Finland Data Summary

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

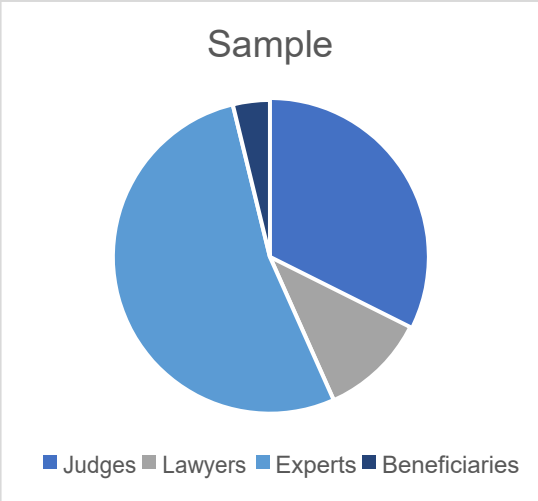
PI: Livia Holden | Post-Doc: Anna Tsalapatanis: Data Collector: NOORA ARAJÄRVI

Date of First Publication: 13/06/2019
Date of Revision: 01/02/2022

Qualities of Sample

There were 210 respondents to the Finnish survey, of which (68, 32%) were judges, (23, 11%) were lawyers, (111, 53%) were experts and (8, 4%) were beneficiaries.

Respondent categories	%	#
Judges	32%	68
Lawyers	11%	23
Experts	53%	111
Beneficiaries	4%	8
Total	100%	210



Country locations

Of the 80%, 168, of respondents who indicated their location, (42%, 70) were based in Helsinki, followed by Turku (5%, 8), Oulu (4%, 7), Tampere (4%, 7), Espoo (4%, 6), Kuopio (2%, 4) and South Finland (2%, 4). The remaining locations listed were selected by less than 3 respondents.

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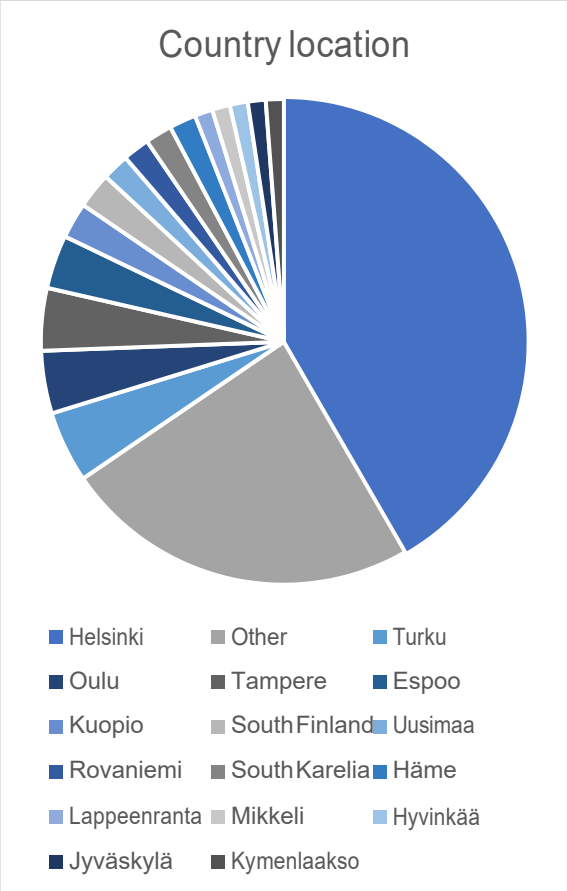
Country location	%	#
Helsinki	42%	70
Other	24%	40
Turku	5%	8
Oulu	4%	7
Tampere	4%	7
Espoo	4%	6
Kuopio	2%	4
South Finland	2%	4
Uusimaa	2%	3
Rovaniemi	2%	3
South Karelia	2%	3
Häme	2%	3
Lappeenranta	1%	2
Mikkeli	1%	2
Hyvinkää	1%	2
Jyväskylä	1%	2
Kymenlaakso	1%	2
Total	100%	168



Judges

The most common degree of jurisdiction for Judges was responding District Court (62%, 36), then Court of Appeal (19%, 11), Administrative Court (9%, 5), Special Courts (3%, 2), and Supreme Court (2%, 1).

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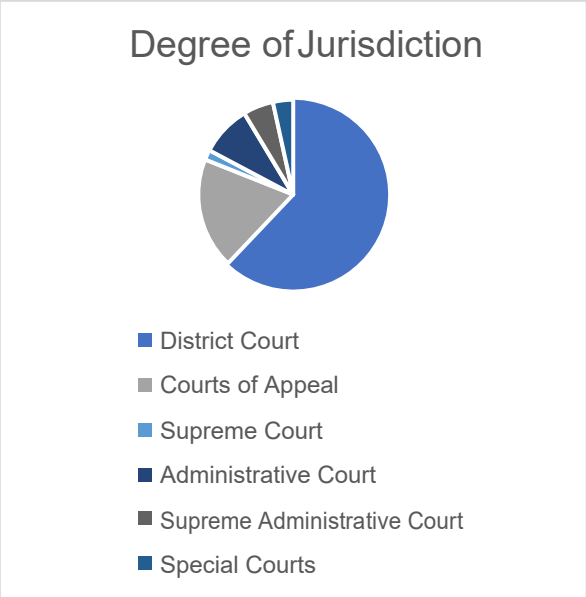
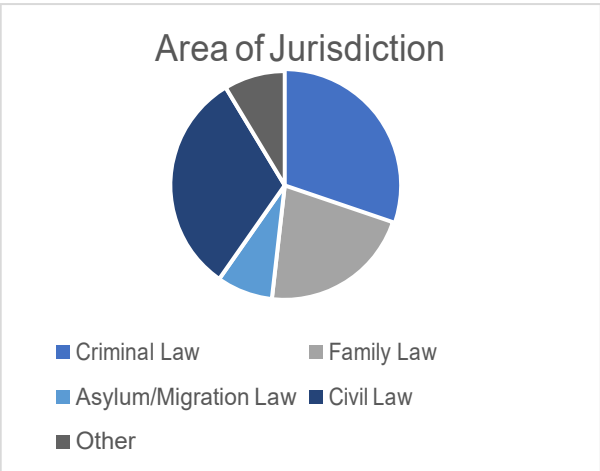
Degree of Jurisdiction	%	#
District Court	62%	36
Courts of Appeal	19%	11
Supreme Court	2%	1
Administrative Court	9%	5
Supreme Administrative Court	5%	3
Special Courts	3%	2
Total	100%	58



The most common area of jurisdiction was 'Civil law' (32%, 44), followed by 'Criminal Law' (30%, 42), 'Family Law' (22%, 30), 'Other' (9%, 12) and Asylum/Migration Law (8%,11).

