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*The Judicial Independence and  
Legal Empowerment Project (JILEP)*

# Attitudes toward the judiciary in Georgia



CRRC Georgia

September 2014

# Research design

## 2014

- Nationwide representative survey (3814 completed interviews); average margin of error – 2%;
- 18 focus groups in Tbilisi, Batumi and Kutaisi;
- 80 quantitative and qualitative interviews with legal professionals and business leaders.

## 2012

- 82 quantitative and qualitative interviews with legal professionals and business leaders.

## 2011

- Nationwide representative survey (4318 completed interviews); average margin of error – 2%;
- 25 focus groups in Tbilisi, Batumi and Kutaisi;
- 38 qualitative interviews with legal professionals.

# Improvements since 2011

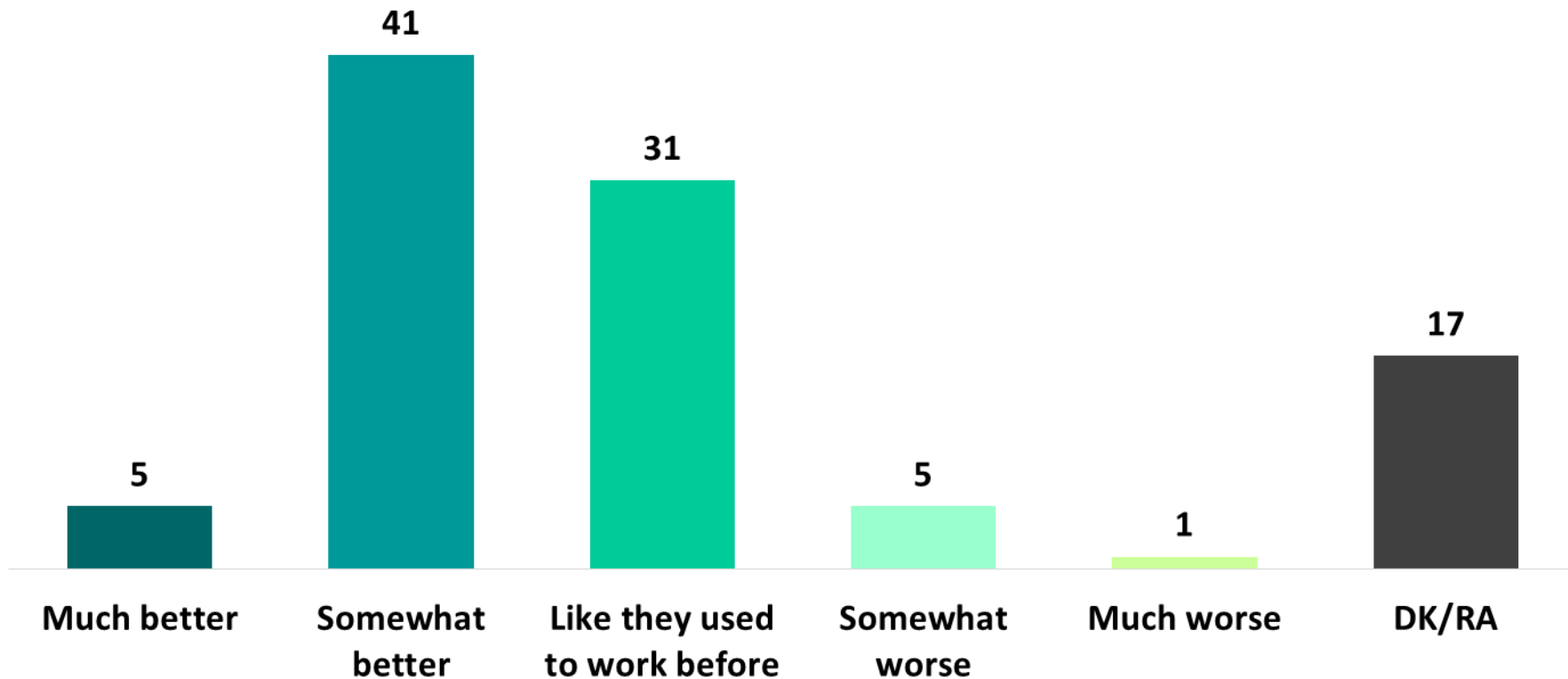
- After 2011 general improvements are perceived in the judiciary;
- Improvements are partly associated with the change of the government in October 2012.

# In Georgia, everyone is equal before the law (%)

■ Completely agree   ■ 4   ■ 3   ■ 2   ■ Completely disagree   ■ DK/RA



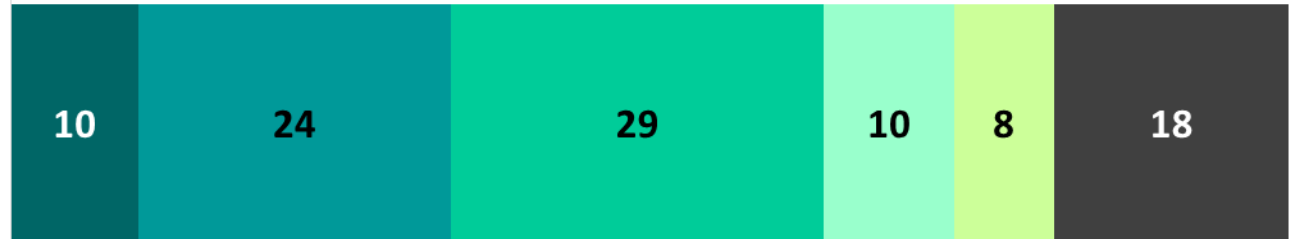
# After the Parliamentary elections of October 2012 the Georgian courts work...? (% , 2014)



# The courts' proceedings were/are transparent in Georgia... (% , 2014)

■ Completely agree   ■ 4   ■ 3   ■ 2   ■ Completely disagree   ■ DK/RA

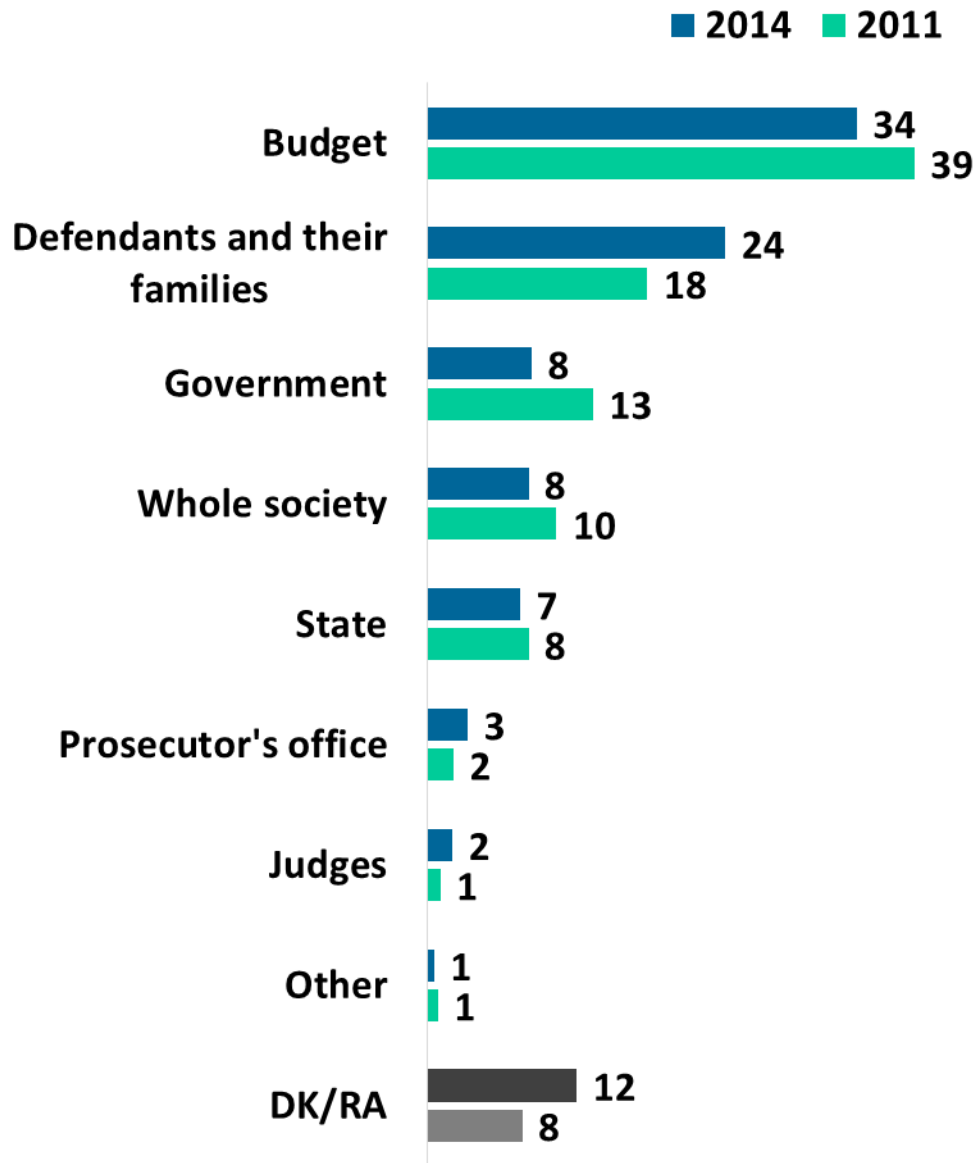
After the October 2012  
Parliamentary elections



Before the October 2012  
Parliamentary elections



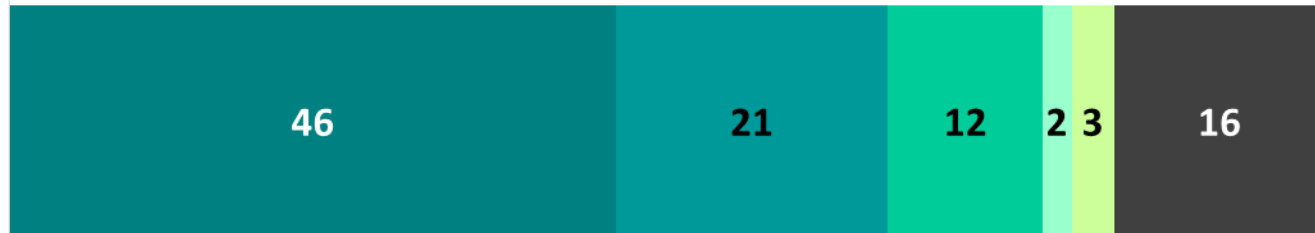
# In whose interests is plea bargaining most of all? (%)



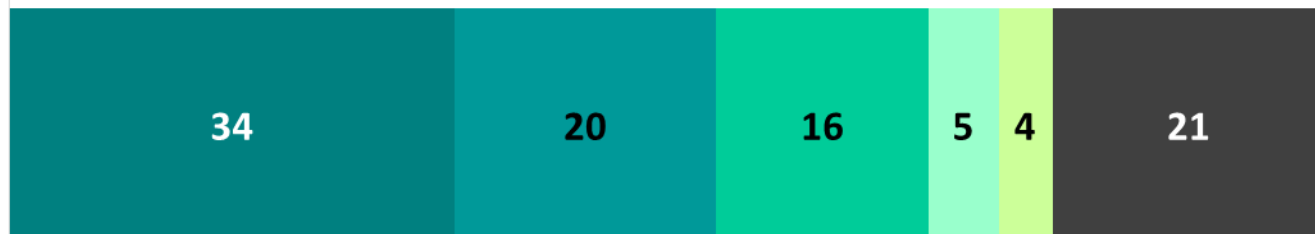
# Plea bargaining helped to ensure sufficient income in the budget... (% of whose, 60%, who has heard about plea bargaining, 2014)

