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EURO-EXPERT: Sweden Data Summary

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Sweden Data Summary

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

PI: LIVIA HOLDEN | Post-Doc: ANNA TSALAPATANIS | Data Collector: Laura Lehtonen

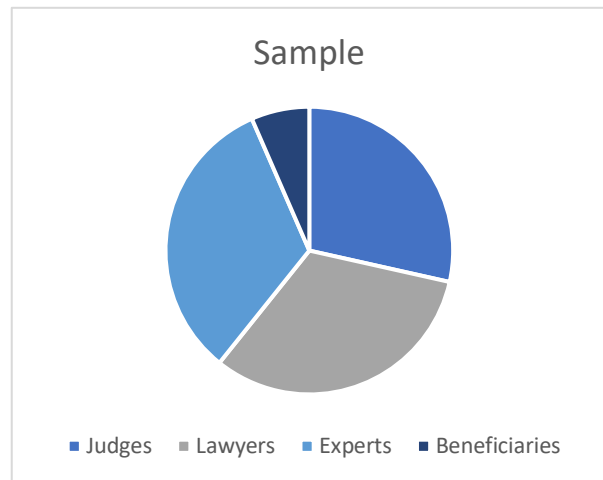
Date of Publication: 05/06/2019

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Qualities of Sample

There were 247 responses to the Sweden survey, of which (29%, 71) were judges, (32%, 78) were lawyers, (32%, 78) were experts and (7%, 20) were beneficiaries.

Respondent categories	%	#
Judges	29%	71
Lawyers	32%	78
Experts	32%	78
Beneficiaries	7%	20
Total	100%	247



Country locations

Of the 80%, 198, of respondents who indicated their location, (35%, 70) were based on Stockholm followed by 'Other' (25%, 49), Gothenburg (12%, 23), Malmö (10%, 19), Uppsala (3%, 5) and Norrland (3%, 6), with all the remaining locations accounting for 2% or less.

Sweden Data Summary

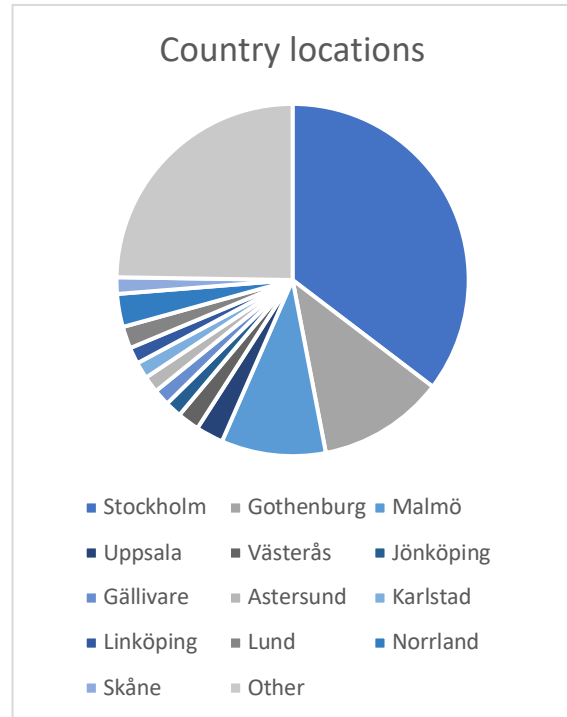
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Country locations	%	#
Stockholm	35%	70
Gothenburg	12%	23
Malmö	10%	19
Uppsala	3%	5
Västerås	2%	4
Jönköping	2%	3
Gällivare	2%	3
Astersund	2%	3
Karlstad	2%	3
Linköping	2%	3
Lund	2%	4
Norrland	3%	6
Skåne	2%	3
Other	25%	49
Total	100%	198



Judges

The most common degree of jurisdiction for Judges was ‘Lower judiciary’ (50%, 33), followed by ‘Middle judiciary’ (35%, 23) and ‘Upper judiciary’ (11%, 7). 3 respondents selected ‘Other’ (5%).

Sweden Data Summary

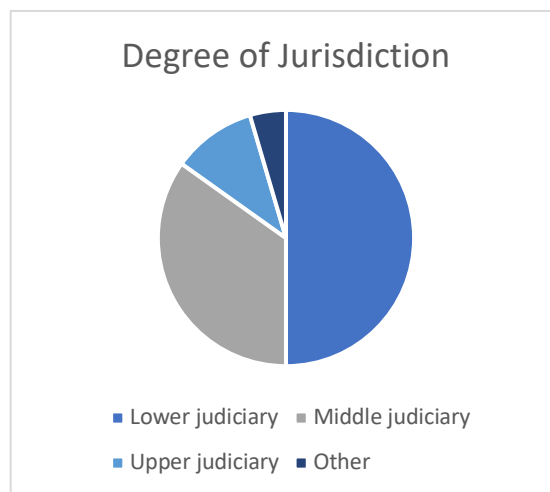
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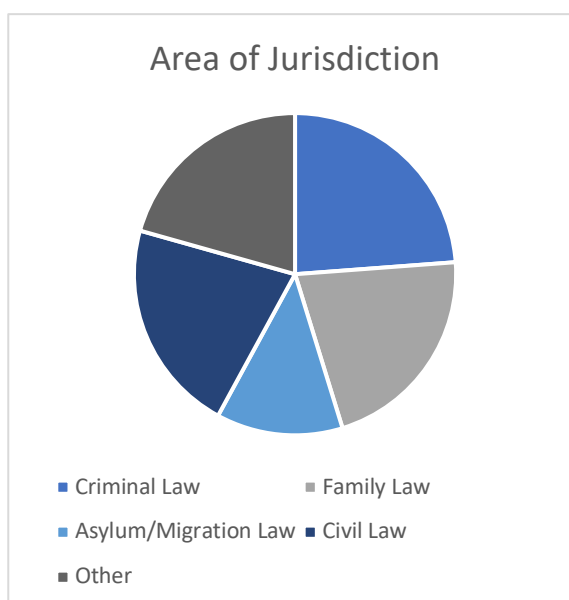
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Degree of Jurisdiction	%	#
Lower judiciary	50%	33
Middle judiciary	35%	23
Upper judiciary	11%	7
Other	5%	3
Total	100%	66