Area of Jurisdiction	%	#
Criminal Law	30%	42
Family Law	22%	30
Asylum/Migration Law	8%	11
Civil Law	32%	44
Other	9%	12
Total	100%	139



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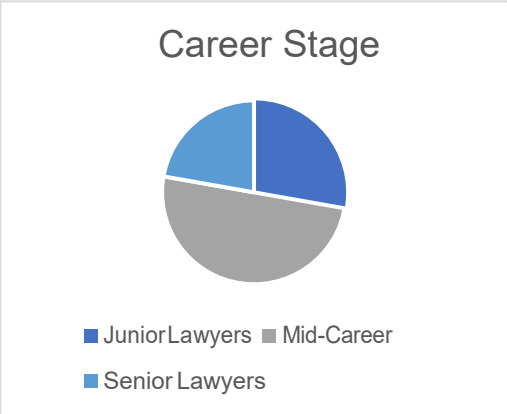
Lawyers

Out of the 18 lawyer who responded, (50%, 9) indicated mid-career, followed by junior lawyers (28%, 5) and senior lawyers (22%, 4).

Career Stage	%	#
Junior Lawyers	28%	5
Mid-Career	50%	9
Senior Lawyers	22%	4
Total	100%	18



For the areas of law practiced, 'Criminal Law' (23%, 15) was the most common followed by, 'Administrative Law', 'Family Law' and 'Immigration Law' (13%, 8) each, 'Refugee and Asylum Law' (11%, 7) was next followed by 'Inheritance Law' (8%, 5), then 'International Human Rights Law' and 'Labour Law' (5%, 3) each. All the remaining areas received less than 5%.

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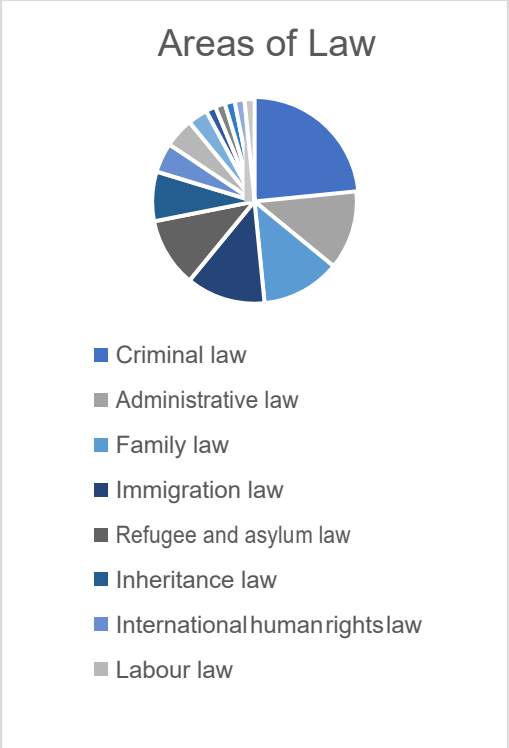
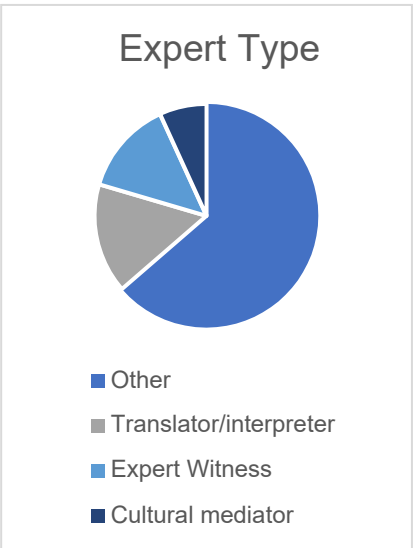
Areas of Law	%	#
Criminal law	23%	15
Administrative law	13%	8
Family law	13%	8
Immigration law	13%	8
Refugee and asylum law	11%	7
Inheritance law	8%	5
International human rights law	5%	3
Labour law	5%	3
Contracts and obligations	3%	2
European law	2%	1
Financial law	2%	1
Intellectual and patent law	2%	1
Property law	2%	1
Sports law	2%	1
Total	100%	64



Experts

The most common expert type was 'Other' (64%, 28), followed by 'Translator/Interpreter' (16%, 7), Expert Witness (14%, 6), and Cultural Mediator (7%, 3).

Expert Type	%	#
Other	64%	28
Translator/interpreter	16%	7
Expert Witness	14%	6
Cultural mediator	7%	3
Total	100%	44



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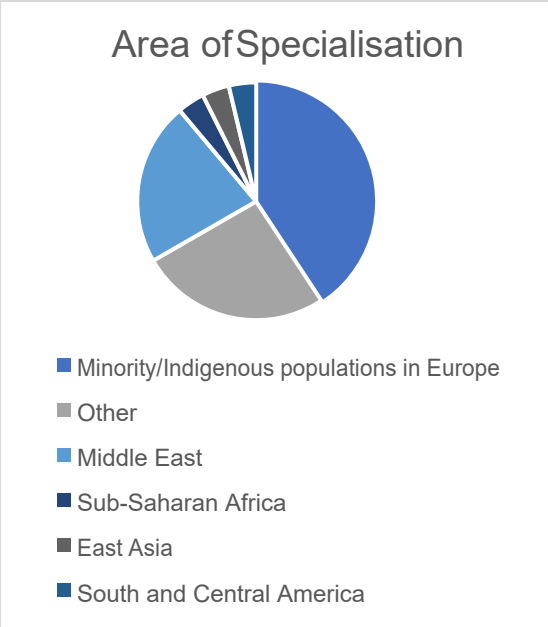
The most common response to the question regarding area of specialisation was 'Minority/Indigenous populations in Europe' (41%, 11), followed by 'Other' (26%,7) and the Middle East (22%,6). Sub-Saharan Africa, East Asia and South and Central America were each selected by one expert (1, 4%).