■ Completely agree   ■ 4   ■ 3   ■ 2   ■ Completely disagree   ■ DK/RA

Before the 2012 Parliamentary elections



After the 2012 Parliamentary elections



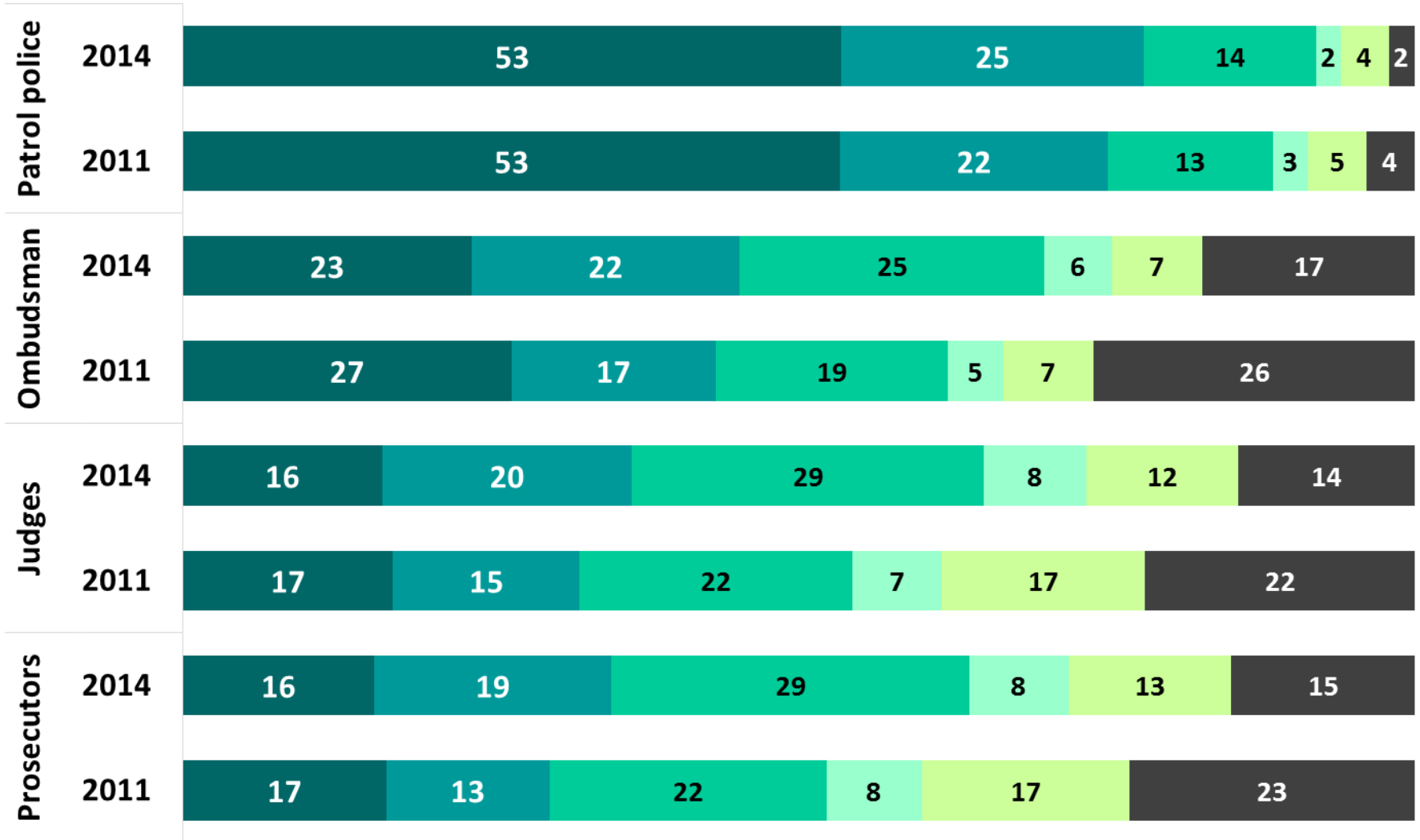


# Trust and independence

- Compared to other public institutions and groups, Georgians still have low levels of trust in the courts, judges or prosecutors and it has not changed much since 2011;
- To a small extent, there is positive change in people's perceptions on the independence of judges.

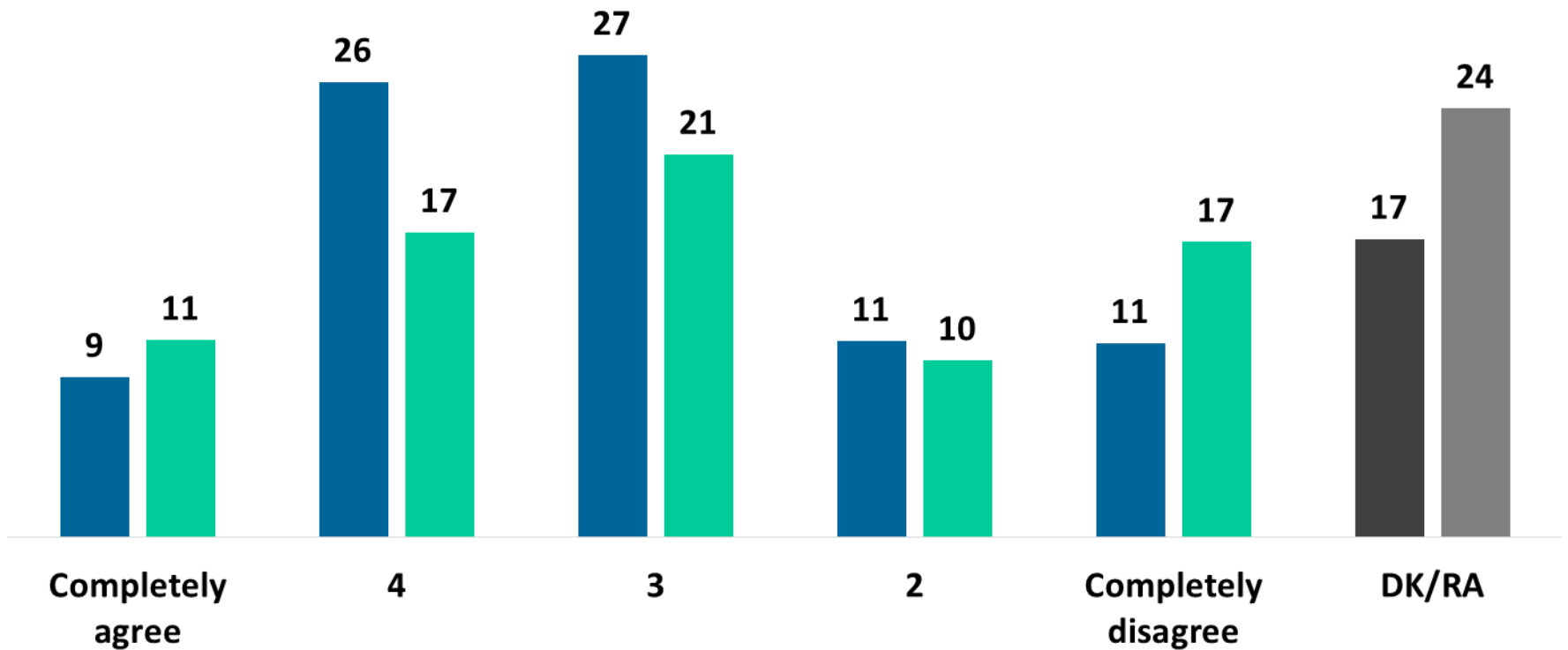
# How much do you trust or distrust? (%)

■ Completely agree   
 ■ 4   
 ■ 3   
 ■ 2   
 ■ Completely disagree   
 ■ DK/RA



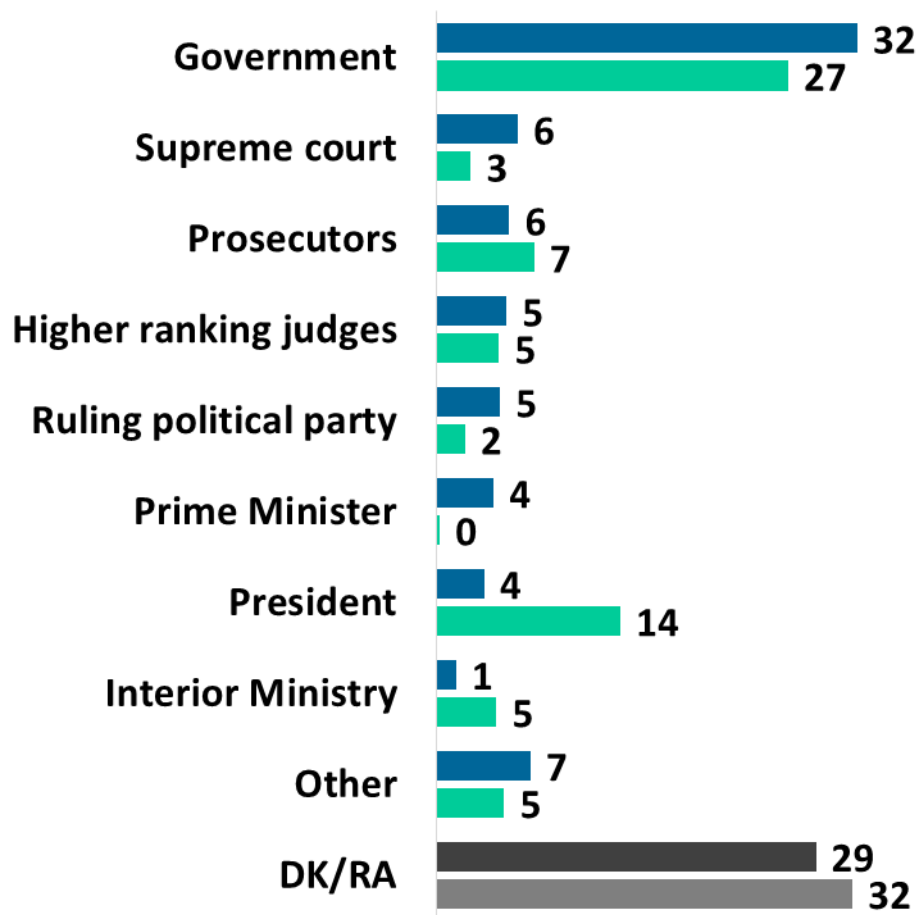
# Overall, the judges are independent in Georgia (%)

