Netherlands Data Summary

CULTURAL EXPERTISE IN EUROPE: WHAT IS IT USEFUL FOR? (EURO-EXPERT)
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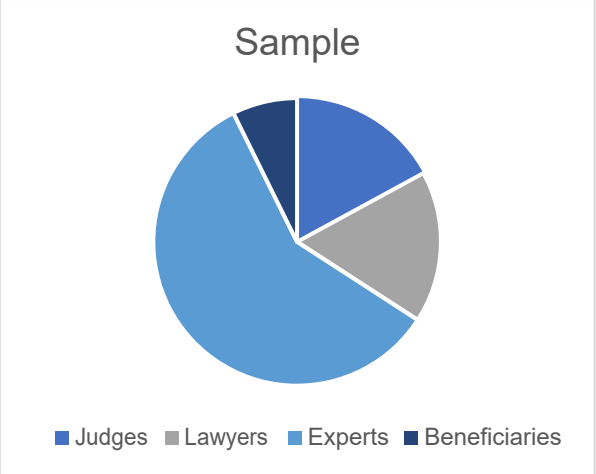
Date of First Publication: 30/06/2022

Qualities of Sample

There were 41 responses to the Netherlands survey, of which (17%, 7) were judges, (17%, 7) were lawyers, (59%, 24) were experts and (7%, 3) were beneficiaries.

Respondent categories	%	#
Judges	17%	7
Lawyers	17%	7
Experts	59%	24
Beneficiaries	7%	3
Total	100%	41



Country locations

Of the (70%, 29), of respondents who indicated their location, (24%, 7) were based on Amsterdam, followed by Almere (14%, 4), Utrecht (10%, 3), Other (10%, 3), South Holland (10%, 3), Rotterdam (7%, 2), with all the remaining, Leiden, Purmerend, Tilburg, Friesland, The Hague, Maastricht and Limburg accounting for (3%, 1).

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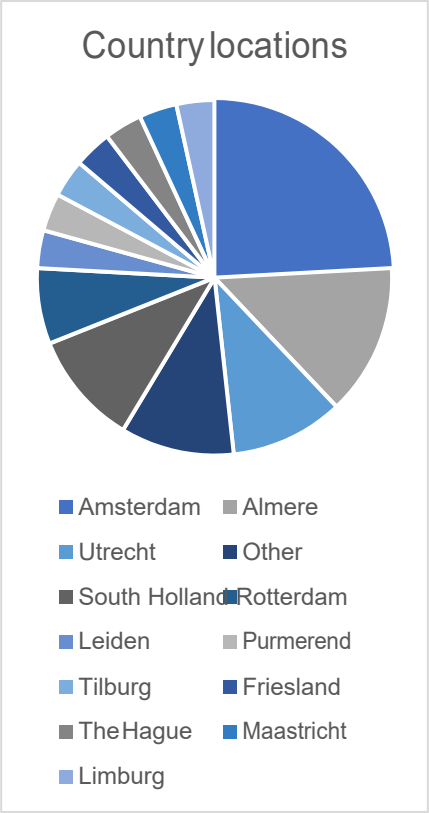
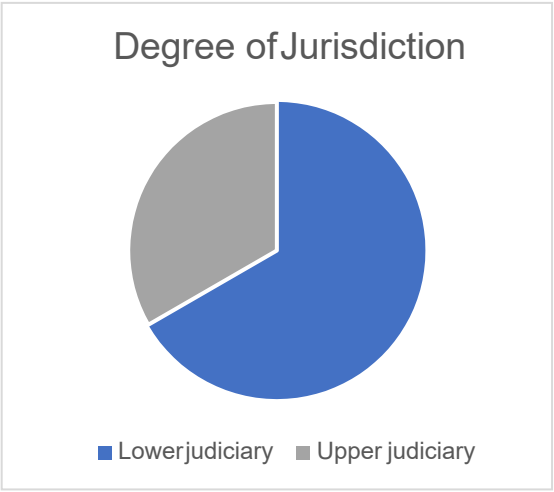
Country locations	%	#
Amsterdam	24%	7
Almere	14%	4
Utrecht	10%	3
Other	10%	3
South Holland	10%	3
Rotterdam	7%	2
Leiden	3%	1
Purmerend	3%	1
Tilburg	3%	1
Friesland	3%	1
The Hague	3%	1
Maastricht	3%	1
Limburg	3%	1
Total	100%	29



Judges

The most common degree of jurisdiction for Judges was 'Lower judiciary' (66%, 2), followed by 'Upper judiciary) (33%, 1).

Degree of Jurisdiction	%	#
Lower judiciary	66%	2
Upper judiciary	33%	1
Total	100%	3



Netherlands Data Summary

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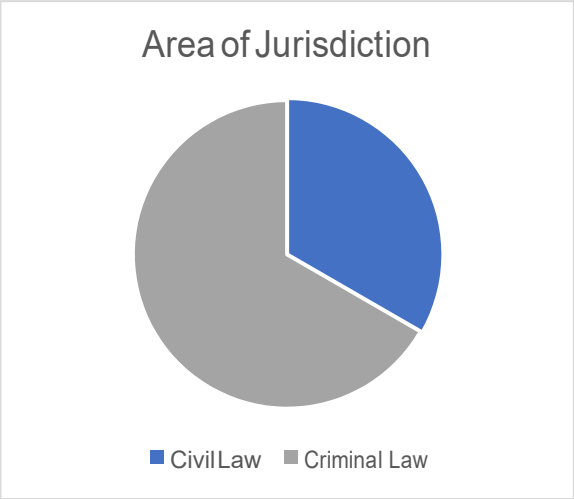
The most common area of jurisdiction was 'Criminal law' (66%, 2), followed by 'Civil law' (33%, 1).