Area of Specialisation	%	#
Minority/Indigenous populations in Europe	41%	11
Other	26%	7
Middle East	22%	6
Sub-Saharan Africa	4%	1
East Asia	4%	1
South and Central America	4%	1
Total	100%	27



Frequency

Frequency of involvement

To the question of how many experts did they instruct annually, most responding judges and lawyers (84%, 32) chose 'Less than 10', followed by 'Between 10 and 20' (13%, 5), and 'Between 20 and 50' (3%, 1).

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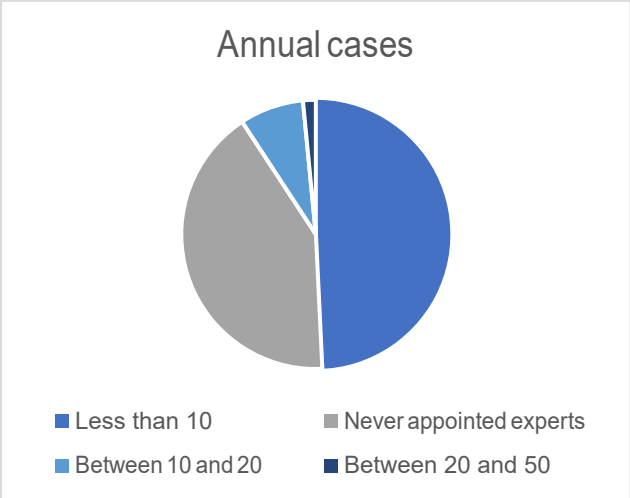
Annual cases	%	#
Less than 10	49%	32
Never appointed experts	42%	27
Between 10 and 20	8%	5
Between 20 and 30	1%	1
Total	100%	65



(40%, 17) of experts provided less than 5 written reports, (19%, 8) chose 'Other' (14%, 6) indicated a number of written reports between 5 and 10, (12%, 5) indicated a number of written reports between 20 and 50, (9%, 4) indicated between 10 and 20 and (7%, 3) indicated between 50 and 100.

(47%, 22) of experts provided a total of less than 5 oral reports, (21%, 10) choose 'Other', (13%, 6) a number of oral reports between 10 and 20, (9%, 4) indicated a number of oral reports between 50 and 100 and between 20 and 50. (2%, 1) indicated a number of oral reports between 5 and 10.

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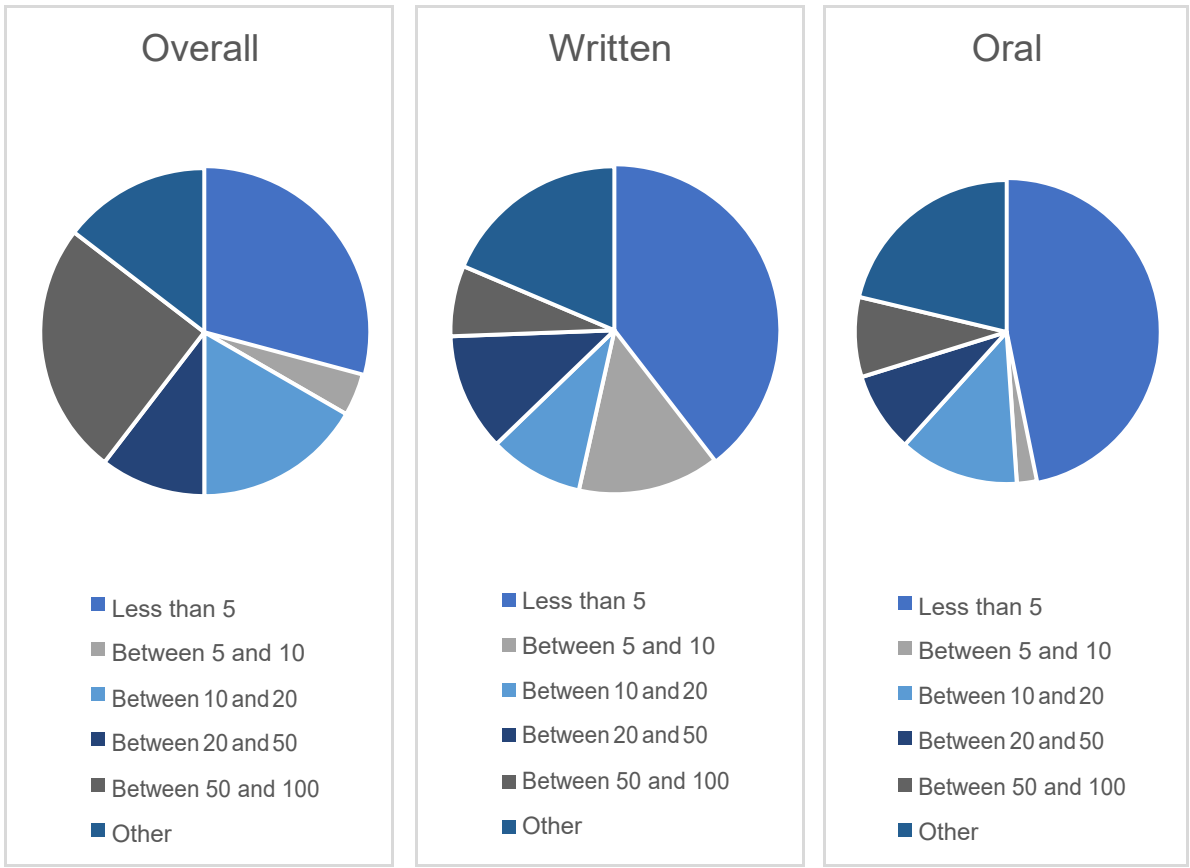

Fields of law

The most common area of use of cultural expertise was 'Refugee and Asylum Law' (15%, 24) followed by 'Family Law' (14%, 22), 'Administrative Law' (12%, 19), 'Criminal Law' (12%, 18), 'Immigration Law' (11%,17), 'International Human Rights Law' (8%,13) and 'Other' (5%, 8). All the remaining fields of law received 3% or less.