■ 2014 ■ 2011



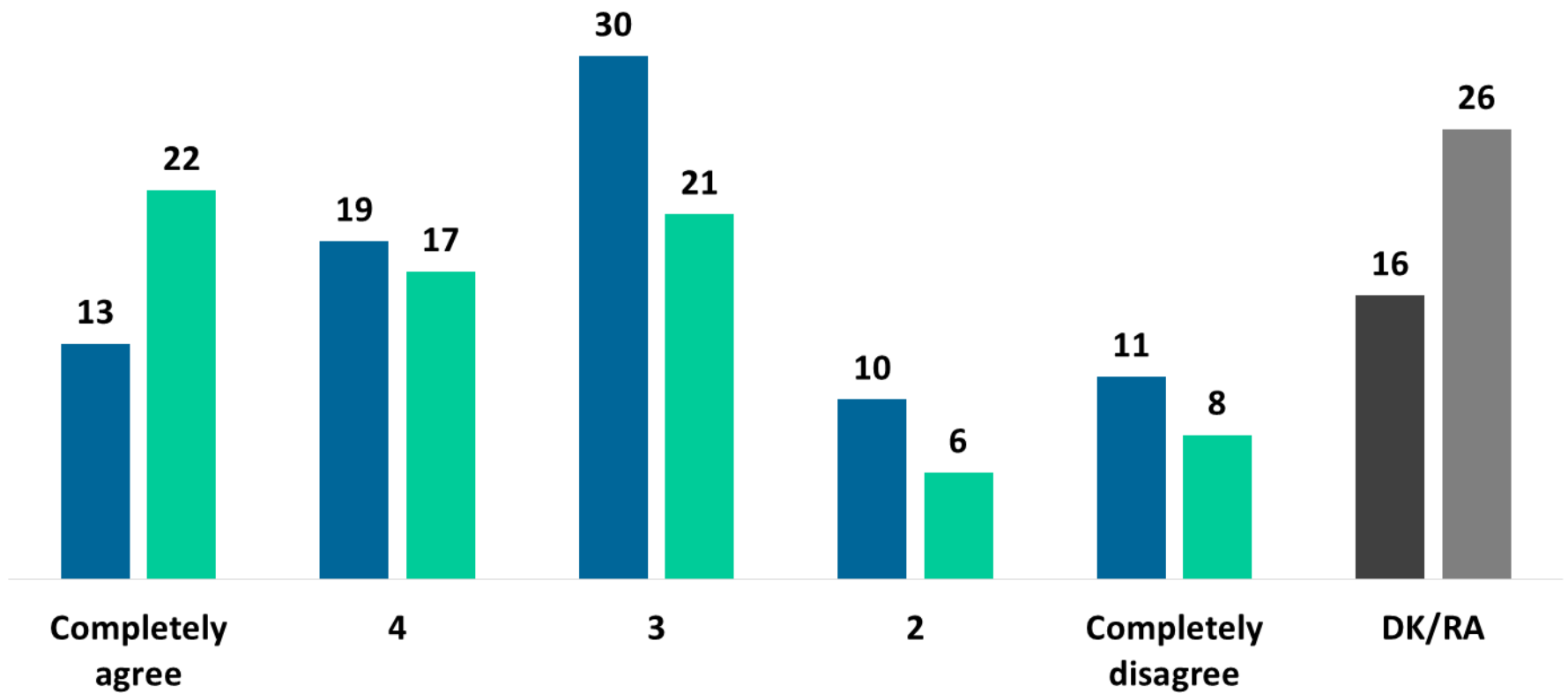
# Whom or what do the Georgian judges depend on most? (% of those who do not agree that judges are independent)

■ 2014 ■ 2011



# Judges in Georgia serve the government's interests (%)

■ 2014 ■ 2011



# Quotes from focus groups

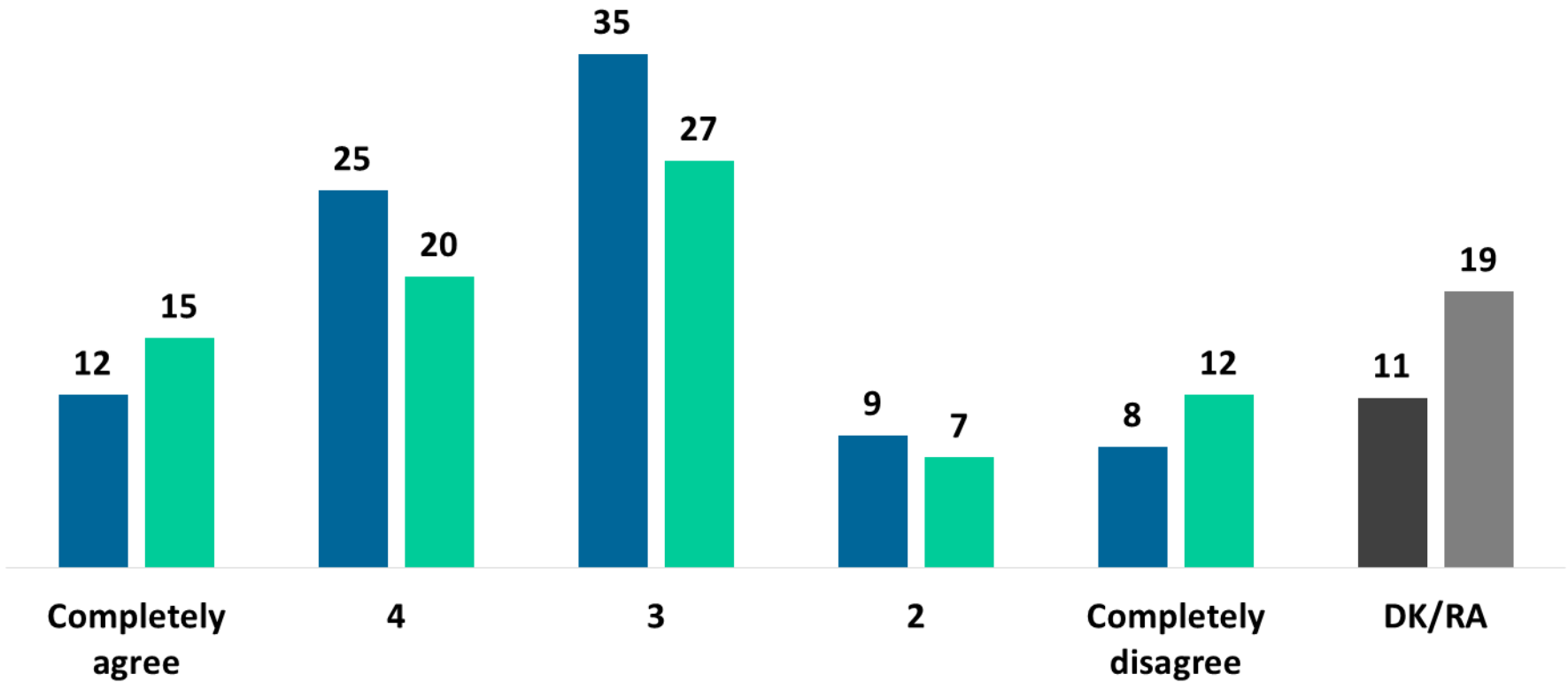
- “If the court case deals with a regular citizen, no one puts pressure on judges. When the case is political or involves a politician’s relative, then there can be pressure. I would not trust court in that case.”
- “Until a judge can be punished for an unfair decision, nothing will change.”

# Fairness

- Perceived fairness of judges has increased a little bit;
- The perception persists that the system still discriminates against the poor; other minorities are seen as relatively protected;
- Georgians continue to believe juries will positively impact fairness of the judiciary.

# Georgian judges are fair (%)

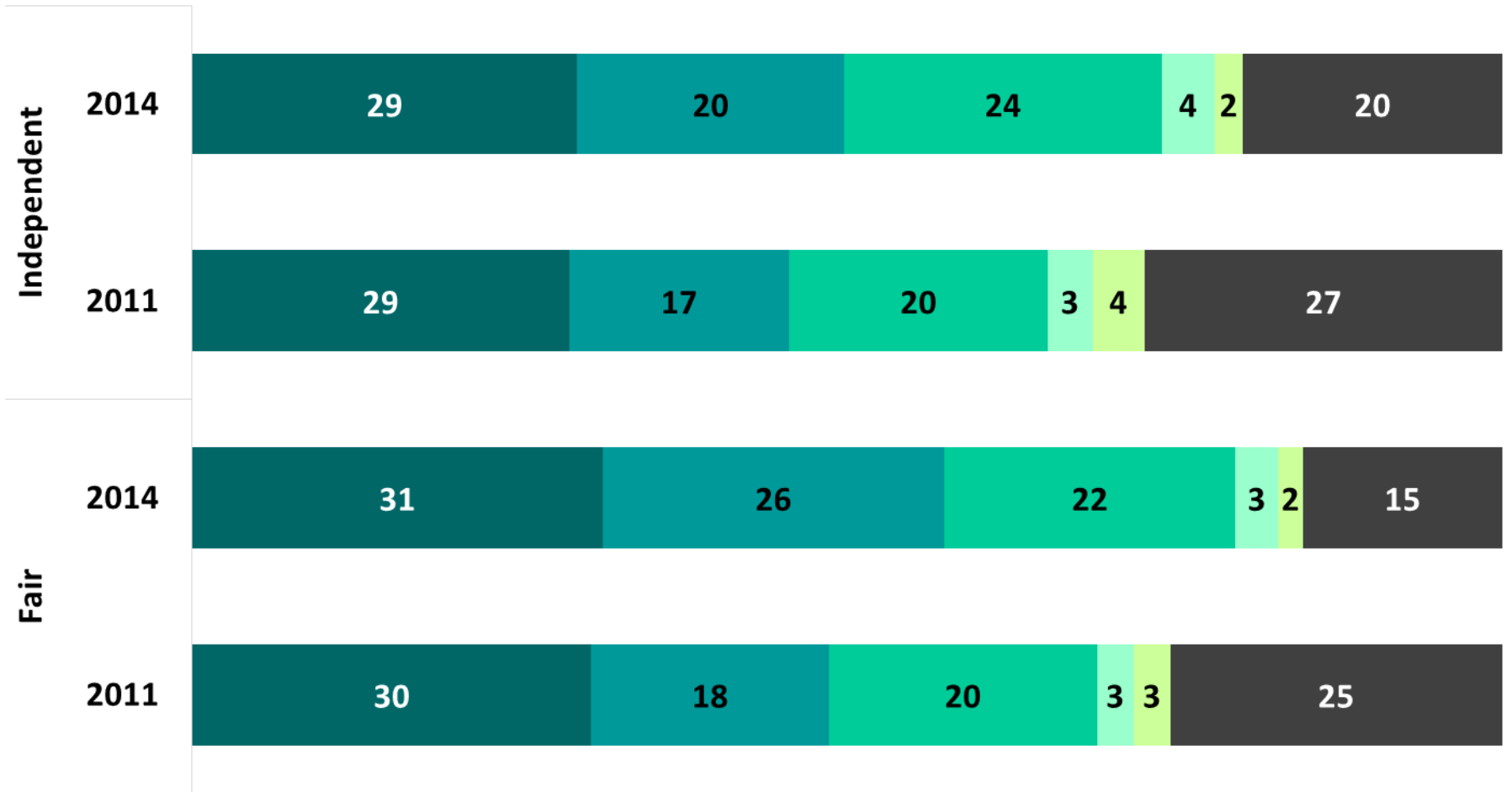
■ 2014 ■ 2011





# Suppose two neighbors have a dispute over land plot. How independent/fair do you think the judge will be while deciding this case? (%)

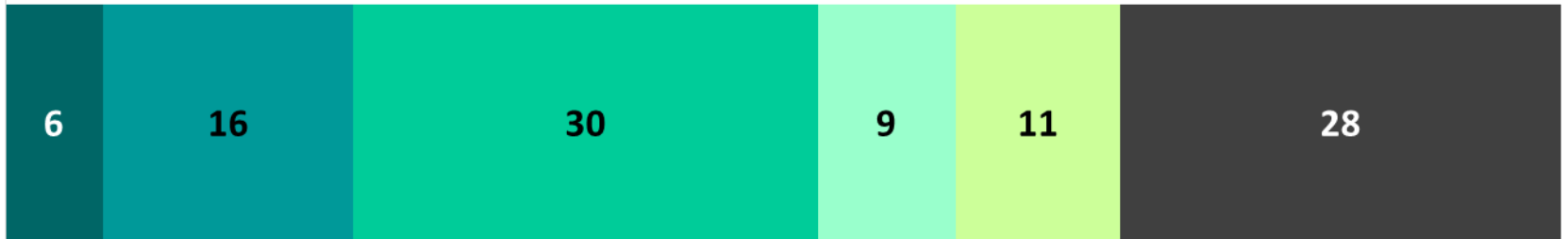
■ Completely
■ 4
■ 3
■ 2
■ Completely not
■ DK/RA