The most common area of jurisdiction was ‘Criminal law’ (24%, 30) followed by ‘Family law’ (21%, 27), ‘Civil law’ (21%, 27), ‘Other’ (21%, 26), Asylum/Migration Law (13%, 16).

Area of Jurisdiction	%	#
Criminal Law	24%	30
Family Law	21%	27
Civil Law	21%	27
Other	21%	26
Asylum/Migration Law	13%	16
Total	100%	126



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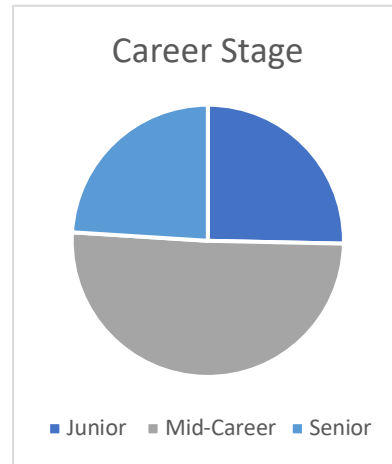
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Lawyers

Most of the lawyers who responded, (51%, 38) indicated 'Mid-career', followed by 'Junior' (25%, 19) and 'Senior' (24%, 18).

Career Stage	%	#
Junior Lawyers	25%	19
Mid-Career	51%	38
Senior Lawyers	24%	18
Total	100%	75



For the areas of law practiced, 'Criminal Law' (20%, 43) was the most common, followed by 'Immigration Law' (11%, 24), 'Family Law' (11%, 24), 'Refugee and Asylum Law' (9%, 20), and 'Administrative Law' (9%, 20). 'Inheritance Law', 'Property Law', 'Contracts and obligations' and 'Other' each received 5% with all remaining areas receiving 4% or less.

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Areas of Law	%	#
Criminal law	20%	43
Immigration law	11%	24
Family law	11%	24
Refugee and asylum law	9%	20
Administrative law	9%	20
Inheritance law	5%	11
Property law	5%	11
Other	5%	10
Contracts and obligations	5%	10
International human rights law	3%	7
Labour law	4%	8
Environmental law	3%	6
European law	3%	6
Private international law	2%	5
Constitutional law	2%	4
Intellectual and patent law	1%	2
Total	100%	214



Experts

(53%, 30) of the experts chose 'Other' followed by 'Translators/Interpreters' (37%, 21), 'Cultural Mediator' (7%, 4) and 'Expert Witnesses' (4%, 2).

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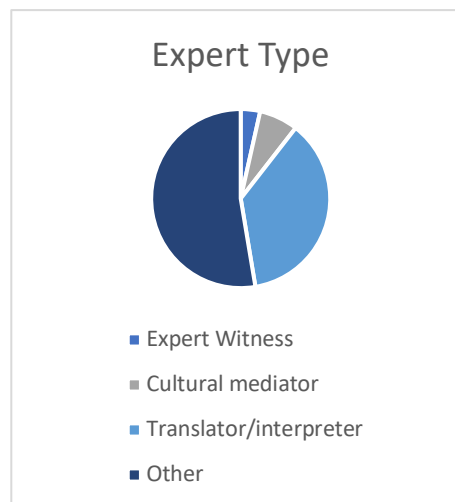
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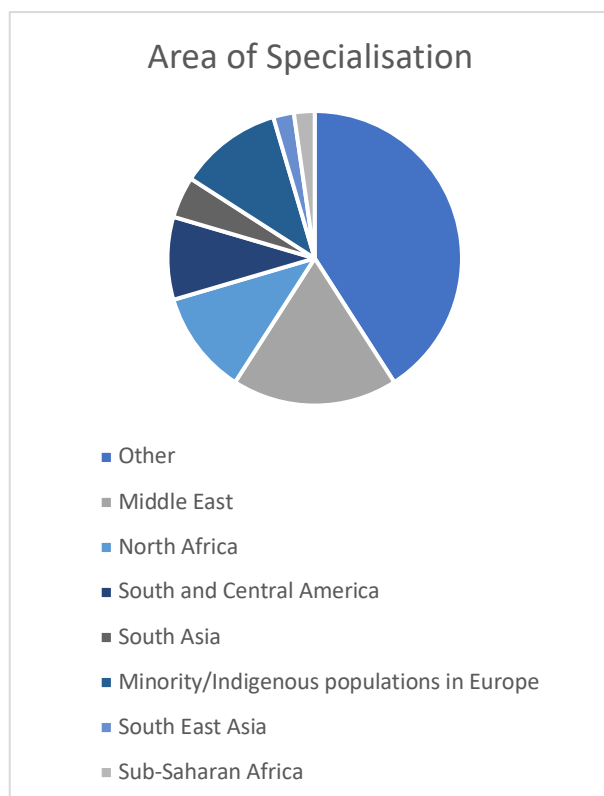
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Expert Type	%	#
Expert Witness	4%	2
Cultural mediator	7%	4
Translator/interpreter	37%	21
Other	53%	30
Total	100%	57



The most common response to the question regarding area of specialisation was 'Other' (46%, 17) followed by 'Middle East' (19%, 7), 'North Africa' (11%, 5), South and Central America' (9%,4), Minority/Indigenous populations in Europe (11%, 5), 'South East Asia' and 'Sub-Saharan Africa' (2%, 1) each.