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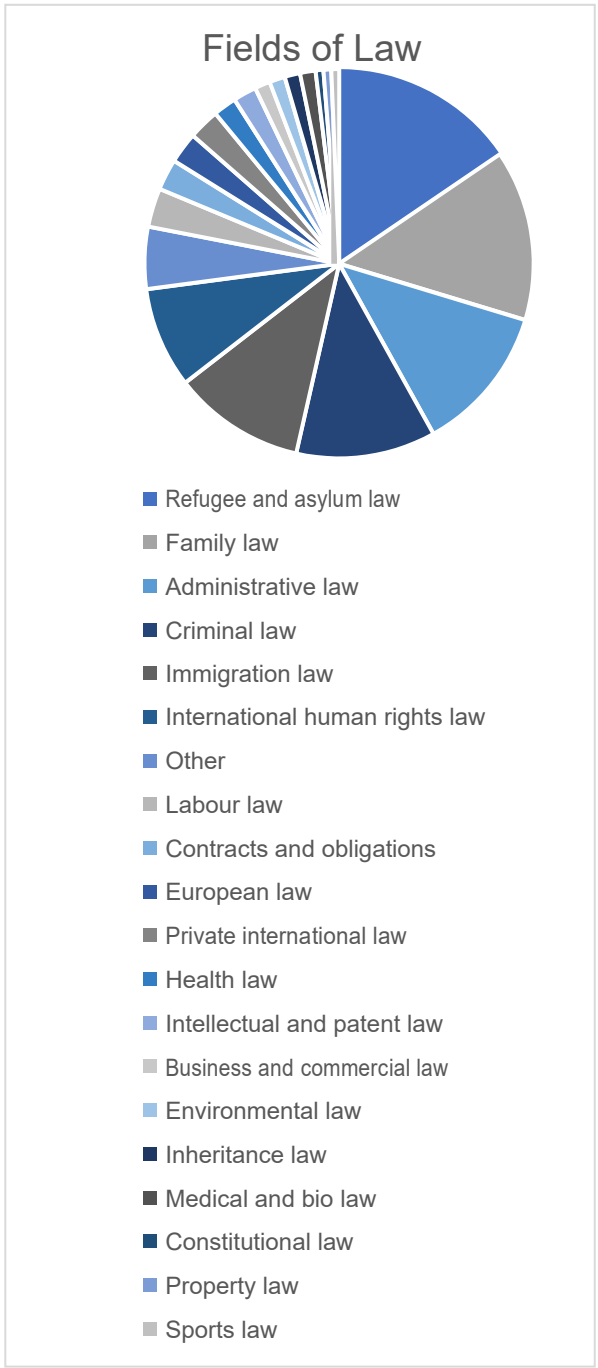
Fields of Law	%	#
Refugee and asylum law	15%	24
Family law	14%	22
Administrative law	12%	19
Criminal law	12%	18
Immigration law	11%	17
International human rights law	8%	13
Other	5%	8
Labour law	3%	5
Contracts and obligations	3%	4
European law	3%	4
Private international law	3%	4
Health law	2%	3
Intellectual and patent law	2%	3
Business and commercial law	1%	2
Environmental law	1%	2
Inheritance law	1%	2
Medical and bio law	1%	2
Constitutional law	1%	1
Property law	1%	1
Sports law	1%	1
Total	100%	155



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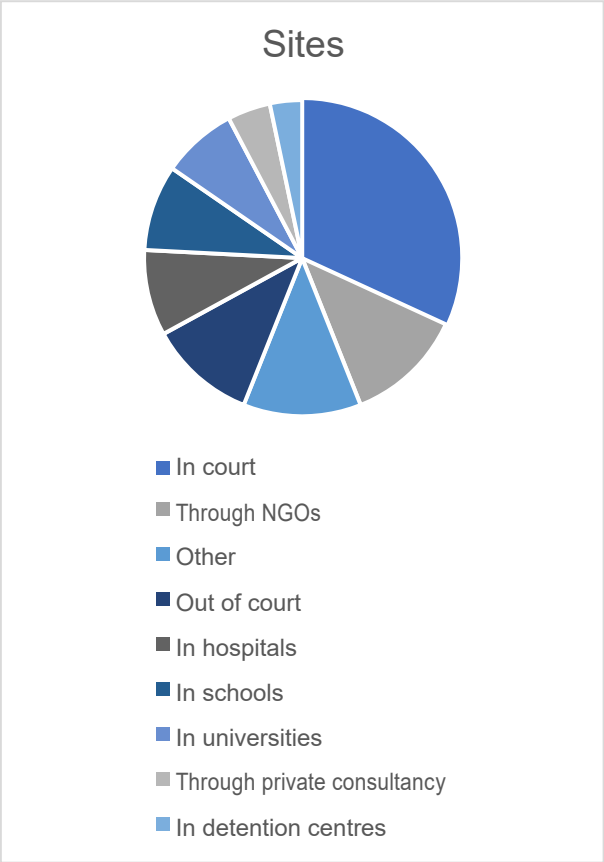
Sites

The most common site for cultural expertise was 'In Court' (32%, 29), followed by 'Through NGOs' and 'Other' (12%, 11 each), "Out of Court' (11%, 10), 'In hospitals' and 'In schools' (9%, 8 each), and 'In Universities' (8%, 7) with all remaining categories receiving 5% or less.

Sites	%	#
In court	32%	29
Through NGOs	12%	11
Other	12%	11
Out of court	11%	10
In hospitals	9%	8
In schools	9%	8
In universities	8%	7
Through private consultancy	4%	4
In detention centres	3%	3
Total	100%	91



Typology of Experts

The most common response to the question regarding the expert type was 'Other' (47%, 20), followed by 'Native language speakers' (33%, 14), 'University professors' (16%, 7) and 'Country experts' (5%, 2).

