



# **Customer Survey of the Legal Aid Service of the Ministry of Corrections and Legal Assistance of Georgia**

**Implemented by Terra Media**

**Tbilisi  
May, 2011**

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### **The Goal of Study**

- ✓ The level of general understanding of legal proceedings among the population
- ✓ The types of legal proceedings in the populated areas
- ✓ The origin of the received legal assistance
- ✓ the level of trust towards the organizations providing with free legal aid
- ✓ the necessary potential for the free legal assistance in the populated areas

### **The Topics of Study**

- ✓ The possibility of achieving the rule of law in different types of institutional organization of the state;
- ✓ Institution the leading role of which determines maximum trust towards the judiciary;
- ✓ Description of the best criminal justice system;
- ✓ The legal problems in the populated areas;
- ✓ Institution that will be the best in solving the legal problems;
- ✓ The most frequent types of crimes in the populated areas;
- ✓ The organizations providing legal assistance in the populated areas;
- ✓ The Institutions to which the people apply in case of crime and civil disputes in the populated areas;
- ✓ The quality of trust towards the organizations providing with the legal assistance;
- ✓ that are considered to be the best tool in solving the legal problem
- ✓ Main source of recommendation when making a decision by a citizen
- ✓ The role of a financial factor in case of need of legal assistance
- ✓ The recognition regarding the legal aid service of the Ministry of Corrections and Legal Assistance
- ✓ The source of information for citizens regarding the legal aid service of the Ministry of Corrections and Legal Assistance of Georgia
- ✓ The services included in the functions of the Legal Aid Service of the Ministry of Corrections and Legal Assistance
- ✓ The impact of the origin of the Legal Aid Service of the Ministry of Corrections and Legal Assistance on ordinary citizens
- ✓ The impact of the Legal Aid Service of the Ministry of Corrections and Legal Assistance on socially vulnerable citizens

### **Technical Information**

In order to achieve the goal of the study the following has been implemented:

The quantitative study, totally 750 interviews were conducted, among which 345 respondents had juveniles in the household

#### **Batumi**

- 50 respondents who has received the services from the Legal Aid Service of the Ministry of Corrections and Legal Assistance; Completed Cases
- 100 respondents, regular citizens, who has not received the services from the Legal Aid Service of the Ministry of Corrections and Legal Assistance; Proportionally to the gender-age groups of city residents;

#### **Gori**

- 50 respondents who has received the services from the Legal Aid Service of the Ministry of Corrections and Legal Assistance; Completed Cases
- 100 respondents, regular citizens, who has not received the services from the Legal Aid Service of the Ministry of Corrections and Legal Assistance; Proportionally to the gender-age groups of city residents;



**Akhalkalaki**

- 50 respondents who has received the services from the Legal Aid Service of the Ministry of Corrections and Legal Assistance; Completed Cases
- 100 respondents, regular citizens, who has not received the services from the Legal Aid Service of the Ministry of Corrections and Legal Assistance; Proportionally to the gender-age groups of city residents;

**Kobuleti**

- 100 respondents, regular citizens, who has not received the services from the Legal Aid Service of the Ministry of Corrections and Legal Assistance; Proportionally to the gender-age groups of city residents;

**Khashuri**

- 100 respondents, regular citizens, who has not received the services from the Legal Aid Service of the Ministry of Corrections and Legal Assistance; Proportionally to the gender-age groups of city residents;

**Marneuli**

- 100 respondents, regular citizens, who has not received the services from the Legal Aid Service of the Ministry of Corrections and Legal Assistance; Proportionally to the gender-age groups of city residents;

**The Main Part of the Report**

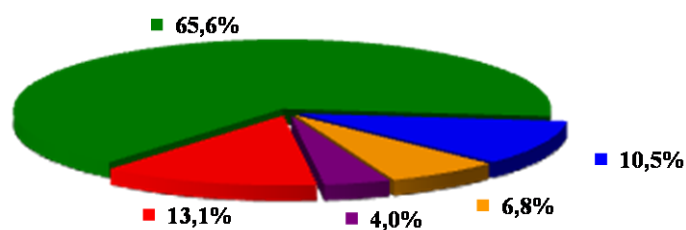
### 1. The possibility of achieving the rule of law in different types of institutional organization of the state

The following question was asked during the interviews:

- *When can the fair justice be achieved in the criminal legal proceedings?*

The respondents were given several possible answers> they were asked to choose one, which they consider to be the best form of the institutional organization in the States. The answers received were divided in the following categories:

- ...state where the court is strong and independent from any influence
- ...state where the prosecutor's office is stronger than the court
- ...state, where the role of a lawyer is decisive in the outcome of a concrete case
- ...state where the functions of a lawyer are secondary comparing to the functions of prosecutor's office
- hard to answer



- ✓ 65.6% of interviewed respondents think that fair justice in case of criminal violation is achieved in the state where the court is strong and independence from any type of influence;
- ✓ 10.5% of interviewed think that fair justice can be achieved in the state where the influence of the prosecution on the functions of the court is strong;

- ✓ 6.8% think that fair justice is achieved in the state where the role of the lawyer is decisive in the outcome of the case;
- ✓ 4.0% think that fairness is achieved in the state where the role of the lawyer is secondary comparing to the role of a prosecutor.

According to the results 65.5% think that the court should be strong and this can be grounds for independent and fair justice. The position of other respondents is very interesting and it comprises 35% - more than one third of all respondents, which is quite significant figure. Most probably these people do not have correct civic education or they ground the conclusions on their own experience which has developed in wrong direction.

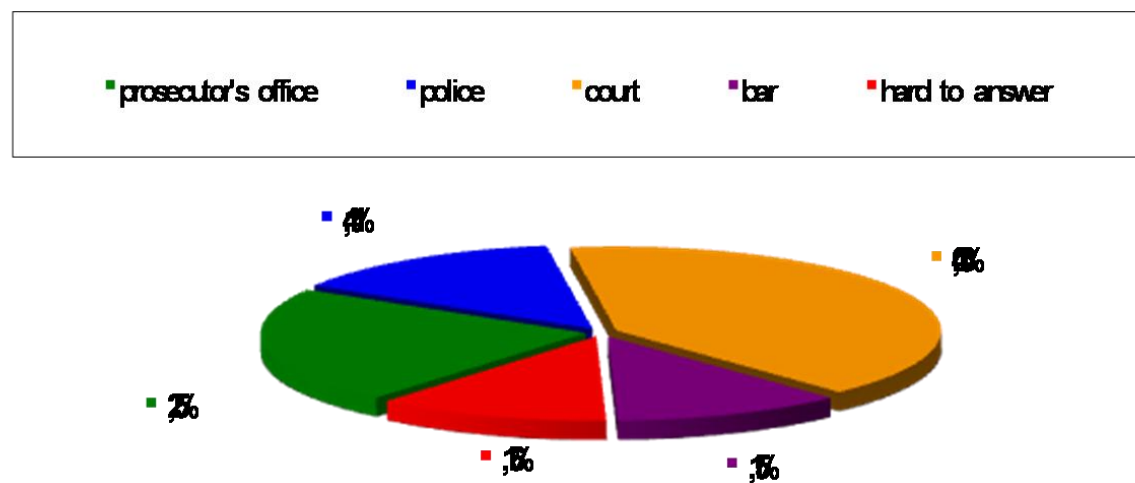
## 2. Institution the leading role of which determines maximum trust towards the judiciary

### 2.1 Revealing the institutions the role of which determines the maximum trust towards the judiciary among the public

The question asked to the respondents:

- What do you think the role of which institution should be leading for maximum trust towards the system of judiciary?

Only one response was named from all possible answers; the results are the following:



- ✓ 40.3% of respondents trust the courts;
- ✓ 22.5% think that the prosecutor's office shall have the leading role for the maximum trust towards the judiciary;
- ✓ 14.1% think that the role of the police shall be leading;
- ✓ 11.5% think that the role of lawyers shall be leading for the maximum trust towards the judiciary;

It is important to determine that regular citizens and citizens who have received legal service think differently:

#### Batumi:

- 39.0% of regular citizens think that court should be leading institution for the enforcement of fair justice;
- 26.0% name prosecutor's office;



The answers of those people who have received legal service and have more experience are the following:

- 74.0% of these people consider prosecutor's office as the leading organization in the enforcement of fair justice;
- and only 18% considers the role of courts to be leading;

According to the unified data 40.3% trusts the courts and the rest trusts prosecutor's office and police. Only few trust lawyers.

The data collected in Batumi is especially interesting: the citizens who received legal services think that prosecutor's office is leading institution in the enforcement of fair justice and the trust towards the judiciary is very low. These data strengthen the supposition that respondents express the trust towards the institutions based on their own experience. As the data revealed the personal experience of respondents is rich with unpleasant forms of legal proceedings. Accordingly we can think that prosecutor's office is very influential generally in Georgia and especially in Batumi and it is possible that in some cases it implements the functions of the court or plays important and active role in the legal proceedings.

