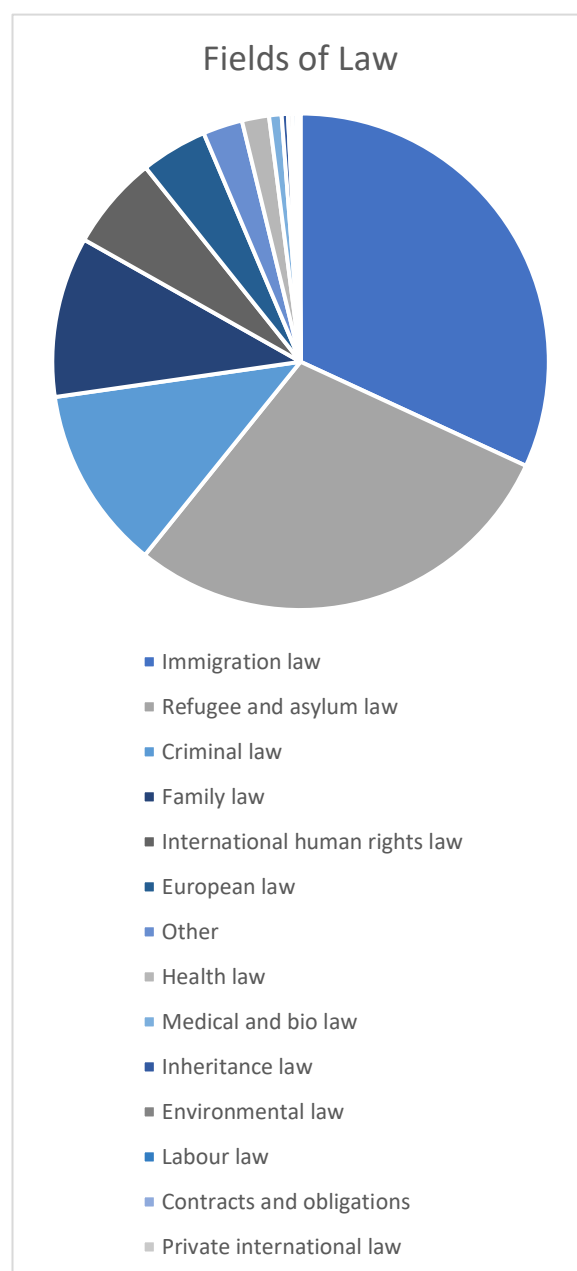
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Fields of Law	%	#
Immigration law	33%	235
Refugee and asylum law	29%	213
Criminal law	12%	88
Family law	10%	77
International human rights law	6%	45
European law	4%	32
Other	3%	19
Health law	2%	13
Medical and bio law	1%	6
Inheritance law	0%	3
Environmental law	0%	2
Labour law	0%	2
Contracts and obligations	0%	1
Private international law	0%	1
Total	100%	737



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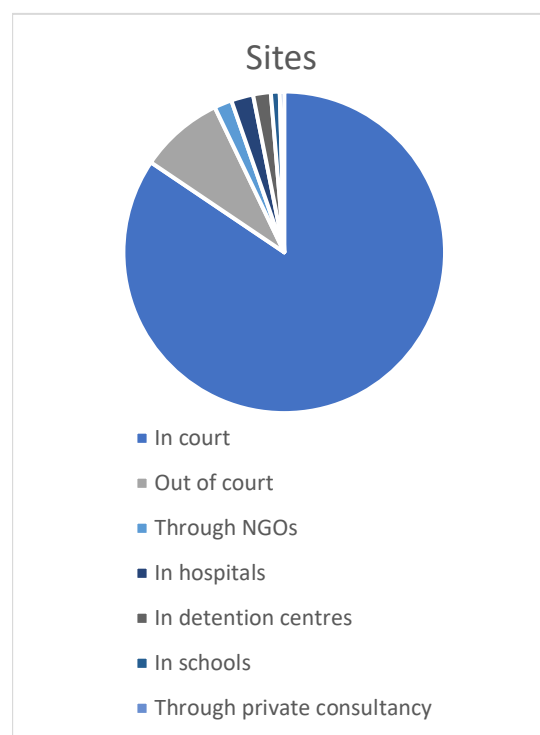
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Sites

The most common site of cultural expertise was ‘In court’ (84%, 380), followed by ‘Out of court’ (8%, 38), ‘In hospitals’ (2%, 10), ‘Through NGOs’ and ‘In detention centres’ (2%, 8) each and ‘Through private consultancy’ (1%, 2).

