

Denmark Data Summary

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

PI: Livia Holden | Post-Doc: Anna Tsalapatanis: Data Collector: Niels Valdemar-Vinding

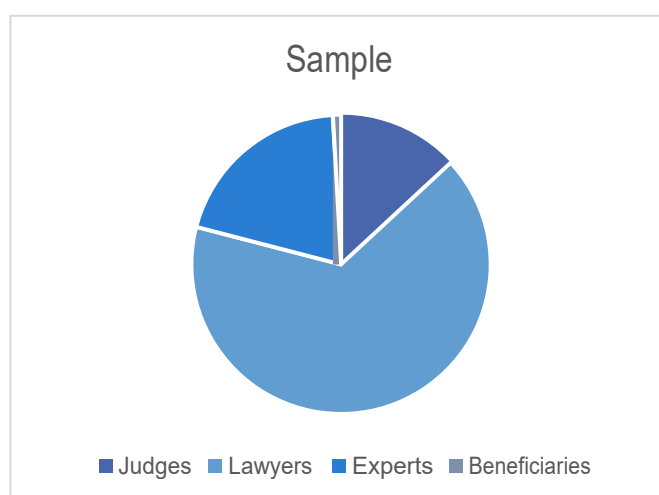
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Qualities of Sample

There were 229 responses to the Danish survey, of which (13%, 30) were judges, (66%, 151) were lawyers, (20%, 46) were experts and (1%, 2) beneficiaries.

Respondent categories	%	#
Judges	13%	30
Lawyers	66%	151
Experts	20%	46
Beneficiaries	1%	2
Total	100%	229



Country locations

Of the 229 respondents, 90% (207) indicated their location. (69, 33%) were based on Copenhagen, (45, 22%) indicated 'Others', followed by Aarhus (30, 14%), Odense (12, 6%), Hillerød and Roskilde (6 each, 3%). All the remaining areas received 2% or less.

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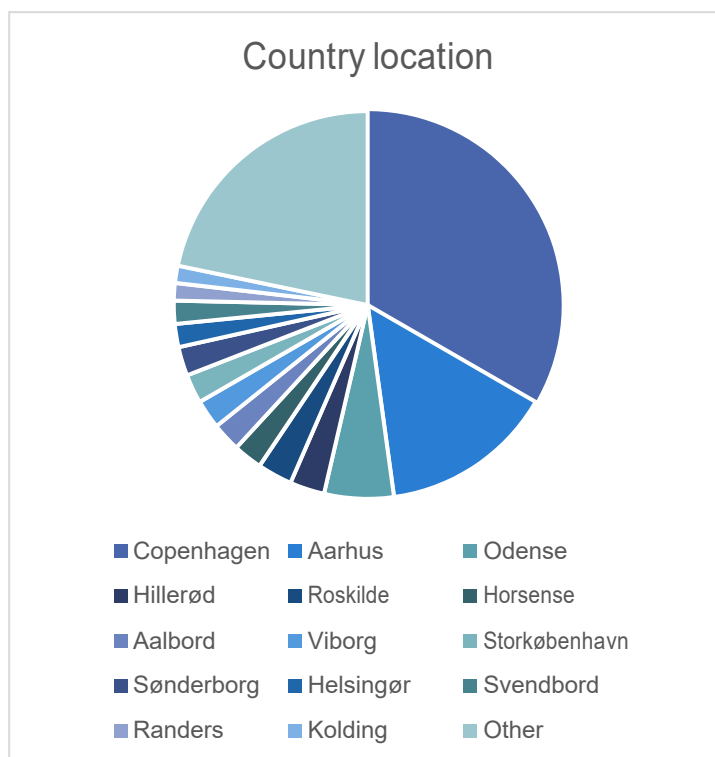
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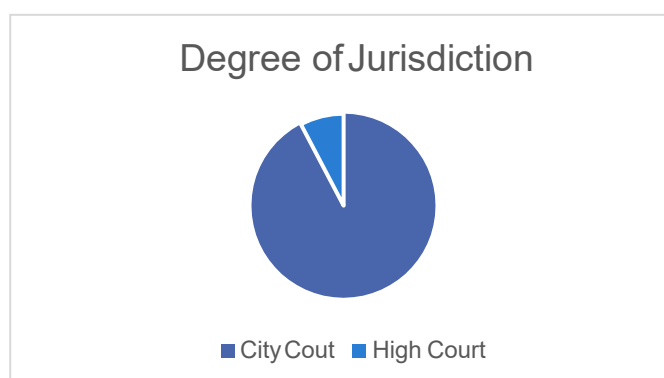
Country location	%	#
Copenhagen	33%	69
Aarhus	14%	30
Odense	6%	12
Hillerød	3%	6
Roskilde	3%	6
Horsense	2%	5
Aalborg	2%	5
Viborg	2%	5
Storkøbenhavn	2%	5
Sønderborg	2%	5
Helsingør	2%	4
Svendborg	2%	4
Randers	1%	3
Kolding	1%	3
Other	22%	45
Total	100%	207



Judges

The most common degree of jurisdiction for Judges was the City Court (92%, 24) followed by the High Court (8%, 2).

Degree of Jurisdiction	%	#
City Court	92%	24
High court	8%	2
Total	100%	26



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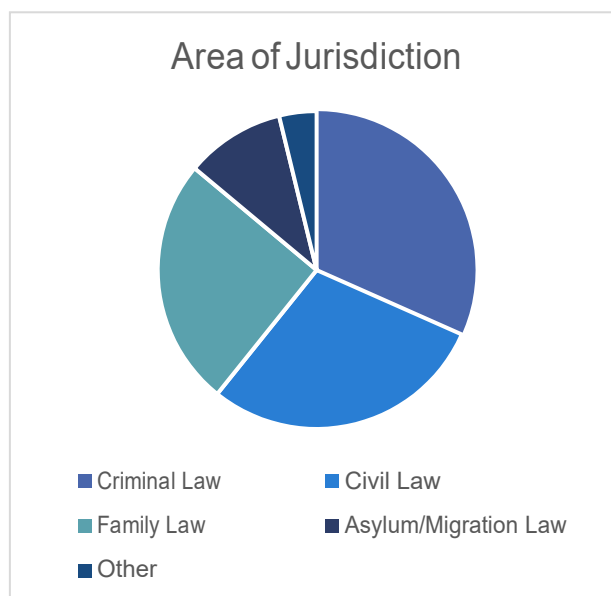
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The most common area of Jurisdiction was 'Criminal Law' (25, 32%), followed by 'Civil Law' (23, 29%), 'Family Law' (20, 25%), 'Asylum/Migration Law' (8, 10%) and 'Other' (4%, 3).