## 2.2 Which institution requires strengthening in order to achieve the best criminal justice system

### Question

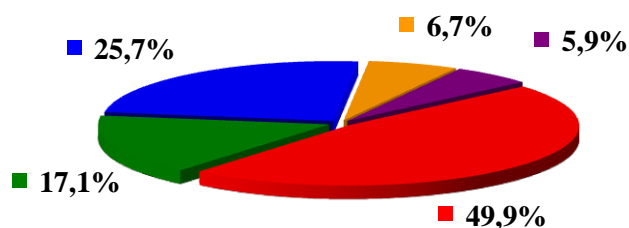
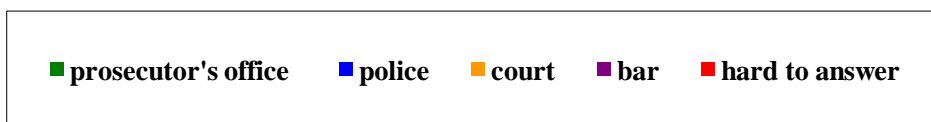
- **what do you think which institution requires to be strengthened the most for providing sustainability and fairness of legal system**

The answers revealed that:

- ✓ 56.4% of respondents say that this institution shall be court;
- ✓ 36.4% think that lawyers shall become stronger for providing the sustainability and fairness of legal system;
- ✓ 24.9% decided that prosecution shall become stronger;
- ✓ 12.7% of citizens decided that police should become stronger;

The answers on the following question are interesting:

- **What do you think the role of which institution shall be weakened in order to achieve the sustainability and fairness of the legal system:**



- ✓ it was hard to give answer to this question for 49.9% of respondents;
- ✓ 25.7% of respondents think that police shall be weakened in order to achieve the sustainability and fairness of legal system;
- ✓ 17.1% see the outcome in weakening the prosecutor's office;

These responses strengthen the doubt regarding the “excessive power” of prosecutor's office and police. Based on this data we can say that direct request of public is to weaken these institutions for the enforcement of fair justice.

The response –“hard to give answer” (which is given by half of the respondents)-indicates that majority of population does not have real understanding of legal system and institutions providing enforcement of justice.

### 3. Description of the best criminal justice system

#### 3.1 Revealing the best criminal justice system

Respondents were given five different statements and were asked to choose one that they agree to:

General data	Agree	Less leaning to agree	Neither agree nor disagree	Partly agree	Does not agree	Hard to answer
The best criminal justice system is the system where an advocate of a defendant is the main decision-maker in the ultimate outcome of a case	<u>30.4%</u>	19.7%	9.9%	8.3%	10.0%	<u>21.7%</u>
The best criminal justice system is the system where the prosecutor is the main decision-maker in the ultimate outcome of a case	<u>27.6%</u>	16.5%	17.1 %	9.7%	7.5%	<u>21.6%</u>
The best criminal justice system is the system where the judge, advocate of the defendant and the prosecutor together are decision-makers for ultimate outcome of a case	<u>36.0%</u>	17.7%	9.9%	10,8%	6.0%	<u>19.6%</u>
The best criminal justice system is the system where the police investigator is the major decision-maker for the ultimate outcome of a case	11.5%	11.%	17.1%	12.5%	<u>22.9%</u>	<u>24.8%</u>
The best criminal justice system is where the judge is the main decision-maker in the ultimate outcome of a case	<u>44.3%</u>	9.5%	8.8%	8.3%	9.7%	<u>19.5%</u>

“Agree” – all the statements regarding the judicial system received almost equal percentage of responses, except the system where police investigator is the major decision-maker for the ultimate outcome of a case; The percentage of the answers is quite low with this regard;

30.0% of respondents think that the best criminal justice system is the system where an advocate of a defendant is the main decision-maker in the ultimate outcome of a case; 27.6% think that the best criminal justice system is the system where the prosecutor is decision-maker for ultimate outcome of a case. These data is reasonable taking into the account the results identified in the above mentioned issues of the study.

But we need to review the results of responses given in case of two judicial systems:

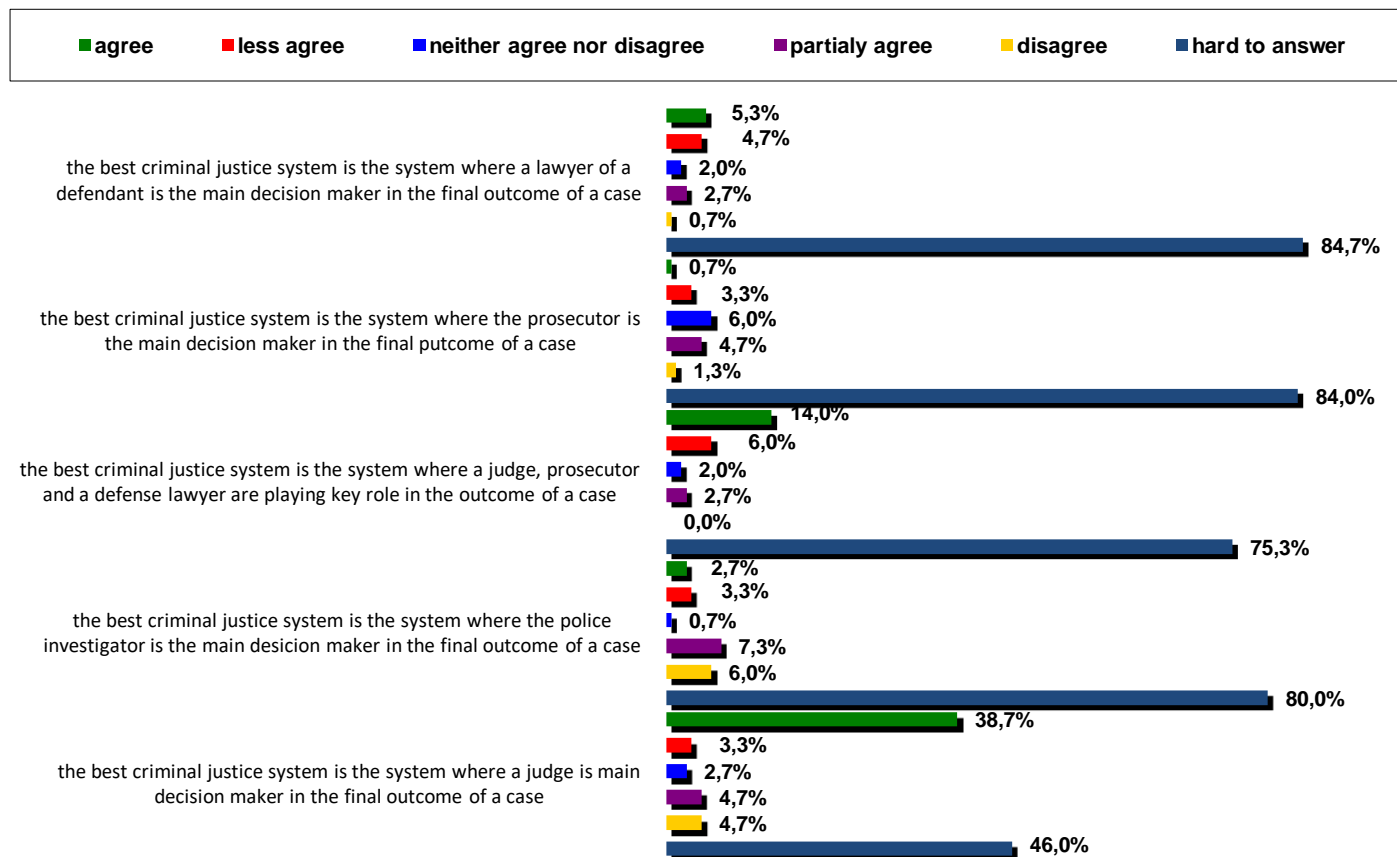
1. when the judge is the main decision-maker in the ultimate outcome of a case with 44.3% and
2. when a judge, advocate of the defendant and the prosecutor together are decision-makers for ultimate outcome of a case with 36%;

Based on these answers we can conclude that respondents identified the first and second systems because the both systems include the role of a judge.

The majority of respondents who had rich personal experience in criminal legal proceedings with the leading role of a prosecutor’s office, think that the best criminal justice system is the system where a judge and advocate are decision makers for ultimate outcome of a case;

Based on the data we can say that the legal awareness of respondents is not low, but their personal experience identifies the strength and activeness of prosecutor’s office.

The unified data of Akhalkalaki is interesting:





- It was difficult for the majority of respondents to give answer.