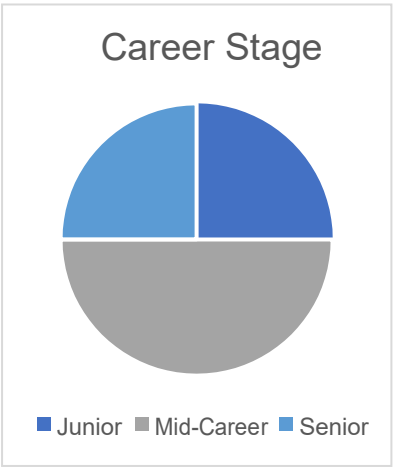
Area of Jurisdiction	%	#
Civil Law	33%	1
Criminal Law	66%	2
Total	100%	3



Lawyers

Out of the 4 lawyers who responded, (50%, 2) indicated 'Mid-career', followed by 'Senior' and 'Junior' (25%, 1) each.

Career Stage	%	#
Mid-career	50%	2
Senior	25%	1
Junior	25%	1
Total	100%	4



For the areas of law practiced, 'European Law' and 'Family law' (20%, 2) were the most common, followed by 'Criminal law', 'Business and commercial law', 'Inheritance law', 'Contract and obligation law', 'Property law' and 'Private international law' (10%, 1) each.

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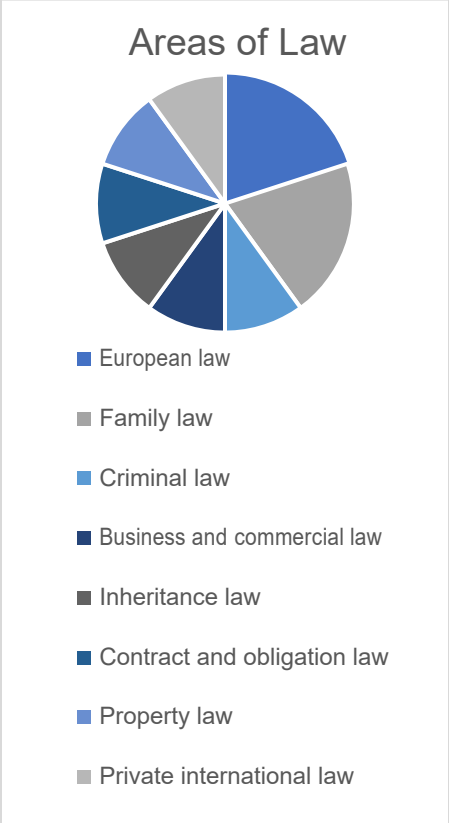
Areas of Law	%	#
European law	20%	2
Family law	20%	2
Criminal law	10%	1
Business and commercial law	10%	1
Inheritance law	10%	1
Contract and obligation law	10%	1
Property law	10%	1
Private international law	10%	1
Total	100%	10



Experts

The most common expert type was 'Expert Witness' (63%, 12) followed by 'Translator/interpreter' (27%, 5), 'Cultural mediator' and 'Other' (5%, 1) each.

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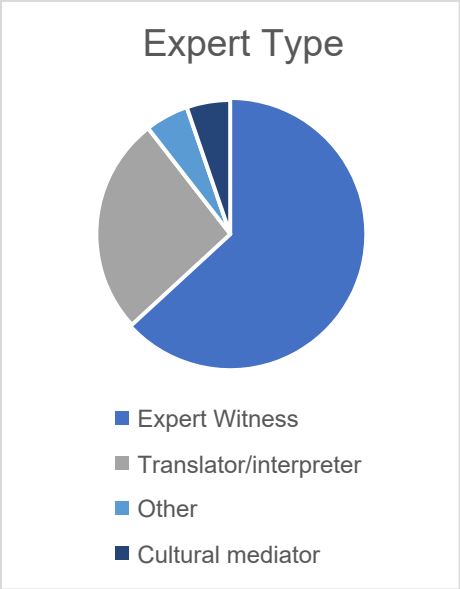
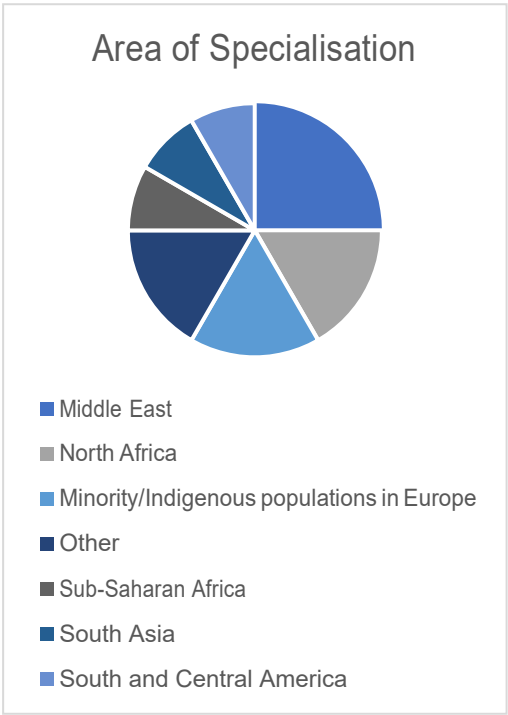
Expert Type	%	#
Expert Witness	63%	12
Translator/interpreter	27%	5
Other	5%	1
Cultural mediator	5%	1
Total	100%	19



The most common response to the question regarding area of specialisation was 'Middle East' (25%, 3) followed by 'North Africa', 'Minority/Indigenous Populations in Europe', 'Other' (17%, 2) each and 'Sub-Saharan Africa', 'South Asia', 'South and Central America' (8%, 1) each.