Area of Jurisdiction	%	#
Criminal Law	32%	25
Civil Law	29%	23
Family Law	25%	20
Asylum/Migration Law	10%	8
Other	4%	3
Total	100%	79



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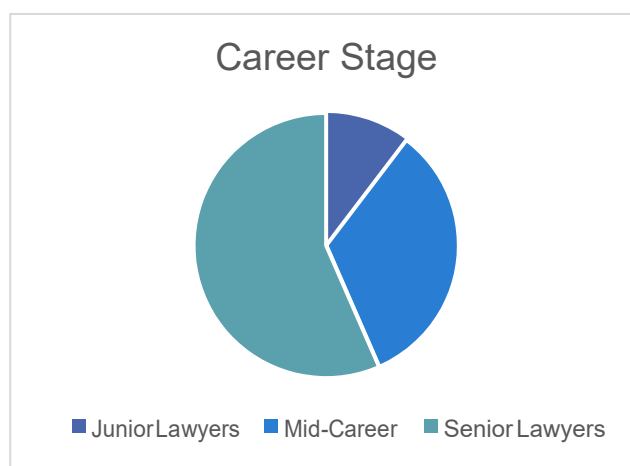
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Lawyers

The most common career stage was Senior (82, 57%), followed by Mid-Career (48, 33%), then Junior (15, 10%).

Career Stage	%	#
Junior Lawyers	10%	15
Mid-Career	33%	48
Senior Lawyers	57%	82
Total	100%	145



For the areas of law practiced, 'Criminal Law' (72, 18%) was the most common, followed by 'Family Law' (71, 18%), 'Inheritance Law' (43, 11%), 'Property Law' (29, 7%), 'Contracts and Obligations' (25, 6%), 'Business and Commercial Law' (24, 6%) and 'Other' (23, 6%). All the remaining areas received 4% or less.

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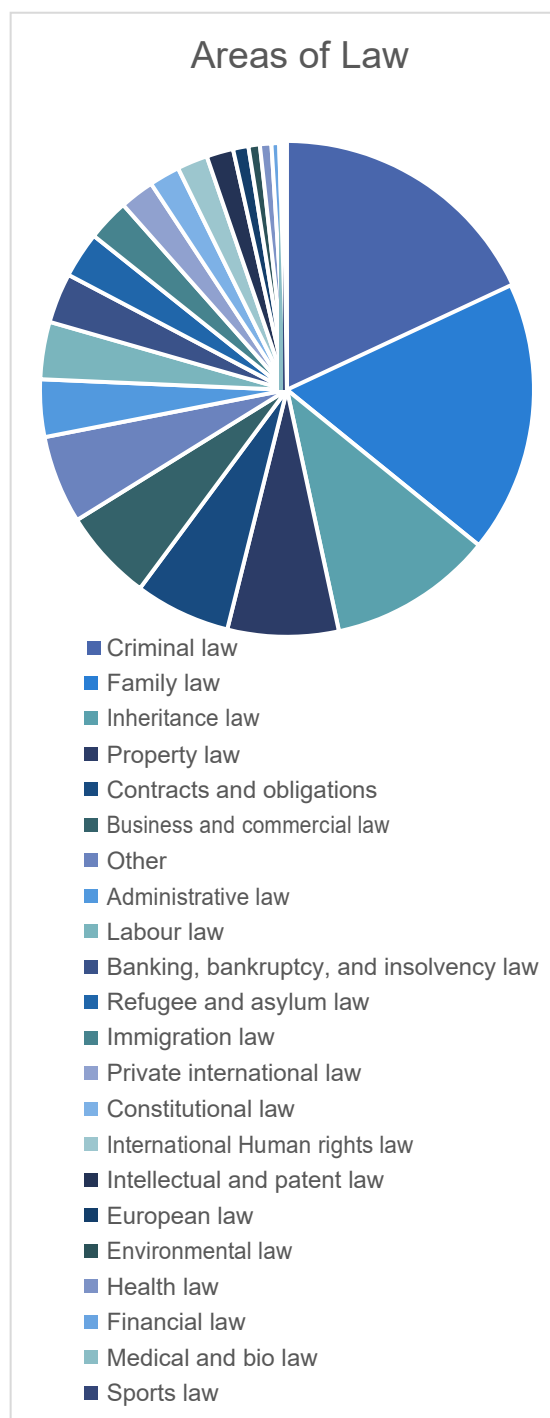
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Areas of Law	%	#
Criminal law	18%	72
Family law	18%	71
Inheritance law	11%	43
Property law	7%	29
Contracts and obligations	6%	25
Business and commercial law	6%	24
Other	6%	23
Administrative law	4%	15
Labour law	4%	15
Banking, bankruptcy, and insolvency law	3%	13
Refugee and asylum law	3%	12
Immigration law	3%	11
Private international law	2%	9
Constitutional law	2%	8
International Human rights law	2%	8
Intellectual and patent law	2%	7
European law	2%	4
Environmental law	1%	3
Health law	1%	3
Financial law	1%	2
Medical and bio law	0%	1
Sports law	0%	1
Total	100%	399



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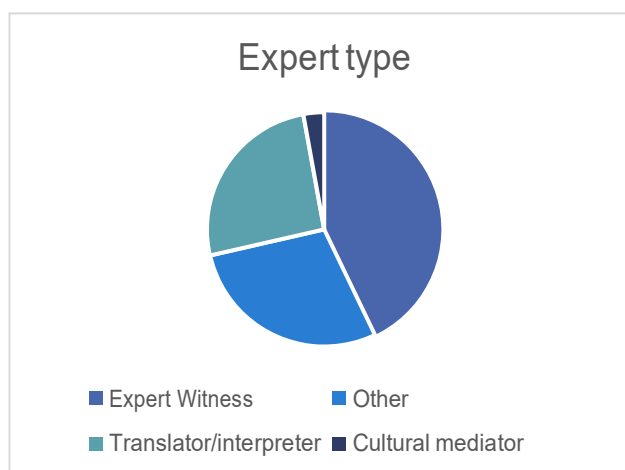
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Experts

The most common expert type was 'Expert witness' (15, 43%), followed by 'Other' (10, 29%), 'Translator/Interpreter' (9, 26%) and 'Cultural Mediator' (1, 3%).

Expert type	%	#
Expert Witness	43%	15
Other	29%	10
Translator/interpreter	26%	9
Cultural mediator	3%	1
Total	100%	35



The most common response to the question regarding area of specialisation was 'Other' (12, 35%), followed by 'Middle East' (8, 24%), 'Central and South America' (4, 12%), 'North Africa' (3, 9%) 'Sub-Saharan Africa' (3, 9%), 'South Asia' (2, 6%) and Minority/Indigenous populations in Europe (1, 3%).

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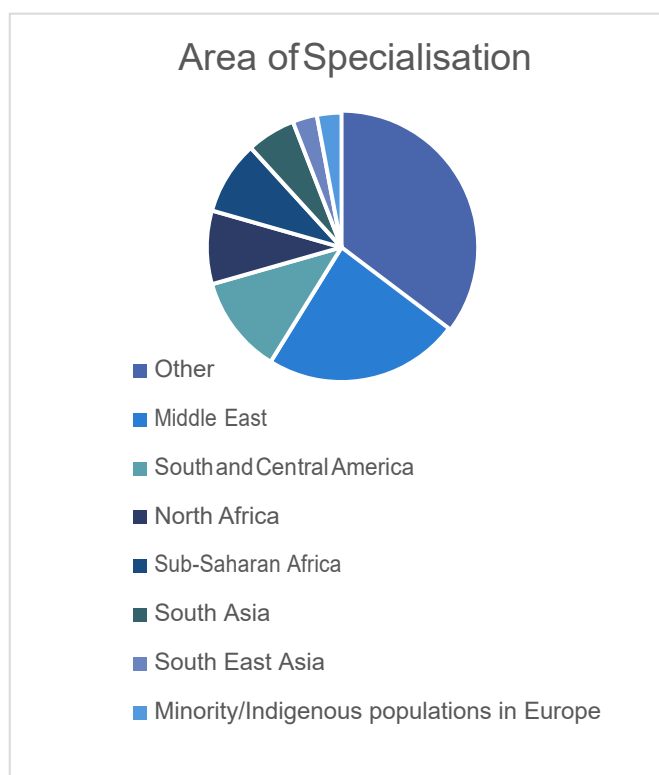
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Area of Specialisation	%	#
Other	35%	12
Middle East	24%	8
South and Central America	12%	4
North Africa	9%	3
Sub-Saharan Africa	9%	3
South Asia	6%	2
South-East Asia	3%	1
Minority/Indigenous populations in Europe	3%	1
Total	100%	34