Based on the received results we can think that the population of Akhalkalaki is not involved in legal life. It may be caused by the lack of information, or lack of interest and low activeness which is also supported by the language barrier. This has been concluded during the field study:

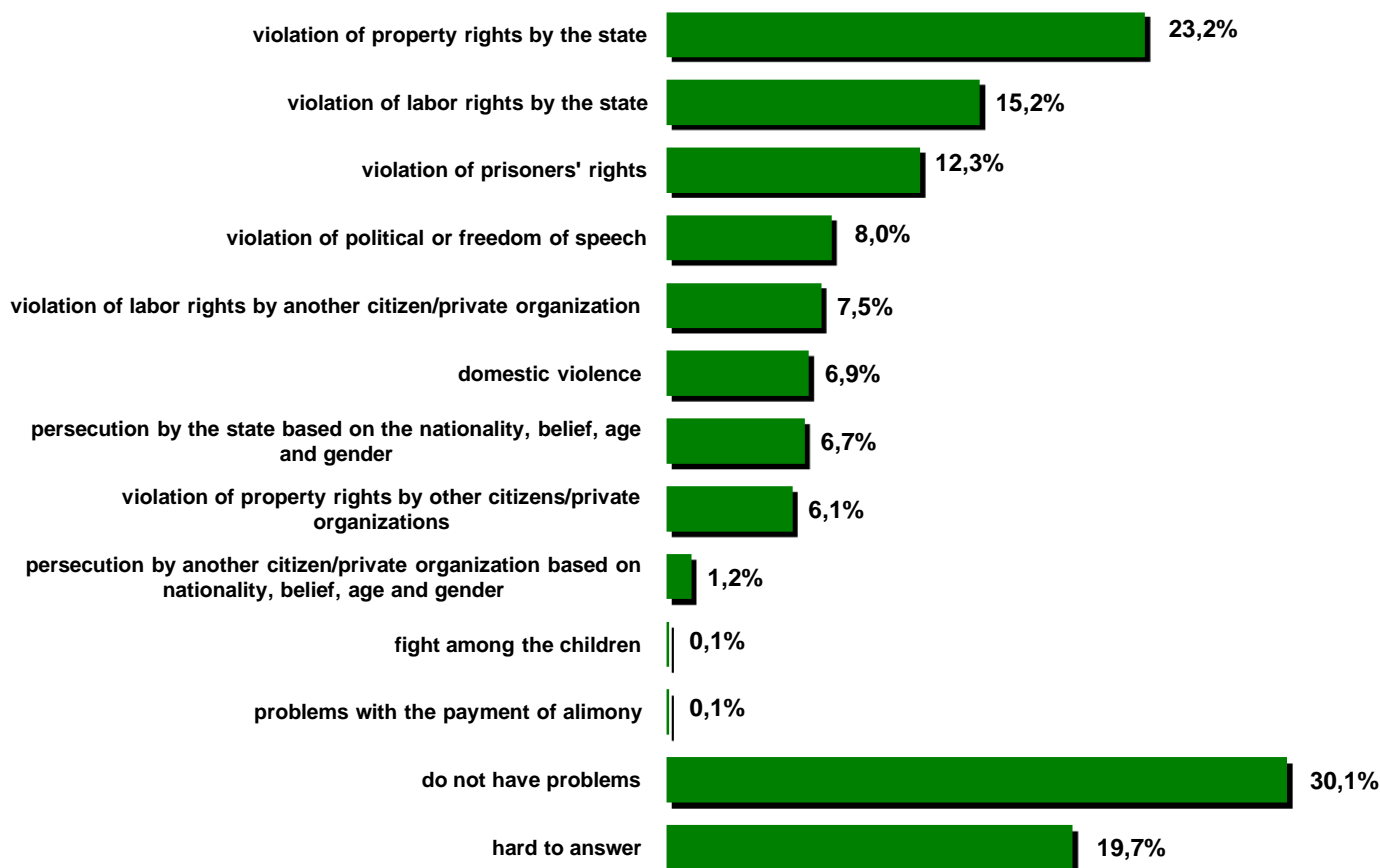
- those respondents who has received legal services were not able to remember who and which organization served their legal interests;

In addition to the fact that citizens are not involved in legal life the doubt that *legal aid service did not provide proper communication arise.*

#### 4. The legal problems in the populated areas

##### 4.1 The types and frequency of legal problems that exist in the populated areas

The respondents were asked the following question: what do you think what type of crimes is most frequently committed in your city? The following results were received:



Majority of respondents 30.1% do not have problems. 23.2% think that the most frequently committed crime is the violation of property rights by the states. 15.2% think that the violation of labor rights by the state is the most frequently committed crime. 12.3% say that the violation of prisoner's rights is the most common type of a crime. 8.0% named political or freedom of speech. The violation of property rights by the state received highest percentage. The response of Batumi respondents is especially high with this regard.

Batumi –

Violation of property rights by the state:

- Unified data – 51.3%
- People who received legal services – 54.0%
- Ordinary citizens – 50.0%

The similarly high data is received in case of Kobuleti-

Violation of Property Rights by the State – 53.0%

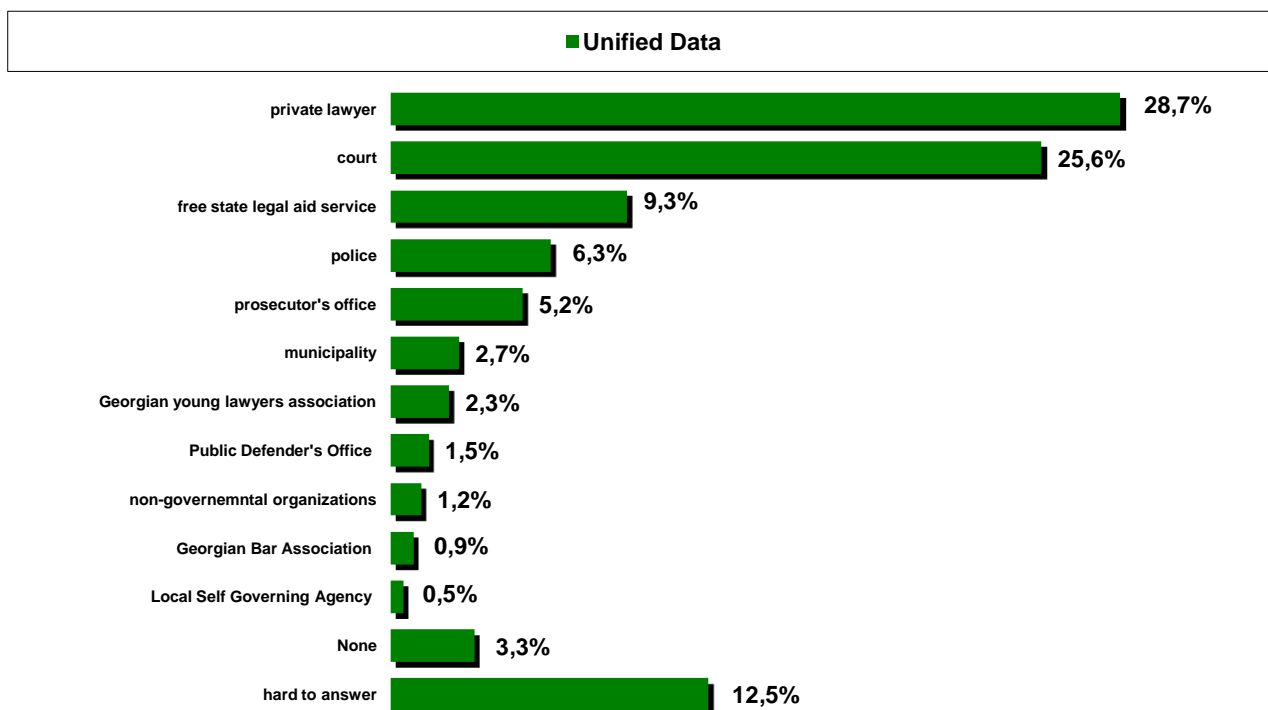
We can say that unified high data with regard to the response such as violation of property rights by the state is determined by the responses given in Batumi and Kobuleti, because in other cities the most frequent response was “Do not have a problem” and “Hard to give the response”.

## 5. Institution that will be the best in solving the legal problems

### 5.1 Institutions that are considered to be the best in solving the legal problem

It was important for the purpose of the survey to determine which institution is considered by the public to be the best in solving the legal problem. The following question was asked in order to determine the results:

**What do you think which institution will be the best to solve your legal problem? The results revealed:**



- 28.7% of respondents named private lawyer;
- 25.6% named court as the best institution to resolve the legal problem;
- it was difficult to give the response to this question for 12.5%
- 9.3% named state free legal service;

But the results of separate cities are very interesting; in addition the difference between the responses given by the ordinary citizens and citizens who have received the legal services, in particular – Batumi, Gori and Akhalkalaki:



- ✓ the 47.0% of ordinary citizens in Batumi think that the best in solving their legal problems will be private attorney; this data is significantly increased among those citizens who has already received legal services and reaches 70.0%;
- ✓ The results of Akhalkhalaki are very alerting, because 63.0% of regular citizens think that the best mean of solving their legal problem is the court but this data among those respondents who has already received legal services is only 12%.