Area of Specialisation	%	#
Other	46%	17
Middle East	19%	7
North Africa	11%	5
South and Central America	9%	4
South Asia	5%	2
Minority/Indigenous populations in Europe	11%	5
South East Asia	2%	1
Sub-Saharan Africa	2%	1
Total	100%	44



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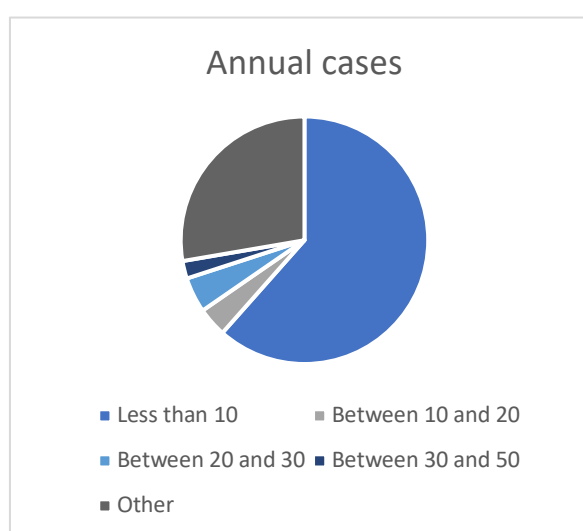
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Frequency

Frequency of involvement

To the question of how many experts did they instruct annually, most responding judges and lawyers (62%, 80) chose 'Less than 10', followed by 'Other' (28%, 36), 'Between 20 and 30' (5%, 6), 'Between 10 and 20' (4%, 5) and 'Between 30 and 50' (2%, 3).

Annual cases	%	#
Less than 10	62%	80
Between 10 and 20	4%	5
Between 20 and 30	5%	6
Between 30 and 50	2%	3
Other	28%	36
Total	100%	130



(36%, 20) of experts provided 'Less than 5' written reports, (29%, 16) chose 'Other', (13%, 7) indicated 'Between 20 and 50', (7%, 4) indicated a number of written reports 'Between 10 and 20', 'Between 50 and 100' and 'Between 5 and 10'.

(38%, 20) of experts chose 'Other', (19%, 10) indicated a number of oral reports 'Between 50 and 100', followed by 'Less than 5' (17%, 9), 'Between 5 and 10' and 'Between 20 and 50' (10%, 5) each and 'Between 10 and 20' (6% 3).

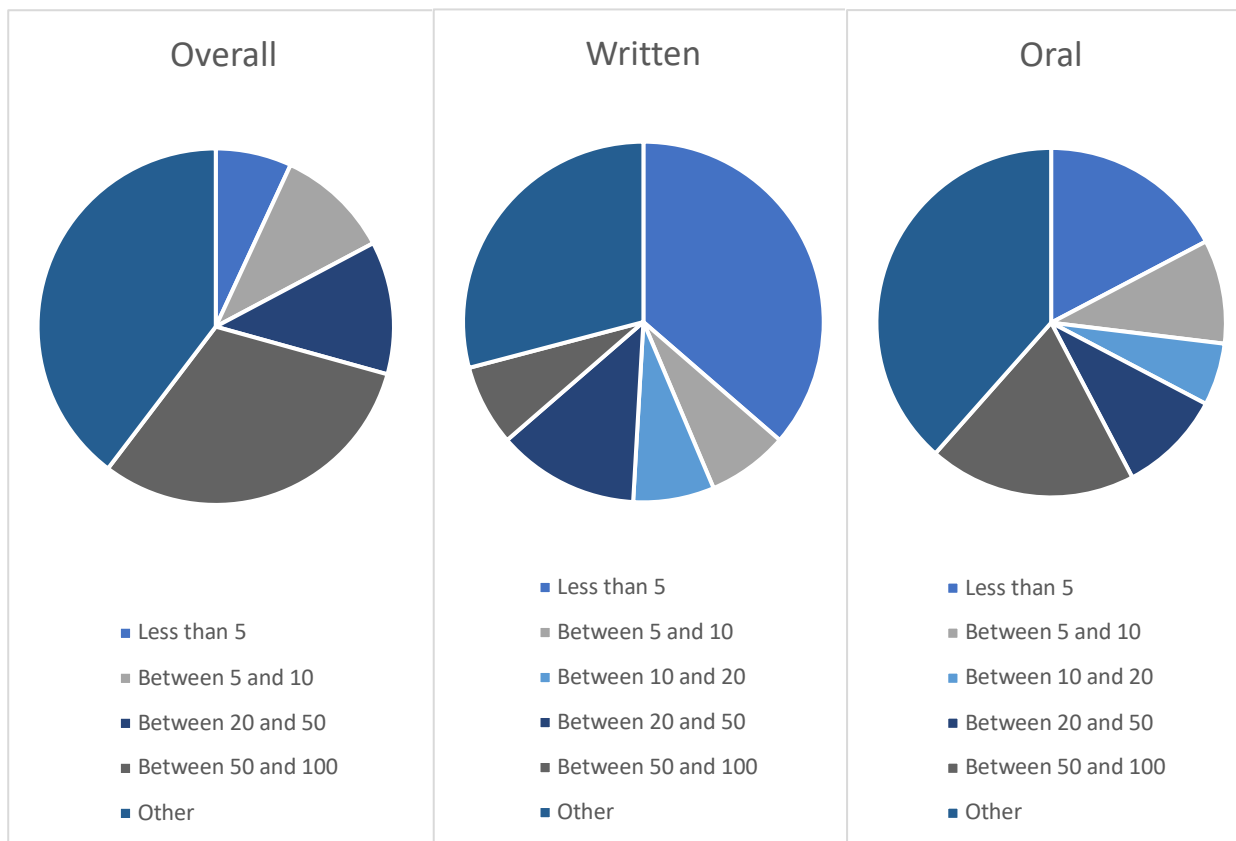
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Fields of law

