

Survey Report



ახალგაზრდული
რეზონანსი

Youth feelings about Justice, Judiciary and Law Enforcement

A qualitative research report

Version 1.0

By

Caucasus Youth Nexus

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1. Introduction

This document is a report of a survey carried out to explore young people's feelings about justice, judiciary and law enforcement. The report has been prepared by an organization entitled Caucasus Youth Nexus with the support of ACT Company as part of the "Youth Reflex Project".

The survey in which young people residing at different areas within Georgia took part was carried out in the period of February through May 2017. This qualitative research was aimed at understanding awareness by young residents of Georgia of criminal wrongdoings, courts and police, and identifying youth problems in general.

2. Major findings

- ❖ A majority of young people associates wrongdoings/unlawful conduct with a criminal offense and disobedience.
- ❖ Young people do not consider wrongdoings by adolescents "criminal offenses" but associate them rather with ignorance and negligence.
- ❖ According to the respondents, a person should only be liable under criminal law after he or she has reached the age of majority.
- ❖ Our interviewees believe commission of a criminal offense should result in punishing not only the adolescents but also their parents, and that perpetrators must perform some community work.
- ❖ The surveyed individuals all agreed that depriving an underage defendant of his or her liberty would badly affect their future.
- ❖ According to participants in focus group discussions, underage young people do not generally realize the consequences that are likely to be caused by their behavior.
- ❖ Respondents considered the following offenses are widespread among young people: theft, hooliganism, street brawls, gambling, knife carrying, family problems, drug crimes, violence, bullying, etc.
- ❖ The general socio-economic situation in the country (unemployment and, in cases of employed students, work shifts that are not tailored to the needs of students) is considered a major cause of youngster crimes.
- ❖ Some respondents have said young people are committing crimes because they want to achieve a status in criminal world
- ❖ Respondents considered one of the motives of criminal conduct was too little time allocated by parents to their children.
- ❖ Stressful situations such as students' inability to pay their tuition fees, lack of employment opportunities after graduation, etc were named as one factor affecting criminality.
- ❖ A majority of young people who took part in focus group discussions thought unlawful behavior of young people had to do with both family and friends but emphasized that family influence was more important.
- ❖ Some young people in focus groups thought education does not have impact on wrongful conduct, while others considered poor education was one of the strongest factors contributing to unlawful behavior.
- ❖ A majority of respondents considered that young people having problems with the law are friends with youngsters "of their own kind".
- ❖ According to discussion participants, the clergy has a high reputation in Georgia and even young people who are less religious or have criminal mindset have positive feelings about clerics.
- ❖ A majority of respondents thought young people who perpetrate wrongdoings have some harmful habits.

- ❖ Participants of the discussions mentioned that the Georgian society is inclined to justifying the man and doubting the behavior of the woman in cases of violent acts.
- ❖ Views of focus group participants were pessimistic about how the life of someone who has spent some time in prison would be like after release.
- ❖ A majority of respondents have emphasized rude and inadequate attitude of law enforcement officers. They adduced examples of situations when police officers stopped people on the street without introducing themselves and spoke rudely.
- ❖ Respondents think both law enforcement officers and young people have poor knowledge of the rights of young people – something that results in police officers exceeding their powers.
- ❖ According to the interviewees, members of law enforcement bodies are usually rude and distrustful of young people; they will stop you for no reason and use threats and verbal or physical insults.
- ❖ Only few members of focus groups said police officers were not stepping over the scope of law.
- ❖ A majority of young people said they had negative feelings about law enforcement officers and this was attributable to the conduct of the latter. However, our respondents in Tbilisi have stated, even though they too complained of aggressiveness of police officers, that they feel safe and secure as they walk in the city.
- ❖ According to the young people interviewed, they are unaware of their rights – something that allows the police exceed their official powers.
- ❖ Those participants of focus group discussions who knew about their rights and police obligations to some extent stated that they received such information through informal education.
- ❖ Focus group participants thought even knowing their rights would not help defend themselves; you need to know some influential people if you want to be protected.
- ❖ A large number of respondents interviewed are distrustful of courts, and they base their mind on their own or their relatives' experience or media reports.
- ❖ A large number of respondents have doubts about impartiality of the judiciary.
- ❖ Young people interviewed within the research suppose that the judiciary is governed by politicians, high-ranking officials or other influential people.
- ❖ Employment is considered one of the acutest problems among the problems existing in the regions.
- ❖ Young people also spoke about lack of entertainment and recreational places, cafes, parks, movie theaters and other similar facilities.
- ❖ It turned out information vacuum is a significant problem in the regions. Information about youth activities is not equally accessible for everyone.
- ❖ Young people from ethnic minorities consider the language barrier as their major problem.
- ❖ The research revealed that young people are abandoning their homes in rural areas and are moving to big towns.