Frequency

Frequency of involvement

To the question of how many experts did they instruct annually, most responding judges and lawyers (71%, 105) choose 'Less than 10 cases', followed by 'Never appointed experts' (16%, 23), 'Between 10 and 20 cases' (6%, 9), 'Between 20 and 30 cases' (4% 6), and 'Between 30 and 50 cases' (3%, 4).

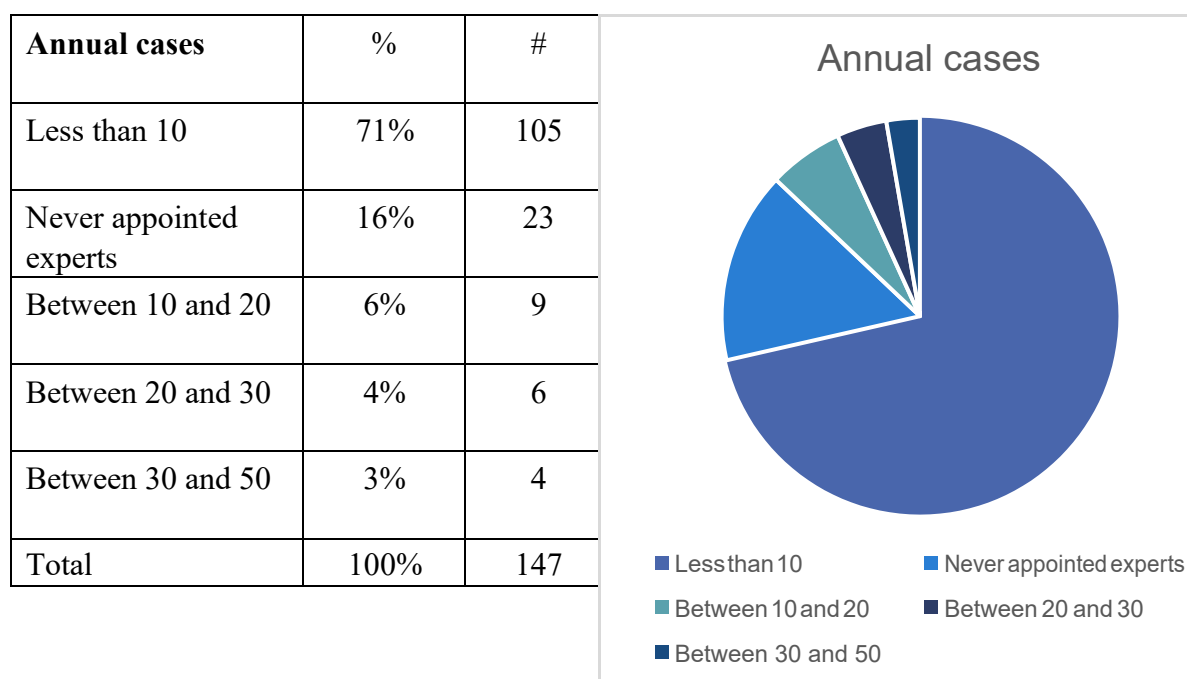
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(37%, 13) of experts provided less than 5 written reports, (14%, 5) indicated a number of written reports between 5 and 10, (6%, 2) indicated a number of written reports between 10 and 20, (14%, 5) indicated a number of written reports between 50 and 100, (29%, 10) choose 'Other', (4%, 1).

(46%, 16) of experts provided a total of less than 5 oral reports, (17%, 9) choose 'Other', (11%, 4) a number of oral reports between 5 and 10, (9%, 3) indicated a number of oral reports between 50 and 100, (6%, 2) indicated a number of oral reports between 20 and 50 and (3%, 1) indicated a number of oral reports between 10 and 20.

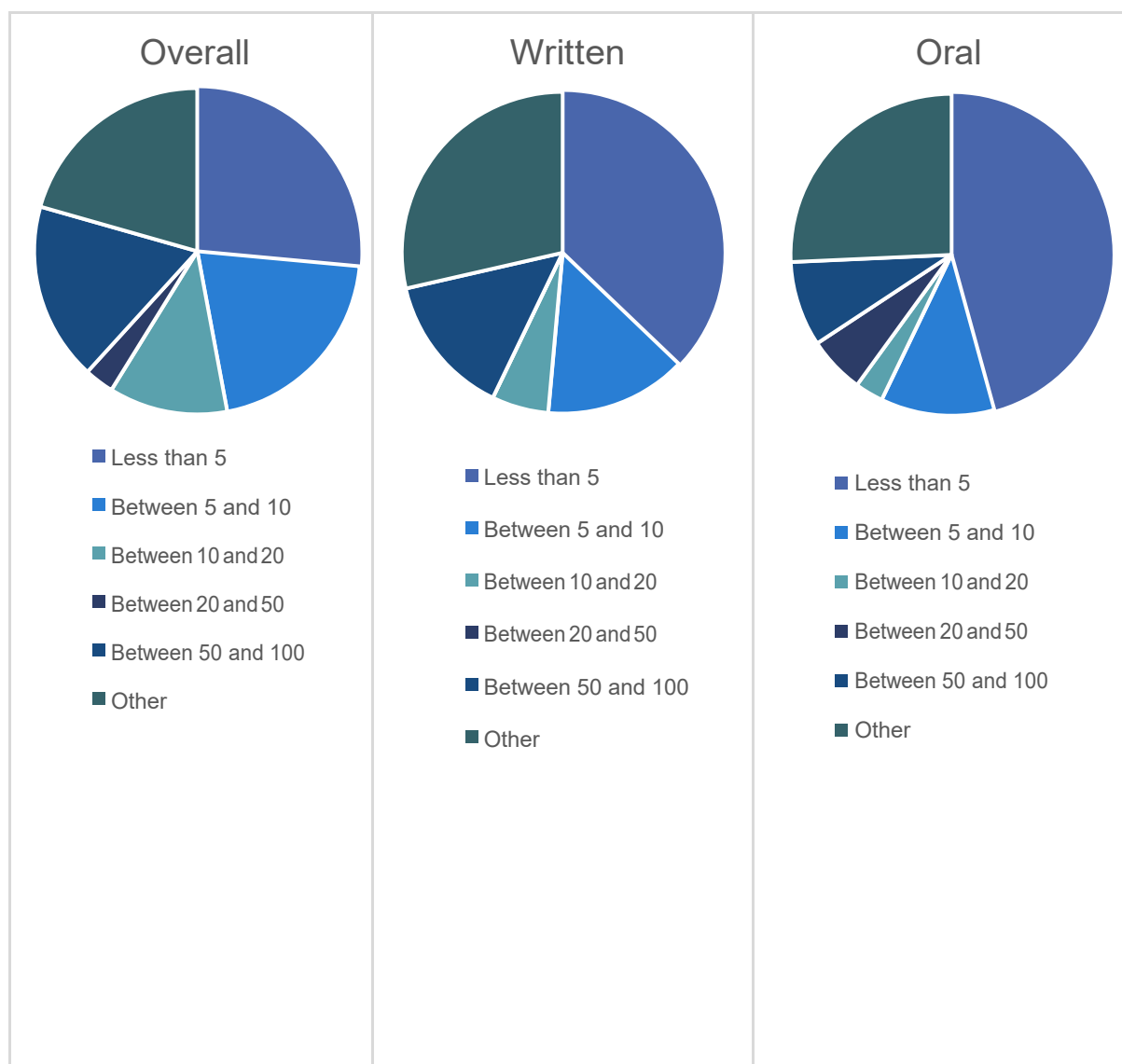
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Fields of law