The most common area of use of cultural expertise was 'Immigration law' (13%, 49), followed by 'Refugee and asylum law' (13%, 47), 'Criminal Law' (11%, 41), 'Family Law' (10%, 36), 'Other' (9%, 32) and 'Administrative Law' (9%, 33), with all the remaining areas accounting for 4% or less.

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Fields of Law	%	#
Immigration law	13%	49
Refugee and asylum law	13%	47
Criminal law	11%	41
Family law	10%	36
Other	9%	32
Administrative law	9%	33
International human rights law	4%	16
Private international law	4%	15
Inheritance law	3%	12
European law	3%	10
Health law	3%	11
Labour law	3%	10
Environmental law	3%	12
Constitutional law	2%	8
Contracts and obligations	2%	9
Intellectual and patent law	2%	8
Finance law	2%	6
Property law	1%	5
Sports law	1%	5
Total	100%	365



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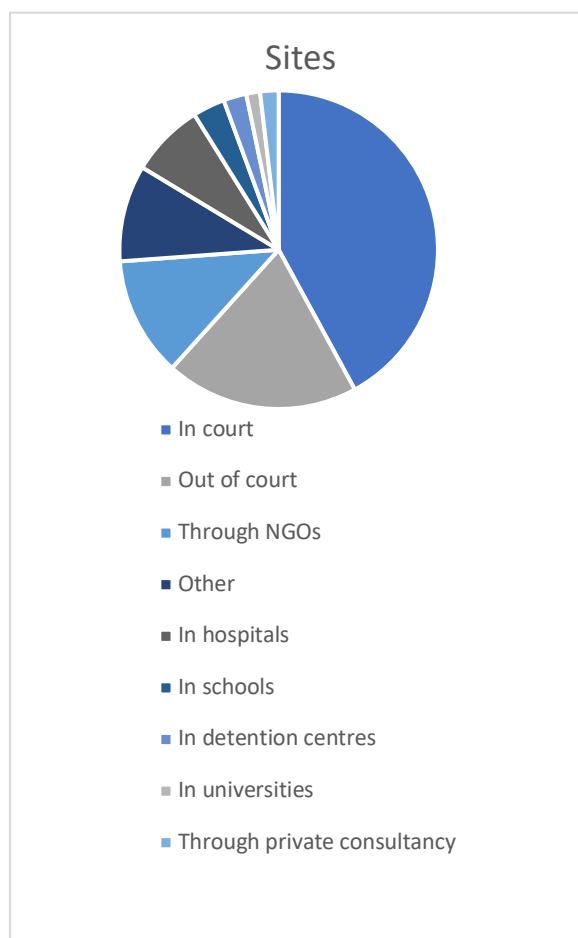
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Sites

The most common site of cultural expertise was ‘In court’ (42%, 90), followed by ‘Out of court’ (20%, 42) ‘Through NGOs’ (12%, 26), ‘Other’ (10%, 21), ‘In hospitals’ (7%, 16) with all remaining categories receiving 3% or less.

Sites	%	#
In court	42%	90
Out of court	20%	42
Through NGOs	12%	26
Other	10%	21
In hospitals	7%	16
In schools	3%	7
Through private consultancy	2%	4
In detention centres	2%	5
In universities	1%	3
Total	100%	187



Typology of Experts

The most common response to the question regarding the expert type was ‘Other’ (38%, 57), followed by ‘University professors’ and ‘Native language speakers’ (14%, 22) each, ‘Country experts’ (12%, 18), ‘Native lawyers’ (11%, 17), ‘Religious leaders’ (7%, 10) and ‘Community leaders’ (4%, 6).

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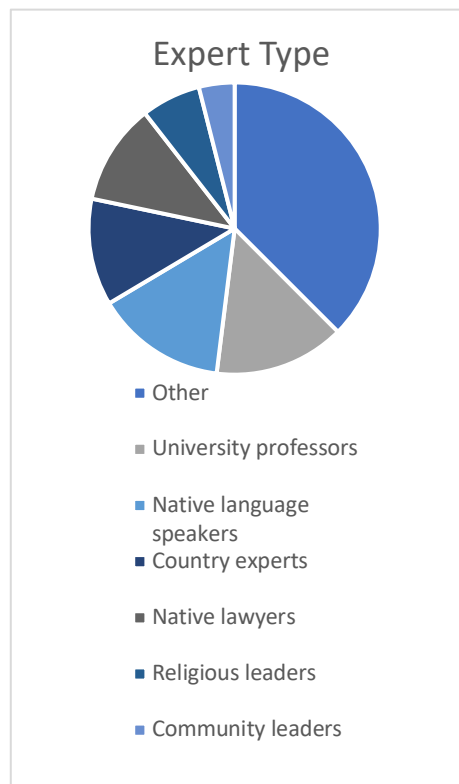
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Expert Type	%	#
Other	38%	57
University professors	14%	22
Native language speakers	14%	22
Country experts	12%	18
Native lawyers	11%	17
Religious leaders	7%	10
Community leaders	4%	6
Total	100%	152



Discipline

The (15%, 20) who selected 'University professors' were asked to specify the disciplines of those professors. The most common response was 'Law' (27%, 9) followed by 'Other' (24%, 8), 'Linguistic' (18%, 6), Sociology (12%, 4) 'History' and 'Anthropology' (9%, 3) each, and 'Political Science' (3%, 1).