3. Research design

3.1. Purpose and objectives

The overall goal of the survey was to understand the feelings of young people residing in the capital city and in five regions of Georgia (Samtskhe-Javakheti, Kvemo Qartli, Shida Qartli, Mtskheta-Mtianeti and Kakheti) about justice, judiciary and law enforcement.

The survey was aimed at the following objectives:

- ❖ Identify factors affecting unlawful behavior of adolescents;

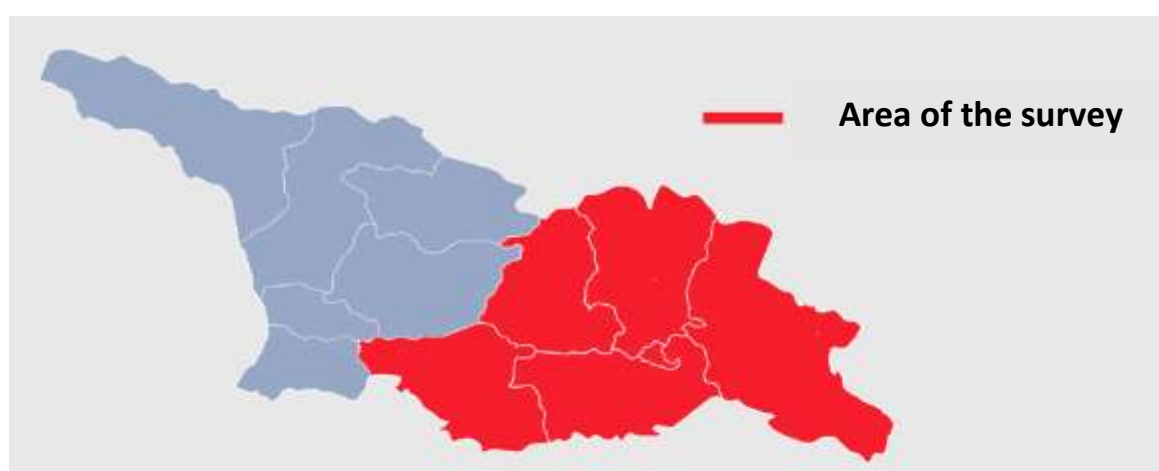
- ❖ Identify young people’s general awareness of unlawful conduct/crime;
- ❖ Find out young people’s feelings about law enforcement bodies;
- ❖ Find out young people’s feelings about the judiciary;
- ❖ Identify the needs of the youth;
- ❖ Identify problems, which young people think are important to them.

3.2. Methodology

Twelve (12) focus group discussions were conducted within this qualitative survey. The discussions took place in: 2 focus groups in Tbilisi and one focus group in each of the following towns: Akhalkalaki, Tsnori, Marneuli, Khashuri, Tetrtskaro, Akhaltsikhe, Sagarejo, Kazbegi, Gori and Rustavi. Young people aged between 17 and 29 took part in the group discussions.

The focus group discussions were taking place through February 23 – April 13, 2017.

Survey design	
Tool	Focus group discussions
Target group	Young people aged between 17 and 29
Selection size	12 focus groups
Selection method	Targeted selection
Area of survey	Tbilisi (2), Akhalkalaki (1), Tsnori (1), Marneuli (1), Khashuri (1), Tetrtskaro (1), Akhaltsikhe (1), Sagarejo (1), Kazbegi (1), Gori (1) and Rustavi (1).
Duration	1.5 to 2 hours