The most common field of law where cultural expertise is used was 'Criminal Law' (66, 15%) followed by 'Family Law' (55, 12%), 'Refugee and Asylum Law' (41, 9%), 'Immigration Law' (30, 7%), 'International Human Rights Law' (27, 6%) and 'Other' and 'Business and Commercial Law' (5%, 24 and 21 respectively). All the remaining areas received 4% or less.

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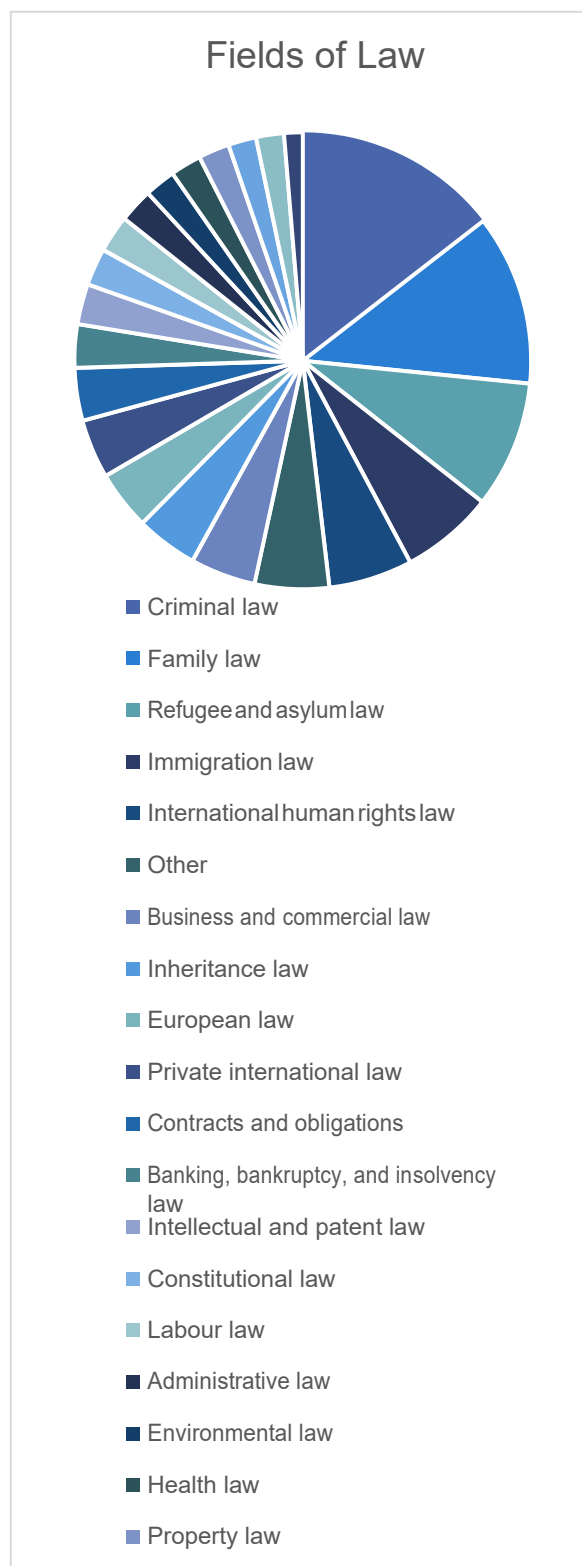
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Fields of Law	%	#
Criminal law	15%	66
Family law	12%	55
Refugee and asylum law	9%	41
Immigration law	7%	30
International human rights law	6%	27
Other	5%	24
Business and commercial law	5%	21
Inheritance law	4%	20
European law	4%	19
Private international law	4%	19
Contracts and obligations	4%	17
Banking, bankruptcy, and insolvency law	3%	14
Intellectual and patent law	3%	13
Constitutional law	3%	12
Labour law	3%	12
Administrative law	2%	11
Environmental law	2%	10
Health law	2%	10
Property law	2%	10
Financial law	2%	9
Medical and bio law	2%	9
Sports law	1%	6
Total	100%	455



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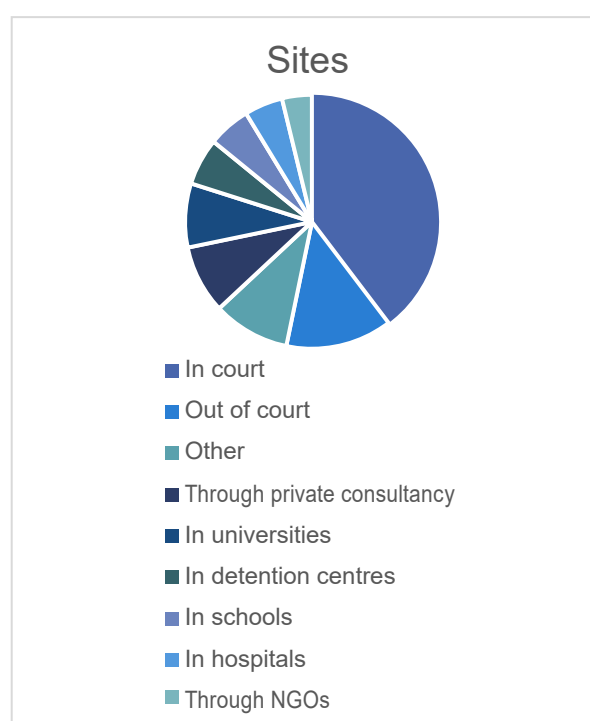
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Sites

The most common site of cultural expertise ‘In court’ (73, 40%) followed by ‘Out of court’ (25, 14%), then ‘Other’ (18, 10%), ‘Through private consultancy’ (16, 9%), ‘In universities’ (15, 8%), and ‘In detention centres’ (11, 6%), with the remaining areas receiving 5% or less.

Sites	%	#
In court	40%	73
Out of court	14%	25
Other	10%	18
Through private consultancy	9%	16
In universities	8%	15
In detention centres	6%	11
In schools	5%	10
In hospitals	5%	9
Through NGOs	4%	7
Total	100%	184



Typology of Experts

The most common response to the question regarding the expert type was ‘Native language speakers’ (52, 36%), followed by ‘University professors’ (32, 22%), then ‘Other’ (28, 19%), ‘Native lawyers’ (16, 11%), ‘Country experts’ (14, 10%) and ‘Community leaders’ and ‘Religious leaders’ (2 each, 1%).

