



Cultural Expertise in Europe:

Methods Workshop

Nicosia, Cyprus

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Welcome

EURO-EXPERT welcomes you to Cyprus, where you will now have the opportunity to discuss all of the wonderful insights that you have obtained during the data collection process. We hope you enjoy your stay at the Europa Plaza Hotel, all of the wonderful sessions at the European University of Cyprus and the other activities that we have planned!

What is Cultural Expertise?

Cultural expertise has been defined in 2011 and reformulated as ‘special knowledge that enables socio-legal scholars, experts in laws and cultures, to locate and describe relevant facts in light of the particular background of the claimants, litigants, and applicants and for the use of the decision-making authority’.¹ This definition constitutes an emergent concept in socio-legal studies to indicate the use of cultural knowledge for solving court and out-of-court litigation. Cultural experts often feel that talking about culture in court is a daunting task because culture is a concept that allows for a very diverse range of contents. Opinions are divided on whether culture should or should not play a role in dispute resolution and, on a broader level, on whether culture might be an obstacle to human rights. Preoccupations are also formulated concerning cultural arguments that may condone unacceptable practices and crimes. At EURO-EXPERT we discuss the role of cultural expertise from a pragmatic perspective and abstain from any ontological analysis of culture because we are interested in the roles and formats of cultural arguments from the perspectives of various social actors involved in dispute resolution.

What is the purpose of EURO-EXPERT?

At EURO-EXPERT we are testing the reformulation of cultural expertise for integrating the use of cultural arguments in connection with rights, more broadly considered as including all kinds of minorities, indigenous people, and cultural heritage with or without the appointment of cultural experts and in a great variety of cases ranging from criminal law to civil law, and including also business and administrative law, land rights, banking law and many other fields and sub-fields of law. We want to assess the use and the impact of cultural expertise from an analytical perspective that does not take sides a priori.

EURO-EXPERT seeks to understand the use and impact of cultural expertise in 15 European Countries: Austria, Belgium, Cyprus, Denmark, Finland, France, Germany, Greece, Italy, the Netherlands, Poland, Portugal, Spain, Sweden and the UK. The data collected by this project will be used to: 1) understand and map the differences in cultural expertise; 2) create a toolkit for measuring the impact of cultural expertise; 3) establish an open access database for cultural expertise; 4) design a teaching and learning materials on cultural expertise; and 5) formulate policy-making guidelines which include tested solutions for a sustainable inclusiveness in Europe.

Where can I learn more about cultural expertise?

There are however several resources available for those who would like to know more. These include the following:

- Holden, L. ed. 2011, *Cultural Expertise and Litigation*, Routledge
- Holden, L. and Holden M. 2018, *Cultural Expertise in Europe: What is it useful for?*, video-clip, Insights. <https://www.law.ox.ac.uk/research-and-subject-groups/cultural-expertise-europe-what-useful>

- Holden, L. and Holden, M. 2019, Cultural Expertise in Ancient and Modern History, video-clip, Insights. <https://ora.ox.ac.uk/objects/uuid:9539d968-6cb8-4ab3-aa0c-aac439292a9c>
- Holden, L. 2019, Beyond Expert Witnessing and toward an integrated Definition of Cultural Anthropology, Emerald. <https://ora.ox.ac.uk/objects/uuid:f6359038-160b-4ee8-9251-5e8c5b16d961>
- Holden, L. 2019, Cultural Expertise and Socio-Legal Studies, special issue in Studies of Law, Politics, and Society, vol. 78, Emerald.
- Holden, L. 2019, Cultural Expertise: An emergent concept and developing practices, special issue in Laws https://www.mdpi.com/journal/laws/special_issues/culture_law
- Holden, L. 2019, Cultural Expertise and Law, forum on Law and History Review (in progress) <https://ora.ox.ac.uk/objects/uuid:65427d42-a459-4c6f-a6cb-9a56730f7065>
- Holden, L (in print) Cultural Expertise against the danger of judicial populism in Italy: Cassazione Penale 12.11.2009, <https://ora.ox.ac.uk/objects/uuid:00552dd4-4641-41f3-9166-03e06afbd761>
- Country Data Summaries by Livia Holden, Anna Tsalapatanis, Stefanie Lemke, Venetia Argyropoulou, Niels Valdemar Vinding, Laura Lethonen, Christiane Besnier, Eduard Buzilla, Valeria Verdolini, Stanislaw Burdziej, Ekaterina Gorbunova, Beatriz Barreiro Carril, Bridget Prince at <https://www.law.ox.ac.uk/research-and-subject-groups/cultural-expertise-europe-what-useful/mapping-cultural-expertise-law>

You may also wish to visit our Twitter @CulturalExperts and project website, which contains useful information including the details of our upcoming events: <https://www.law.ox.ac.uk/research-and-subject-groups/cultural-expertise-europe-what-useful> and consider subscribing to [CULTURALEXPERTISE mailing list \(send an email to culturalexpertise-request@jiscmail.co.uk\)](mailto:culturalexpertise-request@jiscmail.co.uk).