Based on the percentages received we can conclude that citizens who are more experienced and better aware of legal problems do not see the court as a mean of problem solution; In other words, the public trust towards the judiciary weakens among those citizens who had contact with the court or legal proceedings generally.

The general, unified data regarding the role of the Legal Aid Service of the Ministry of Corrections and Legal Assistance to resolve legal problems is quite low. But the data is high among those citizens who have received legal aid service in Gori and Akhalkalaki.

Gori	Ordinary citizens-10.0%
	Those who has received legal services-28.0%
Akhalkalaki	Ordinary citizens-10.0%
	Those who has received legal services-40.0%

The results probably identify the following: respondents, who have received legal services from the Legal Aid Service of the Ministry of Corrections and Legal Assistance, think that legal problems might be resolved with the help of Legal aid of the Ministry of Corrections and Legal Assistance.

The best mean to resolve the legal problem is considered to be the Legal Aid Service of the Ministry of Corrections and Legal Assistance when the role of the prosecution is very active in the criminal legal proceedings and when citizens are asking to weaken the role of prosecution and police and when the public trust towards the judiciary is decreased. This indicates that the Legal Aid Service of the Ministry of Corrections and Legal Assistance provided citizens with legal services which supported the increase of public trust towards this institution and generally public service.

## **6. The most frequent types of crimes in the populated areas**

### **6.1 The types of crimes and their frequency**

Question –

What do you think what is the most frequent crime in your city?

The results are the following:

- 31.7% - hard to answer
- half of the respondents named violation of traffic rules
- 18.5% named drug related crimes;

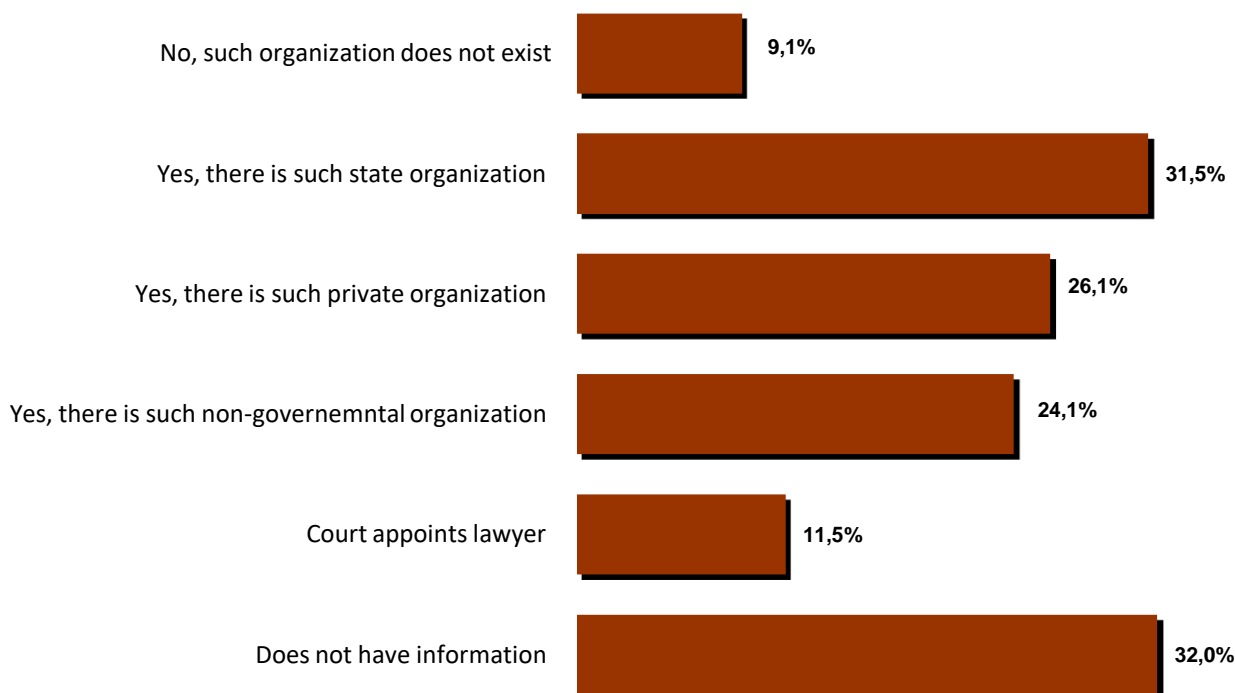
## **7. The origin of the legal services received**

### **7.1 The organizations providing legal assistance in the populated areas**

Question –

According to your personal information are there organizations providing legal services in your city?





It has been revealed that

- ✓ 32.0% respondents do not have information regarding the organizations providing legal services;
- ✓ one third of the respondents confirm the existence of such state organization;
- ✓ 26.1% of respondents have information regarding such private organizations;
- ✓ the data with regard to non-governmental organizations is the same;

32% of interviewed respondents were not aware of organizations providing with legal services in their city. This is alerting information and needs to be taken into the account when planning the activities related to the communication.

- **The lack of awareness of citizens regarding the existence of legal services is alerting if we take into the account the fact that public trust has increased after citizens received the legal services from the Legal Aid Service of the Ministry of Corrections and Legal Assistance;**

Majority of public is not aware about the Legal Aid Service despite the fact that part of citizens received the legal services from the Ministry of Corrections and Legal Assistance and as a result of these services the public trust towards this institution has increased. The reason of this can be incorrect communication, information exchange between the Legal Aid Service and public.

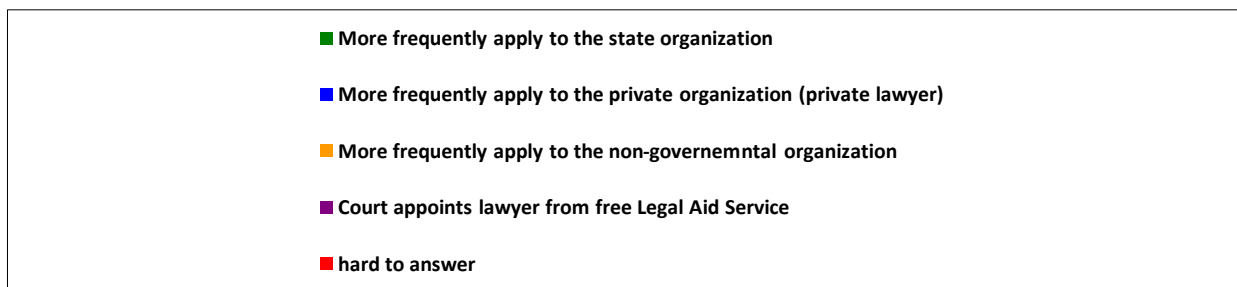
There can be also other reasons: respondents from the cities where people were interviewed when giving response to different questions frequently mention “state organization”. There is no any other state organization providing with legal assistance in the cities where people interviewed except the Legal Aid Service of the Ministry of Corrections and Legal Assistance. It is possible to conclude that the lack of information regarding the Service despite the provided legal assistance is related to the fact that the ordinary citizen fails to remember the name of the Service.

## 7.2 The application of citizens towards the concrete organization in criminal or civil cases

Question-

According to your personal information, to which organization people apply to for legal assistance in your city in case of crime commission or having civil dispute?





Almost half of respondents name the state organization, 27.1% private organization.

The Legal Aid Service of the Ministry of Corrections and Legal Assistance is meant under the state organization when speaking about the legal services provided by the state institutions. The Lawyer appointed by the state is the employee of the Legal Aid Service of the Ministry of Corrections and Legal Assistance. Such services received by the public are identified with the services provided by the state organization.

### 7.3 The quality of trust towards the organizations providing with the legal assistance

The respondents were asked to evaluate each organization in order to establish the level of trust- *Generally, according to your opinion please evaluate the trust towards the organizations listed below that are providing legal services on the scale of 5 where 1 indicates “completely unreliable”, 5 indicates “completely reliable”:* (medium evaluation)

The results revealed the following:

- the Legal Aid Service of the Ministry of Corrections and Legal Assistance and Georgian Young Lawyers Association received 3.6 points;
- The private bar and Georgian Bar Association received 3.7 points.