Area of Specialisation	%	#
Middle East	25%	3
North Africa	17%	2
Minority/Indigenous populations in Europe	17%	2
Other	17%	2
Sub-Saharan Africa	8%	1
South Asia	8%	1
South and Central America	8%	1
Total	100%	12



Netherlands Data Summary

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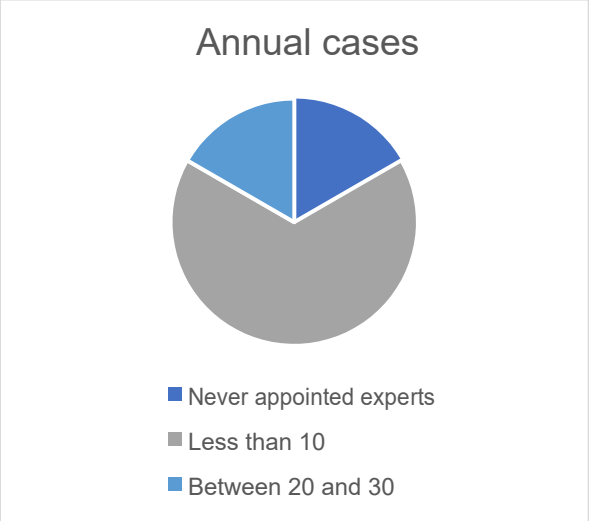
Frequency

Frequency of involvement

To the question of how many experts did they instruct annually, most responding judges and lawyers (66%, 4) chose 'Less than 10' followed by 'Between 20 and 30' and 'Never appointed experts' (17%, 1) each.

Annual cases	%	#
Never appointed experts	17%	1
Less than 10	66%	4
Between 20 and 30	17%	1
Total	100%	6



(41%, 7) of experts provided written reports in 'Less than 5 cases', (24%, 4) indicated a number of written reports between 50 and 100, (18%, 3) choose 'Other' and (6%, 1) indicated between 10 and 20.

(35%, 6) of experts provided 'Less than 5' oral reports, (24%, 4) choose 'Other', (18%, 3) 'Between 20 and 50', (12%, 2) indicated 'Between 50 and 100' and (6%, 1) indicated a number of oral reports 'Between 5 and 10' and 'Between 10 and 20'.

Netherlands Data Summary

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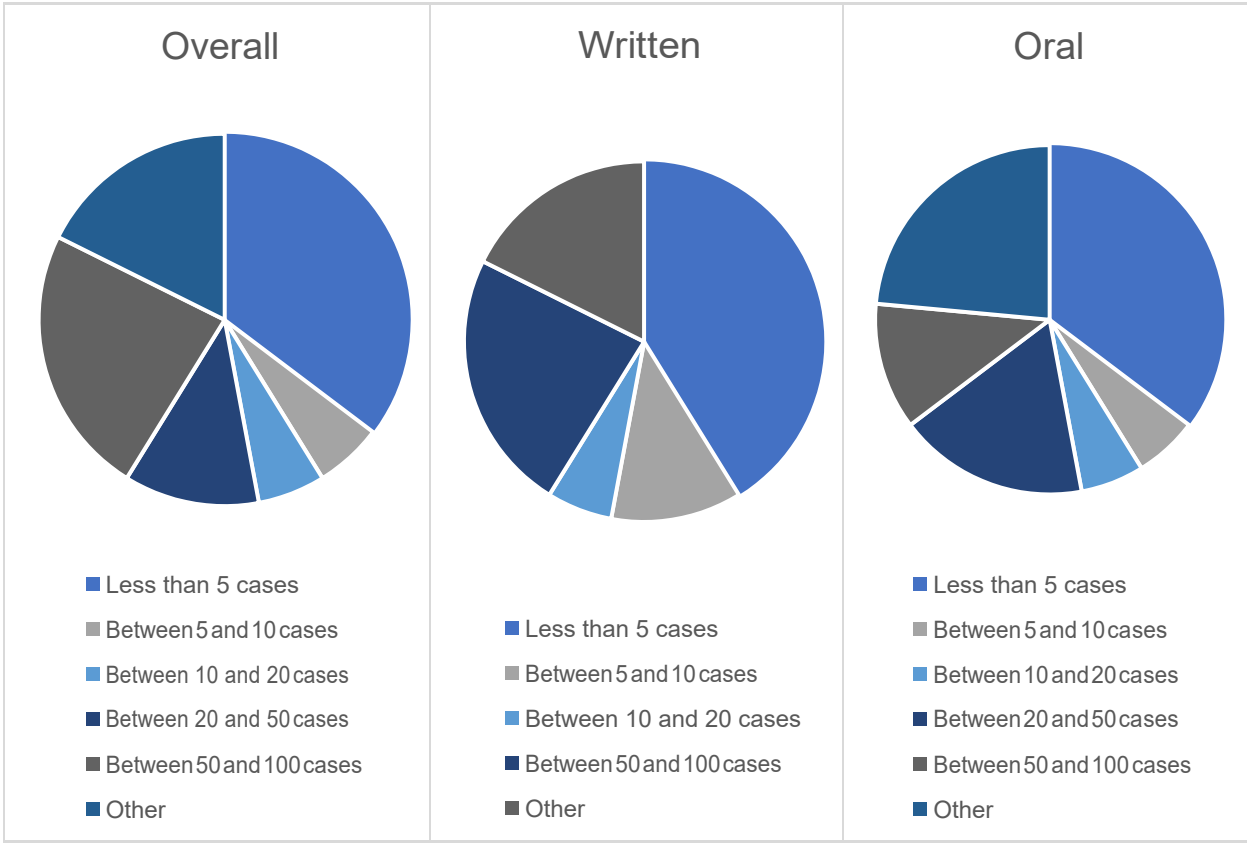
Date of First Publication: 30/06/2022



Fields of law

The most common area of use of cultural expertise was 'Criminal law' (26%, 11), followed by 'Family law' (12%, 5), 'Immigration law', 'Private international law', 'Refugee and asylum law (7%, 3) each, 'Inheritance law', 'International human rights law' (5%, 2) each, with all the remaining areas accounting for 2%.