Workshop Aims

The aims of this workshop are to bring data collectors together to discuss how we have adopted a mixed methods approach that has proved to be both very demanding but also rewarding for the richness of collected data. It is hoped that at the end of this workshop we will produce a collected volume on the ways all the team members have adapted the guidelines of the project to each specific country.

Workshop Format

The workshop will run across two days and will include numerous additional activities, however the key component of this workshop will be the Country Presentations by the data collectors. These will be presented in sessions of three or four, where each presentation is expected to last for around 20 minutes and there will be time at the end of the session for questions to be asked and for participants to consider their experiences in light of the other presentations.

The final session of the workshop will allow us to consider some of the key themes, and to discuss next steps, which will include the publication of these papers.

Conditional to individual consent, the presentations of this workshop will be filmed and short interviews of participants will be taken in order to document and disseminate the activities of EURO-EXPERT and ensure adequate acknowledgement for all participants.

Workshop Ground Rules

There is great diversity among the participants of this workshop. All of our participants come to the table with incredibly different experiences and understandings of cultural expertise, and we very much want to hear from everyone. It is very important that all voices are heard in equal measure, so we ask that no single participant dominates any particular discussion, especially considering that we have very limited time. As a general set of rules for the workshop, we ask that you:

- Please keep in mind that there are many formats and experiences concerning expert reports and cultural expertise. These are all equally interesting and valuable.
- Listen to the various convenors who are responsible for running the sessions. They will manage the various contributions and make sure that all participants have an equal opportunity to contribute.
- Those wishing to speak should signal their intention to the session's convenor and wait to be invited to speak.
- When you do make a contribution, make sure to keep it concise and on topic.
- During sessions, do not engage in side-conversations, instead direct any thoughts to the group as a whole. If you wish to discuss any issues with only one or two other participants, there will be ample opportunity to do so in the breaks.
- Be sensitive to the other participants, and realise that their understanding and experience may be very different to your own. If you disagree, please phrase your disagreement in a friendly and courteous manner.
- If you feel that you have been disrespected or misunderstood at any time feel free to talk with the organisers

EURO-EXPERT and NewHoRRizon

EURO-EXPERT has recently been ranked by NewHoRRizon, as being among the five projects which scored highest in Public Engagement, Gender Equality, Open Access, Science Literacy and Science Education, Ethics and Governance. Dr. Sabrina Ciolfi is the consultant who will work to the creation of a Responsible Research Innovation (RRI) website that highlights EURO-EXPERT's RRI components, and will be taking part in the activities of this workshop in order to record and foster the RRI dimensions of EURO-EXPERT.

Contact Details

If you need to get in touch with anyone during the workshop, please use the contact numbers below:

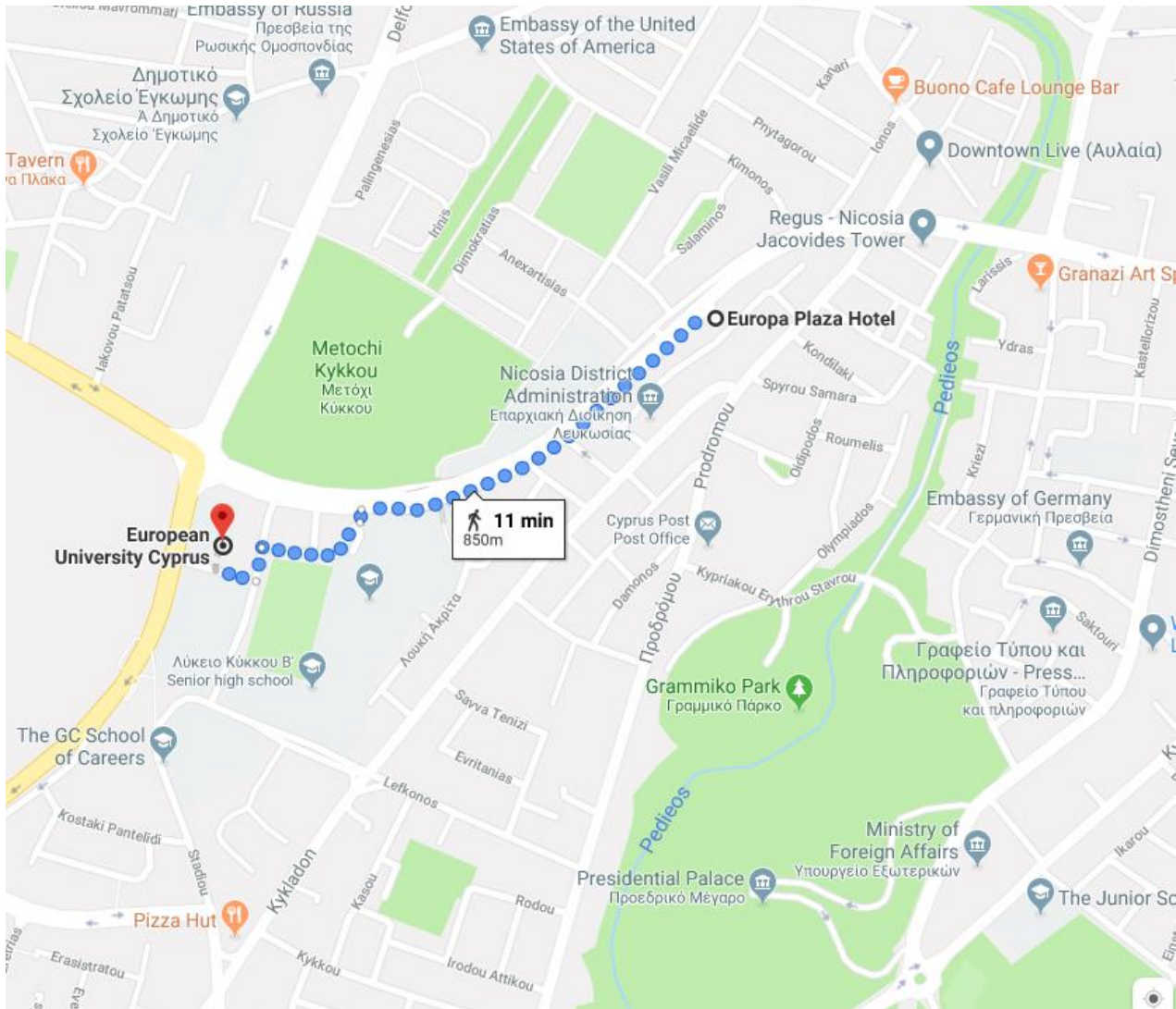
Livia: +44 746 6525 430

Anna: +44 789 7689 905

Your Stay

Accommodation has been provided for you at the [Europa Plaza Hotel](#), Nicosia at 13 Alkeou Street, Nicosia 1311, Cyprus.

It is a short walk to the European University of Cyprus which will be the main workshop venue.



Program

Tuesday

12:30 Lunch welcome event and official welcome

1:30 Panel One (3 x 20 min presentations, plus 30 mins discussion and questions)

Presenter One: Venetia Argyropoulou (Greece and Cyprus)

Presenter Two: Ekaterina Gorbunova (Portugal)

Presenter Three: Valeria Verdolini (Italy)

Presenter Four: Eduard Buzila (Germany)

3:30 Afternoon tea

4:00 Panel Two (3 x 20 min presentations, plus 30 mins discussion and questions)

Presenter One: Stanislaw Burdziej (Poland)

Presenter Two: Laura Lehtonen (Sweden)

Presenter Three: Beatriz Barreiro Carril (Spain)

5:30 Closing

7:00 Dinner

Wednesday

Participant Biographies

Venetia Argyropoulou – Greece and Cyprus

Venetia is a Law Lecturer at the European University Cyprus. She is educated in both civil and common law and has been actively practicing law in both Greece and Cyprus. She has obtained her bachelor degree from Aristotle University of Thessaloniki, a Master Degree in Maritime Law and a Master in International Public Law (specialization in Financial, Commercial and Investments Law) from the University of Oslo, while she completed her PhD at the University of Tilburg, where she constitutes an Extramural Fellow of TILEC. She has, inter alia, worked as a scientific researcher for the University of Cyprus and as a Lecturer for the University of West London. She is a member of the Spark Legal Network and the Cyprus Correspondent of the IBFD, Tax Analysts, IBA's Taxes Committee, the World Bank's Women, Business and the Law Initiative, OECD's Social Institutions and Gender Index and the Observatory for Taxpayers' Rights. Furthermore, she is Correspondent in the Yearbook of International Environmental Law on the IMF's Initiatives for Environment, Oxford Publishing.