Sites	%	#
In court	84%	380
Out of court	8%	38
In hospitals	2%	10
Through NGOs	2%	8
In detention centres	2%	8
In schools	1%	4
Through private consultancy	1%	2
Total	100%	451



Typology of Experts

The most common response to the question regarding the expert type was ‘Native Language Speakers’ (34%, 41), followed by ‘Other’ (26%, 31), then ‘Country Experts’ (14%, 17), ‘University Professors’ (12%, 14), and ‘Religious Leaders’ (9%, 11).

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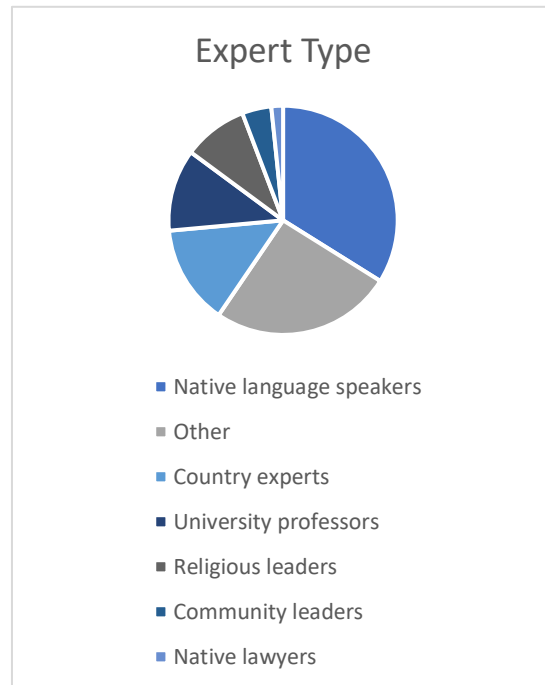
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Expert Type	%	#
Native language speakers	34%	41
Other	26%	31
Country experts	14%	17
University professors	12%	14
Religious leaders	9%	11
Community leaders	4%	5
Native lawyers	2%	2
Total	100%	121



Discipline

The (12%, 14) who selected 'University professors' were asked to specify the disciplines of those professors. The most common responses were 'Sociology' and 'History' (32%, 12) each, followed by 'Other' (13%, 5), Anthropology (11%, 4), 'Linguistics' and 'Political Science', (5%, 2) each and Law (3%, 1).

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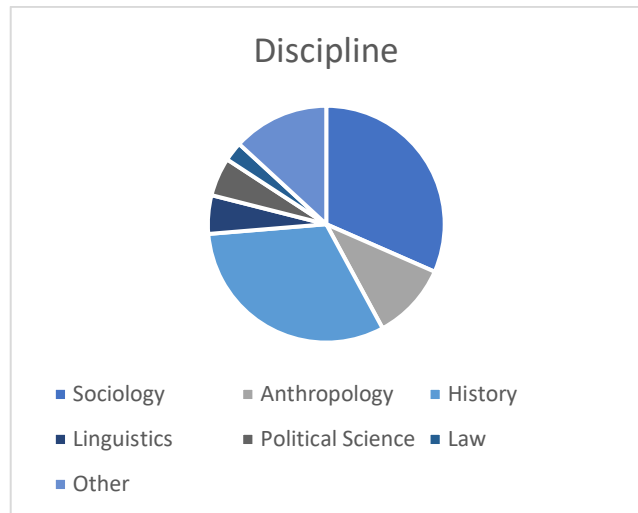
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Discipline	%	#
Sociology	32%	12
History	32%	12
Other	13%	5
Anthropology	11%	4
Linguistics	5%	2
Political Science	5%	2
Law	3%	1
Total	100%	38



Modalities

Appointment of Experts

The most common factor which influenced the decision to appoint was 'Experts facilitate successful legal outcomes' (27%, 158), followed by 'The court is keen to hear cultural arguments' (25%, 148), 'The reputation of the expert' (15%, 92), 'Time' (11%, 66), 'Cost' (8%, 48) 'The law allows' (7%, 40), with all remaining responses accounting for 3% or less.