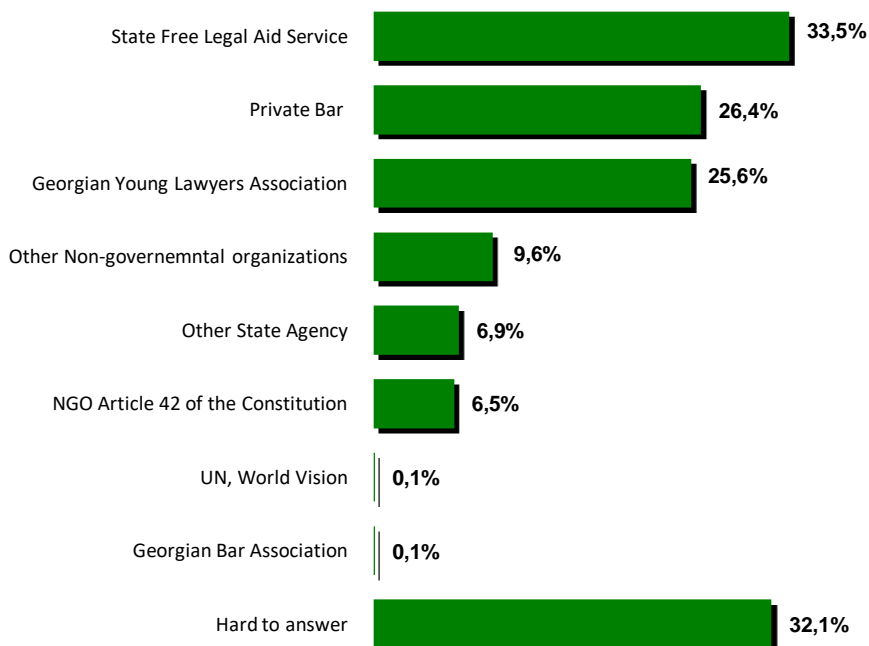
According to the received results we can say that evaluation of interviewed respondents prove that public trust towards all listed organizations are equal and none of them is special;

This evaluation is not absolutely accurate due to the low level of public awareness. There is high possibility that majority of respondents have information (which might be incomplete) regarding one or another organization and evaluate the rest based on existed information and assumptions.

#### 7.4 The awareness of public regarding the free legal assistance for the socially vulnerable people

Question

Please name the organization listed below that provide socially vulnerable people with free legal assistance?



- ✓ 33.5% of respondents named the Legal Aid Service of the Ministry of Corrections and Legal Assistance;
- ✓ It was difficult for the third of respondents to answer this question;
- ✓ 26.4% of respondents named private bar; and
- ✓ fourth of respondents named Georgian young Lawyers Association;

The separate result by cities is important:

##### Batumi

- The results of Batumi are the following:
  - 54.7% think that free legal assistance for the socially vulnerable people is provided by the private bar;
  - 38.7% name Legal Aid Service of the Ministry of Corrections and Legal Assistance;
  - 30.7% thin that such organization is the Georgian Young Lawyers Association;
  - 27.3% name other non-governmental organizations;

The results received from the respondents who have received the legal assistance and those who have not are also interesting:

	Respondents who have received legal assistance	Ordinary citizens
<i>Private Bar</i>	66.0%	49.0%
<i>Georgian Young Lawyers</i>	34.0%	29.0%



<i>Association</i>		
Legal Aid Service of the Ministry of Corrections and Legal Assistance	50.0%	33.0%
<i>Other non-governmental organizations</i>	24.0%	29.0%

## Gori

- 48.0% of respondents think that the state legal aid service provides free of charge legal assistance to the socially vulnerable people;
- 42.0% name Georgian Young lawyers Association;
- for 26.7% respondents it was hard to give an answer;

	Respondents who have received legal assistance	Ordinary citizens
Legal Aid Service of the Ministry of Corrections and Legal Assistance	68%	38%
<i>Georgian Young Lawyers Association</i>	34%	34%
Hard to give response	10%	35%

## Akhalkalaki-

- ✓ it was hard to give a response for 53.3%
- ✓ 39.3% of respondents named Legal Aid Service of the Ministry of Corrections and Legal Assistance
- ✓ 29.0% of interviewed ordinary citizens named Legal Aid Service of the Ministry of Corrections and Legal Assistance

The percentage is increased among those citizens who has already received free legal aid, but it was hard to give an answer to this question for more than half of people who were interviewed in Akhalkalaki and almost 40% of citizens who has received the legal services failed to name any, which is high number and not desirable.

## Kobuleti-

Private lawyer	57.0%
Georgian Young Lawyers Association	51.0%
State Legal Aid Service	33.0%
<u>Other State Agency</u>	29.0%

## Khashuri-

- ✓ almost half of respondents 47% failed to give answer to this question;



- ✓ 23% of citizens named the Legal Aid Service of the Ministry of Corrections and Legal Assistance
- ✓ The same data was received with regard to the Georgian Young lawyers Association;

#### Marneuli-

Hard to give response	68.0%
Private Bar	26.0%

#### The assumption based on the received data is that the citizens of Marneuli are not informed regarding such services:

The responses of respondents in Batumi and Kobuleti are interesting: the interests of socially vulnerable citizens are protected by the private bar;

The major legal problem in Batumi and Kobuleti named by the respondents is the violation of property rights by the state. If we consider these two problems we can conclude the following:

- Due to the massive violation of property rights by the state, it is possible that private lawyer in addition with the regular cases took the case of socially vulnerable person. It is also possible that such cases are frequent. The services provided by the Legal Aid Service of the Ministry of Corrections and Legal Assistance when the property rights are violated by the state is considered to be “state versus state” which is not considered to be the pre condition of success in the legal proceedings by the citizens.

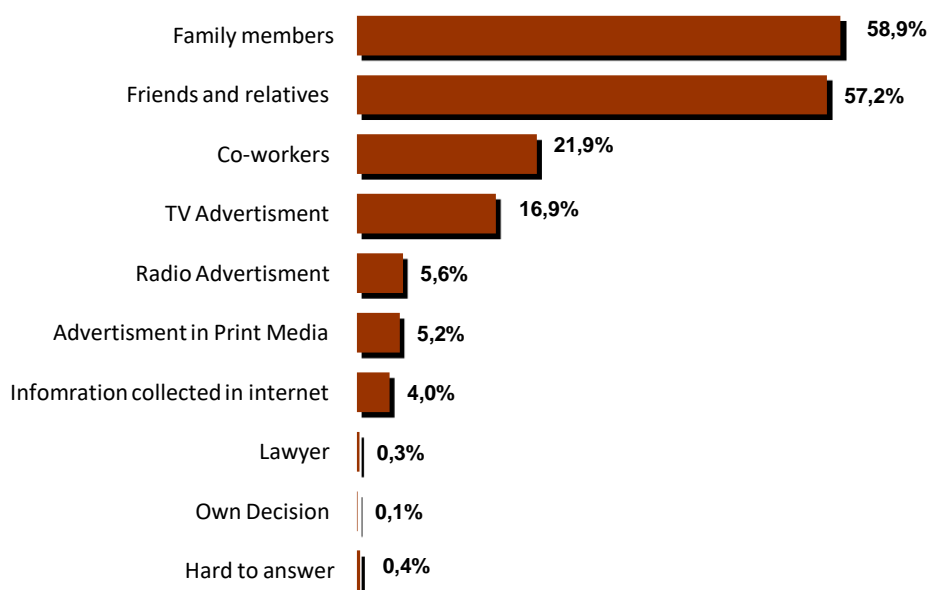
#### 7.5 Main source of recommendation when making a decision by a citizen

It was important for the goal of this survey to determine whose recommendation is important for the citizens of Georgia when making a decision regarding the organization providing legal assistance

Question-

- Please tell us, when citizen makes a decision to use a legal assistance whose recommendation is taken into the account?

The results are the following:





It is obvious that the advice and recommendation of a family member, relative or friend but it may be determined by the fact that they do not have any other source of information. The received data show that the situation in all cities is the similar with minor differences.

## 7.6 The role of a financial factor in case of need of legal assistance

### Question

- Please tell us how decisive is the financial factor when a citizen wants to receive a legal assistance?

The results show that 58.3% of respondents think that financial factor is very important. The picture in all of the regions is the same and it can be explained by the low social-economical condition of people;

## 7.7. The level of trust towards the different organizations providing with the legal services

Please tell us whom do you trust more and to whom would you apply in case of need in order to achieve the best result? Please indicate the level of your trust on scale of 5, where 1 means “does not trust” at all and 5 means “absolute trust”:

The results show that the level of trust is similar towards such institutions as:

1. Georgian Young Lawyers Association – 4.3 points;
2. Free Legal Aid Service – 4.1 points
3. Private Bar – 4.1 points

## 8. The recognition regarding the legal aid service of the Ministry of Corrections and Legal Assistance

### 8.1 The awareness regarding the legal aid service of the Ministry of Corrections and Legal Assistance

#### Question-

- Are you aware of the state funded Legal Aid Service?
  - 55.6% of respondent are aware of this fact;
  - 36.3% say that they are not aware of such Service;

It is important to underline the results obtained in Akhalkalaki and Marneuli:

- 62.0% of respondents in Akhalkalaki and
- 79.0% of respondents in Marneuli say that they are not aware of such Service;

The results identified that Akhalkalaki and Marneuli are least informed cities. It is important to mention that those citizens who used the service of Legal Aid were also interviewed but despite this fact majority say that they do not know about this Service.

The lack of awareness was obvious during the study. The result in this case can also be low level of legal education, lack of activeness and lack of communication from the Legal Aid Service.