Beatriz Barreiro Carril - Spain

Beatriz has a Ph.D in Human Rights (Carlos III University, Madrid), and a Master in Law of the European Union (Free University of Brussels). Beatriz is interested in the links between International Law and other Social Sciences and Humanities as well as in applied research with a particular focus on human rights – especially cultural rights–. She has specialized in International Law of Culture, with a special focus in Cultural Diversity -including the debate Culture/Commerce- and Tangible and Intangible Heritage, as well as in Indigenous People's Rights and the Right to Development. She was a guest researcher of the Department of Law & Anthropology (Max Planck Institute for Social Anthropology, Halle), visiting researcher at the Institute of Public International and European Law (University of Göttingen) and at the Centre of Ethics of the University of Toronto. Beatriz is Lecturer of International Law Rey Juan Carlos University, Madrid. She is an observer of the UNESCO Committee of Cultural Diversity and member of the Observatory Diversity and Cultural Rights (Fribourg University). She has taught in many master and doctoral programs (Toulouse Capitole University, Universidade Nova de Lisboa, Universidad Tecnológica de Bolívar, Cartagena de Indias and Girona University among others). She has participated in relevant international conferences including UNESCO Conferences.

Stanislaw Burdziej – Poland

Stanislaw is Assistant Professor at the Department of Sociology, Nicolaus Copernicus University in Torun, Poland. He holds an MA in American Studies from Heidelberg University (Germany), as well as an MA and PhD in Sociology from Nicolaus Copernicus University. His current research focuses on procedural fairness and perceived legitimacy of courts in Poland. In 2010, he helped found Court Watch Poland Foundation, an NGO promoting public engagement in court monitoring and legal education. The Foundation's program of lay monitoring of courts has resulted in a database of over 35,000 court hearing observations, and a series of 8 reports addressed at the Polish judiciary. One of the Foundation's research project involved a study of legal experts in Poland, identifying a number of weaknesses of the current system of expertise in general. Another project aimed at studying the new developments in problem-solving justice and adopting the community court model in Poland. In collaboration with the OSCE's ODIHR he visited courts in several countries, including Armenia, Croatia, Georgia, and Montenegro. He stayed briefly at the Centre for Socio-Legal Studies at Oxford University in November 2013 and June 2018.

Ekaterina Gorbunova - Portugal

Ekaterina is a Social and political researcher, MA in Sociology (University of Manchester) She is currently a PhD Candidate in Comparative Politics at the Institute of Social Studies (University of Lisbon), Advocacy and Community Engagement Director at UNITE – Global Parliamentarians Network. Ekaterina has a 15+ year experience in analytical support and administrative coordination of empirical research and policy-driven projects in the sphere of social and political studies, having performed

all spectre of responsibilities from proposal development, through fieldwork and data collection and analysis, to reporting and preparation of publications.

Laura Lehtonen – Sweden

Laura is a postgraduate with multidisciplinary background in social sciences, humanities and law [dispute resolution], gained from The London School of Economics and Political Science, Queen's University Belfast, Stockholm University, Uppsala University and Swedish National Defence College. Her professional and personal background is marked by a blend of countries and cultures. She is particularly disposed towards evaluating the theory and practice of communication, and exploring it in the light and shadows of number of perspectives, incorporating tenets from dispute resolution, safety and security, political science, sociology, cultural anthropology, linguistics, social/societal psychology and behavioural science.

Valeria Verdolini – Italy

Valeria graduated in Law at the University of Bologna (2005), LLM in Sociology of Law at the Onati Institute IISJ (2008) and took her PhD in Sociology of Law at the University of Milan (2009). In the last 13 years she worked for the University of Milan (faculty of Law) and University of Milan-Bicocca (faculty of Sociology) on theoretical researches (on borders and processes of democratization) and empirical projects, combining qualitative and quantitative works and methods (as a title of examples: her post-doc was an ethnography of the post- revolutionary Tunisia; she worked on Urban security and safety projects for the Local Government of Lombardy). Recently, she participated to the Horizon 2020 project "Margin: tackle insecurity in marginalized areas", coordinated by prof. Sonia Stefanizzi (www.marginproject.eu). She is currently teaching in the master programme "Law and sustainable development" of the University of Milan, leading a workshop on "Inequality and social mobility". Her major publications focus on prison studies, feminism and processes of democratization.