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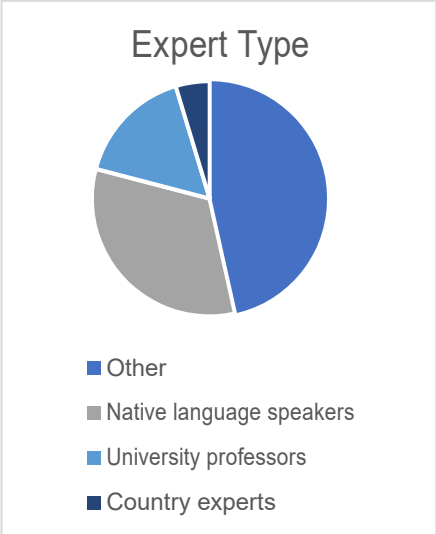
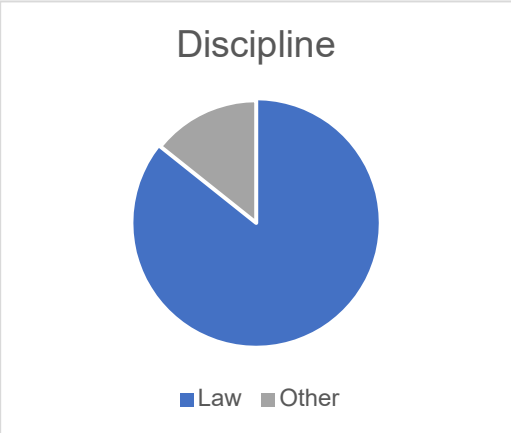
Expert Type	%	#
Other	47%	20
Native language speakers	33%	14
University professors	16%	7
Country experts	5%	2
Total	100%	43



Discipline

Those who indicated university professors and were asked to specify, all but one selected 'Law' (86%, 6), and one selected 'Other' and specified Medicine.

Discipline	%	#
Law	86%	6
Other	14%	1
Total	100%	7



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Modalities

Appointment of Experts

The most common factor influencing the decision to appoint was that the appointment of experts was on 'Client request' (31%, 30), followed by 'The law allows' (15%, 15), 'The reputation of the expert' (11%, 11), 'The court is keen to hear cultural arguments '(8%, 8), 'Advised by the court' (8%, 8), and 'Other' (6%, 6), with all remaining areas receiving 5% or less.

How experts are selected	%	#
Client request	31%	30
The law allows	15%	15
The reputation of the expert	11%	11
The court is keen to hear cultural arguments	8%	8
Advised by the court	8%	8
Other	6%	6
Time	5%	5
Cost	4%	4
Successful legal outcomes	4%	4
Useful for an out of court settlement	4%	4
The court/ prosecutor/ Ministry have already appointed their expert	3%	3
Total	100%	98

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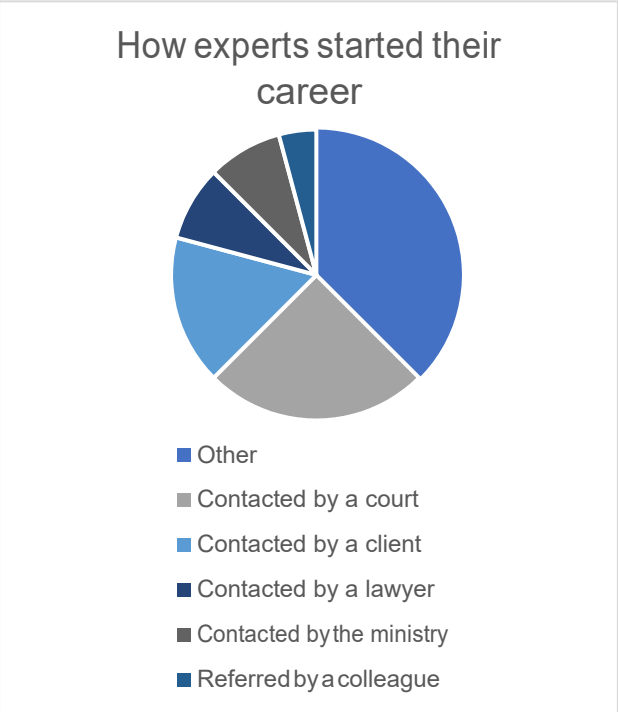
The most common response to how experts started giving opinions was 'Other' (38%, 9), followed by 'Contacted by a court' (25%, 6), 'Contacted by a client' (17%, 4), 'Contacted by a lawyer' (8%, 2), 'Contacted by the ministry' (8%, 2) and 'Referred by a colleague' (4%, 1).

How experts started their career	%	#
Other	38%	9
Contacted by a court	25%	6
Contacted by a client	17%	4
Contacted by a lawyer	8%	2
Contacted by the ministry	8%	2
Referred by a colleague	4%	1
Total	100%	24



Experts were most frequently appointed by 'Lawyers' (18%, 9), followed by 'Work as an expert for NGOs' (17%, 8), 'Instructed by the Ministry of the Interior' (17%, 8), 'Other' (17%, 8), 'Instructed by courts' (15%, 7) and 'Contacted directly by clients' (15%, 7).