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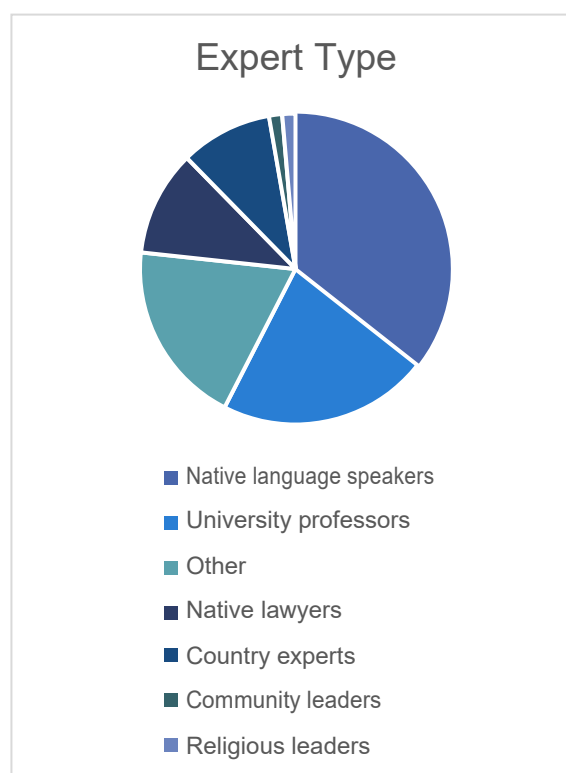
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Expert Type	%	#
Native language speakers	36%	52
University professors	22%	32
Other	19%	28
Native lawyers	11%	16
Country experts	10%	14
Community leaders	1%	2
Religious leaders	1%	2
Total	100%	146



Discipline

When asked to specify the disciplines of 'University professors', more than half indicated 'Law' (25, 52%), followed by 'Sociology' (7, 15%), 'Linguistics' (5, 10%), 'Anthropology', 'Political Science' and 'Other' all on 6% each (3) and 'History' (2, 4%).

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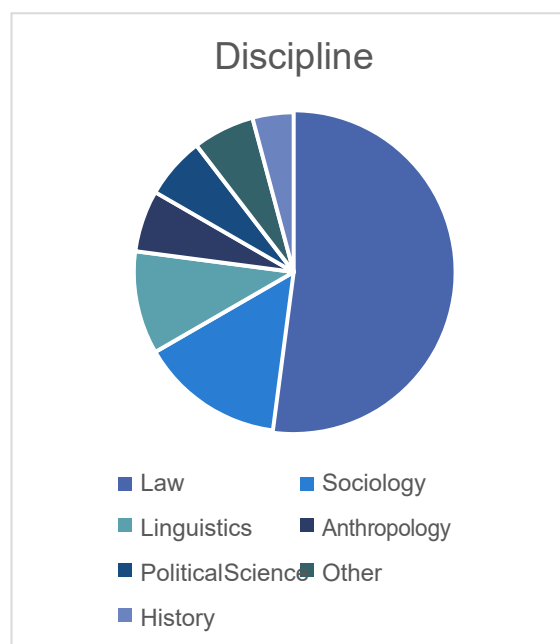
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Discipline	%	#
Law	52%	25
Sociology	15%	7
Linguistics	10%	5
Anthropology	6%	3
Political Science	6%	3
Other	6%	3
History	4%	2
Total	100%	48



Modalities

Appointment of Experts

The most common factor influencing the decision to appoint was 'Client's request' (23%, 66), followed by 'The law allows the appointment of experts' (14%, 40), then 'Cost' (11%, 31), 'The reputation of the expert' (9%, 25), 'Time' (8%, 23), 'The court is keen to hear cultural arguments' (7%, 21), 'Experts facilitate successful legal outcomes' (7%, 18), with all remaining responses receiving 6% or less.

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How experts are selected	%	#
Client request	23%	66
The law allows	14%	40
Cost	11%	31
The reputation of the expert	9%	25
Time	8%	23
The court is keen to hear cultural arguments	7%	21
Experts facilitate successful legal outcomes	6%	18
Expertise can also be used for an out of court settlement	6%	17
The court/prosecutor/government authorities have already appointed their expert	6%	16
Advised by the court	5%	14
Other	5%	13
Total	100%	284

How experts are selected



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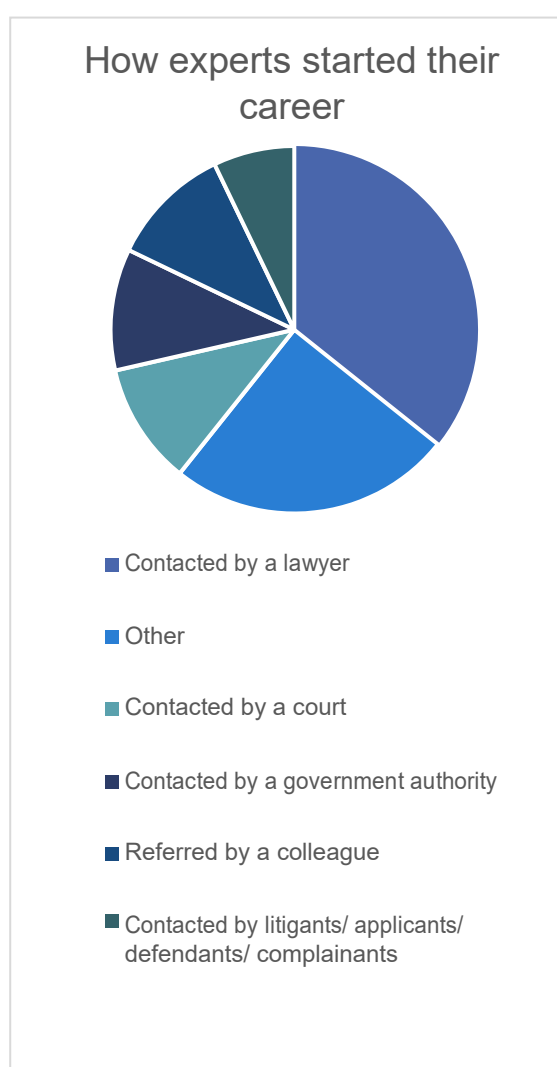
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Most experts started to give expert opinions by being ‘Contacted by a lawyer’ (36%, 10), followed by ‘Other’ (25%, 7), then ‘Contacted by a court’ (11%, 3), ‘Contacted by a government authority’ (11%, 3), ‘Referred by a colleague’ (11%, 3) and ‘Contacted by litigants/ applicants/ defendants/ complainants’ (7%, 2).

How experts started their career	%	#
Contacted by a lawyer	36%	10
Other	25%	7
Contacted by a court	11%	3
Contacted by a government authority	11%	3
Referred by a colleague	11%	3
Contacted by litigants/ applicants/ defendants/ complainants	6%	2
Total	100%	28



Experts were most frequently appointed by ‘Lawyers’ (27%, 7), followed by ‘Instructed by courts’ (22%, 14), then having been contacted directly by ‘Clients’ (22%, 14), ‘Instructed by the Ministry of the Interior’ (20%, 13), ‘Other’ (6%, 4) and ‘Work as an expert for an NGO’ (3%, 2).