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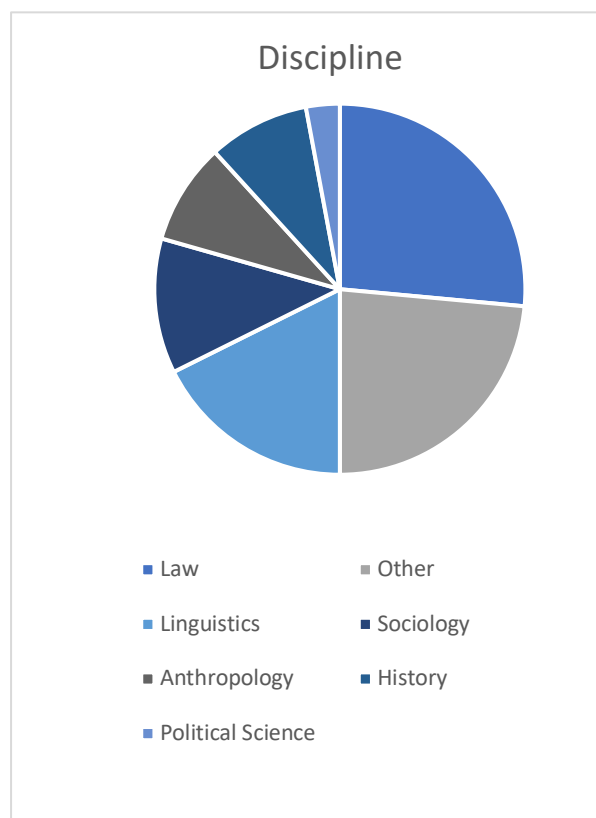
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Discipline	%	#
Law	27%	9
Other	24%	8
Linguistics	18%	6
Sociology	12%	4
Anthropology	9%	3
History	9%	3
Political Science	3%	1
Total	100%	34



Modalities

Appointment of Experts

The most common factor influencing the decision to appoint experts was 'Client request' (20%, 54), followed by 'The law allows the appointment of experts' (17%, 48), 'Experts facilitate successful legal outcomes' (15%, 41), 'The court is keen to hear cultural arguments' (8%, 23), 'The reputation of the expert' (8%, 21), 'Time' (7%, 19), 'Cost' and 'The court/prosecutor/Home Office have already appointed their expert' (6%, 17) each and 'Other' (5%, 14), with all the remaining areas accounting for 4%.

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How experts are selected	%	#
Client request	20%	54
The law allows	17%	48
Experts facilitate successful legal outcomes	15%	41
The court is keen to hear cultural arguments	8%	23
The reputation of the expert	8%	21
Time	7%	19
Cost	6%	17
The court/prosecutor/Home Office have already appointed their expert	6%	17
Other	5%	14
Expertise can also be used for an out of court settlement	4%	12
The court advise the appointment of the expert	4%	10
Total	100%	276



To the question of how they started their career most experts answered ‘Other’ (50%, 18) followed by ‘Contacted by a court’ (18%, 7), ‘Directly contacted by clients’ (14%, 5), ‘Referred by a colleague’, ‘Contacted by a lawyer’ and ‘Contacted by the ministry of justice’ (6%, 2) each.

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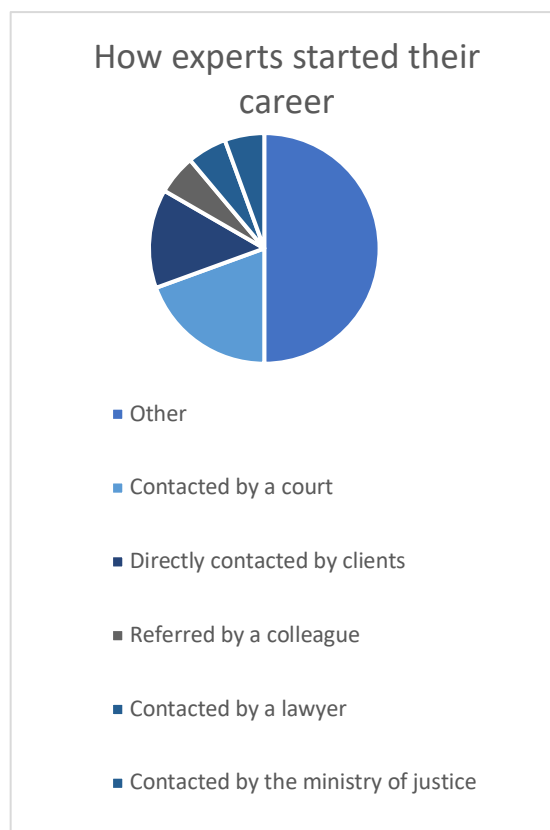
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How experts started their career	%	#
Other	50%	18
Contacted by a court	18%	7
Contacted directly by clients	14%	5
Referred by a colleague	6%	2
Contacted by a lawyer	6%	2
Contacted by the ministry of justice	6%	2
Total	100%	36



Experts were most frequently ‘Instructed by lawyers as need arises’ (27%, 28), followed by ‘Instructed by courts’ (26%, 27), ‘Work as an expert for NGOs’ (16%, 17), ‘Contacted directly by clients’ (14%, 15), ‘Instructed by the ministry of the interior’ (9%, 9), and ‘Other’ (8%, 8).