# When a person sues a private business, the judge will generally favor the private business over the person (%)

■ Completely agree   ■ 4   ■ 3   ■ 2   ■ Completely disagree   ■ DK/RA

2014

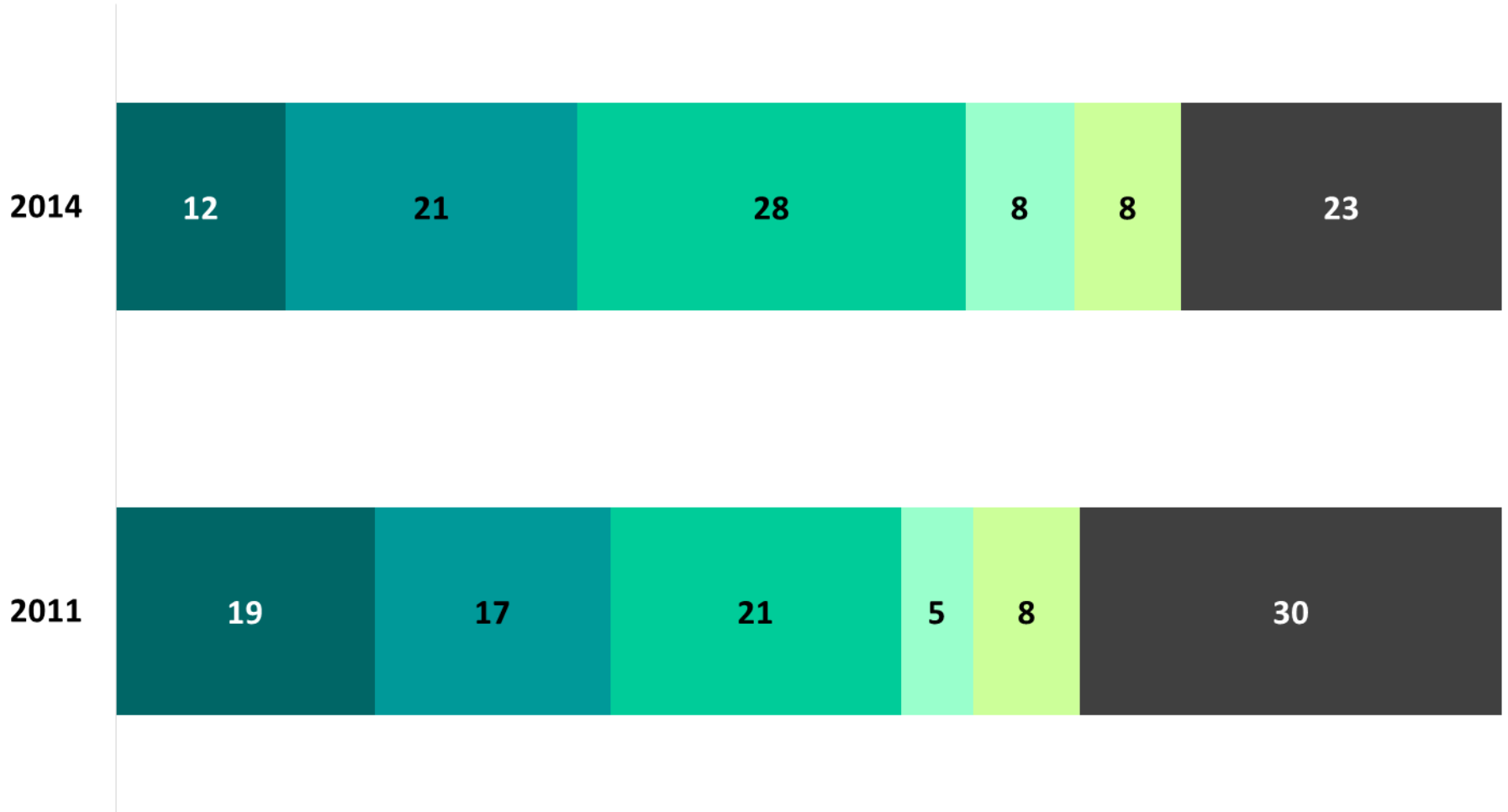


2011



# When a person sues a state body, the judge will generally favor the state body over the person (%)

■ Completely agree   ■ 4   ■ 3   ■ 2   ■ Completely disagree   ■ DK/RA



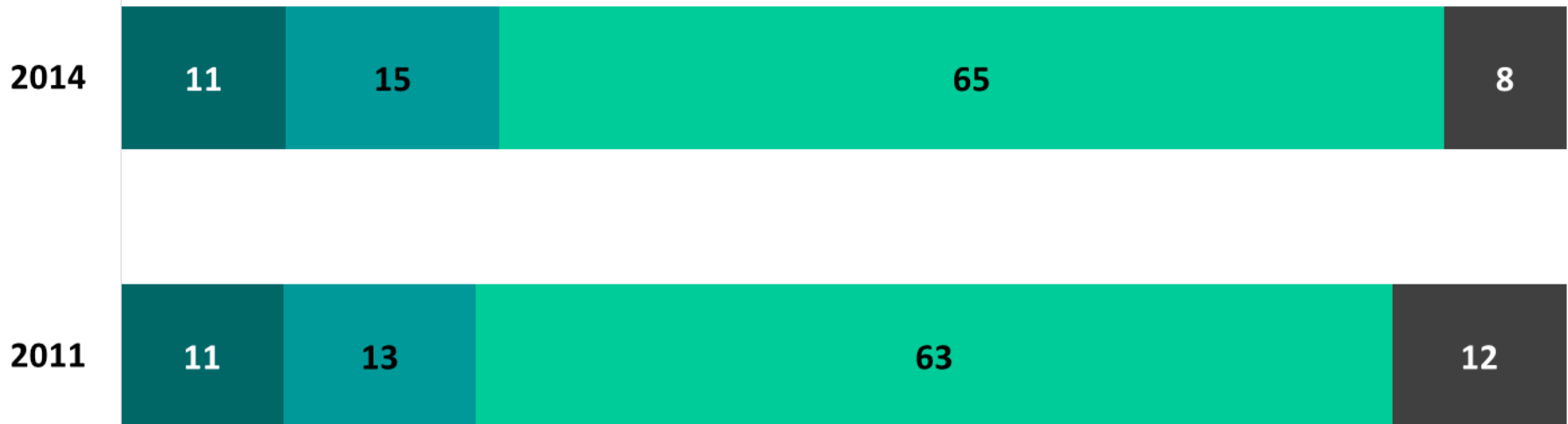
**Suppose two people - one rich, one poor - each appear in court, charged with an identical crime they did not commit. Who would be more likely to be found guilty? (%)**

- The rich person is more likely to be found guilty
- The poor person is more likely to be found guilty
- They both have the same chance of being found guilty or not guilty
- DK/RA

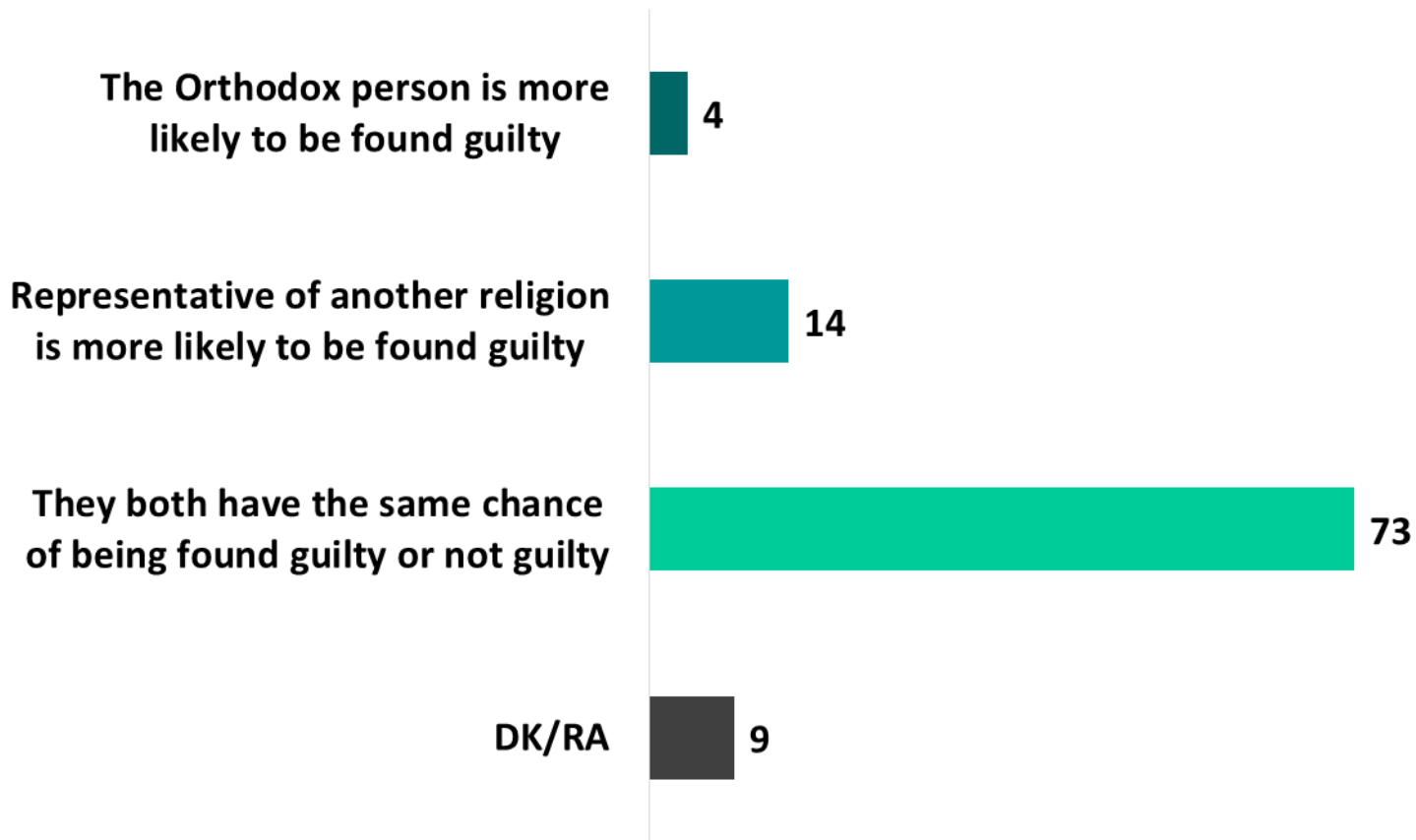


**Suppose two people – one of them ethnic Georgian, another one a representative of an ethnic minority group living in Georgia – each appear in court, charged with an identical crime they did not commit. Who would be more likely to be found guilty?(%)**