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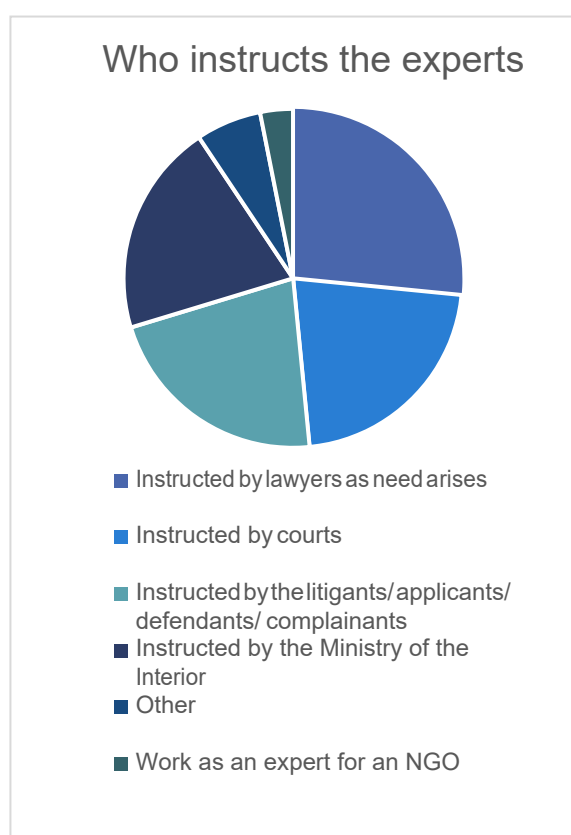
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Who instructs the experts	%	#
Instructed by lawyers as need arises	27%	17
Instructed by courts	22%	14
Instructed by the litigants/ applicants/ defendants/ complainants	22%	14
Instructed by the Ministry of the Interior	20%	13
Other	6%	4
Work as an expert for an NGO	3%	2
Total	100%	64



Cost of Cultural Expertise

Cultural expertise is most commonly finance by 'Clients' (31%, 42), followed by 'Courts' (28%, 38), then by 'Other authorities' (19%, 26), 'Other' (11%, 15), by 'Legal aid' (6%, 8) and by 'Philanthropists/ NGOs/ Relatives/ Community' (6%, 8).

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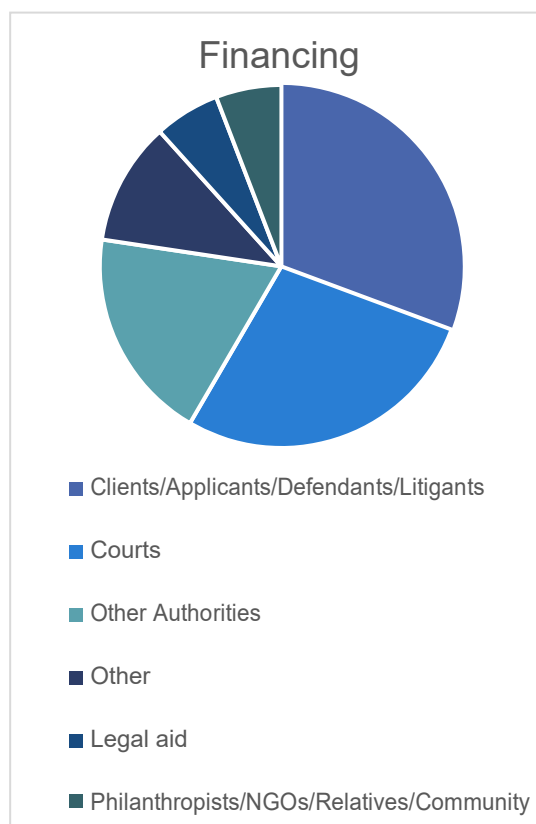
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How are experts paid?	%	#
Clients/Applicants/Defendants/Litigants	30%	42
Courts	28%	38
Other Authorities	19%	26
Other	11%	15
Legal aid	6%	8
Philanthropists/NGOs/Relatives/Community	6%	8
Total	100%	137



Remuneration of cultural expertise

Nearly half of responses indicated that experts were paid at a 'Standard hourly rate' (48%, 14), followed by working on a 'Voluntary basis' (31%, 9), then 'Other' (14%, 4), and 'Set price per report' (7%, 2).

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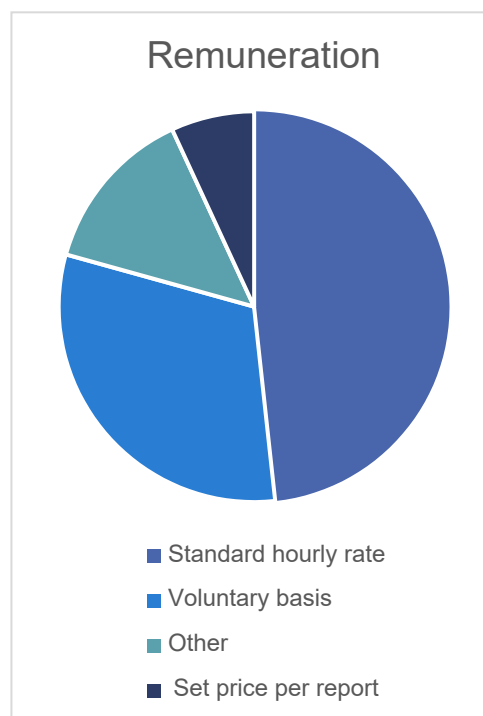
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Remuneration of experts	%	#
Standard hourly rate	48%	14
Voluntary basis	31%	9
Other	14%	4
Set price per report	7%	2
Total	100%	29



Reuse of cultural expertise

The most common response to the question of the reuse of cultural expertise was that 'Cultural expert witnessing is applicable to similar cases' (29%, 28), followed by 'Re-use only within the same country/legal field' (27%, 26), then 'Unique and not repeatable experience' (26%, 25) and 'Other' (17%, 16).

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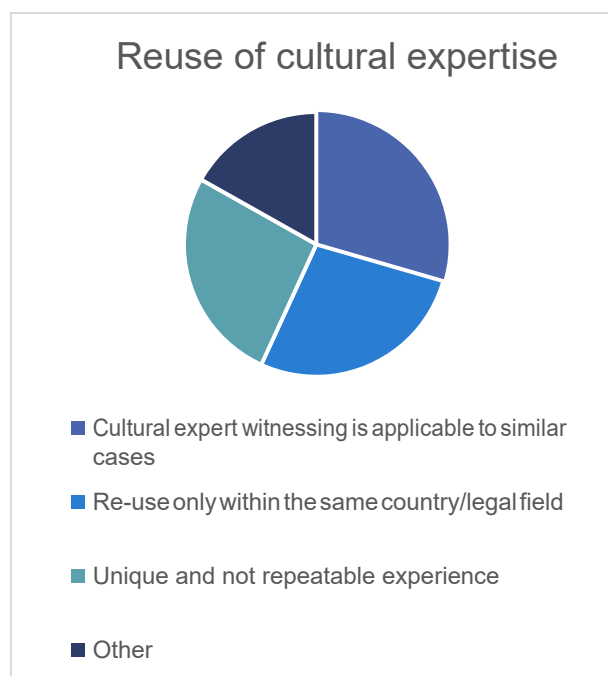
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Reuse of cultural expertise	%	#
Cultural expert witnessing is applicable to similar cases	29%	28
Re-use only within the same country/legal field	27%	26
Unique and not repeatable experience	26%	25
Other	17%	16
Total	100%	95



Impact

Components of Impact

The components of expert opinions most likely to have an impact are the use of reliable sources of contents (23%, 44), followed by stringent conclusions (14%, 27), then the reputation of the experts (11%, 21), first-hand experience (10%, 19), style (10%, 19), a quantitative assessment of risk (10%, 18), the use of statistics (8%, 16), advocacy (6%, 11), remuneration of experts (5%, 9) and other (3%, 5).