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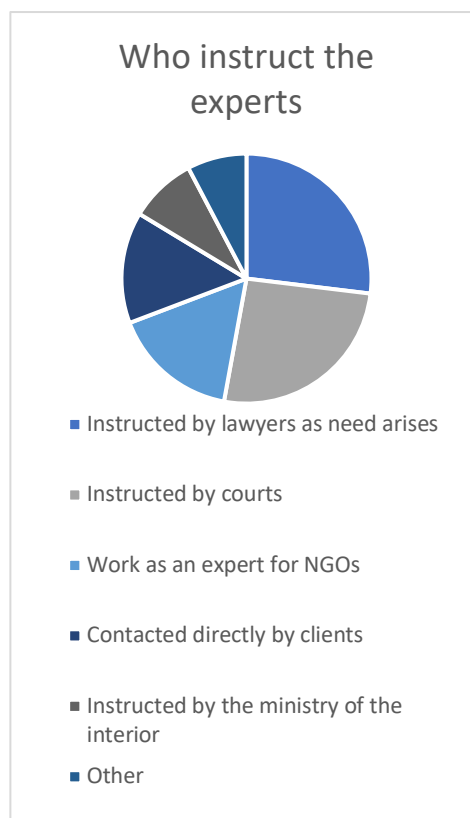
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Who instructs the experts	%	#
Instructed by lawyers as need arises	27%	28
Instructed by courts	26%	27
Work as an expert for NGOs	16%	17
Contacted directly by clients	14%	15
Instructed by the ministry of the interior	9%	9
Other	8%	8
Total	100%	42



Cost of Cultural Expertise

Cultural expertise is most commonly financed by 'Courts' (35%, 63), followed by 'Clients' (24%, 42), 'Other' (15%, 26), 'Legal aid' (14%, 25), 'Philanthropists/ NGOs/Relatives/ Community' (8%, 15) and 'Ministry of interior' (4%, 7).

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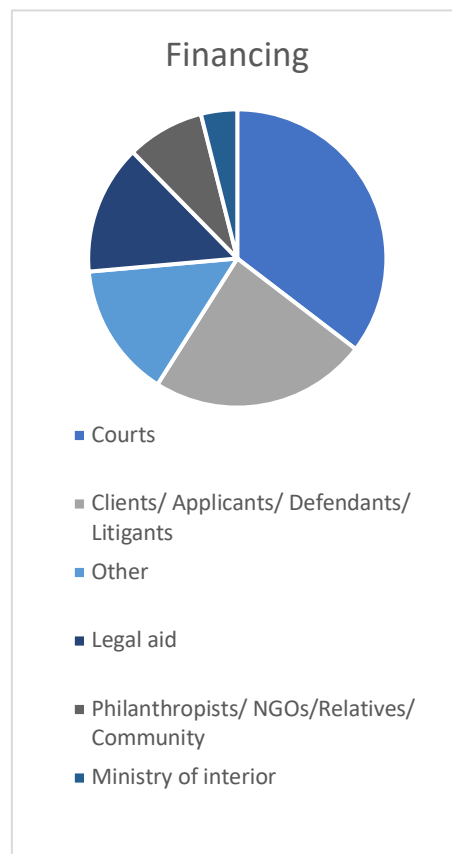
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How are experts paid?	%	#
Courts	35%	63
Clients/ Applicants/ Defendants/ Litigants	24%	42
Other	15%	26
Legal aid	14%	25
Philanthropists/ NGOs/Relatives/ Community	8%	15
Ministry of interior	4%	7
Total	100%	178



Remuneration of cultural expertise

Over half of responses indicated that experts were paid at a 'Standard hourly rate' (69%, 27), followed by 'Other' (13%, 5), 'Set price per report' (10%, 4) and 'Voluntary basis' (8%, 3).

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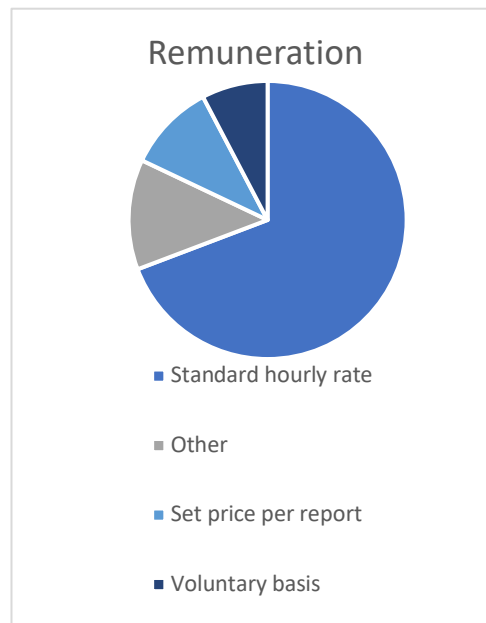
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Remuneration of experts	%	#
Standard hourly rate	69%	27
Other	13%	5
Set price per report	10%	4
Voluntary basis	8%	3
Total	100%	39



Reuse of cultural expertise

The most frequent response to the question of the reuse of cultural expertise was 'Other' (33%, 33) followed by 'Reuse only within the same country/legal field' (25%, 25) 'Can only be reproduced in the same country/legal field' (24%, 24) and 'Cultural expertise is applicable in similar cases' (18%, 18).