Abstracts

Greece and Cyprus: Venetia Argyropoulou

This paper focuses on the methods that I have adopted starting from EURO-EXPERT's guidelines for the qualitative led phase of data collection in Greece and Cyprus. This paper will in particular focus on the differences I have faced in the data collection process between the two countries. In particular, I will analyse the methods implored to attract lawyers, judges and experts in the two countries and to get them involved in the research. In particular, I will focus in the difficulties I faced in every deliverable, but I will mainly focus in Deliverable 3 that I consider has the most challenging for me. The research for case law involving cultural expertise has proven to be a very difficult task for both Greece and Cyprus. The reason I faced such difficulties in Deliverable 3 was the fact the Greece but mostly Cyprus Court hardly rely on cultural experts, even in case where cultural expertise is vital. Thus, through my initial review of caselaw, I was unable to list any cases, other than limited cases of the Refugee Asylum Authority that, however, are not published and therefore I had limited access to them. I initially resorted to the case law of the European Court of Human Rights, where several cases have been filed against the two countries for violations of rights of foreigners on various facts. Such cases are often filed by Human Rights Advocates that operate as Cultural Experts. Despite, however, the several cases that I was able to find from the European Court of Human Rights, I still wanted to document cases of the Greek and Cyprus Courts where cultural expertise was used. After review of numerous cases, I realised that the Greek and Cyprus Courts often played the part of self-determined cultural experts, without, however having the necessary expertise. Thus, in my research I have documented several cases where the Greek and Cyprus Court have used cultural arguments to reach conclusions, but without relying on third party expert witness. My review of such case both from Greek and Cyprus Courts have demonstrated the different legal system and different reasoning used from the two jurisdictions. This will be the main subject of my paper, where I will discuss the challenges I initially faced in the collection of case law, the cultural expertise used before the European Court of Justice against Greece and Cyprus' practices and the way the Greek and Cyprus Courts operate themselves as cultural experts. I will demonstrate how my understanding of this fact has led me to complete the necessary number of cases.

Italy: Valeria Verdolini

This paper focuses on the methods that I have adopted starting from EURO-EXPERT's guidelines for the qualitative led phase of data collection in Italy. This paper will in particular focus on: a) perception and misperception of cultural expertise in the country; b) leading role of culturally oriented crimes in criminal jurisprudence; c) roles of judges, lawyers and expert in the context. In particular, national data collection faced these field issues: the difficulties of indexing in case law databases; the specific role of judges elite (evolution, cultural and political reasons) in the country, the many attempts to fill the survey with their target, and the uncooperativeness of the category.

I will analyse the specific challenges and strategies to overcome them in my data-collection by direct relations and the failure of mailing sending. The last part of the paper will focus on limits of the field, evolution of the process and personal and collective strategies.

I will conclude with an overview of my principal achievements; in particular reflexive perception of data collection, list of common behaviours and prejudices and the limits and the qualitative strategies in the field.

The last part of the intervention will focus on the political aspect of this research in the Italian context in these transitional days (es. How everyday political agenda on migration affects the work of the courts? What is the relation between the general overview on legal pluralism and the everyday implementation practices?), the reflexive aspects of this research, my personal limits and the personal achievement of this remote working experience.

Poland: Stanislaw Burdziej

The paper discusses research methods adopted and lessons learned during the qualitative phase of data collection in Poland. I focus on challenges experienced (especially: limited demand for cultural expertise, and difficulties in understanding the concept by survey respondents), as well as strategies used to overcome them (especially – meeting respondents in person during trainings and conferences for judges, and using the collaboration with a legal think tank to promote the survey).

Challenges

1. Poland is among the least ethnically diverse member states of the EU. While this diversity is increasing, there are no well-established ethnic minorities and diasporas. Thus – the demand for cultural expertise is very limited, and the offer is even smaller.
2. Moreover, restrictive immigration policy means public institutions deal only with largely non-problematic cases, where no expertise is really needed.
3. Furthermore, relative absence of cultural expertise from court practice meant potential respondents had difficulty in understanding the concept and filling the questionnaire.
4. The questionnaire was largely irrelevant in the Polish context, where cultural experts are only very rarely instructed by courts. Hence, many respondents decided to choose the “I prefer not to answer this question” response for a substantial part of the questionnaire. An unknown number of respondents decided to interrupt the survey for their feeling of its inadequacy in the Polish context; some explicitly provided me with this kind of feedback.