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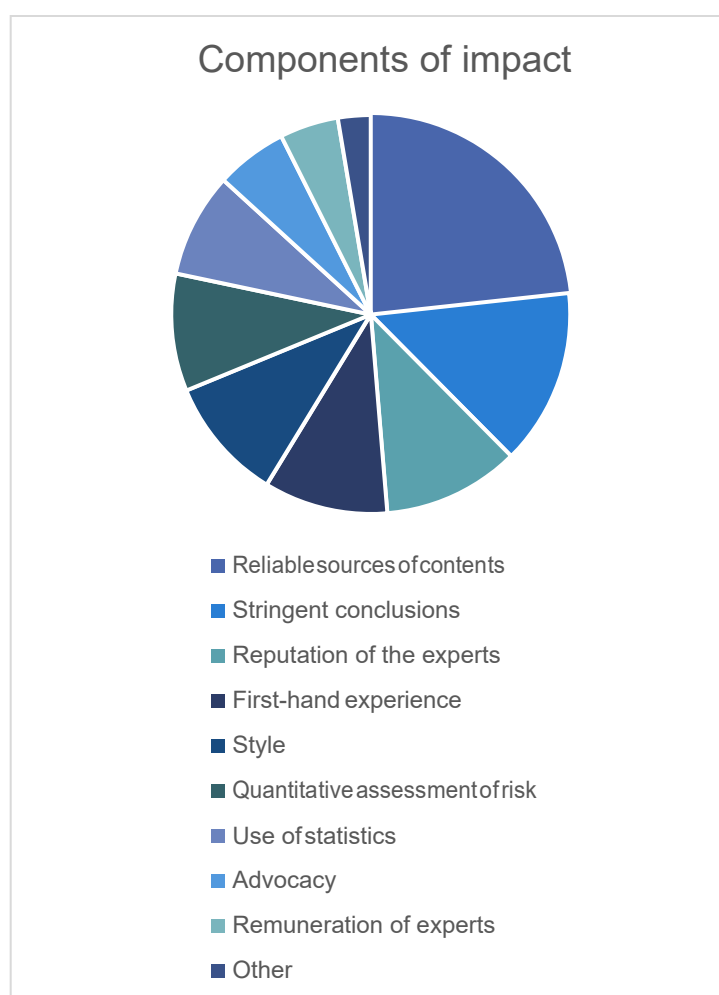
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Components of impact	%	#
Reliable sources of contents	23%	44
Stringent conclusions	14%	27
Reputation of the experts	11%	21
First-hand experience	10%	19
Style	10%	19
Quantitative assessment of risk	10%	18
Use of statistics	8%	16
Advocacy	6%	11
Remuneration of experts	5%	9
Other	3%	5
Total	100%	



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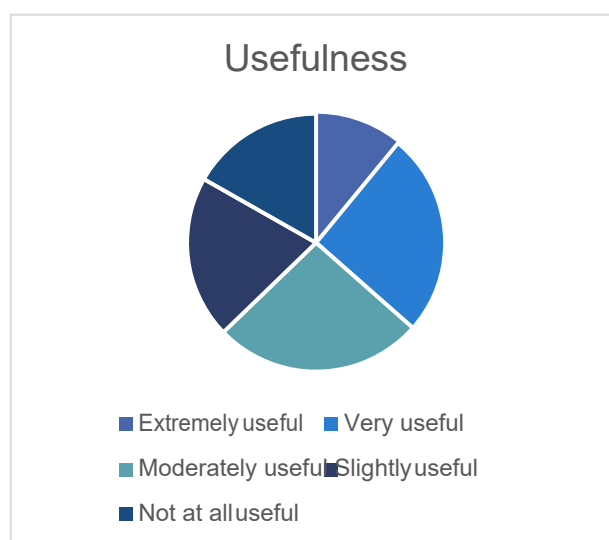
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Usefulness

The most common response to the question regarding the usefulness of cultural expertise was 'Moderately useful' (26%, 36), followed by 'Very useful' (26%, 35), then 'Slightly useful' (20%, 28), 'Not useful at all' (17%, 23) and 'Extremely useful' (11%, 15).

Answer	%	#
Moderately useful	26%	35
Very useful	26%	36
Slightly useful	20%	28
Not at all useful	17%	23
Extremely useful	11%	15
Total	100%	137



Usefulness: fields

Cultural expertise is 'More useful in criminal law rather than civil law' (19%, 25), (28% 24) choose 'Other', followed by 'More useful in civil law than in criminal law' (23%, 20) and 'More useful in immigration law' (21% 18).

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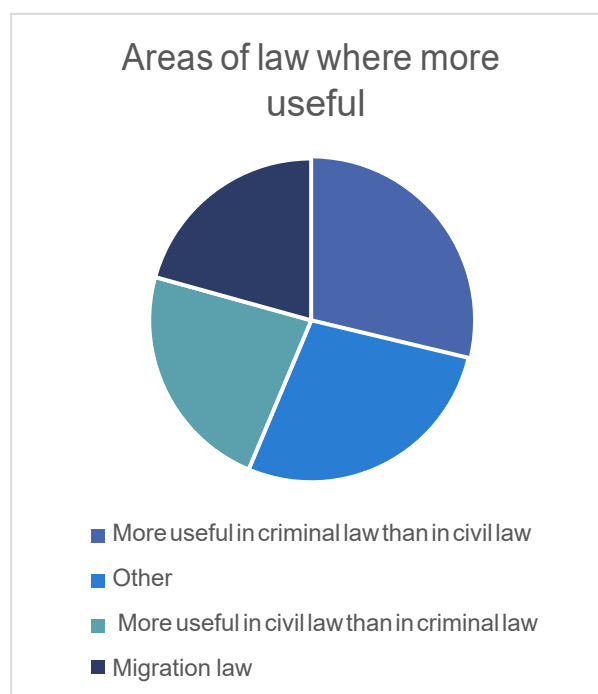
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Areas of law where cultural expertise is more useful	%	#
More useful in criminal law than in civil law	29%	25
Other	28%	24
More useful in civil law than in criminal law	23%	20
Migration law	21%	18
Total	100%	87



Competitiveness

Experts thought that their expertise was competitive because of their 'Competence' (46%, 16), 'Reputation' (29%, 10), then 'Convenient hourly quote' (9%, 3), 'Balance between competence and cost' (9%, 3) and 'Other' (9%, 3).