Reuse of cultural expertise	%	#
Unique and not repeatable experience	24%	24
Reuse only within the same country/legal field	25%	25
Cultural expert witnessing is applicable to similar cases	18%	18
Other	33%	33
Total	100%	100



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Impact

Components of Impact

The most common components of impact include ‘Reliable sources of contents’ (21%, 82), followed by ‘First-hand experience’ (14%, 56), then ‘Use of statistics’ (13%, 50), ‘Stringent conclusions’ (12%, 49), ‘Reputation of experts’ (11%, 45), ‘Quantitative assessment of risk’ (11%, 43), ‘Advocacy’ (6%, 22) and ‘Style’ (5%, 20), with all the remaining categories accounting for 4% or less.

Components of impact	%	#
Reliable sources of contents	21%	82
First-hand experience	14%	56
Use of statistics	13%	50
Stringent conclusions	12%	49
Reputation of the experts	11%	45
Quantitative assessment of risk	11%	43
Advocacy	6%	22
Style	5%	20
Remuneration of experts	4%	17
Other	3%	12
Total	100%	285



Usefulness

The most common response to the question regarding the usefulness of cultural expertise was ‘Slightly useful’ (43%, 45), followed by ‘Not at all useful’ (20%, 21), ‘Very useful’ (17%, 18), ‘Moderately useful’ (15%, 16) and ‘Extremely useful’ (5%, 5).

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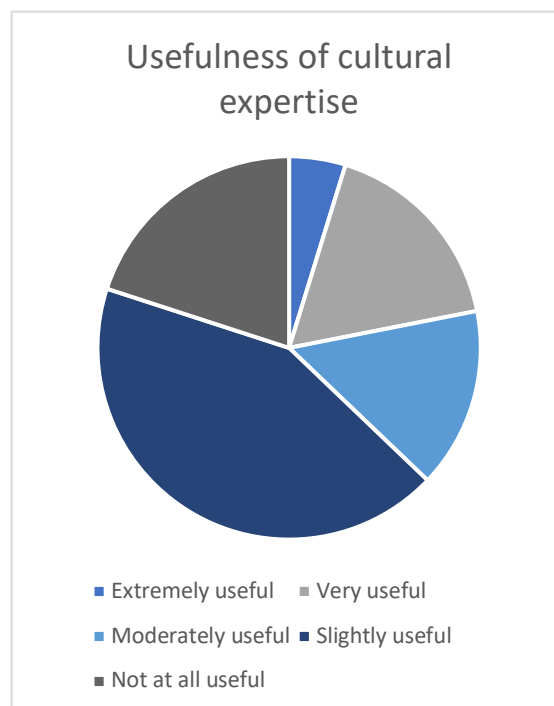
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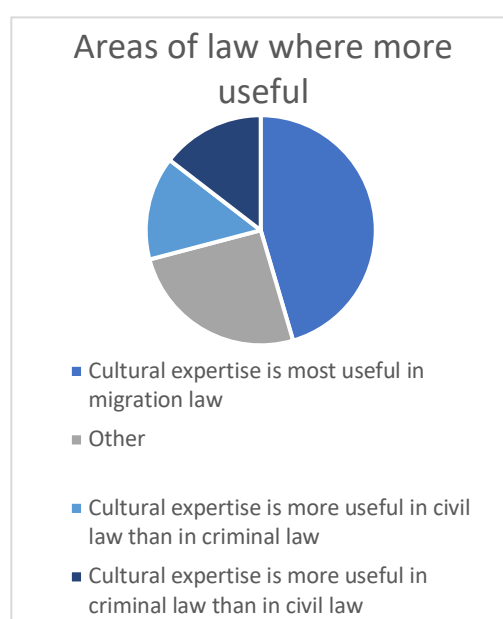
Usefulness of cultural expertise	%	#
Extremely useful	5%	5
Very useful	17%	18
Moderately useful	15%	16
Slightly useful	43%	45
Not at all useful	20%	21
Total	100%	105



Usefulness: fields

Cultural expertise is most useful in 'Migration law' (45%, 50), followed by 'Other' (25%, 28), 'More useful in civil law than criminal law' (15%, 16). 'More useful in criminal law rather than civil law' (15%, 16).

Areas of law where cultural expertise is more useful	%	#
Cultural expertise is most useful in migration law	45%	50
Other	25%	28
Cultural expertise is more useful in civil law than in criminal law	15%	16
Cultural expertise is more useful in criminal law than in civil law	15%	16
Total	100%	110



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Competitiveness

Experts thought that their expertise was competitive because of their ‘Competence’ (46%, 25), followed by ‘Reputation’ (28%, 15), ‘Balance between competence and cost’ (19%, 10), ‘Convenient hourly quotes’ (6%, 3) and ‘Other’ (2%, 1).

Competitiveness	%	#
Competence	46%	25
Reputation	28%	15
Balance between competence and cost	19%	10
Convenient hourly quotes	6%	3
Other	2%	1
Total	100%	54



Reputation of Experts

The majority of experts said that they had been ‘Regularly instructed/ appointed as expert for many years’ (62%, 23), followed by ‘Other’ (30%, 11), and ‘Expert opinions have been successful’ (8%, 3).