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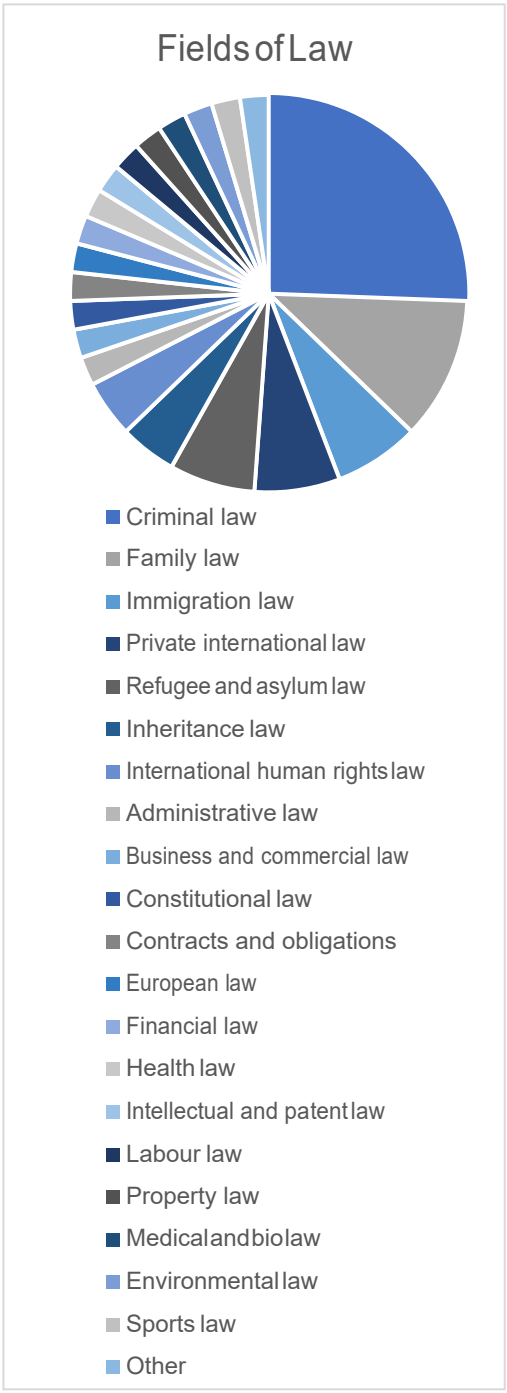
Fields of Law	%	#
Criminal law	26%	11
Family law	12%	5
Immigration law	7%	3
Private international law	7%	3
Refugee and asylum law	7%	3
Inheritance law	5%	2
International human rights law	5%	2
Administrative law	2%	1
Business and commercial law	2%	1
Constitutional law	2%	1
Contracts and obligations	2%	1
European law	2%	1
Financial law	2%	1
Health law	2%	1
Intellectual and patent law	2%	1
Labour law	2%	1
Property law	2%	1
Medical and bio law	2%	1
Environmental law	2%	1
Sports law	2%	1
Other	2%	1
Total	100%	43



Sites

The most common site of cultural expertise was 'In court' (29%, 8), followed by 'Out of Court' (18%, 5), 'In detention Centres' (14%, 4), 'In universities' and 'In hospitals' (11%, 3) each, 'In schools' (7%, 2), 'Through NGOs', 'Through private consultancy' and 'Other' (4%, 1) each.

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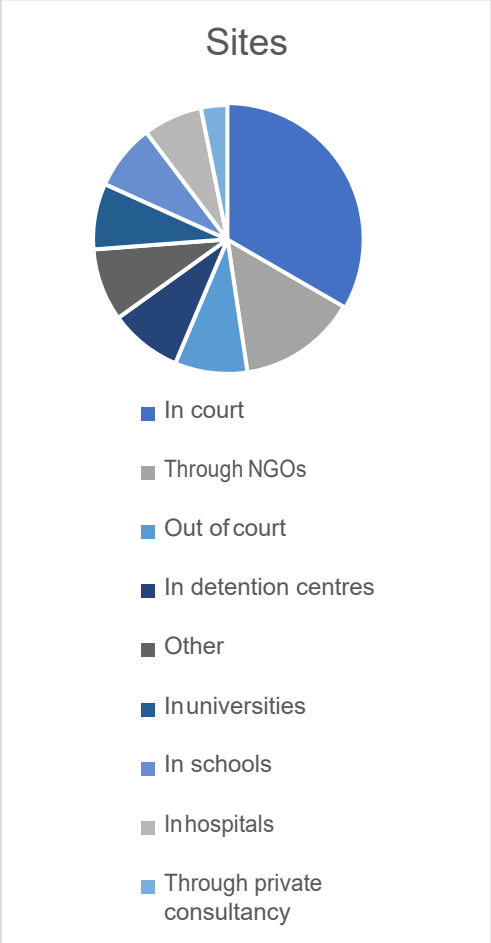
Sites	%	#
In court	29%	8
Out of court	18%	5
In detention centres	14%	4
In universities	11%	3
In hospitals	11%	3
In schools	7%	2
Through NGOs	4%	1
Through private consultancy	4%	1
Other	4%	1
Total	100%	28



Typology of Experts

The most common response to the question regarding the expert type was 'Native lawyers' (50%, 4) followed by 'Other' (38%, 3) and 'University professors' (12%, 1).