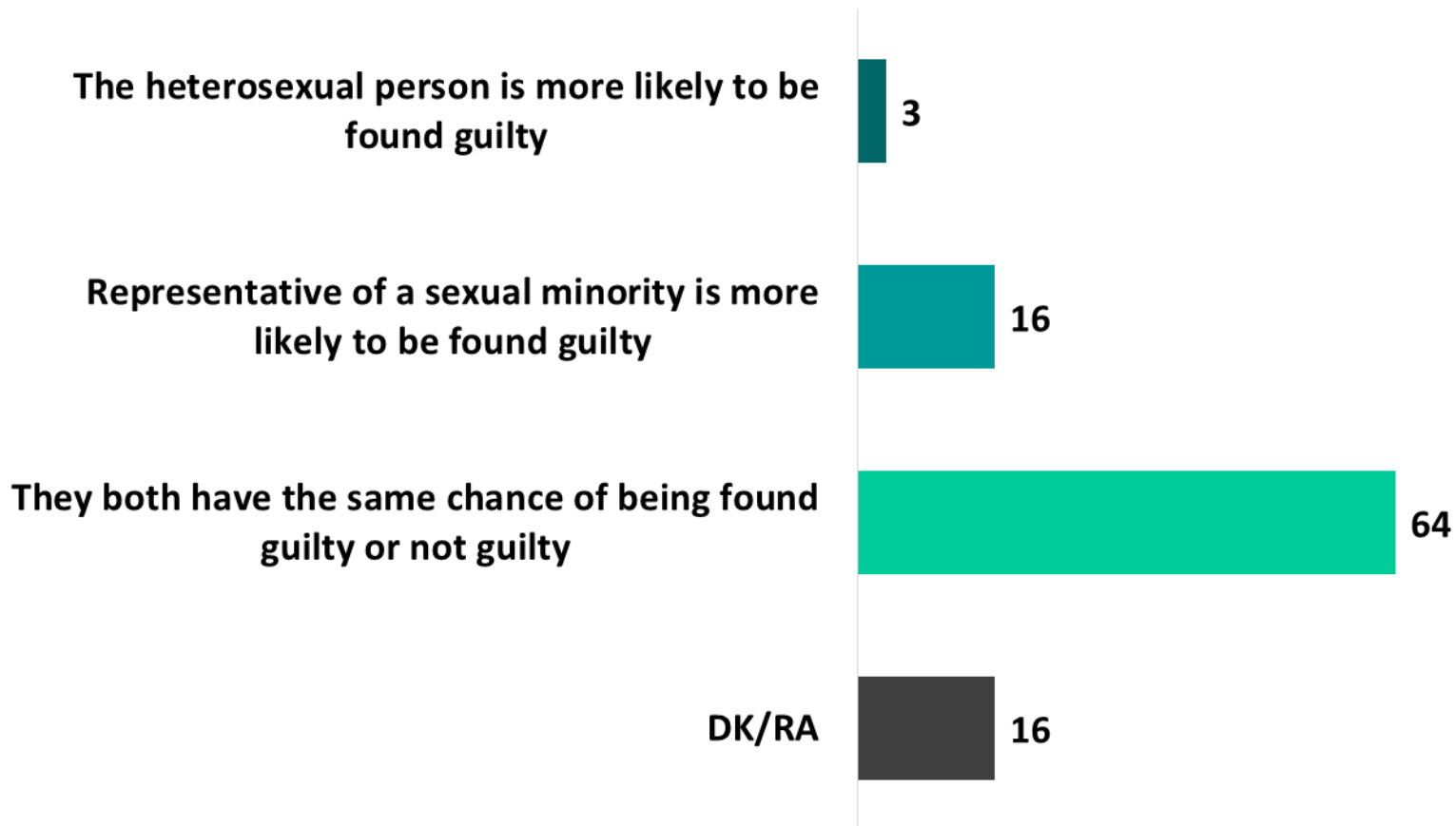
- The Georgian person is more likely to be found guilty
- The non-Georgian person is more likely to be found guilty
- They both have the same chance of being found guilty or not guilty
- DK/RA



**Suppose two people - one of them Orthodox, another one representative of another religion living in Georgia - each appear in court, charged with an identical crime they did not commit. Who would be more likely to be found guilty? (% , 2014)**

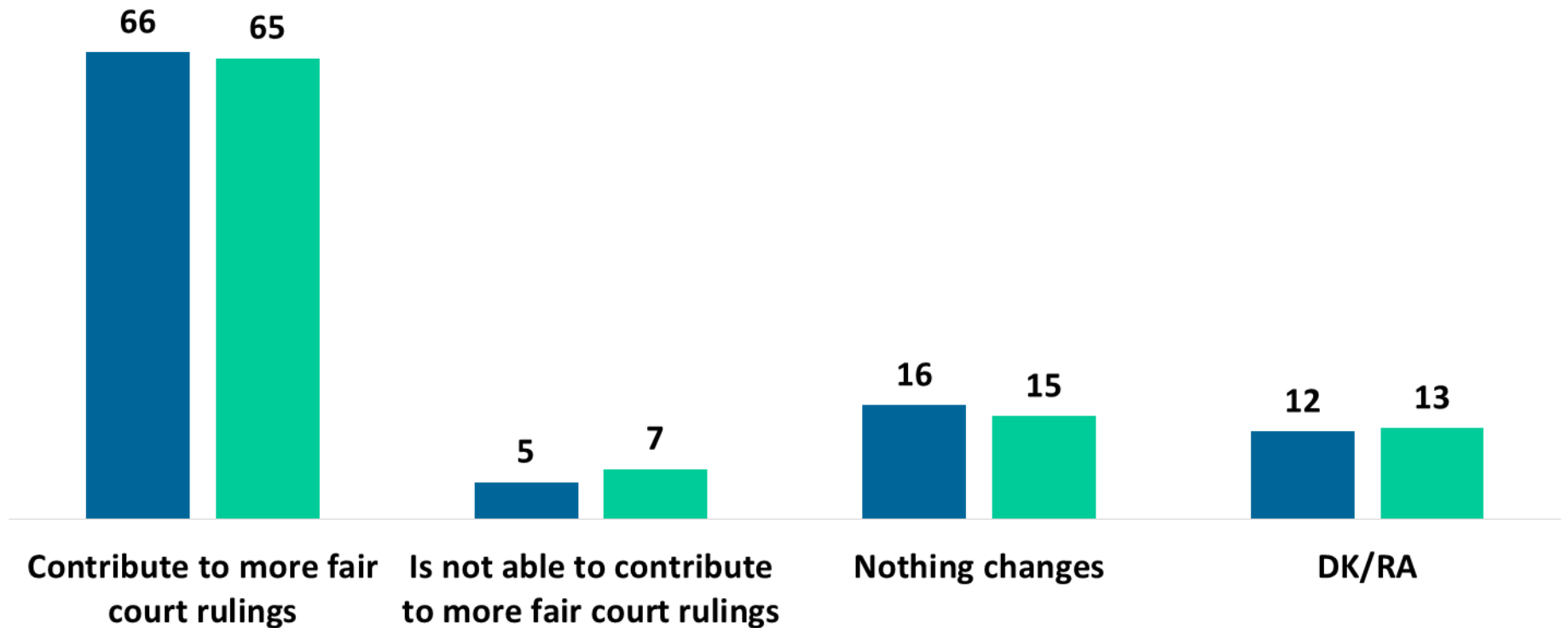


**Suppose two people - one of them heterosexual, another one representative of a sexual minority living in Georgia - each appear in court, charged with an identical crime they did not commit. Who you think would be more likely to be found guilty? (% , 2014)**



# What is the result of introduction of jury in Georgia? (% of those, who have heard about introduction of jury in Georgia)