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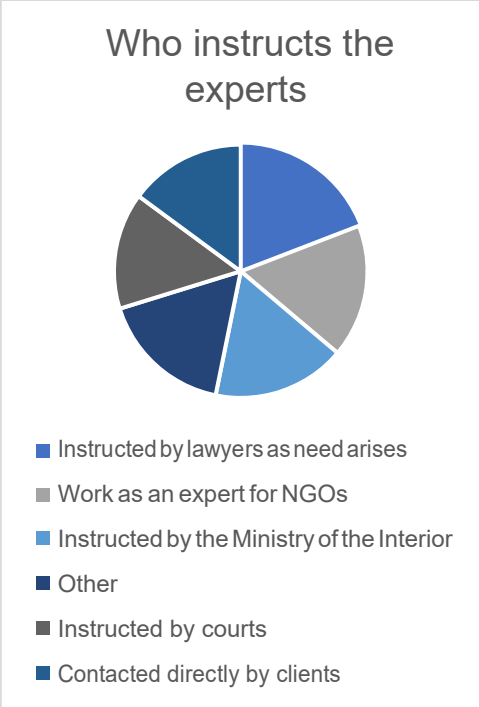
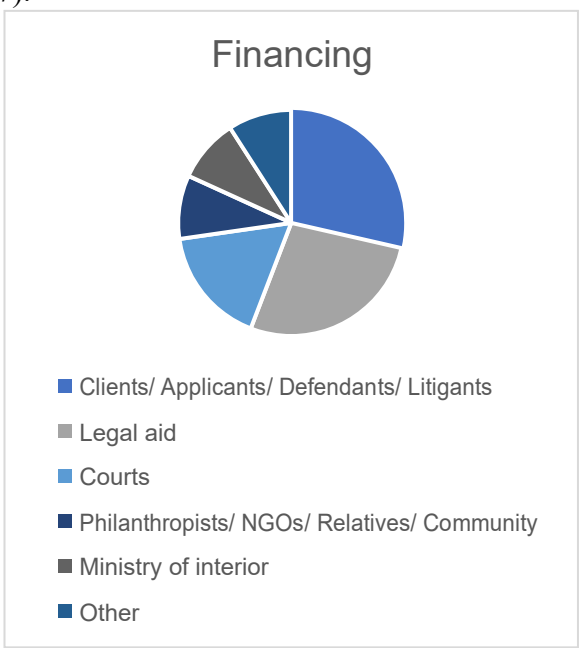
Who instructs the experts	%	#
Instructed by lawyers as need arises	19%	9
Work as an expert for NGOs	17%	8
Instructed by the Ministry of the Interior	17%	8
Other	17%	8
Instructed by courts	15%	7
Contacted directly by clients	15%	7
Total	100%	47



Cost of Cultural Expertise

Cultural expertise is most commonly financed by 'Clients' (29%, 22), followed by 'Legal aid' (27%, 21) by 'Courts' (17%, 13), 'Philanthropists/ NGOs/ Relatives/ Community' (9%, 7), 'Ministry of interior' (9%, 7) and 'Other' (9%, 7).

How are experts paid?	%	#
Clients/ Applicants/ Defendants/ Litigants	29%	22
Legal aid	27%	21
Courts	17%	13
Philanthropists/ NGOs/ Relatives/ Community	9%	7
Ministry of interior	9%	7
Other	9%	7
Total	100%	77



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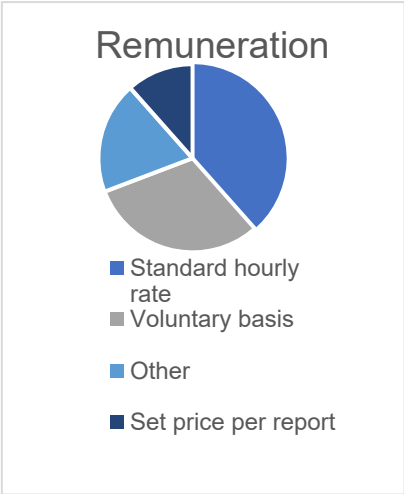
Remuneration of cultural expertise

Regarding the question of remuneration (38%, 10) chose 'Standard hourly rate', followed by 'Voluntary basis' (31%, 8), 'Other '(19%, 5), and 'Set price per report' (12%, 3).

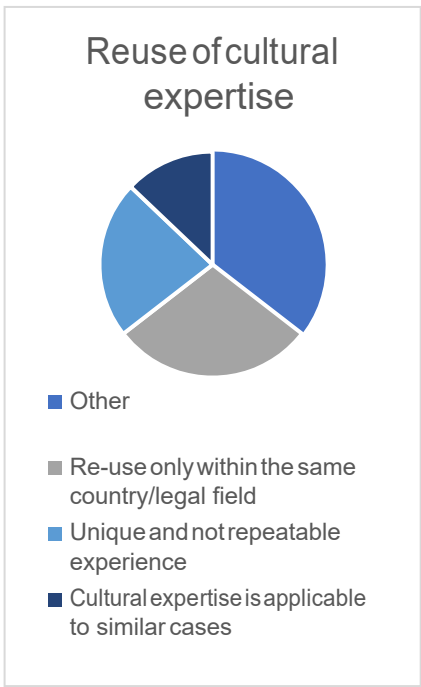
Remuneration of experts	%	#
Standard hourly rate	38%	10
Voluntary basis	31%	8
Other	19%	5
Set price per report	12%	3
Total	100%	26



Reuse of cultural expertise

The most common response responses to the question of the reuse of cultural expertise was 'Other' (35%, 11), followed by 'Can only be reproduced in the same country/legal field' (29%, 9), 'Unique and not repeatable experience' (23%, 7) and 'Cultural expertise is applicable in similar cases' (13%, 4).

Reuse of cultural expertise	%	#
Other	35%	11
Re-use only within the same country/legal field	29%	9
Unique and not repeatable experience	23%	7
Cultural expertise is applicable to similar cases	13%	4
Total	100%	31



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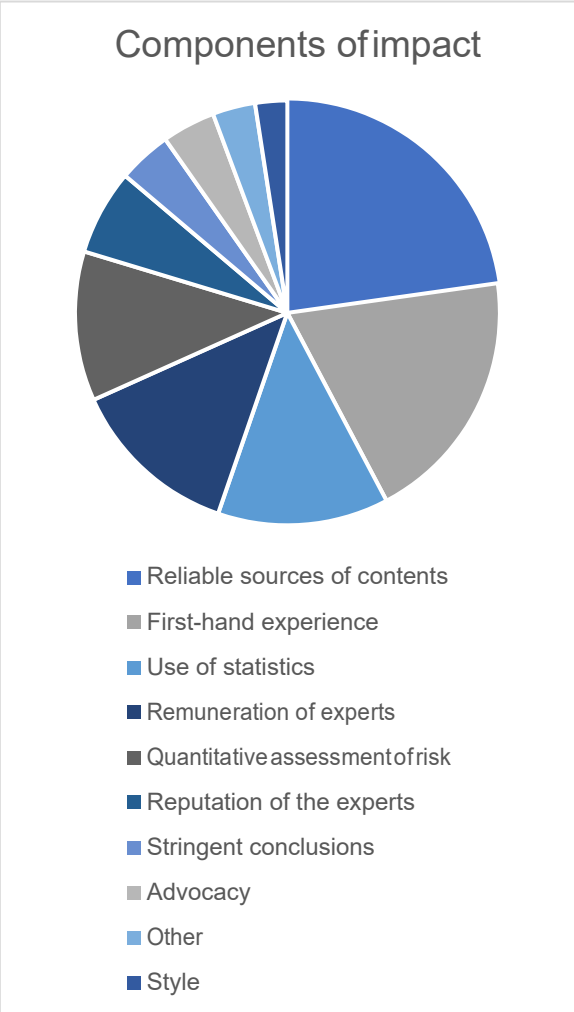
Impact