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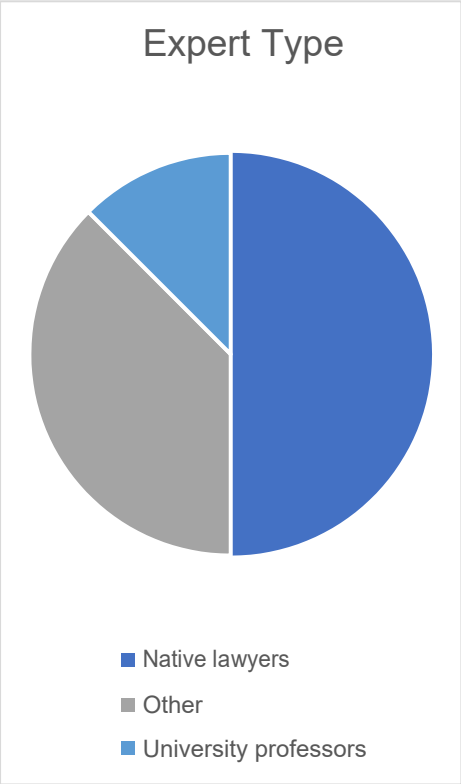
Date of First Publication: 30/06/2022

Expert Type	%	#
Native lawyers	50%	4
Other	38%	3
University professors	12%	1
Total	100%	8



Discipline

The respondent who selected 'University professors' chose 'Other'.

Modalities

Appointment of Experts

The most common factors influencing the decision to appoint were 'Client request', 'The law allows the appointment of experts' (16%, 5) and 'The court is keen to hear cultural arguments' (16%, 5) each, followed by 'Useful for an out of court settlement' (13%, 4), 'Experts facilitate successful legal outcomes' (9%, 3), 'Cost', 'The reputation of the expert', 'Advised by the court', 'The court/prosecutor/Home Office have already appointed their expert' (6%, 2) each and 'Time' and 'Other' (3%, 1) each.

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How experts are selected	%	#
Client request	16%	5
The law allows	16%	5
The court is keen to hear cultural arguments	16%	5
Useful for an out of court settlement	13%	4
Experts facilitate successful legal outcomes	9%	3
Cost	6%	2
The reputation of the expert	6%	2
Advised by the court	6%	2
The court/prosecutor/Home Office have already appointed their expert	6%	2
Time	3%	1
Other	3%	1
Total	100%	32

Most experts started giving opinions after being 'Contacted by a court' (50%, 5), followed by 'Referred by a colleague' (30%, 3), with the two remaining options being selected by a single respondent, 10% each.

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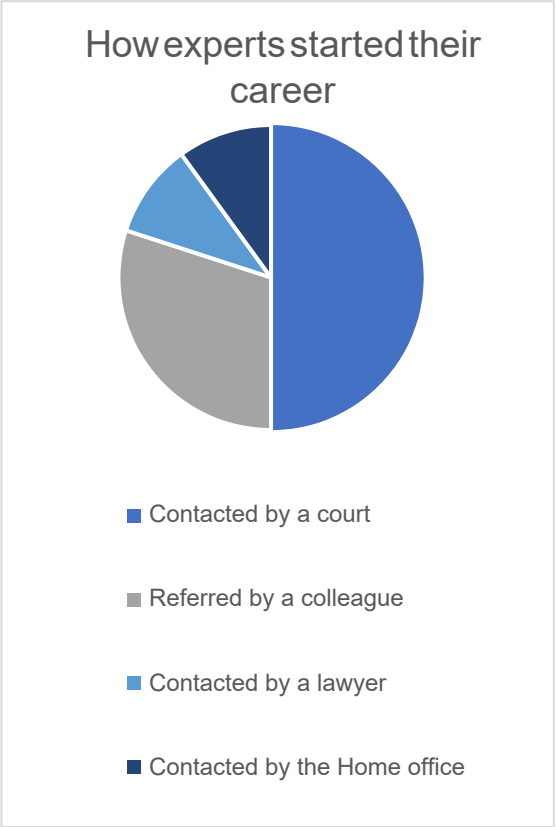
How experts started their career	%	#
Contacted by a court	50%	5
Referred by a colleague	30%	3
Contacted by a lawyer	10%	1
Contacted by the Home office	10%	1
Total	100%	10



Experts were most frequently 'Instructed by courts' (38%, 9), followed by 'Contacted directly by clients' and 'Instructed by lawyers as need arises clients' (17%, 4) each, 'Instructed by the Ministry of the Interior' (13%, 3), 'Work as an expert for NGOs' and 'Other' (4%, 1) each.

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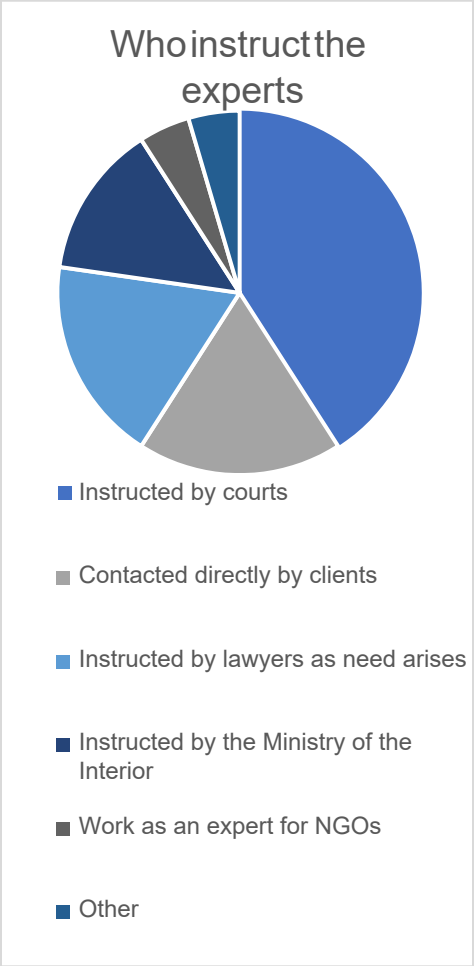
Who instructs the experts	%	#
Instructed by courts	38%	9
Contacted directly by clients	17%	4
Instructed by lawyers as need arises	17%	4
Instructed by the Ministry of the Interior	13%	3
Work as an expert for NGOs	4%	1
Other	4%	1
Total	100%	24



Cost of Cultural Expertise

Cultural expertise is most commonly financed by 'Courts' (26%, 5), followed by 'Legal aid' 'Clients', 'Home office' (21%, 4) each and 'Other' (11%, 2).