Reputation of experts	%	#
Regularly instructed/appointed as an expert for many years	62%	23
Other	30%	11
Expert opinions have been successful	8%	3
Total	100%	37



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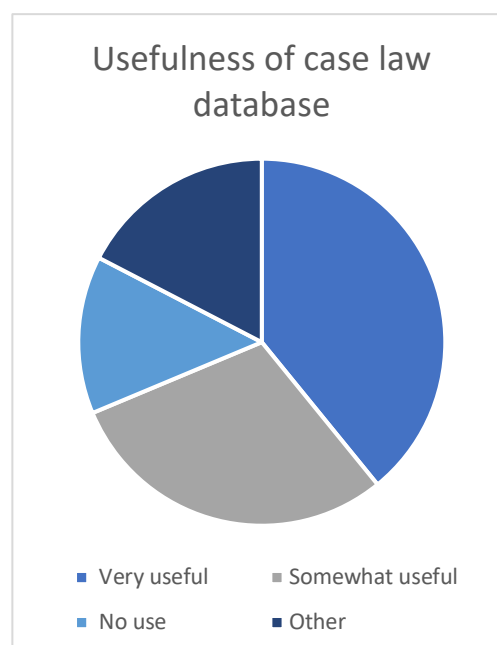
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Improved Access

Database

Regarding the question of the usefulness of a case law database, the most common response was that it would be 'Very useful' (39%, 45), followed by 'Somewhat useful' (30%, 34), of 'No use' (14%, 16). (17%, 20) choose 'Other'.

Usefulness of case law database	%	#
Very useful	39%	45
Somewhat useful	30%	34
No use	14%	16
Other	17%	20
Total	100%	115



Contribution to law database

Most respondents did wish to contribute to the establishment of a case law database (60%, 35), while (40%, 23) did not.

Sweden Data Summary

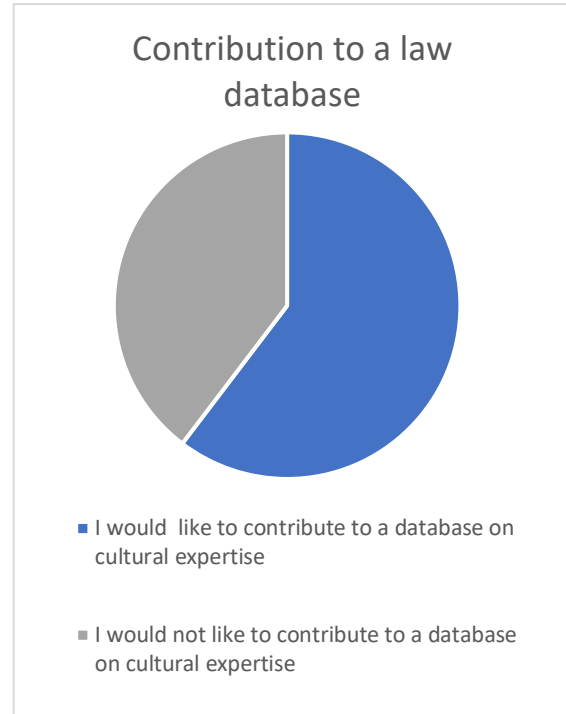
CULTURAL EXPERTISE IN EUROPE: WHAT IS IT USEFUL FOR? (EURO-EXPERT)

PI: LIVIA HOLDEN | Post-Doc: ANNA TSALAPATANIS | Data Collector: Laura Lehtonen

Date of Publication: 05/06/2019

Date of Revision: 01/02/2022

Contribution to a law database	%	#
I would not like to contribute to a database on cultural expertise	40%	23
I would like to contribute to a database on cultural expertise	60%	35
Total	100%	58



Capacity Building

The most common response to the question regarding the usefulness of a program teaching cultural expertise was 'Probably yes (30%, 36), followed by 'Definitely yes' (27%, 32), 'Might or might not' (25%, 30), 'Probably not' (10%, 12) and 'Definitely not' (8%, 10).

Sweden Data Summary

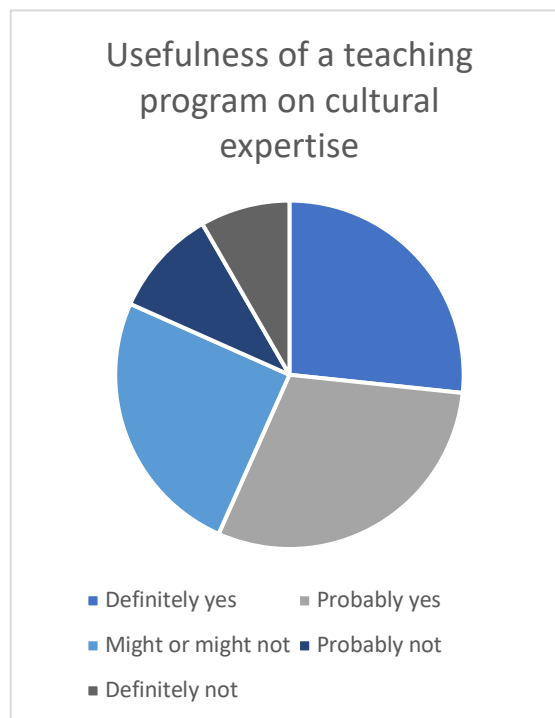
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Usefulness of a teaching program on cultural expertise	%	#
Definitely yes	27%	32
Probably yes	30%	36
Might or might not	25%	30
Probably not	10%	12
Definitely not	8%	10
Total	100%	120



Organisations interested in a teaching program

With regards to the question on interest in the teaching program, the most common response was 'Interested in teaching cultural expertise themselves' (46%, 17), followed by 'Other' (32%, 12) and 'Know professional organisations that may be interested' (22%, 8).

Sweden Data Summary

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Organisations interested in a teaching program	%	#
Know professional organisations interested in teaching	22%	8
Interested in teaching themselves	46%	17
Other	32%	12
Total	100%	37