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How experts are selected	%	#
Experts facilitate successful legal outcomes	27%	158
The court is keen to hear cultural arguments	25%	148
The reputation of the expert	15%	92
Time	11%	66
Cost	8%	48
The law allows	7%	40
Client request	3%	20
Advised by the court	2%	13
Useful for an out of court settlement	1%	4
Other	1%	3
The court/ prosecutor/ Ministry of the interior have already appointed their expert	0%	2
Total	100%	594



The most common response to how experts started giving opinions was ‘Other’ (31%, 19), followed by ‘Contacted by a lawyer’ (29%, 18), ‘Contacted by a court’ (25%, 16), ‘Referred by a colleague’ (13%, 8), with all remaining responses accounting for 3% or less.

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How experts started their career	%	#
Other	31%	19
Contacted by a lawyer	29%	18
Contacted by a court	25%	16
Referred by a colleague	13%	8
Contacted by litigants/ applicants/ defendants/ complainants	3%	2
Total	100%	63



To the question of how experts were appointed, (36%, 25) chose 'Other', followed by 'Instructed by courts' (17%, 19), 'Instructed by lawyers as need arises' (21%, 15), 'Work as an expert for NGOs' and 'Contacted directly by clients' (6%, 4) each, and 'Instructed by the Ministry of the Interior' (4%, 3).

Who instructs the experts	%	#
Other	36%	25
Instructed by courts	27%	19
Instructed by lawyers as need arises	21%	15
Work as an expert for NGOs	6%	4
Contacted directly by clients	6%	4
Instructed by the Ministry of the Interior	4%	3
Total	100%	70



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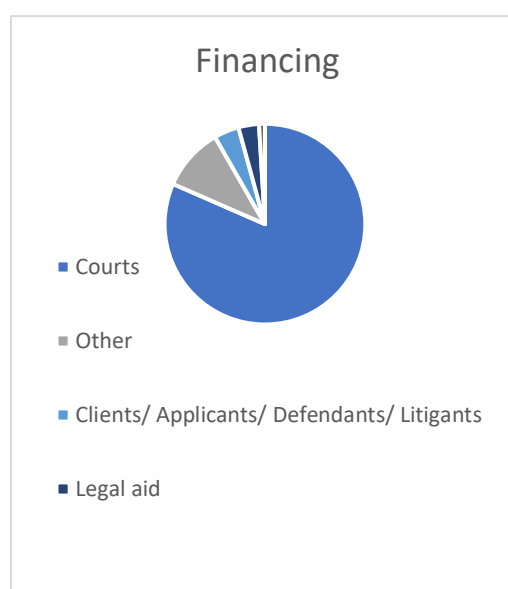
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Cost of Cultural Expertise

Cultural expertise is most commonly financed by ‘Courts’ (82%, 345), followed by ‘Other’ (10%, 43), ‘Clients/ Applicants/ Defendants/ Litigants’ (4% 17), ‘Legal aid’ (3%, 14) and ‘Philanthropists/ NGOs/ Relatives/ Community’ (1%, 4).

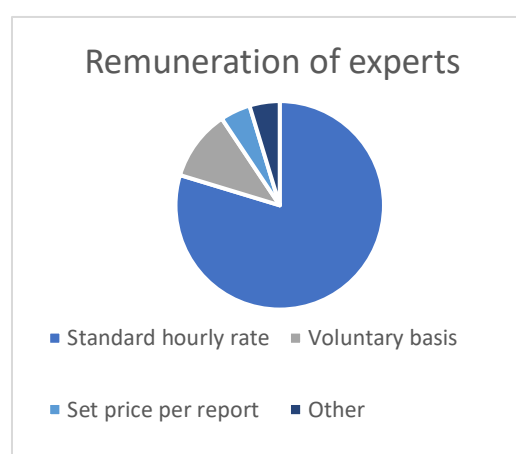
How are experts paid?	%	#
Courts	82%	345
Other	10%	43
Clients/ Applicants/ Defendants/ Litigants	4%	17
Legal aid	3%	14
Philanthropists/ NGOs/ Relatives/ Community	1%	4
Total	100%	423



Remuneration of cultural expertise

(80%, 51), indicated that experts were paid at a ‘Standard hourly rate’, followed by ‘Voluntary basis’ (11%, 7), ‘Set price per report’ (5%, 3) and other (5%, 3).