■ 2014 ■ 2011

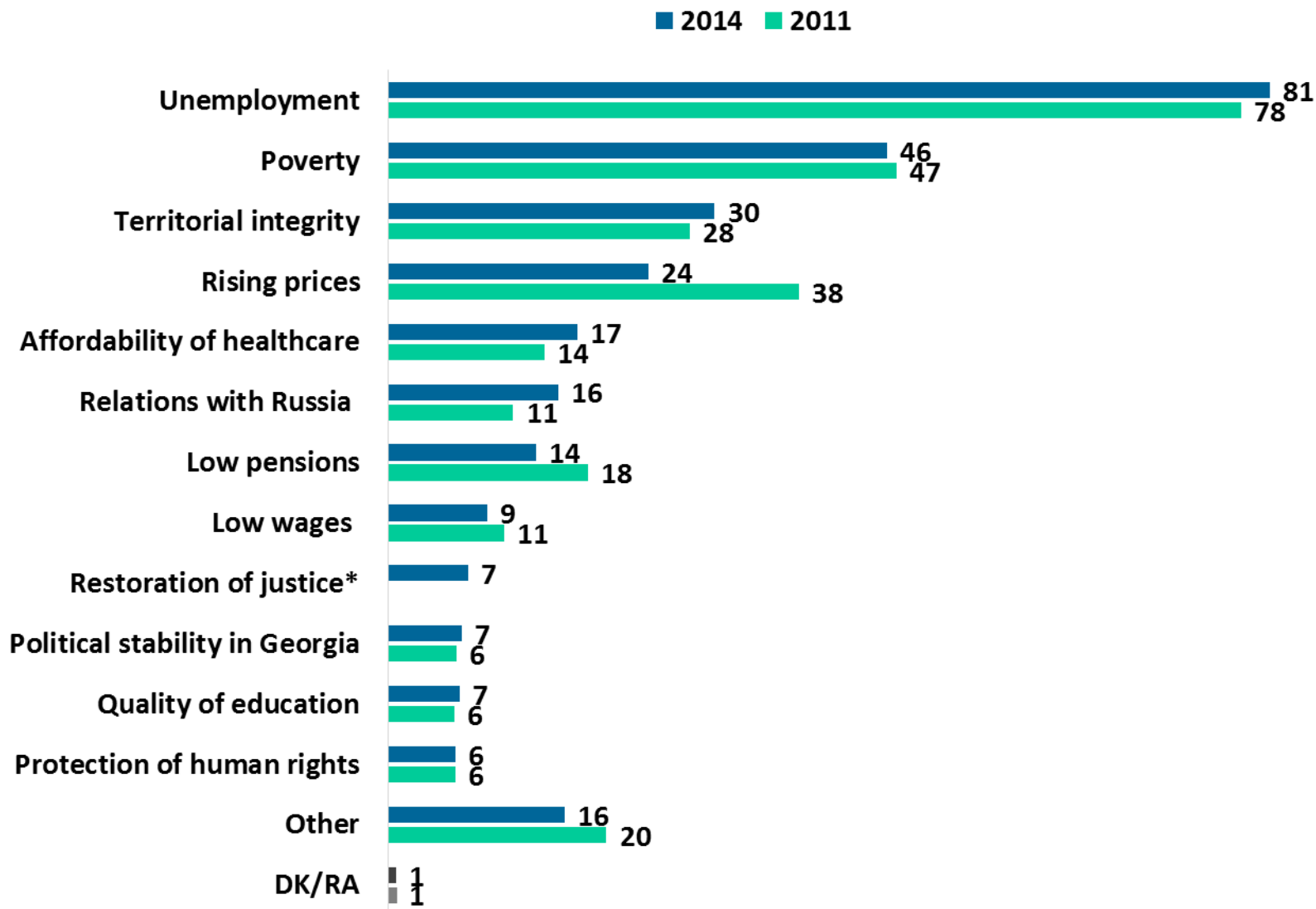




# Knowledge and perceptions of the judiciary

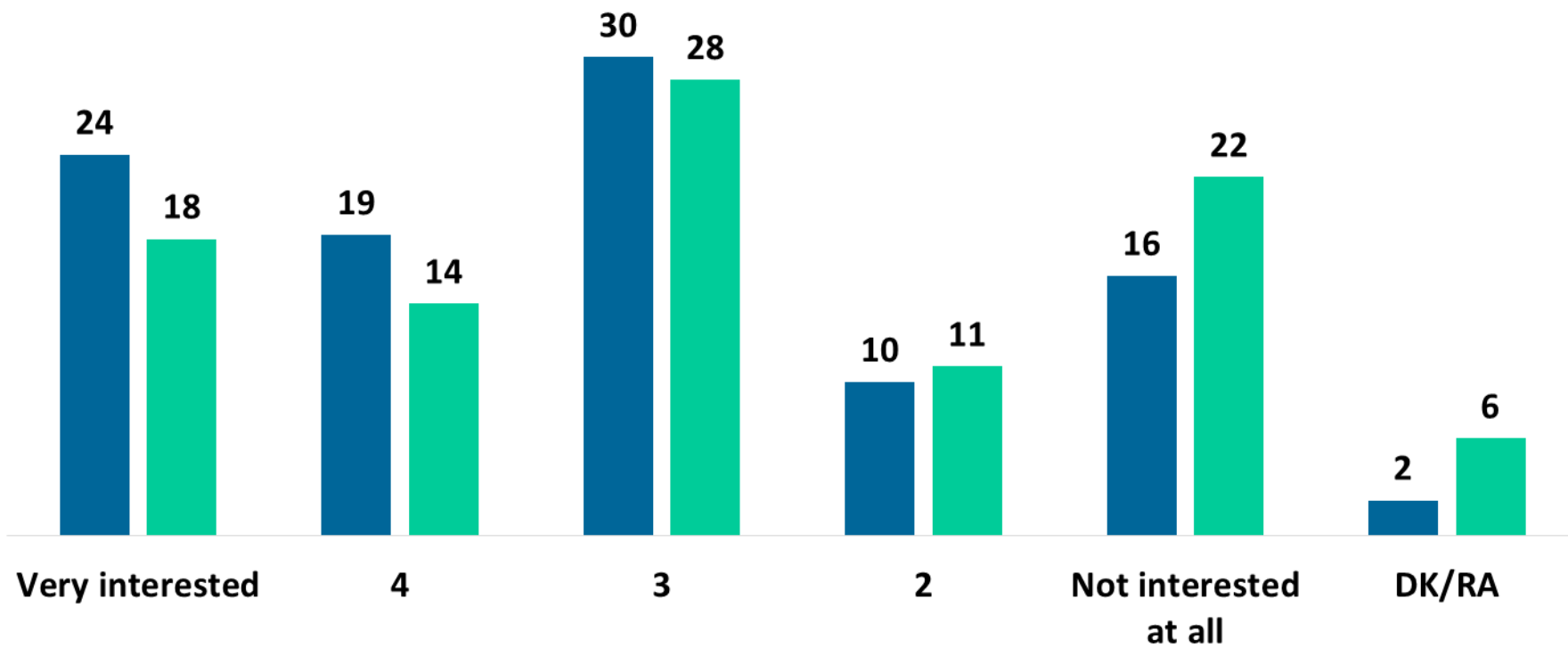
- There is increasing interest in the court system;
- Georgians still lack significant knowledge about the judiciary;
- There is a growing awareness of free legal aid services.

# Which problem do you think is currently the most important in Georgia? (%)



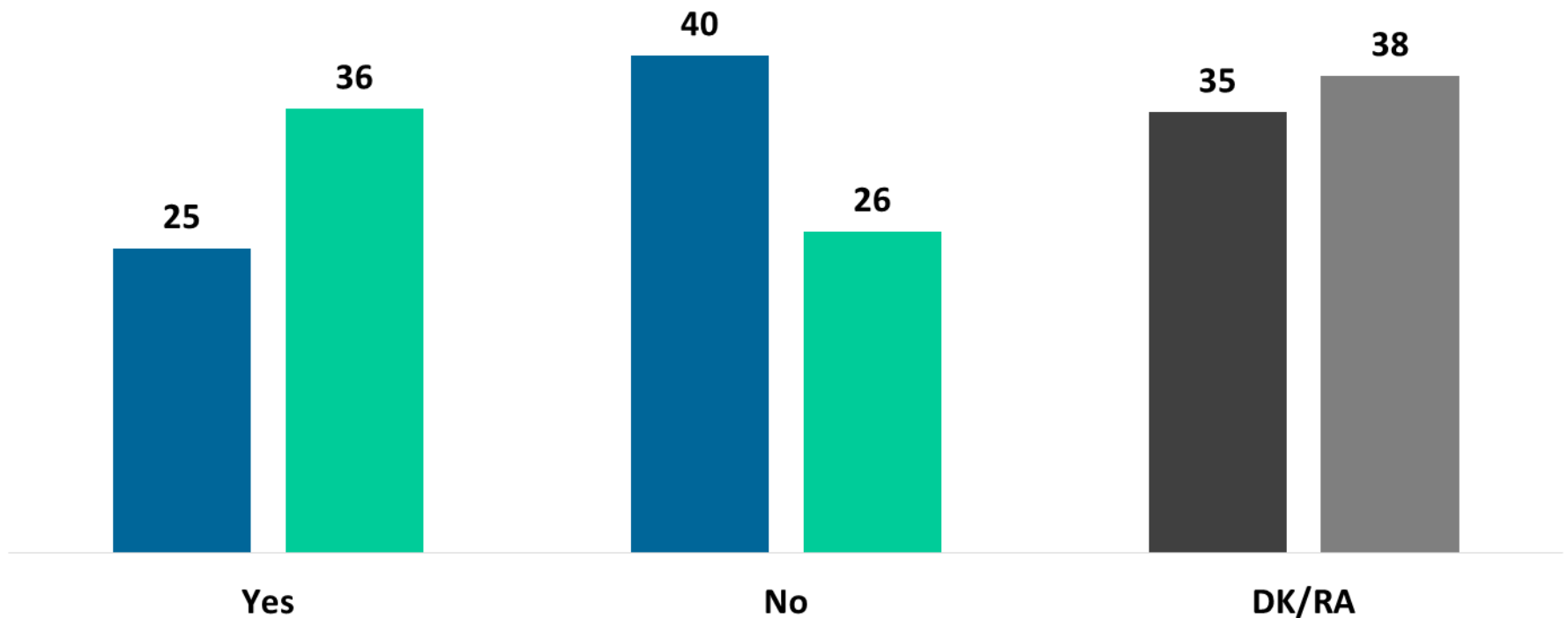
# To what extent are you interested in what is happening in Georgian courts? (%)

■ 2014 ■ 2011



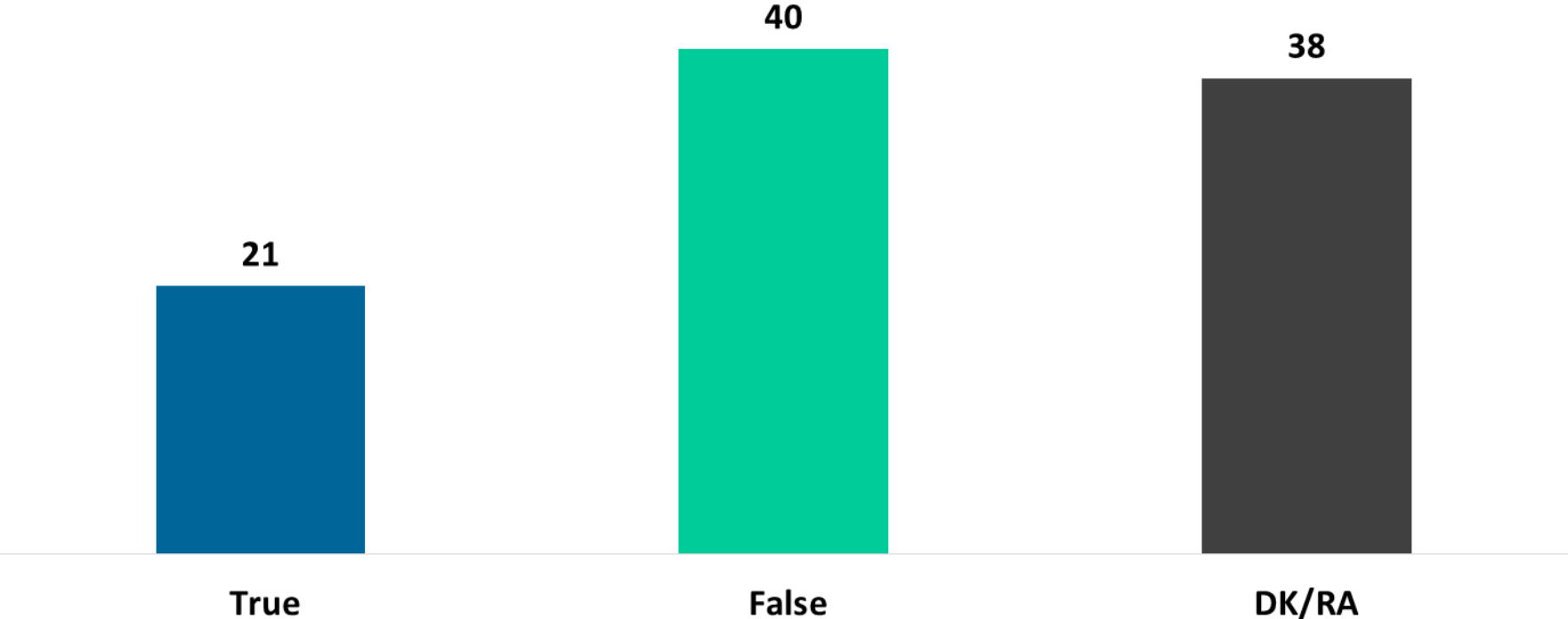
# The President of Georgia is legally allowed to dismiss the Supreme Court of Georgia (%)