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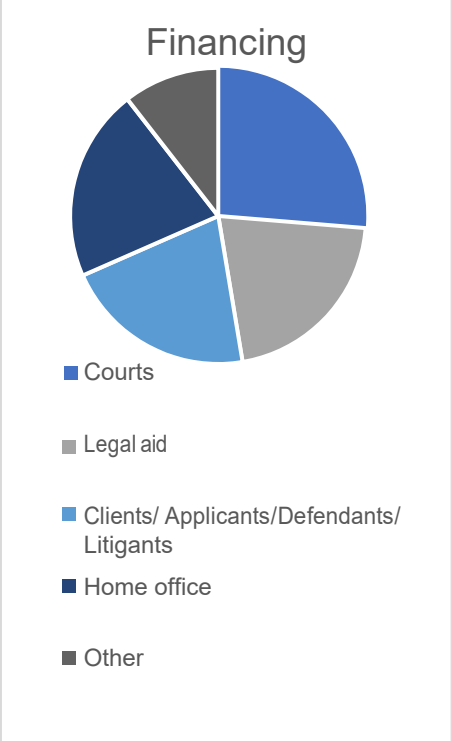
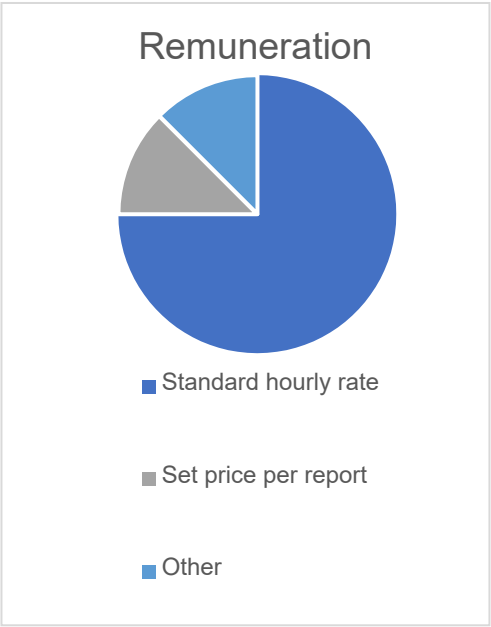
How are experts paid?	%	#
Courts	26%	5
Legal aid	21%	4
Clients/ Applicants/ Defendants/ Litigants	21%	4
Home office	21%	4
Other	11%	2
Total	100%	19



Remuneration of cultural expertise

Over half of responses indicated that experts were paid at a 'Standard hourly rate' (74%, 6), followed by 'Set price per report' and 'Other' (13%, 1) each.

Remuneration of experts	%	#
Standard hourly rate	74%	6
Set price per report	13%	1
Other	13%	1
Total	100%	8



Netherlands Data Summary

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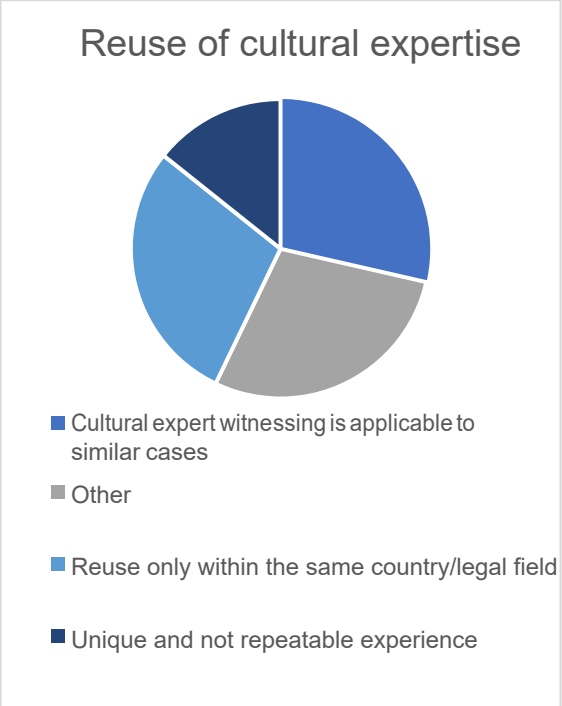
Reuse of cultural expertise

The three most frequent responses to the question of the reuse of cultural expertise were 'Cultural expert witnessing is applicable to similar cases', 'Reuse only within the same country/legal field' and 'Other' (29%, 2) each, followed by 'Unique and not repeatable experience' (13%, 1).

Reuse of cultural expertise	%	#
Cultural expert witnessing is applicable to similar cases	29%	2
Other	29%	2
Reuse only within the same country/legal field	29%	2
Unique and not repeatable experience	13%	1
Total	100%	7



Impact

Components of Impact

The most common components of impact include 'Reliable sources of contents' (31%, 10), followed by 'Use of statistics', 'First-hand experience', 'Style' (13%, 4) each, 'Stringent conclusions' (9%, 3), 'Quantitative assessment of risk', 'Advocacy', 'Reputation of the experts' (6%, 2) each and 'Remuneration of experts' (3%, 1).