Remuneration of experts	%	#
Standard hourly rate	80%	51
Voluntary basis	11%	7
Set price per report	5%	3
Other	5%	3
Total	100%	64



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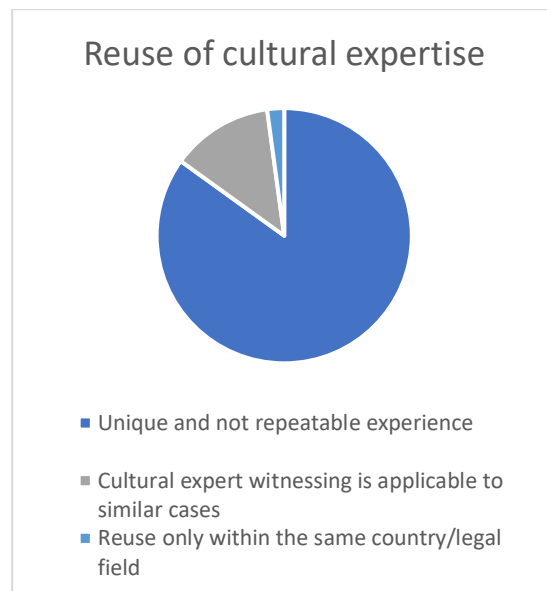
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Reuse of cultural expertise

The most frequent response to the question of the reuse of cultural expertise was ‘Unique and not repeatable experience’ (85%, 79), followed by ‘Cultural expert witnessing is applicable to similar cases’ (13%, 12), and ‘Reuse only within the same country/legal field’ (2%, 2).

Reuse of cultural expertise	%	#
Unique and not repeatable experience	85%	79
Cultural expert witnessing is applicable to similar cases	13%	12
Reuse only within the same country/legal field	2%	2
Total	100%	93



Impact

Components of Impact

The most common components of impact include ‘Stringent conclusions (28%, 219), followed by ‘Reliable sources of contents’ (26%, 200), ‘First-hand experience’ (20%, 159), ‘Reputation of the expert’s (14%, 107), ‘Advocacy’ (7%, 57) and ‘Remuneration of experts’ with all remaining areas accounting for 1%.

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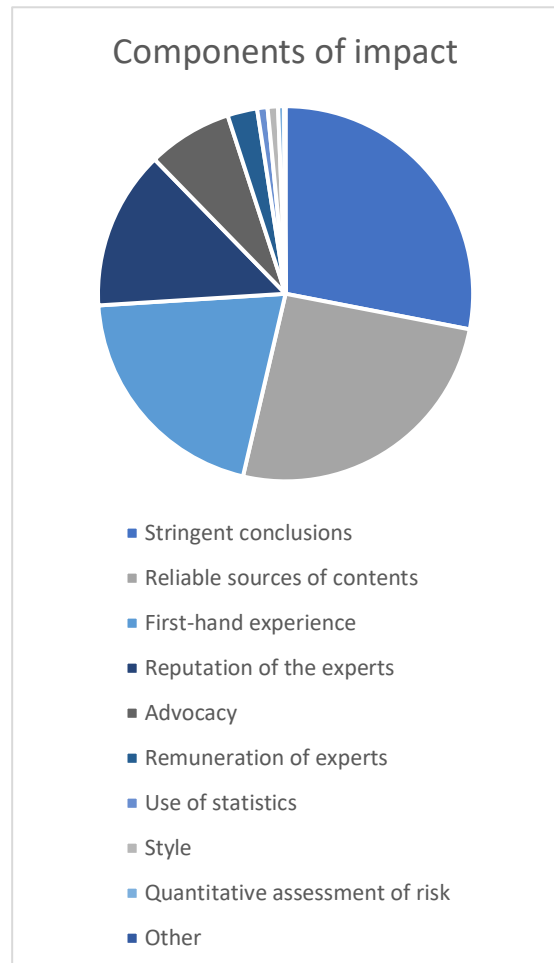
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Components of impact	%	#
Stringent conclusions	28%	219
Reliable sources of contents	26%	200
First-hand experience	20%	159
Reputation of the experts	14%	107
Advocacy	7%	57
Remuneration of experts	3%	20
Use of statistics	1%	7
Style	1%	7
Quantitative assessment of risk	1%	4
Other	0%	1
Total	100%	781



Usefulness

The most common response to the question regarding the usefulness of cultural expertise was 'Very useful' (49%, 37), followed by 'Extremely useful' (45%, 34), 'Moderately useful' (5%, 4). (1%, 1) indicated 'Not at all useful'.