■ 2014 ■ 2011



# The Prime Minister of Georgia is legally allowed to dismiss the Supreme Court of Georgia (% , 2014)

■ True ■ False ■ DK/RA

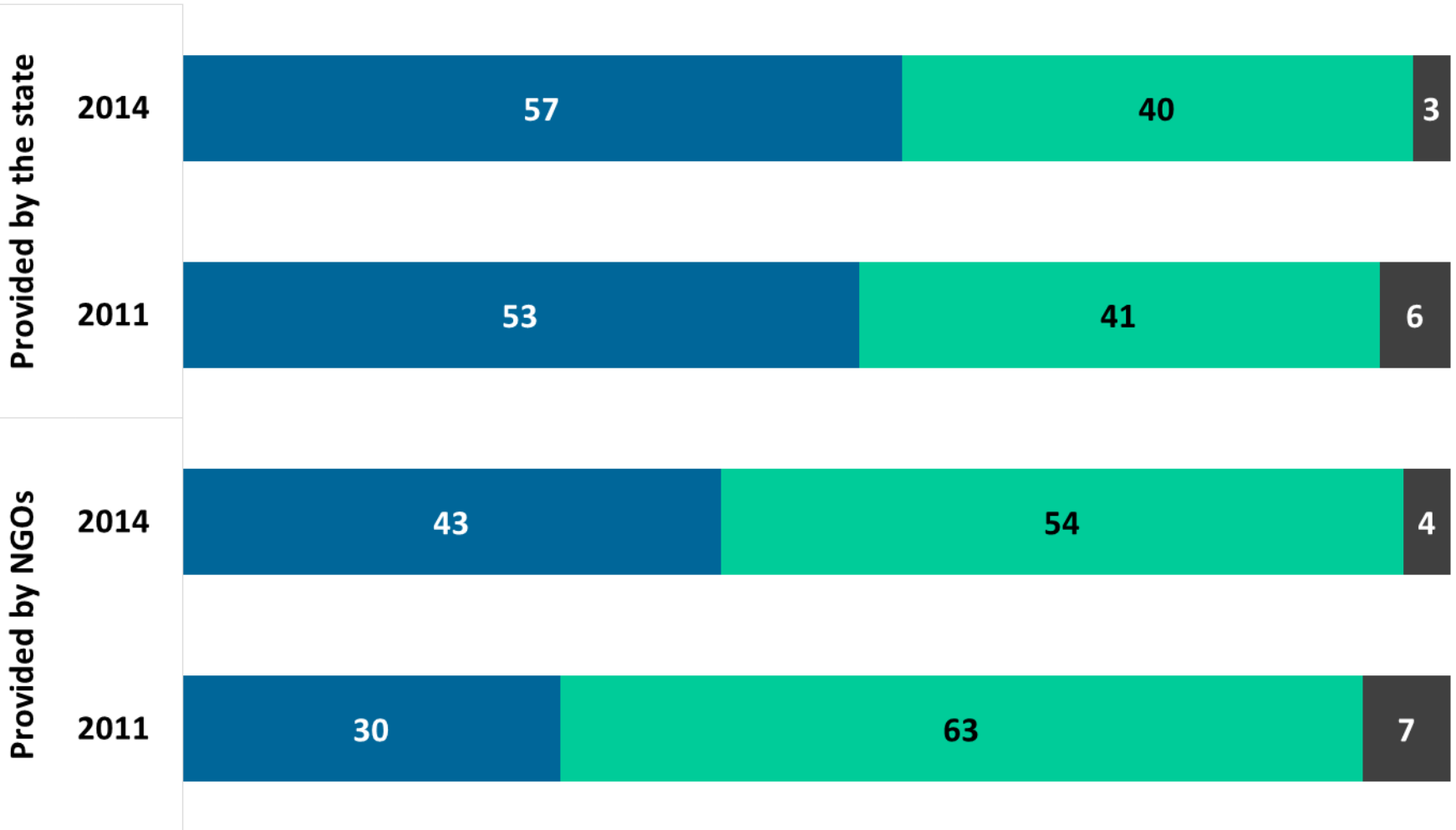


# Have you heard about free legal aid? (%)

■ Yes

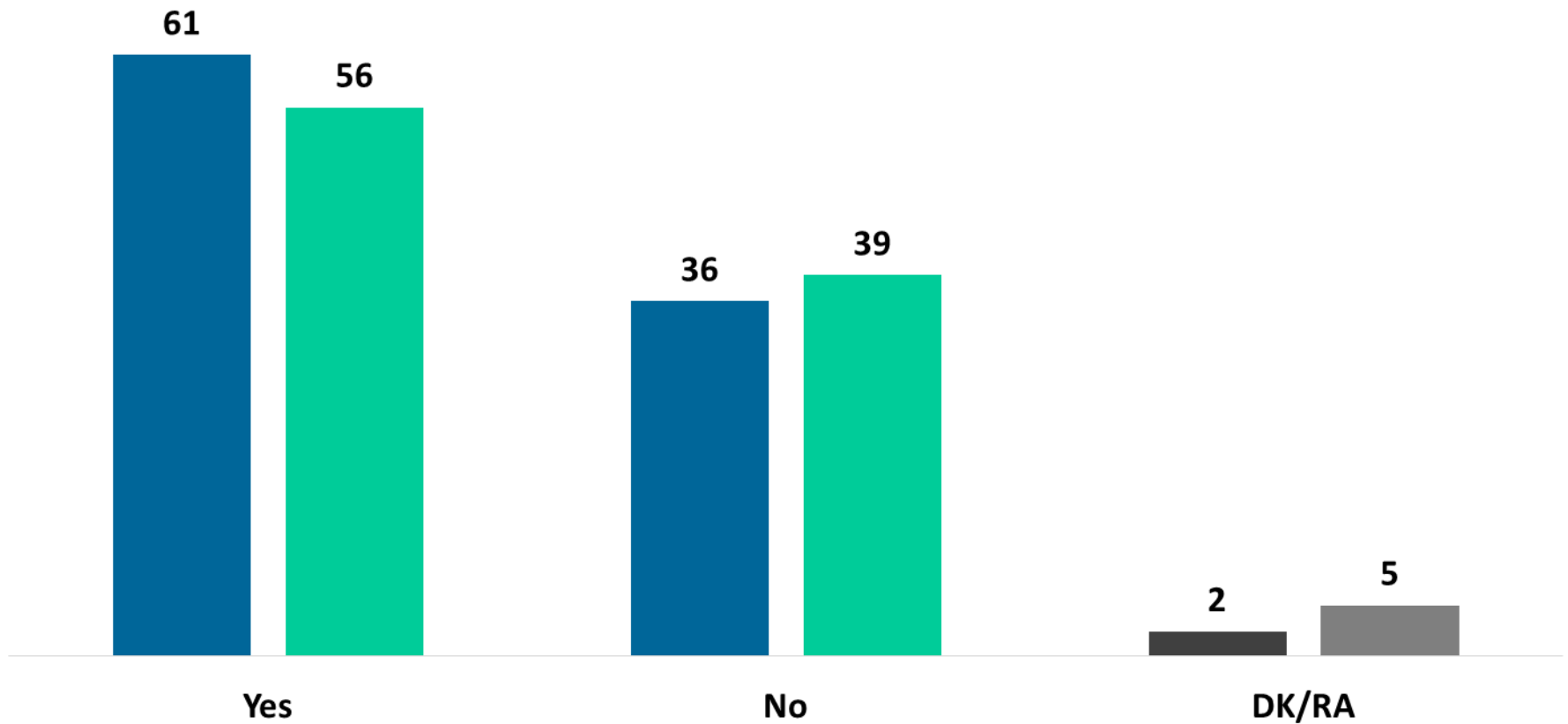
■ No

■ DK/RA



# Have you heard about introduction of jury in Georgia? (%)

■ 2014 ■ 2011



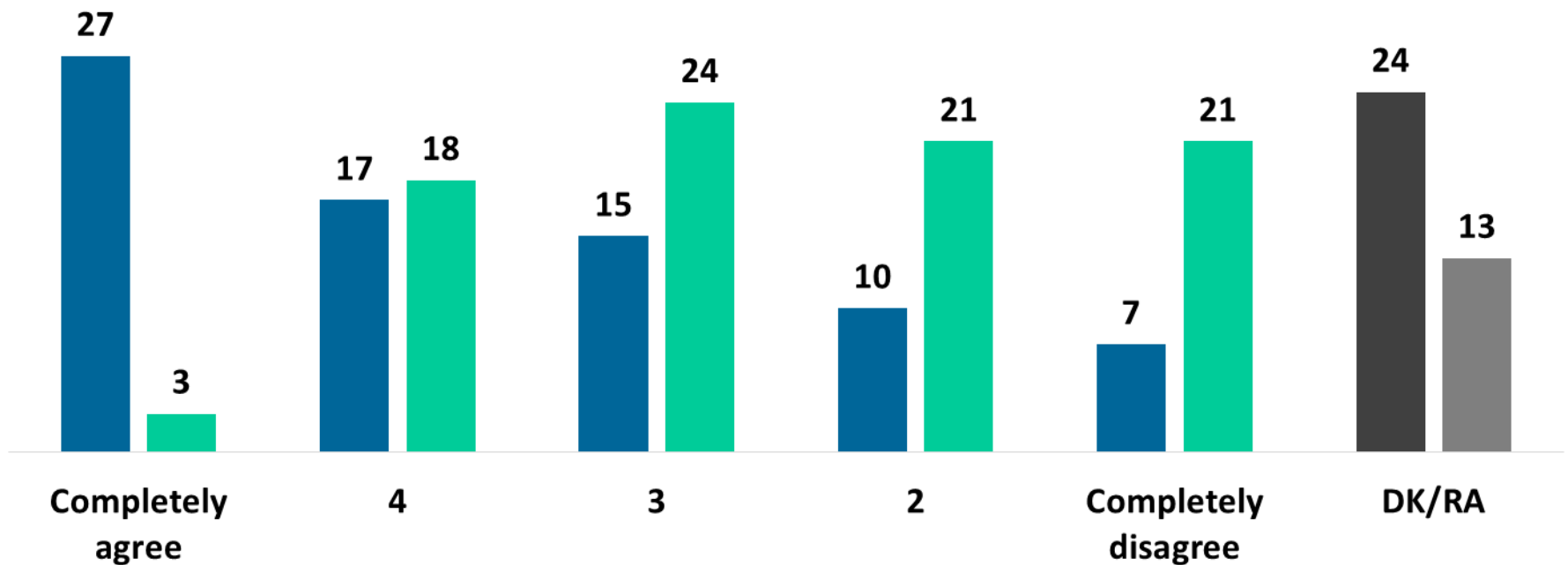
# Interviews with legal professionals and business leaders

- Institutions of judiciary are perceived as more independent;
- Legal education is still perceived as being rather low quality, especially for a lack of practical experience;
- Business leaders would be less willing to take a case to the court;
- Legal professionals claim more knowledge of commercial law.



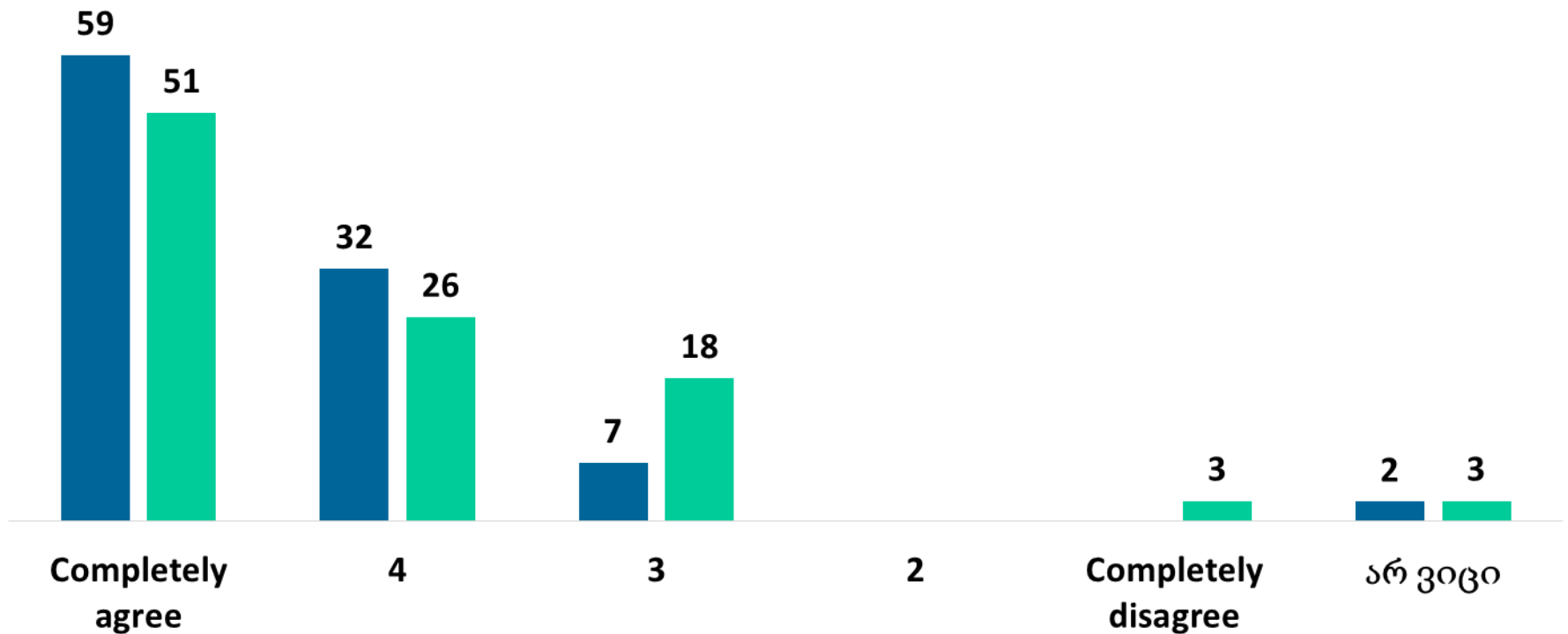
# The High School of Justice is independent from the influence of the executive government (% , survey among legal professionals)