Components of Impact

The most common components of impact include 'Reliable sources of contents' (23%, 28), followed by 'First-hand experience' (20%, 24), then 'Use of statistics' (13%, 16), 'Remuneration of experts' (13%, 16), 'Quantitative assessment of risk' (11%, 14), Reputation of the experts' (7%, 8), 'Stringent conclusions' (4%, 5), 'Advocacy' (4%, 5), 'Other' (3%, 4) and Style (2%, 3).

Components of impact	%	#
Reliable sources of contents	23%	28
First-hand experience	20%	24
Use of statistics	13%	16
Remuneration of experts	13%	16
Quantitative assessment of risk	11%	14
Reputation of the experts	7%	8
Stringent conclusions	4%	5
Advocacy	4%	5
Other	3%	4
Style	2%	3
Total	100%	123



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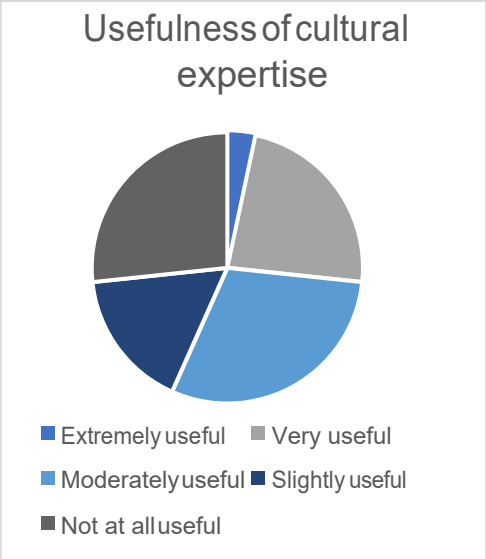
Usefulness

The most common response to the question regarding the usefulness of cultural expertise was that it was 'Moderately useful' (30%, 9), followed by 'Not useful at all' (27%, 8), then 'Very useful' (23%, 7), 'Slightly useful' (17%, 5), and 'Extremely useful' (3%, 1).

Usefulness of cultural expertise	%	#
Extremely useful	3%	1
Very useful	23%	7
Moderately useful	30%	9
Slightly useful	17%	5
Not at all useful	27%	8
Total	100%	30



Usefulness: fields

Cultural expertise is most useful in 'Migration law' (49%, 26), followed by 'More useful in other areas of law' (23%, 12), 'More in criminal law than in civil law' (15%, 8) and 'More in civil law than in criminal law' (13%, 7).

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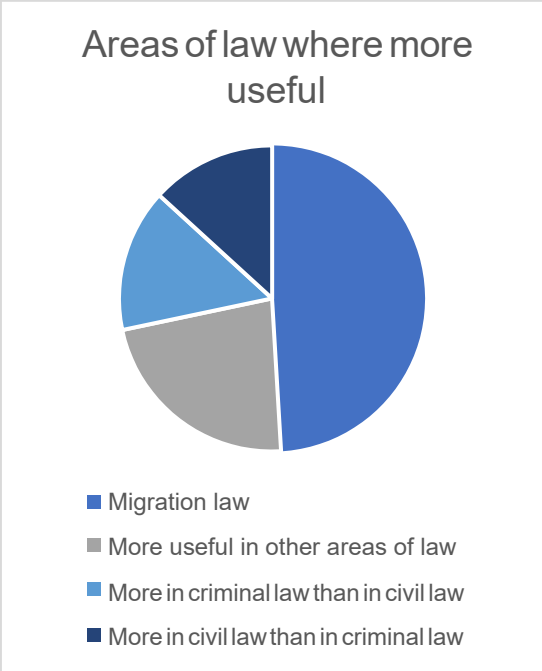
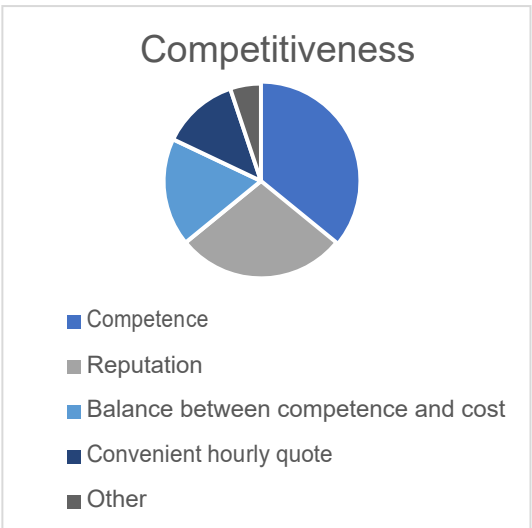
Areas of law where cultural expertise is more useful	%	#
Migration law	49%	26
More useful in other areas of law	23%	12
More in criminal law than in civil law	15%	8
More in civil law than in criminal law	13%	7
Total	100%	53



Competitiveness

Experts thought that their expertise was competitive because of their 'Competence' (36%, 14), followed by 'Reputation' (28%, 11), 'Balance between competence and cost '(18%, 7), 'Convenient hourly quote' (13%, 5) and 'Other' (5%, 2).