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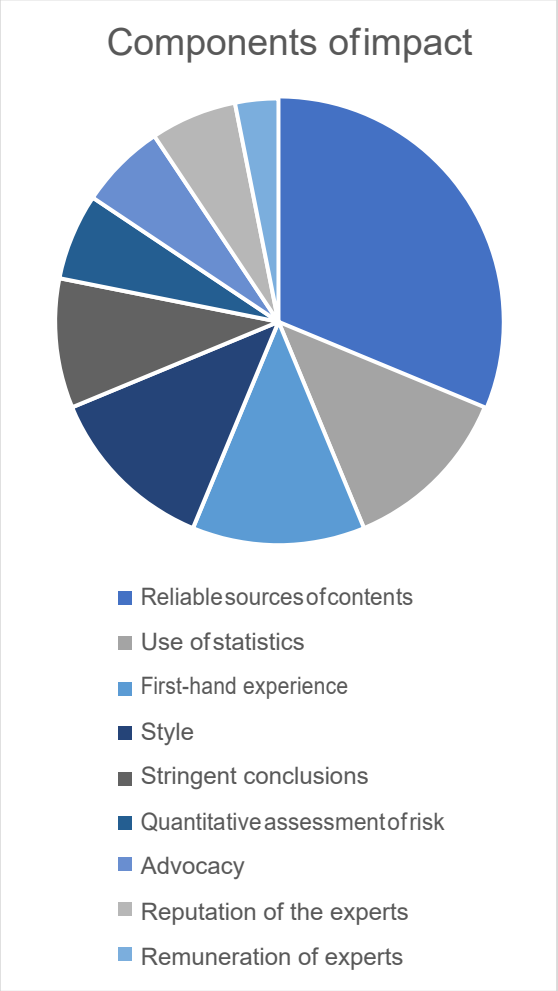
Components of impact	%	#
Reliable sources of contents	31%	10
Use of statistics	13%	4
First-hand experience	13%	4
Style	13%	4
Stringent conclusions	9%	3
Quantitative assessment of risk	6%	2
Advocacy	6%	2
Reputation of the experts	6%	2
Remuneration of experts	3%	1
Total	100%	32



Usefulness

The most common responses to the question regarding the usefulness of cultural expertise were 'Very useful' and 'Slightly useful' (29%, 2) each, followed by 'Moderately useful',' Extremely useful' and 'Not at all useful' (14%, 1) each.

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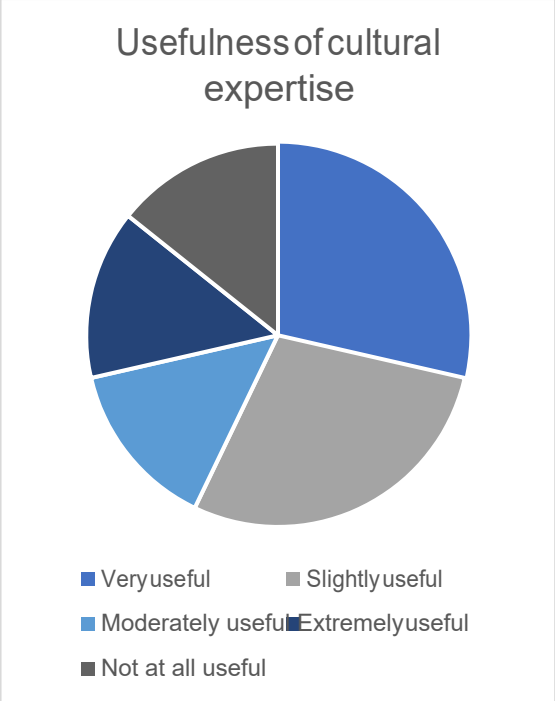
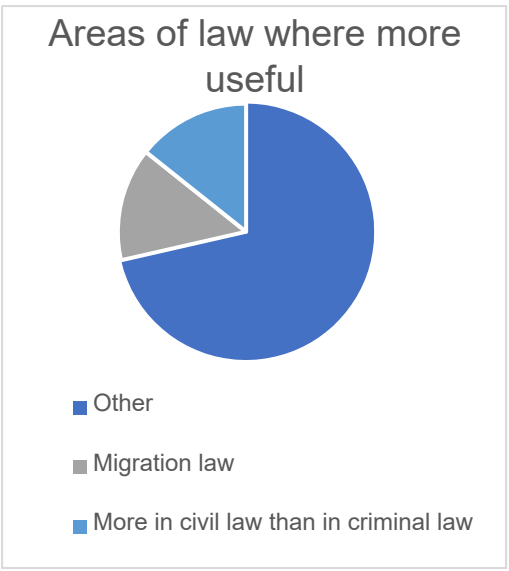
Usefulness of cultural expertise	%	#
Very useful	29%	2
Slightly useful	29%	2
Moderately useful	14%	1
Extremely useful	14%	1
Not at all useful	14%	1
Total	100%	7



Usefulness: fields

Most respondent chose 'Other' (72%, 5) to the question of most useful fields for cultural expertise, followed by 'Migration law' and 'More in civil law than in criminal law (14%, 1) each.

Areas of law where cultural expertise is more useful	%	#
Other	72%	5
Migration law	14%	1
More in civil law than in criminal law	14%	1
Total	100%	66



Netherlands Data Summary

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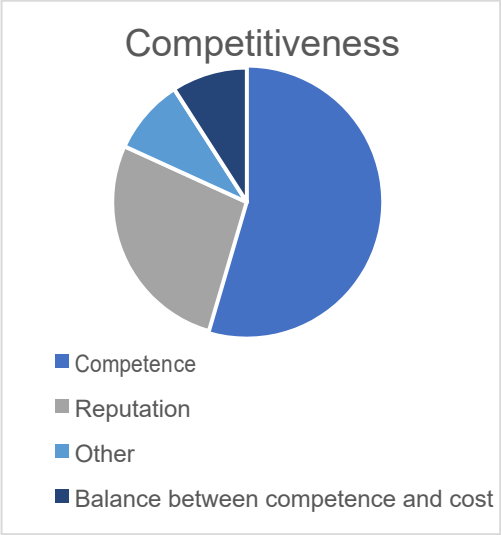
Competitiveness

Experts thought that their expertise was competitive because of their 'Competence' (55%, 6) followed by 'Reputation' (27%, 3), 'Balance between competence and cost' and 'Other '(9%, 1) each.