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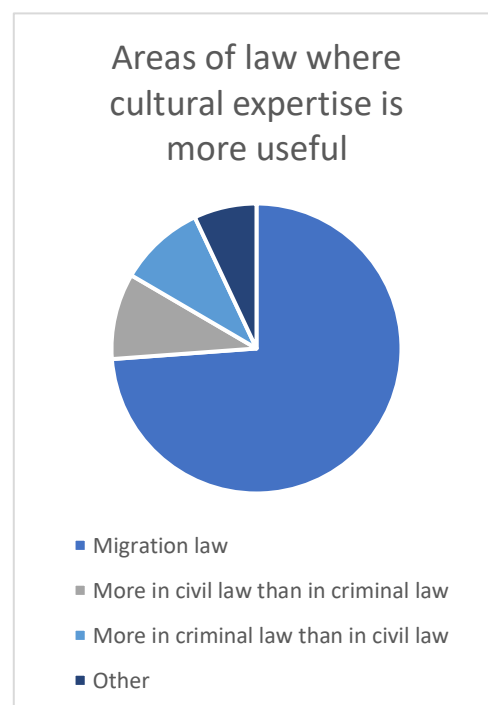
Usefulness of cultural expertise	%	#
Extremely useful	45%	34
Very useful	49%	37
Moderately useful	5%	4
Not at all useful	1%	1
Total	100%	76



Usefulness: fields

Cultural expertise is most useful in 'Migration law' (74%, 285), followed by 'More in civil law than in criminal law' and 'More useful in criminal law than in civil law' (10%, 37) each. (7%, 27) chose 'Other'.

Areas of law where cultural expertise is more useful	%	#
Migration law	74%	285
More in criminal law than in civil law	10%	37
Other	10%	37
More in civil law than in criminal law	7%	27
Total	100%	386



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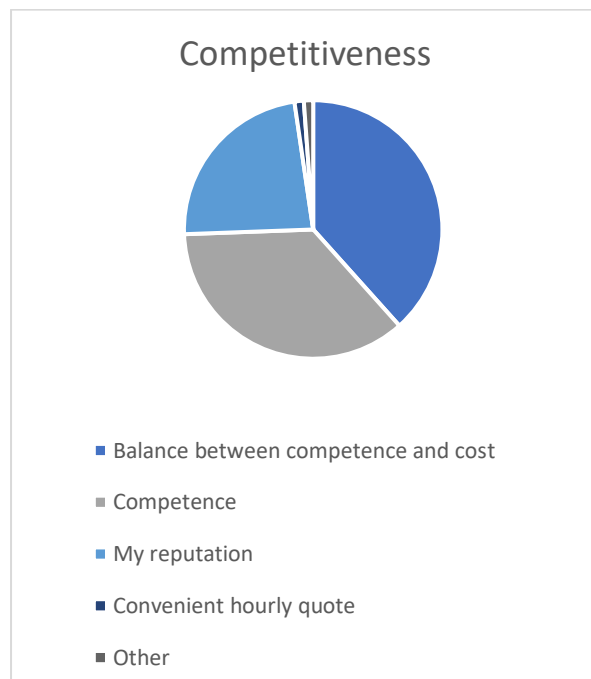
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Competitiveness

Experts thought that their expertise was competitive because of ‘Balance between competence and cost’ (38%, 33), followed by ‘Competence’ (36%, 31), ‘Reputation’ (23%, 20) and ‘Convenient hourly quote’ (1%, 1). (1%, 1) also chose ‘Other’.

Competitiveness	%	#
Balance between competence and cost	38%	33
Competence	36%	31
Reputation	23%	20
Convenient hourly quote	1%	1
Other	1%	1
Total	100%	86



Reputation of Experts

The majority of experts chose ‘Expert opinions have been successful’ (71%, 45), followed by ‘Regularly instructed/appointed as an expert for many years’ (14%, 9) and ‘Other (15%, 9) and I don t know (5%, 3).

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Reputation of experts	%	#
Expert opinions have been successful	71%	45
Regularly instructed/appointed as an expert for many years	14%	9
Other	15%	9
Total	100%	63

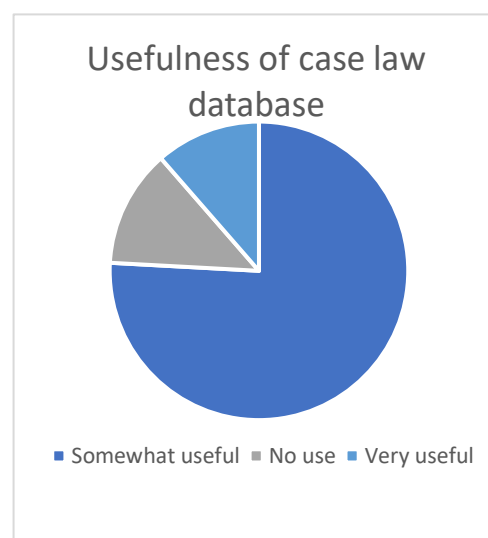


Improved Access

Database

Regarding the question of the usefulness of a case law database, the most common response was that it would be 'Somewhat useful' (76%, 286), followed by 'No use' (13%, 48), and (11% 43) chose 'Very useful'.