Strategies used to overcome challenges

Cultural expertise understood narrowly as the use of anthropologists as court experts turned out to be virtually absent in Poland. Thus, the key challenge was to find a relevant sample of respondents for the survey. Only one such case was identified (and involved an expert turkologist witnessing in a case of alleged ‘honorary killing’).

1. Obtaining a meaningful sample of lawyers (N=67) and judges (N = 97) was only possible after securing official access to judges and prosecutors attending trainings at the National School for Judiciary and Prosecution. The modest sample of experts (N=30) was collected by sending ca. 150 personalized emails to people who have (or might have) served as court experts – usually academics. I was least successful in reaching beneficiaries (N=2).
2. I partly relied on my personal network of contacts as a member of board of a legal think tank, Court Watch Poland Foundation (we set up a dedicated website with a link to the survey) and used social media to promote the survey. The key problem, I think, is that most beneficiaries were immigrants, who either had left Poland after an unsuccessful appeal from a negative decision denying asylum in Poland, or who were hard to reach due to language

barriers and, possibly, experienced traumas. The NGOs working with such people did not agree to facilitate the administration of the survey to their clients.

Achievements

1. I've tested several email formats when contacting survey respondents; some had better response than others. I think it was helpful to be able to share the invitation to the Oxford workshop – i.e. to offer respondents something in return for their time; this approach could be considered in the quantitative stage of data collection (e.g. plan the workshop ahead, publish a call for papers, then recruit respondents, informing them of the workshop); perhaps also we could find other ways to engage respondents (e.g. share with them the calls for special issues);
2. During data collection I have created and maintained a database of contacts, to trace who was already sent the link to survey, and who was not. 174 people and organizations received emails. I have deliberately "saved" some contacts for the qualitative phase, since I thought the questionnaire alone could have discouraged potentially important respondents.
3. The data collection experience proved a springboard for several professional opportunities: along with data collection, I have worked on two research papers on this topic; one paper was already submitted; I was also invited to lecture to two groups of Polish judges in May 2019; the lectures will be on procedural fairness, but I hope to also briefly discuss cultural expertise.

Lessons learnt

1. Expert witnessing by social scientists occurs mainly in cases related to the dominant Polish culture, leading me to consider a broader notion of cultural expertise. To me, cultural expertise includes also the use of social science to inform court decisions in matters related to defamation, hate speech, copyright and intellectual property, registration of new religious organizations, etc. In Poland, the most significant use of thus defined cultural expertise appears to be in various cases with a significant historical background (such as alleged collaboration with communist secret services).
2. Due to the relative absence of oral or written cultural witnessing from Polish courts, I decided to treat forms of expertise more broadly – as not only expert witnessing before courts, but also including cases where courts referred to scholar's publicly held opinions (e.g. cited their books and papers).
3. If starting from scratch, I would now from the beginning focus on a PAPI questionnaire administered on the spot to groups of judges and lawyers, not sending out emails. Ideally, the survey should be preceded on a 5-7 min. explanation of the concept. Even better, the questionnaire should be modified to include broader questions on how courts generally approach issues of culture, not focusing narrowly on the rare and exceptional cases where courts instruct cultural experts.

Portugal: Ekaterina Gorbunova

This paper presents and critically analyses the methodological approach that I have adopted on the basis of the EURO-EXPERT's guidelines for the qualitative led phase of data collection in Portugal.

The methodological approach was designed/adopted taking into account the following compulsory deliverables:

- Creation of a sample and administration of the questionnaire to the following target groups: members of the legal profession – including judges and lawyers, cultural experts and beneficiaries of cultural expertise;
- Collecting case law including cultural expert witnessing (or similar phenomena that the project broadly defines as cultural expertise) and/or case law in which cultural arguments are present;
- Collecting out of court cases using cultural expertise in the following spheres: health, justice/police, education, other.

This paper will critically analyse the application of the project's guidelines and describe the methodological approach to achieve each of the deliverables, focusing in particular on specific challenges (both anticipated and unexpected), and different strategies, employed to overcome them.