### 8.2 The role of the financial opportunities on a final decision in case of a crime commission

#### Question

- What do you think, what is the impact of financial opportunities of parties on the final outcome of a case?
  - 42.5% of respondents think that finances are always important for the final outcome of a case;
  - 24.5 of respondents say that finances are often important;

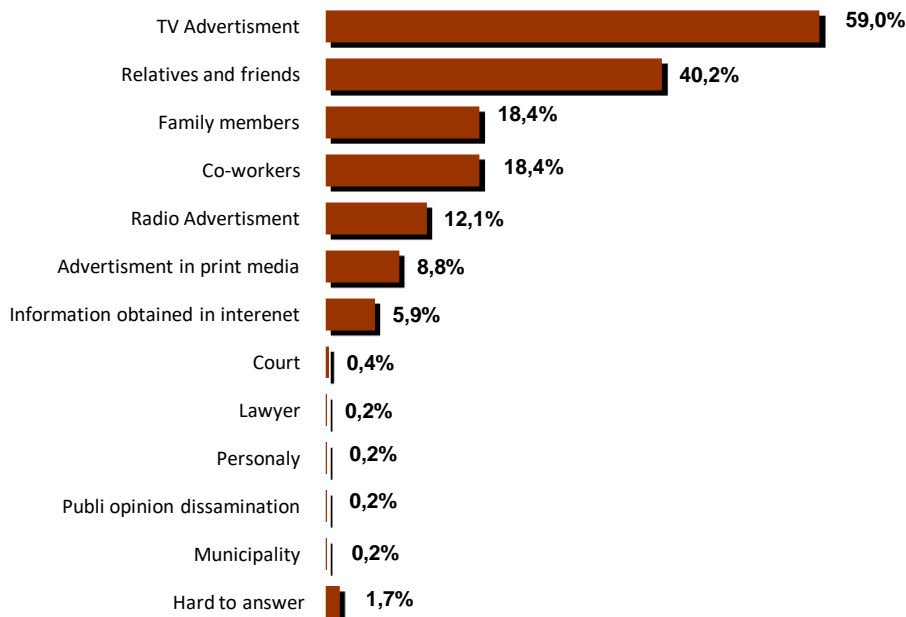


The unified data for those who think that financial side is important is 67% and probably indicates lack of public trust towards the enforcement of affair justice. This response can also be caused by the general public attitude meaning “you can buy anything with money” and might mean the plea agreement.

### 8.3 The source of information for citizens regarding the legal aid service of the Ministry of Corrections and Legal Assistance of Georgia

#### ➤ Where did you hear about this Service?

The number of those respondents who are aware of the Legal Aid Service of the Ministry of Corrections and Legal Assistance is **63.7%**



According to the unified data:

- **59.0%** of respondents name television advertisement as the source of information
- **40.2%** of respondents name the friends and relatives

If we compare the data by the regions the difference is obvious:

#### **Batumi:**

- ✓ **the television advertisement received the highest percentage among the ordinary citizens as well as those who received the legal assistance;**

#### **Gori:**

- ✓ 53.1% of respondents named friends and relatives to be the main source of information;
- ✓ Television advertisement was named by 38.0%.
- ✓ it is important to underline that 52.8% of ordinary citizens name television advertisement and 41.5% friends and relatives;
- ✓ 66.7% of those who received legal assistance name friends and relatives as the main source of information;



**Akhalkalaki:**

- The results are similar to Gori; According to the unified data 73.2% of respondents named relatives and friends as the main source of information;
- TV advertisement is named by **26.8%** respondents.
- But it is important to underline that 50.0% of ordinary citizens name TV advertisement and 62.5% friends and relatives. 77.5% of those citizens who received legal services name friends and relatives as the main source of information;

As for the results for Khashuri, Kobuleti and Marneuli the television advertisement has the highest score.

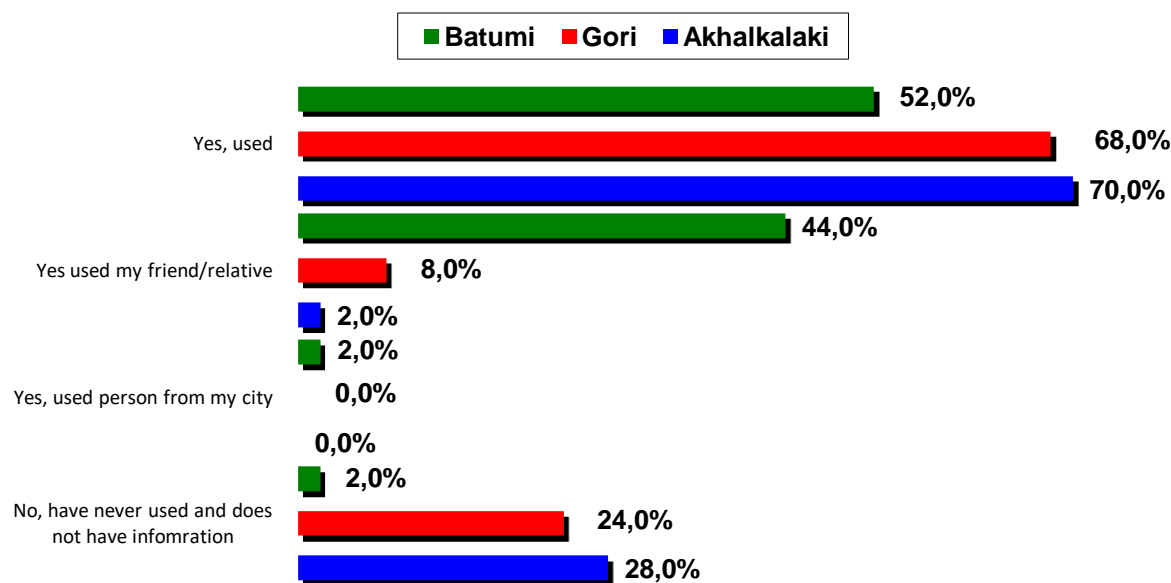
**Question-**

You or your close friend/relative has ever used the legal aid service provided by the state?

The unified result is the following:

- 66.9% of respondents never used this legal service provided by the state;
- 20.0% of either respondents or their close friends/relative used the legal services provided by the state;

The data of those people who has received the legal assistance is interesting:



The responses of those people who has received the legal assistance from the Legal Aid Service of the Ministry of Corrections and Legal Assistance and at the same time do not have information regarding the Service is interesting:

- In Gori this number is 24.0%,
- In Akhalkalaki this data is 28.0%–b.

It is strange but important to underline: Citizens received services from the Legal Aid Service but do not remember its name

Based on this we can conclude the following:

- The most important for the respondents was to receive legal services which was free and they did not pay attention to other issues;***



2. *Most probably, Legal Aid Service of the Ministry of Corrections and Legal Assistance is oriented on purely professional issues and pays less attention to the correct communication with those citizens whom they provide the services. This is the reason of public awareness regarding the Service revealed during the study.*

#### 8.4 The results of criminal legal proceedings after the services of the Legal Aid

##### Question–

- Did you receive desirable result?

According to the unified data more than half of respondents think that they received desirable result;

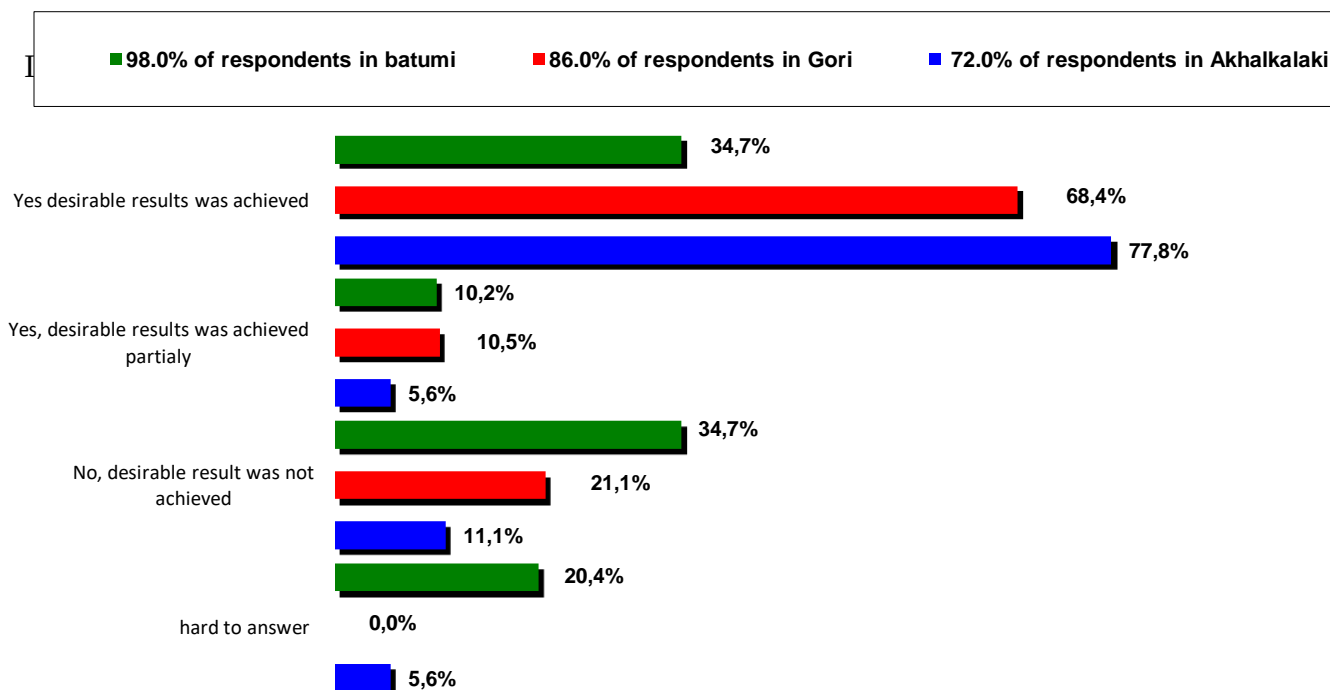
This data is important because achieved result significantly determines the level of satisfaction of these citizens;

Fourth of respondents say that they failed to achieve desirable result;

The situation in Batumi is contrary to the general picture.