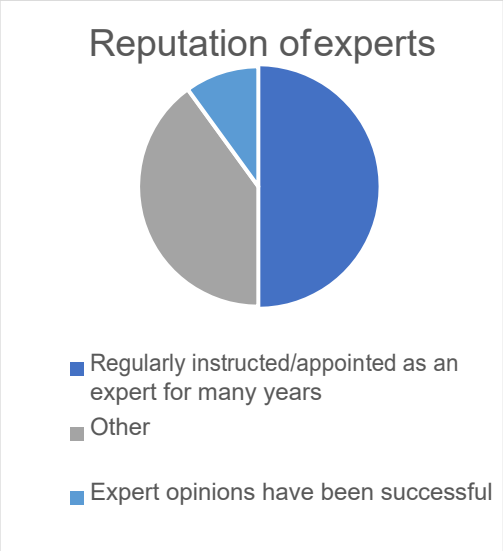
Competitiveness	%	#
Competence	55%	6
Reputation	27%	3
Other	9%	1
Balance between competence and cost	9%	1
Total	100%	11



Reputation of Experts

The majority of experts said that they had been 'Regularly instructed/ appointed as expert for many years' (50%, 5), followed by 'Other' (40%, 4) and 'The cases in which expert opinion was provided were successful' (10%, 1).

Reputation of experts	%	#
Regularly instructed/appointed as an expert for many years	50%	5
Other	40%	4
Expert opinions have been successful	10%	1
Total	100%	10



Netherlands Data Summary

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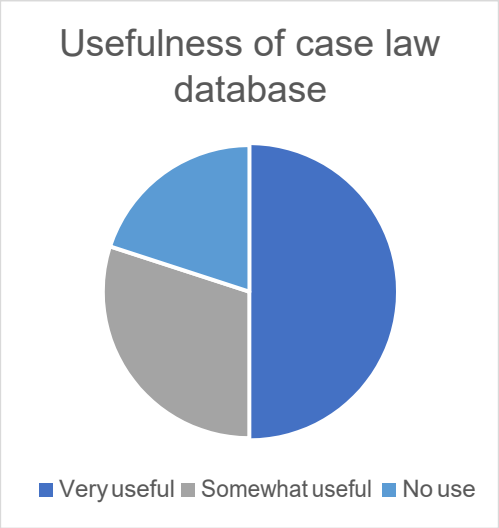
Improved Access

Database

Regarding the question of the usefulness of a case law database, the most common response was that it would be 'Very useful' (50%, 5), followed by 'Somewhat useful' (30%, 3), and of 'No use' (20%, 2).

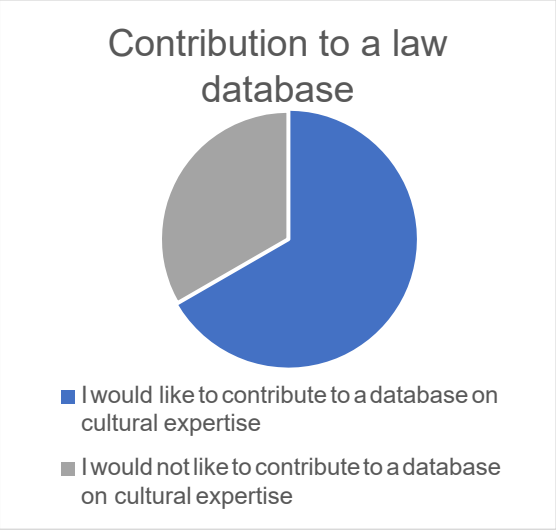
Usefulness of case law database	%	#
Very useful	50%	5
Somewhat useful	30%	3
No use	20%	2
Total	100%	10



Contribution to law database

Most respondents did wish to contribute to the establishment of a case law database (67%, 4), while one third of respondents did not wish (33%, 2).

Contribution to a law database	%	#
I would not like to contribute to a database on cultural expertise	33%	2
I would like to contribute to a database on cultural expertise	67%	4
Total	100%	6



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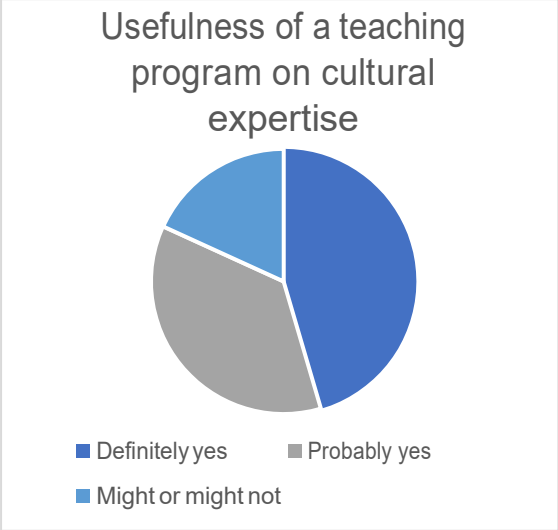
Capacity Building

The most common response to the question regarding the usefulness of a program teaching cultural expertise was 'Definitely yes' (46%, 5), followed by 'Probably yes' (36%, 4) and 'Might or might not' (18%, 2).

Usefulness of a teaching program on cultural expertise	%	#
Definitely yes	46%	5
Probably yes	36%	4
Might or might not	18%	2
Total	100%	11



Organisations interested in a teaching program

With regards to the question on interest in the teaching program, the most common response was 'Know professional organisations that may be interested' (50%, 5) and 'Interested in teaching cultural expertise themselves' (50%, 5).

Organisations interested in a teaching program	%	#
Know professional organisations interested in teaching	50%	5
Interested in teaching themselves	50%	5
Total	100%	10