The following challenges/solutions will be analysed (among others):

For Deliverable 2: Survey

- Accurate and clear translation of the survey questionnaire, the Information sheet and letters to organisations (gate-keepers) and participants (especially, with regards to the project terminology and concepts, but not only) → Solutions: Consulting experts (both legal and linguistic); Pre-testing of the questionnaire; Disseminating the questionnaire in different languages.
- Definition of target groups and relevant organisations and networks (gate keepers) – i.e. professional / civic / cause-oriented associations, religious centres, immigration support centres, socio-cultural associations, etc. – and selection of a representative sample → Specific challenges: No information on the universe of the respondents / organisations; Lack of information on relevant organisations → Solutions: Exploratory interviews / meetings; Snowball sampling; Information on interest groups/civil society in Portugal, collected in the framework of other relevant research projects; Taking into account geographical/regional specificity of Portugal with regards to target groups.
- Contacting selected respondents and organisations and dissemination of the questionnaire → Specific problems: Delays / slowness in getting a response and/or authorisation for a meeting or to disseminate a questionnaire; Low response rate; No single questionnaire can be disseminated online without at least one personal meeting (e.g. with a head of a 'gate-keeper' organisation); Difficulties in understanding the questionnaire (its purpose and language/terminology) → Solutions: Focusing on major relevant gate-keeper organisations and trying to find the best way to engage them into the project; 4P approach: Persistence, Patience, Practicality (Pragmatism) and Personalisation; Face-to face meetings / dissemination of the questionnaire.

For Deliverable 3: Case Law

- Challenges: Unavailability of the 1st instance courts cases (in open access); Difficulties in finding relevant cases using proposed keywords; Cultural expertise in Portuguese courts is a very rare practice → Solutions: Analysis of decisions of all the 2nd and 3rd instance courts (Supreme Court, Constitutional Court, Courts of Appeal, Administrative Courts), as well as of the Justices of the Peace Courts (so called "local justice" institutions); Using a very extensive list of keywords and descriptors, expanded after consulting relevant academic publications and talking to representatives of target groups and organisations; Snowball technique: finding a relevant case helps to find similar cases.

For Deliverable 4: Out of Court Cases

- Specific challenges: Lack of cases of using cultural expertise in ‘pure’ health or police/detention settings → Solution: Creation of a category of multi-service providers, reflecting the Portuguese reality of using cultural expertise in out of court settings – most of the places, where cultural expertise is used in Portugal, are multi-service immigrant/minority support centres and/or associations, providing a variety of services, including such areas as legalization and citizenship, education, health, employment, social security, among others.

After analysing the above-mentioned challenges and solutions, I will conclude with an overview of my principal achievements (like successful completion of all compulsory deliverables, presenting the project to and establishing contacts with the key relevant target groups and organisations in Portugal) and some of the lessons that I learnt through this data-collection (e.g. an absolute necessity of a pre-research phase dedicated to planning, exploratory meetings, some additional (specific country) research, questionnaire pre-testing, etc.; taking into account each country’s specific characteristics, while design the methodological approach and plan of action).

Spain: Dr. Beatriz Barreiro Carril

This paper focuses on the methods that I have adopted starting from EURO-EXPERT’s guidelines for the quantitative led phase of data collection in Spain. This paper will particularly focus on the following main challenges: 1) The difficulties for having answers to the questionnaire in an issue – “cultural expertise”, which is completely emerging, and out of the imaginary of the judicial operators. 2) The fact that the reports of the few “cultural” experts who may had intervened in the judicial procedures are not public. 3) The lack of a transparent culture in Spain, taking into account that our democratic live is only of 40 years. 4) Specially, I was aware that having answers of judges belonging to conservative sectors would be especially difficult.

I will analyse the specific aforementioned challenges and strategies to overcome the in my data-collection, in particular: 1) In order to have answers to the questions of the questionnaire, I needed to *denaturalise* it; this is to say, to meet respondents nearly one by one. This strategy created additional obstacles and asked for more resources related with 1) the need of time and energy 2) the question of how to do with the very highly prestigious “cultural” expertise at court, whose names emerged during conversations with other experts, lawyers or judges. Sending *only* a questionnaire without meeting them did not seem effective. The other 3 challenges have been overcome with specific meetings with the different actors.

I am highly satisfied with the results. Even if I am not having all the answers foreseen to the questionnaire because of the own limits of it in the Spanish context I have arrived to have the information to this questionnaire by other ways. If I had to do again this task, I would do it by organising short explorative workshops at the very beginning of my work, involving the different actors and favouring the realisation of interviews.