(Respondents who received the services from the Legal Aid Service)

Contrary to other cities only third of respondents reached the desirable results in Batumi.



Kobuleti the most frequently named problem was the violation of property rights by the State. In addition, the majority of respondents in Batumi and Kobuleti think that it is absolutely necessary to weaken the role of the prosecutor's office and police. In this case only the following can be concluded but this conclusion cannot be justified by the findings of this study: such facts take place in Batumi and Kobuleti which is considered to be the violation of property rights by the state and the level of satisfaction of citizens in legal proceedings is very low. Due to these circumstances the public is aggressive towards the state legal institutions.

The results of work of the Legal Aid Service in numbers can be expressed in the following form (percentage of cases that completed successfully according to the opinion of citizens).

**Successfully Completed** -50%

**More or less successfully completed** -25%

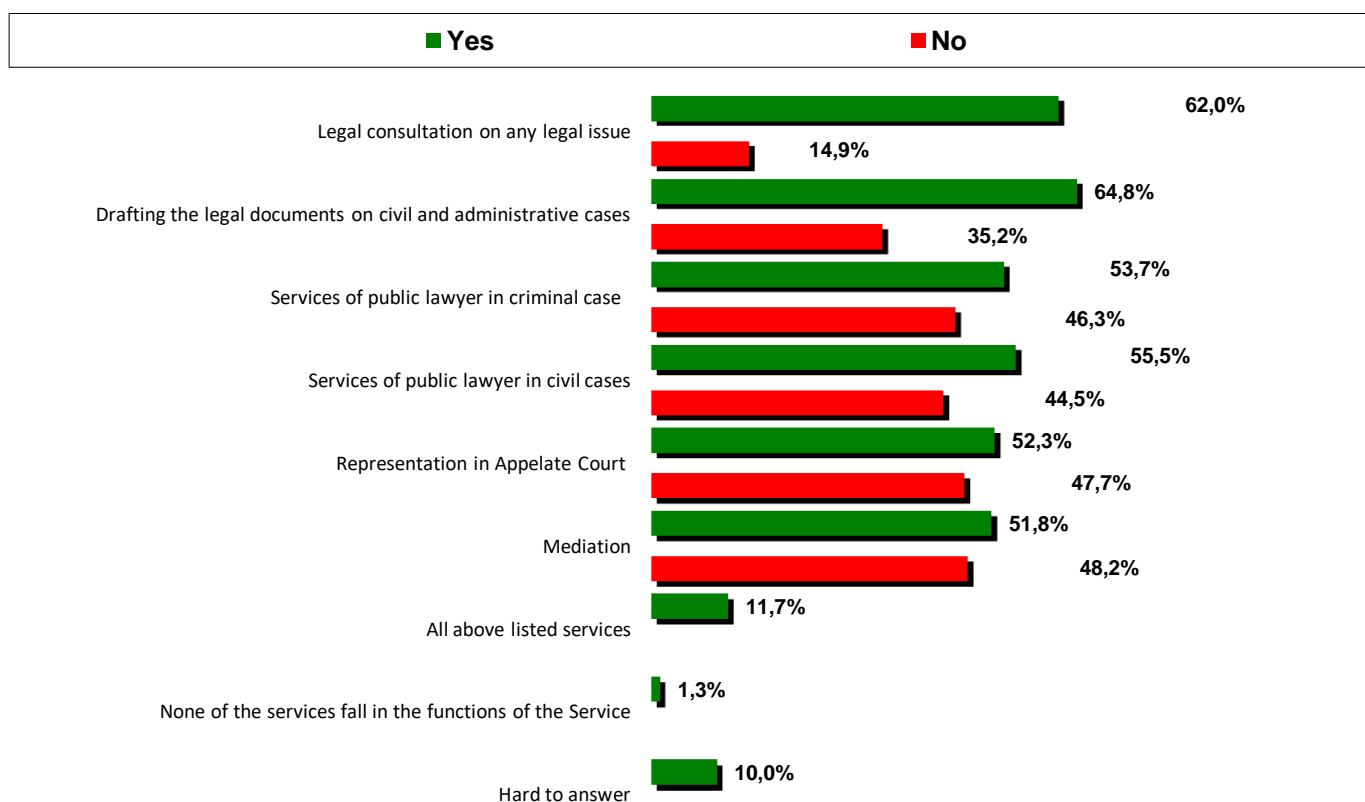
**Cases completed without success** -25%

It is important to stress that the low percentage of those cases that have not resulted in the successful completion is determined by the results of Batumi. In other cities these data reaches 70% or more;

## 8.5 The services included in the functions of the Legal Aid Service of the Ministry of Corrections and Legal Assistance

Question

➤ *What do you think which services are part of the functions of Legal Aid Service?*



According to the unified data, majority of respondents think that all listed functions are part of the functions of the Legal Aid Service. The situation is similar in all of the cities that are part of the study.

The position of regular, ordinary citizens of Akhalkalaki is interesting. 68.0% of respondents think that none of the listed functions are the functions of the Legal Aid Service.

It was difficult to give the response to this question for 65.0% of respondents in Marneuli; these results speak about the lack of awareness of society in these regions.

It was interesting for the purposes of this study to find out whether the citizens have the information about other legal services;

## 8.6 Free services from non- governmental organizations or other state agencies

### Question

- *What do you think, what are the services available free of charge from the non-governmental organizations or other state institutions?*

According to the unified data approximately 50% is for all functions, meaning all functions under the Legal Aid Service functions. Approximately half of the respondents think that it is possible to receive services free of charge both from the non-governmental organizations as well as from the state institutions.

## 8.7 The impact of the origin of the Legal Aid Service of the Ministry of Corrections and Legal Assistance on ordinary citizens

### Question

- *What do you think, what is the impact on a public of the fact that Legal Aid Service of the Ministry of Corrections and Legal Assistance in the governmental institution?*

According to the unified data, 55.6% of respondents think that it has positive impact. It was hard to give the response for the fourth of respondents; but the results of Marneuli and Akhalkalaki shall be reviewed separately:

#### Marneuli–

- ✓ 40.0% - hard to give a response; 31.0% think that it will have positive impact and almost the same number 29.0% think that it will not have any impact;

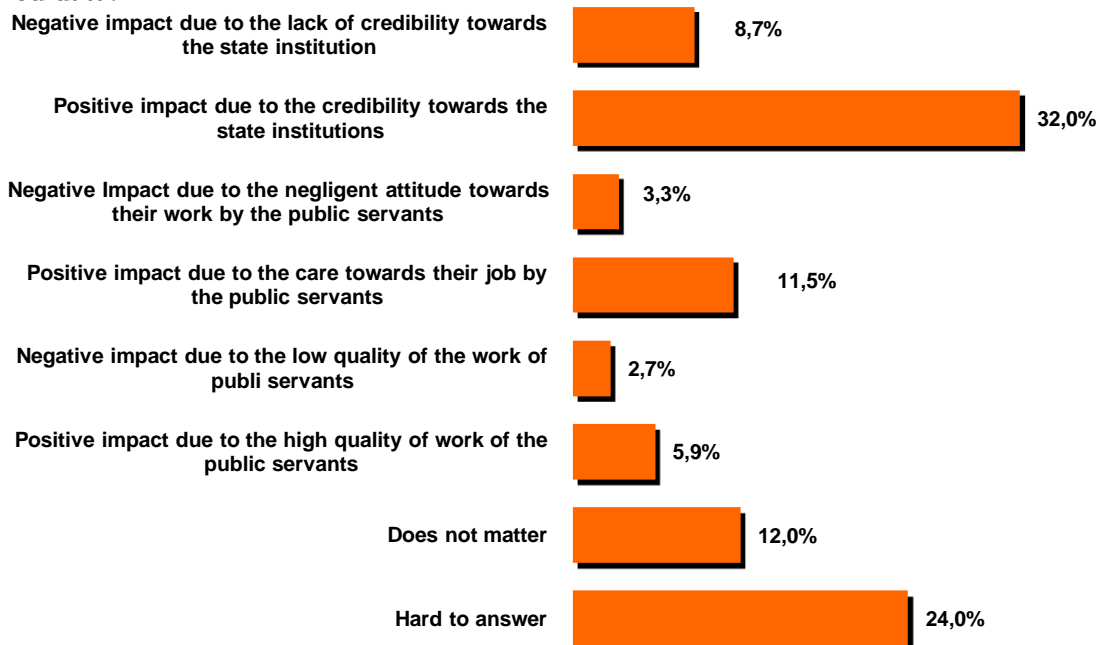
It was difficult for 73.0% of regular citizens in Akhalkalaki to give a response to this question, when 80% of those respondents who has already received legal assistance think that it has positive impact. Most probably after receiving more information and experience citizens will have more positive opinion regarding the Legal Aid Service.