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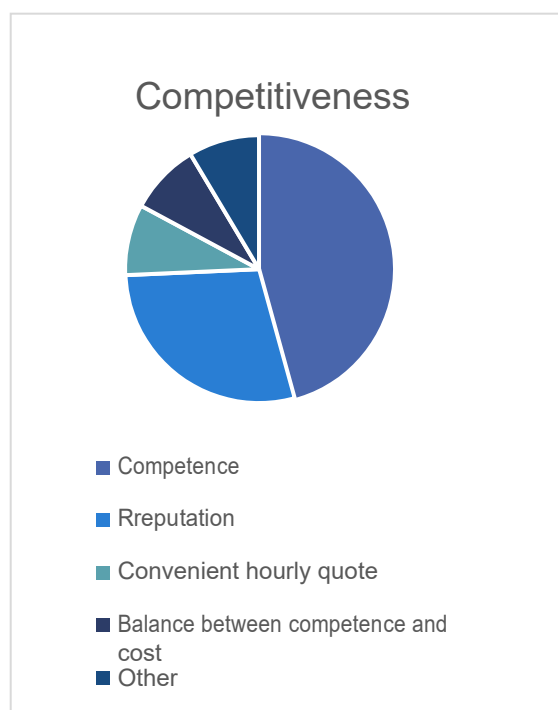
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Competitiveness	%	#
Competence	46%	16
My reputation	29%	10
Convenient hourly quote	9%	3
Balance between competence and cost	9%	3
Other	9%	3
Total	100%	35



Reputation of Experts

The majority of experts said that they had been 'Regularly instructed or appointed as expert for many years' (43%, 12), followed by the indication that they did not know (29%, 8), then 'Other' (25%, 7), and then 'The cases in which expert opinion was provided were successful' (4%, 1).

Denmark Data Summary

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

PI: Livia Holden | Post-Doc: Anna Tsalapatanis: Data Collector: Niels Valdemar-Vinding

Date of First Publication: 04/06/2019

Date of Revision: 01/02/2022

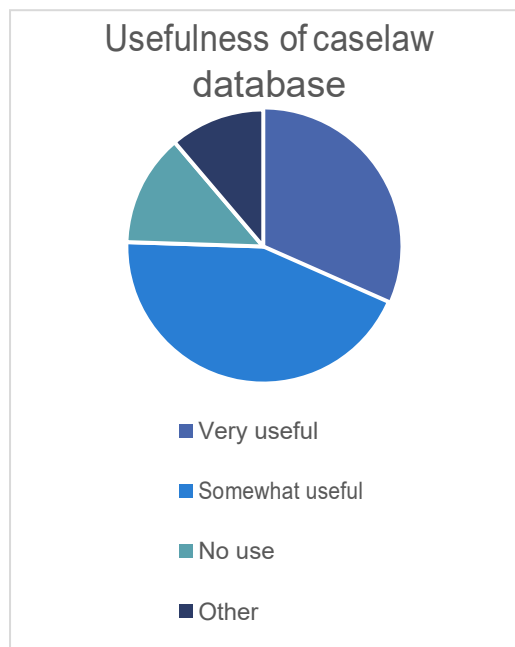
Reputation of experts	%	#
Regularly instructed/appointed as an expert for many years	43%	12
I don't know	29%	8
Other	25%	7
Expert opinions have been successful	4%	1
Total	100%	28



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' (44%, 43), followed by 'Very useful' (32%, 31), then 'Of no use' (13%, 13), and 'Other' (11%, 11).

Usefulness of case law database	%	#
Somewhat useful	44%	43
Very useful	32%	31
No use	13%	13
Other	11%	11
Total	100%	98



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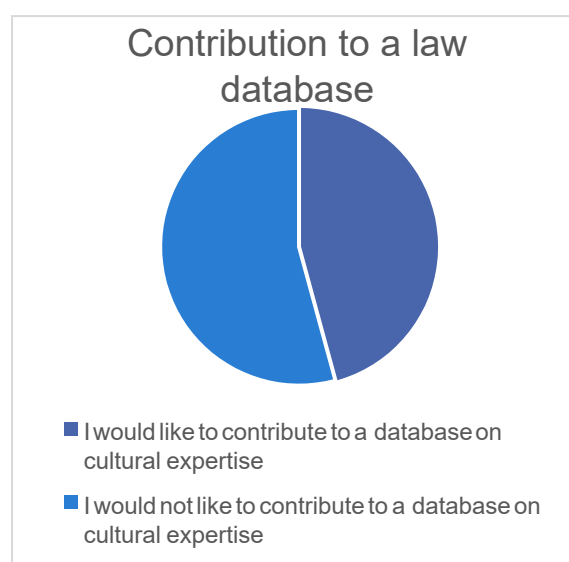
Date of First Publication: 04/06/2019

Date of Revision: 01/02/2022

Contribution to law database

Most respondents did not wish to contribute to the establishment of a case law database (54%, 32), with the remainder indicated that they would (46%, 27).

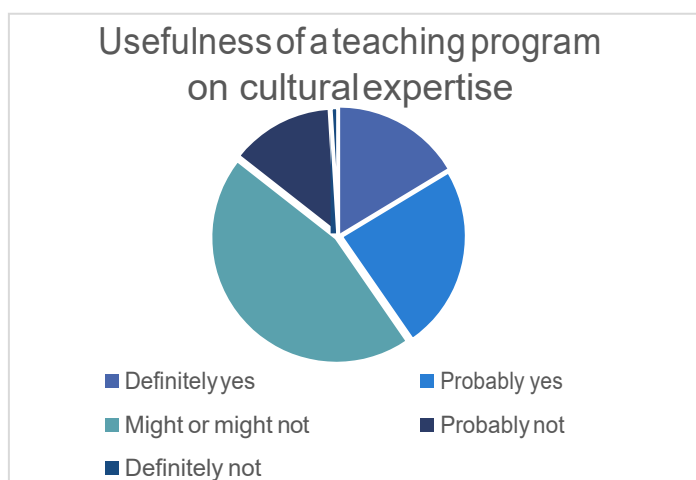
Contribution to a law database	%	#
I would like to contribute to a database on cultural expertise	46%	27
I would not like to contribute to a database on cultural expertise	54%	32
Total	100%	59



Capacity Building

The most common response to the question regarding the usefulness of a program teaching cultural expertise was 'Might or might not' (45%, 47), followed by 'Probably yes' (24%, 25), then 'Definitely yes' (16%, 17), 'Probably not' (13%, 14) and 'Definitely not' (1%, 1).

Answer	%	Count
Definitely yes	16%	17
Probably yes	24%	25
Might or might not	45%	47
Probably not	13%	14
Definitely not	1%	1
Total	100%	104



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Organisations interested in a teaching program

With regards to the question on interest in the teaching program, the most common response was 'Know educational institutions interested in teaching' (42%, 14), followed by 'Interested in teaching themselves' (30%, 10), then 'Know professional organisations interested in teaching' (18%, 6) and 'Other' (9%, 3).

Organisations interested in a teaching program	%	#
Know educational institutions interested in teaching	42%	14
Know professional organisations interested in teaching	18%	6
Interested in teaching themselves	30%	10
Other	9%	3
Total	100%	33