Competitiveness	%	#
Competence	36%	14
Reputation	28%	11
Balance between competence and cost	18%	7
Convenient hourly quote	13%	5
Other	5%	2
Total	100%	39



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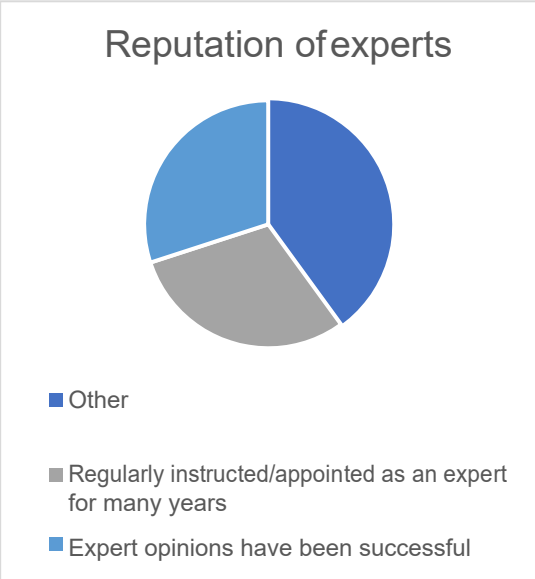
Reputation of Experts

(31%, 8) chose 'Other, followed by 'Regularly instructed/appointed as an expert for many years' (23%, 6) and 'Expert opinions have been successful' (23%, 6).

Reputation of experts	%	#
Other	40%	8
Regularly instructed/appointed as an expert for many years	30%	6
Expert opinions have been successful	30%	6
Total	100%	20



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' (46%, 21), followed by 'Very useful' (35%, 16), 'Other' (17%, 8) and of 'No use' (2%, 1).

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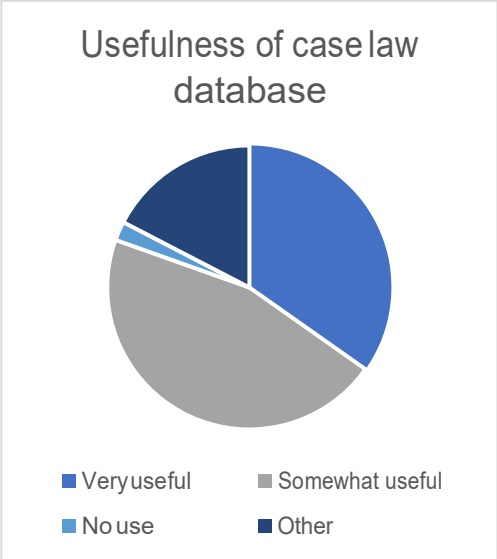
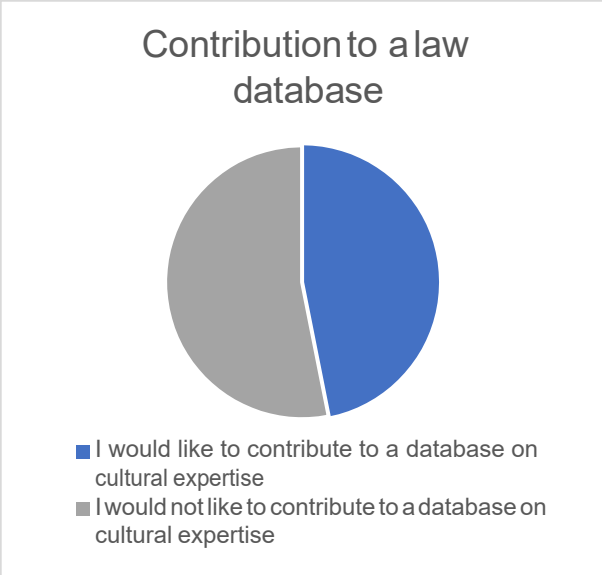
Usefulness of case law database	%	#
Very useful	35%	16
Somewhat useful	46%	21
No use	2%	1
Other	17%	8
Total	100%	46



Contribution to law database

Most respondents did not wish to contribute to the establishment of a case law database (53%, 17), with the remainder indicating that they would (47%, 15).

Contribution to a law database	%	#
I would like to contribute to a database on cultural expertise	47%	15
I would not like to contribute to a database on cultural expertise	53%	17
Total	100%	32



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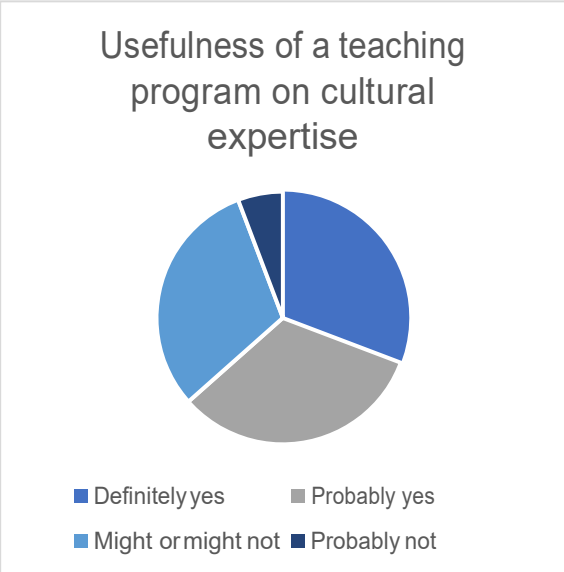
Capacity Building

The most common response to the question regarding the usefulness of a program teaching cultural expertise was 'Probably yes (33%, 17), followed by 'Definitely yes' (31%, 16) 'Might or might not' (31%, 16), and 'Probably not' (6%, 3).

Usefulness of a teaching program on cultural expertise	%	#
Definitely yes	31%	16
Probably yes	33%	17
Might or might not	30%	16
Probably not	6%	3
Total	100%	52



Organisations interested in a teaching program

With regards to the question on interest in the teaching program, the most common response was that 'Know of educational organisations which may be interested' (37%, 6), followed by 'Other' (25%, 4), 'Know professional organisations that may be interested' (19%, 3) and 'Interested in teaching cultural expertise themselves' (19%, 3).

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Organisations interested in a teaching program	%	#
Know educational institutions interested in teaching	37%	6
Other	25%	4
Know professional organisations interested in teaching	19%	3
I would be interested in Interested in teaching themselves	19%	3
Total	100%	16