■ 2014 ■ 2012



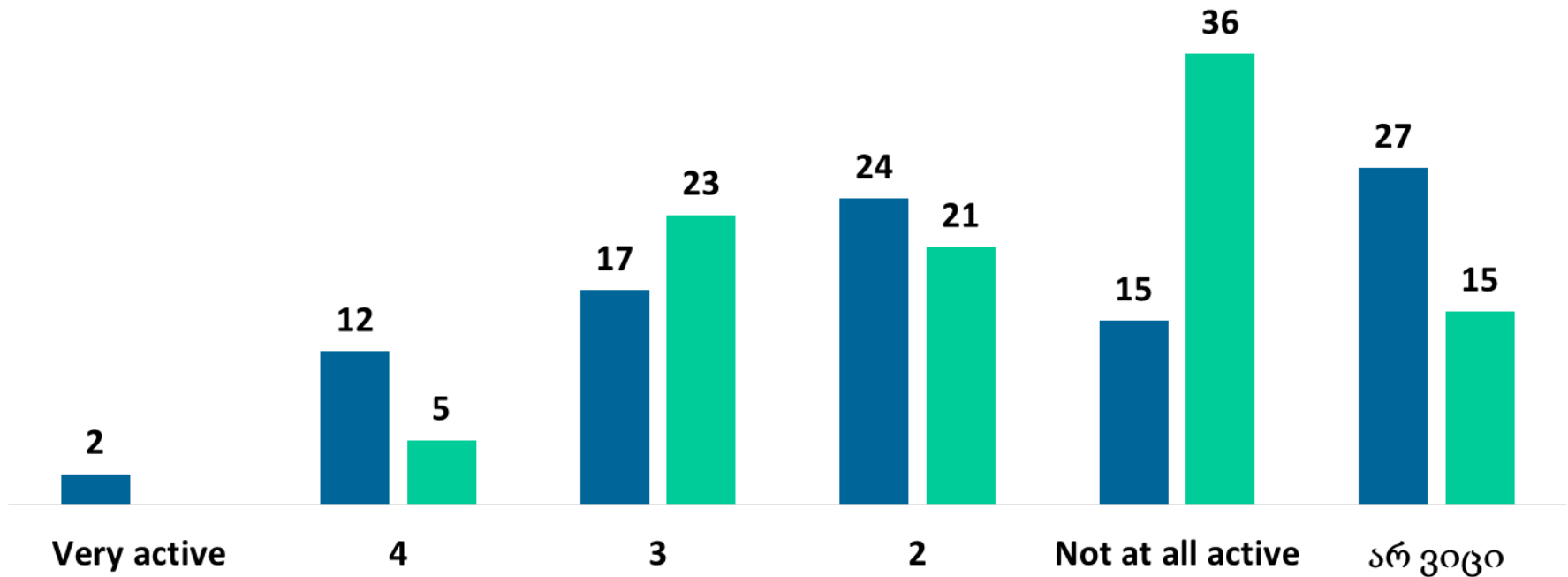
# The GBA is independent of the influence of the executive government (% , survey among legal professionals)

■ 2014 ■ 2012



# Activeness of JAG in promoting judicial independence/independence of judges (% , survey among legal professionals)

■ 2014 ■ 2012

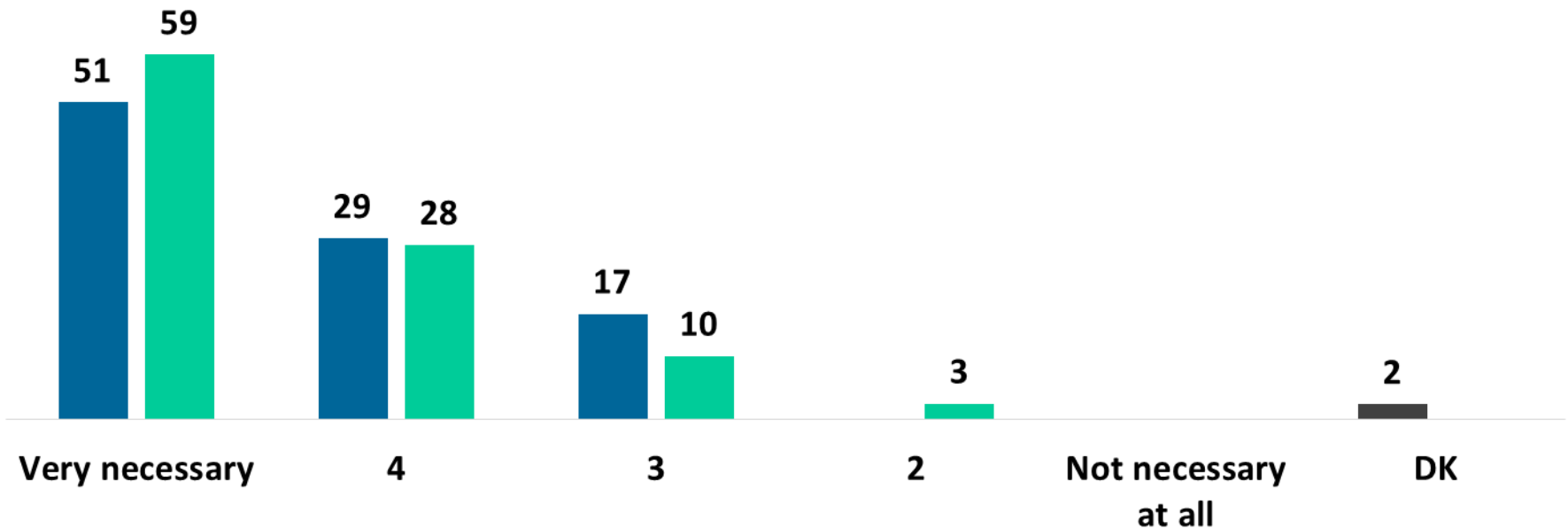


## Quote from an interview

- “Both associations work well and try to improve conditions for judges, but I think that the newer one [Unity] is more effective.”

**How would you assess the necessity of reform of the legal education in terms of the ultimate goal of creating a fair and impartial judiciary in Georgia?  
(%, survey among legal professionals)**

■ 2014 ■ 2012

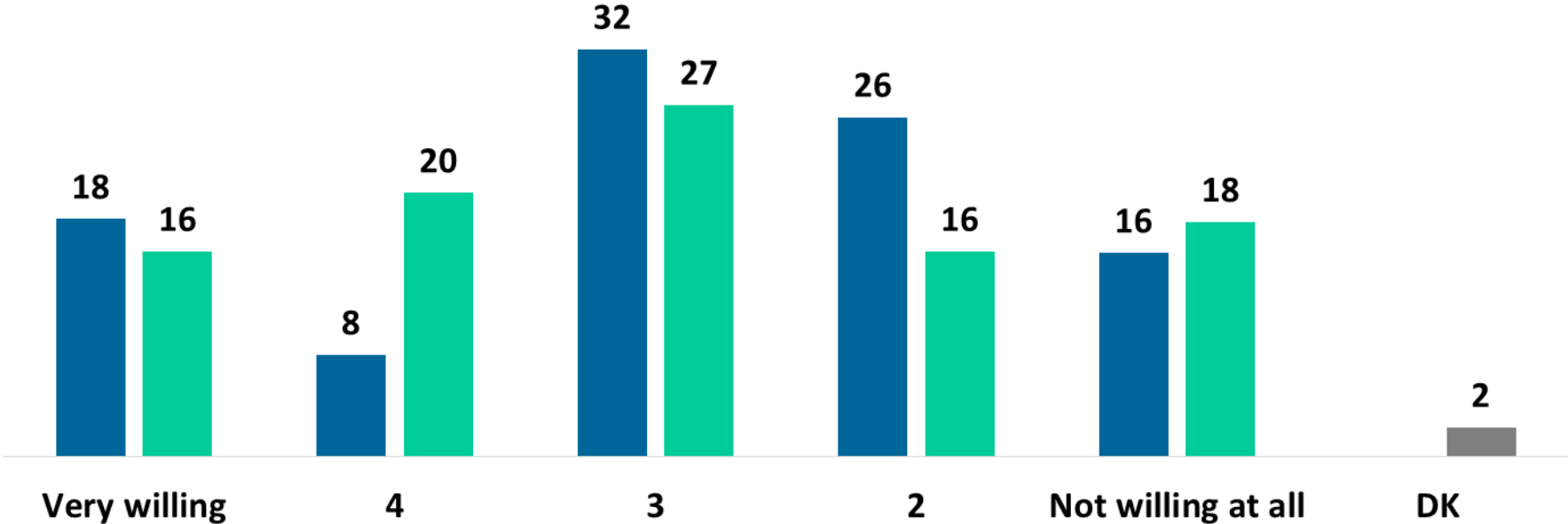


# Quote from an interview

- “[Graduates of law schools] are absolutely not prepared as teaching is not practical. They teach theory. Imagine, a student may come with very thorough knowledge but in practice... He/she may be appointed as an investigator but may not be able to write an interrogation report, a requisition report. He/she starts everything from zero. And this is the fault of the education system.”

# Willingness to resolve a business dispute in court in the future (% , survey among business leaders)

■ 2014 ■ 2012



## Quote from an interview

- “We try to solve problems through private means and negotiations. No, [courts] are not effective as it needs too much time... If it takes me 2 and 3 years and costs me a lot of money, what is the point?”





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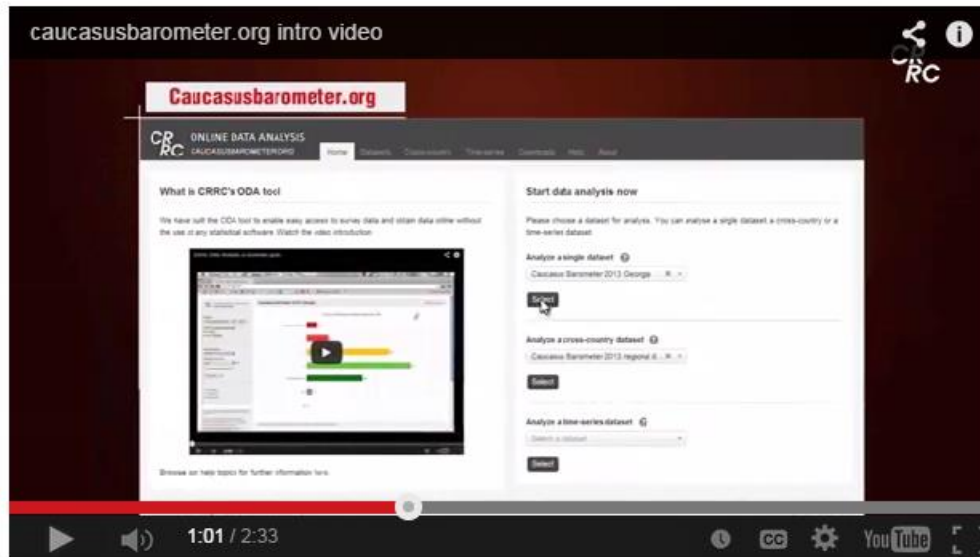
About

[caucasusbarometer.org](http://caucasusbarometer.org)

Quick and easy analysis of 2014  
and 2011 survey data

## What is CRRC's ODA tool

We have built the ODA tool to enable easy access to survey data and obtain data online without the use of any statistical software. Watch the video introduction:



Browse our help topics for further information [here](#).

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[www.crrc.ge](http://www.crrc.ge)

[koba@crrccenters.org](mailto:koba@crrccenters.org)