I will conclude my paper with an overview of my principal achievements which deal with the creation of the consciousness about the need to give importance to cultural expertise at court within some important institutions. This is particularly the case of the Spanish Federation of Associations of Anthropologists or the *Audiencia Provincial de Tarragona*. Specifically, I am very fond of what I see as a highly valuable result, which relates to the province of Tarragona as microcosms of a deep study of cultural expertise, with important results in terms of knowledge of cultural expertise in many levels (translators, judges, judicial secretaries, service of victims) and

institutional possibilities to develop future activities within the centre of studies of judicial actors of Calaluña. This achievement is related with one of the lessons I learnt in this process which is the importance of being flexible concerning the strategies planned at the beginning and having capacity to adapt to the changes. In fact, the main important actor for such a result is the President of a provincial audience of Tarragona, whose contact was not made through the strategy made for judges, but through that made for experts. I will refer to this specific process in my paper. Another importance achievement relates to the discovery of a very specific issue where judges, translators and people working with victims confirmed the need of cultural expertise: The specific meaning of spitting and other practice in the context of gender violence within North-African couples. This constitutes a topic I will definitely work on.

Sweden: Laura Lehtonen

This paper discusses EURO-EXPERT's phase one data collection in Sweden. I will start by reviewing the challenges I had expected and how I have tackled these. In the course of the project it became clear that the terms and conditions didn't allow for relocating to Sweden, which meant that I could not work on the data collection in person at the location. Alternative means of recruiting respondents for the questionnaire was required. After having had contacted the Swedish courts twice between November and December, I reasoned that if the judges were to be contacted for the third time, this contact would need to be "optimised" i.e. by having the Principal Investigator reintroduce the survey to the courts in the new year. She kindly agreed to do so. Reaching the other categories of respondents (especially beneficiary) remained a challenge and my presence towards collecting the out of court sample was limited. In terms of case law, I found it helpful to run my data collection strategy through a Swedish legal professional, initially a questionnaire respondent himself, who had taken keen interest in the project. I included a note in the survey emails about welcoming suggestions for case numbers with cultural expertise/cultural experts. I received no response back in that regard though.

I will also discuss upsides and downsides to carrying out the data collection in the context of Sweden. The upsides include that email is a staple tool for professional communication, to the point that it can be the preferred way. Further, the catalogue of online resources is extensive. While the knowledge of the context of the research helped me to pursue the data collection, some Swedes indicated that they were uncertain about how to relate to the study. I personally enjoy the innovative element to the study and would personally navigate through the questionnaire even if some of the questions maybe appear cumbersome. However, from the point of view of a data collector the fact that Swedes expressed difficulty with answering the questions made the task laborious. Extracting cultural expertise from the Swedish case law in quantity was consuming as the case descriptions can be implicit in this regard (rather than in clearly "extractable" form). Also, while any information is carried over from lower instances, the documented commentary in reference to it by the appeal court can be vague. Further, the case law provided is in essay format that allow for flexibility in terms of how the descriptions are given (rather than having e.g. a clear format and structure in sections). I find that the questions posed for the out of court sample would have required more engagement (time and presence) than collecting the data remotely allowed for in the context of Sweden.

I will analyse the specific challenges and strategies to overcome them in my data-collection. This section will cross over from the expected challenges to unexpected ones. Late in

the year and leading up to Christmas was perhaps a little bit ungrateful timing for reaching out to the questionnaire respondents, and so the data collection went on until May in this regard. I believe reaching beneficiary could have benefited from presence in the field. In the hindsight of the case law downside, I spend more time looking at the cases in order to carefully (and correctly) document these for the project. As for the out of court sample, already due to my schedule in the latter part of the data collection, I utilised mainly online resources and it appeared sensible to focus on some questions more than others. For example, how many cases of cultural expertise there are per a year, is quite elaborative question that is better suited to an interview situation. Considering the time, tools and circumstances I had for the data collection, I put in any effort I realistically could, which leads to some degree of satisfaction in me.

If I was to take on this phase again, I would prefer not to deviate from my technical plan. I think that, respective to the initial target, assigning more contracted hours for each of deliverables should be discussed. Designing data collection for 14 different countries is a challenging task. I find that the innovative element to the study would benefit from qualitative exploration. This would reveal more about the character of cultural expertise in each country context, and also lend for developing tools for more quantity based data collection in different country contexts further.

I will conclude with an overview of my principal achievements and some of the lessons that I learnt through this data-collection. I find that anytime I was able to interact with people, within the parameters of collecting the data remotely, this bore potential for the data collection. I distributed the survey rather widely, and was able to reach all the survey respondent categories before Christmas. By learning from the team and through the practice of the collecting data, I would like to think I have gained more knowledge on what designing and executing this type of study might entail.



Audio Video Consent

The '**Methods Workshop**' convened by Prof Livia Holden as part of the ERC project 'EURO-Expert - Cultural Expertise in Europe: What is it useful for?' will be filmed on **15-16 October** in Nicosia, Cyprus, in order to keep a record of the event.

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