Usefulness of case law database	%	#
Somewhat useful	76%	286
No use	13%	48
Very useful	11%	43
Total	100%	377



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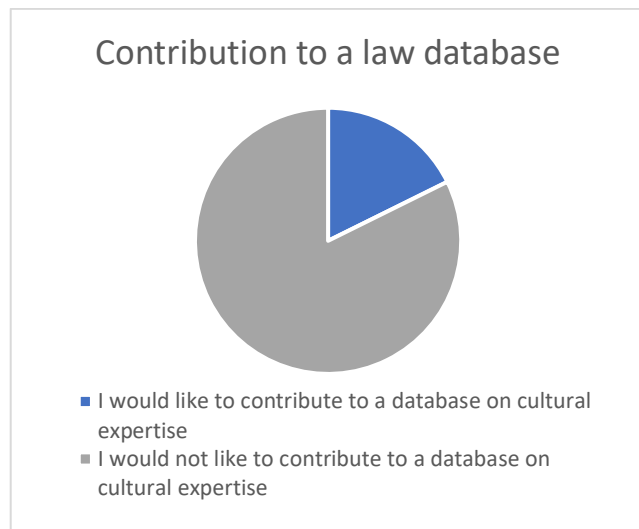
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Contribution to law database

Most respondents did not wish to contribute to the establishment of a case law database (82%, 270), while (18%, 58) indicated that they did.

Contribution to a law database	%	#
I would like to contribute to a database on cultural expertise	18%	58
I would not like to contribute to a database on cultural expertise	82%	270
Total	100%	328



Capacity Building

The most common response to the question regarding the usefulness of a program teaching cultural expertise was 'Probably yes (54%, 218) followed by 'Might or might not' (30%, 121), 'Definitely yes' (12%, 50), 'Probably not' (3%, 12) and 'Definitely not' (0%, 1).

France Data Summary

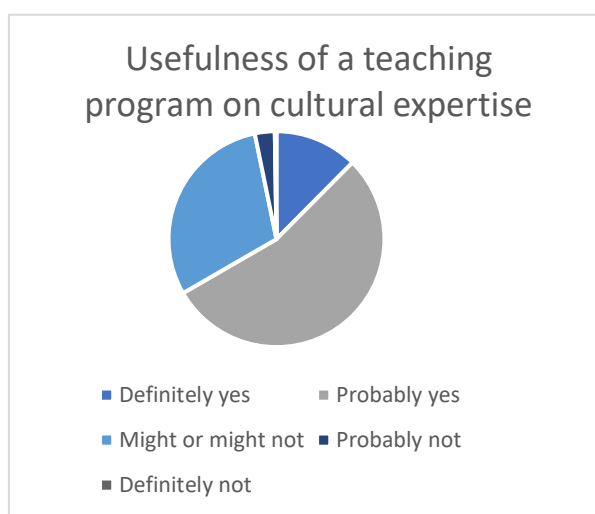
CULTURAL EXPERTISE IN EUROPE: WHAT IS IT USEFUL FOR? (EURO-EXPERT)

PI: Livia Holden | Post-Doc: Anna Tsalapatanis: Data Collector: Christiane Besnier

Date of First Publication: 20/05/2019

Date of Revision: 01/02/2022

Usefulness of a teaching program on cultural expertise	%	#
Definitely yes	12%	50
Probably yes	54%	218
Might or might not	30%	121
Probably not	3%	12
Definitely not	0%	1
Total	100%	402



Organisations interested in a teaching program

(41%, 34) chose 'Interested in teaching themselves', (35%, 29) indicated 'Know professional organisations interested in teaching' and (22%, 18) 'Know educational institutions interested in teaching'. One respondent, 1%, chose 'Other'.

Organisations interested in a teaching program	%	#
I would be interested in teaching cultural expertise	41%	34
Know professional organisations interested in teaching	35%	29
Know educational institutions interested in teaching	22%	18
Other	1%	1
Total	100%	82



France Data Summary

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