## 8.8 The impact of the Legal Aid Service of the Ministry of Corrections and Legal Assistance on socially vulnerable citizens

### Question

- ✓ The Legal Aid Service of the Ministry of Corrections and Legal Assistance is the state institution; what do you think what is the impact of this fact on the socially vulnerable people during receiving the legal services on criminal cases?

### Unified data:



**32.0%** of respondents think that this has positive impact for the public trust towards the state institutions. It was difficult for **24.0%**—of respondents to give an answer to this question.

It is important to review the data of separate cities:

- ✓ Batumi—according to the unified data approximately half of respondents think that it will have positive impact due to the trust towards the state institutions; 51.0% of regular citizens and 44% of those who received legal aid express the same opinion; The results in Gori are the similar;
- ✓ As for Akhalkalaki, 24.7% think that it will have positive impact. More than half of respondents, approximately 66% failed to answer this question. This is the main trend revealed during the study. Most probably the citizens of these cities are not involved in the legal life are not active members of the society which might be caused by the language barrier.
- ✓ In Kobuleti 40.0% of respondents think that this will have negative impact due to the lack of trust towards the state institutions; **24.0%** think that it will have positive impact.

These results are in direct connection with the violation of property rights in Kobuleti by the State and this is the reason why the lack of trust towards the state institutions is high.

- ✓ **Khashuri** - **33.0%** of respondents think that it will have positive impact due to the responsible attitude of public servants towards their job;
- ✓ **Marneuli**- 36.0% of respondents failed to give an answer; 29.0 % —think that it does not matter and only 21.0% think that it will have positive impact due to the credibility of the state institutions.



## 9. Main findings

1. The prosecutor's office has a strong impact in Georgia and especially in Adjara; Prosecutor's office plays a key and active role in criminal legal proceedings;
2. More than half of respondents think that judiciary needs to be strengthened in order to achieve justice;
3. The direct request of the society is to weaken prosecutor's office and police for the enforcement of fair justice;
4. Majority of public does not have real idea regarding the legal systems and institutions providing with the justice;
5. The best system of justice is where the judge and lawyer are the main decision-maker in the ultimate outcome of a case ;
6. The citizens in Akhalkalaki are less involved in legal life, they are less informed and less active;
7. Most probably the Legal Aid Service communication activities are not sufficient;
8. The most common legal problem in Adjara is the violation of property rights by the state;
9. The best institution to resolve the legal problems in Adjara is considered to be private bar; The Legal Aid Service Bureaus are considered to be the best institutions for resolving the legal problems in other cities where the Legal Aid Service of the Ministry of Corrections and Legal Assistance has the bureau;
10. The trust towards the judiciary is low among those citizens who had contact with the courts and legal proceedings generally;
11. The trust towards the Service is increasing in Gori and Akhalkalaki among those citizens who has received the legal assistance;
12. Legal Aid Service of the Ministry of Corrections and Legal Assistance provided public with the complete legal product/service, which has supported the increase of trust towards the Service and generally state institutions;
13. Majority of citizens do not have information regarding the organizations providing legal services in their own cities;
14. Majority of citizens apply to the state organization, Legal Aid Service of the Ministry of Corrections and Legal Assistance in case of criminal violation;
15. The public trust towards the organizations providing legal assistance is almost equal.
16. The public in Akhalkalaki and Marneuli is not informed about the organizations providing with legal aid services for the socially vulnerable people;
17. The friends and relatives are the main source of recommendation in Georgia;
18. The financial factor is decisive for the majority of respondents when receiving the legal services;
19. The public awareness in Akhalkalaki and Marneuli regarding the Legal Aid Service of the Ministry of Corrections and Legal Assistance is very low; The public awareness is higher in those cities where the Legal Aid Service of the Ministry of Corrections and Legal Assistance has the office but the awareness is not sufficient;



20. 67% of respondents think that financial factor during the crime is very important and can have an impact on the final decision which underlines the lack of trust in enforcement of fair justice;
21. The main source of information for the public regarding the legal aid service is the television advertisement on the Legal Aid Service of the Ministry of Corrections and Legal Assistance; but it is important to underline that the citizens who received legal aid say that source of information for them was relatives and friends;
22. The Legal Aid Service in Akhalkalaki and Gori is oriented on purely professional services but there is lack of communication with the customers; To say in more details the customers after they receive legal assistance from the Legal Aid Service of the Ministry of Corrections and Legal Assistance fail to name the organization that provided legal aid, which means that Service when providing assistance does not advertise its work;
23. The success rate in cases of services provided by the Legal Aid Service is high;
24. The citizens of Akhalkalaki and Marneuli are not informed regarding the functions and services provided by the Legal Aid Service ;
25. Half of the respondents think that the legal services is accessible for free in the state institutions and non-governmental organizations;
26. The impact of the origin of the Legal Aid Service of the Ministry of Corrections and Legal Assistance on the regular citizens is the following: 31.0% of respondents think that it has positive impact and 29.0% think that it does not have any impact. But it was hard to answer for 40.0% of respondents to this question; Most probably these are those people who have no information regarding the Service;
27. 32.0% of respondents think that impact of the Legal Aid Service of the Ministry of Corrections and Legal Assistance on the socially vulnerable people is positive due to the trust towards the state institutions;

## 10. Recommendations

The Company that conducted the survey gives the following recommendations:

1. It is not only necessary but mandatory to increase the number of bureaus of the Legal Aid Service of the Ministry of Corrections and Legal Assistance when 73.8% of respondents think that financial factor is decisive when receiving the legal service;
2. The Company working on the study does not have information regarding the number of legal aid bureaus of the Legal Aid Service of the Ministry of Corrections and Legal Assistance in the regions of Georgia ; There might be need of having two bureaus in each region due to the fact that in Shida Kartli region one bureau operates in the regional center and there is need to open new bureau in the city not far from the regional center;
3. Due to the size (geographical as well as population) of the regions it is recommended to divide each region into three districts based on the geographical area or size of population where the bureaus of the Legal Aid Service of the Ministry of Corrections and Legal Assistance will be located and will serve those people who reside in those districts;
4. The current system of bureaus target groups is satisfactory. The change of system of division in order to provide more free legal assistance to all groups of population despite the fact that there is need, remains the good will of the Legal Aid Service of the Ministry of Corrections and Legal Assistance.
5. The following should be the function of the Legal Aid Service of the Ministry of Corrections and Legal Assistance (within its possibilities):
  - legal consultation on any legal matter;
  - drafting legal documents on civil and administrative cases;
  - legal services of the public lawyer on criminal case;
  - legal services of the public lawyer on civil cases;
  - representation in the appellate court;
  - mediation;
6. It is recommended to plan information, educational activities in public due to the fact that majority of citizens is not aware about the legal system and the institutions providing justice;
7. The Legal Aid Service shall pay more attention to the correct communication with the customers in Akhalkalaki. It is important to plan and implement correct communication forms, the current situation with regard to the language barrier shall be taken into the account. It is desirable to have employee speaking Armenian in Akhalkalaki.
8. It is important for the Service to become more active when the trust towards the Legal Aid Service in Gori and Akhalkalaki increases among those citizens who already received legal assistance from this Service;
9. It is important for the Legal Aid Service to make information and communication activities more active due to the fact that many people interviewed during the study were not aware at all about the fact that Legal Aid Service exists in their city. The local problems shall be taken into the account during the planning.
10. It is important to use the potential and opportunities in maximum of the Legal Aid Service when the majority of citizens apply to the Legal Aid Service of the Ministry of Corrections and Legal Assistance in case of criminal cases, because this will help to improve the trust



towards the legal aid service as well as to the public institutions. It has also been established that none of the organizations providing legal services have high public trust.

11. The impact of the Legal Aid Service of the Ministry of Corrections and Legal Assistance on regular citizens can be increased if they will be aware better about this Service;
12. The special attention shall be paid to Kobuleti and Batumi. It is recommended that communication work, services and quality of the services to be oriented and targeted on the legal problems in these cities;