4. Analysis and interpretation

4.1. Factors affecting young people's unlawful behavior

Within the research, the free association method was used to identify in focus groups of young people their feelings about unlawful conduct and crime. For a majority of young people, unlawful conduct (wrongdoing) relates to crime and disobedience. It should be noted however that they do not really perceive crimes committed by adolescents as "crime" but something attributable to ignorance and negligence. Concerning criminal offenses perpetrated by adults, our respondents clearly disapproved of them saying crime must be punishable accordingly. However, when it comes to wrongdoings by adolescents, the respondents were rather compassionate feeling pity of the adolescents gone wrong. Here are some of their statements:

"When the rules are breached and the rules are designed to govern something in the society, well, this surely invites our negative attitude" (a respondent from Tsnori, aged between 17 and 29)

"Generally laws are made for us to live in the right way. Doing something that is bad for us or for others, i.e. breaching the law, means going against the law. This means doing something that is harmful to both us and others." (a respondent from Akhalkalaki, aged between 17 and 29)

"Breaching the law is not that widespread among adolescents. Whenever I see the law is breached, I surely become angry on that but I may feel pity as well. In fact, the wrongdoer has ruined his own life." (a respondent from Kazbegi, aged between 17 and 29)

"It is rather an inconscient behavior; adolescents are not realizing [what they're doing], and they don't have to." (a respondent from Tbilisi, aged between 17 and 29)

4.2. General awareness of criminal offenses

In a focus group format within the qualitative survey, young people discussed the age of criminal liability. A majority of pupils thought a person should incur criminal liability only after they reach their age of majority. However, quite a large number of pupils considered mental maturity and the actual ability to understand own actions was more important than the biological age.

"Because you're adult when you're 18" (a respondent from Sagarejo, aged between 17-29)

"I think criminal liability should start after you become adult because when you're in your 16-17 – this is a transitional period and you might not be able to understand your actions; so you shouldn't get punished the same way as in your 20-25" (a respondent from Tsnori, aged between 17 and 29)

"I'm not quite sure what the law says but I think people should be held liable under criminal law in the age when they mentally understand everything well; age is an individual stuff" (a respondent from Tbilisi, aged between 17 and 29)

During group discussions, respondents have stated that commission of a criminal offense should result in punishing not only the adolescents who have perpetrated the crime but also their parents, and the perpetrators have to be obliged by law to do community work. Also, the surveyed individuals all agreed that depriving an underage defendant of his or her liberty would badly affect their future. Some respondents thought sometimes, albeit very rarely, juveniles do understand their conduct is actually a criminal offense.

According to our focus group participants, underage people do not understand what they are doing when they are committing a crime; they don't realize what will follow. One reason of this, the participants

thought, was poor education. One of the participants from Tetrtskaro municipality said the family must explain the child why that particular conduct is prohibited; for example, children have to explained theft is a criminal offense and it is wrong by law steal, and it's wrong "not because the parents but because the whole society told you so".

"Many people are not realizing what they're doing until they've actually done it, since we don't know what the law says. We're told in our families not to steal but we don't know it is actually illegal to steal; we don't know that being violent, hitting a person is a crime. You remain ignorant unless you study it or they mention it at some training session or at school. In my childhood, my parents were telling me not to steal, or else, we'll cut your hands off; they were not saying to me the law says it is wrong to steal. Awareness level is poor and what matters is not the law but what the parents told you." (a respondent from Tetrtskaro, aged between 17-29).

Participants of focus groups also discussed crimes that are widespread among the youth and reasons thereof. Findings of the survey on this particular subject are true for all focus groups because participants from all the four regions named one and the same offenses and their causes. Our respondents spoke about the existing problems and their feelings related to relations with the law enforcement authorities in a free and open manner.

The following were named as crimes spread among the youth:

- ❖ theft
- ❖ hooliganism
- ❖ street brawls
- ❖ games of chance
- ❖ knife carrying
- ❖ family problems
- ❖ drug crimes
- ❖ violence
- ❖ bullying

According to the respondents, the reasons for which young people are committing crimes have to do with the general socio-economic situation in the country: unemployment and, in cases of employed students, work shifts that are not tailored to the needs of students.

Some respondents have said young people are committing crimes because they want to achieve a status in the criminal world. Respondents considered one of the motives of criminal conduct was too little time allocated by parents to their children and the social medium around them. Stressful situations such as students' inability to pay their tuition fees, lack of employment opportunities after graduation, etc were named as another factor affecting criminality.

"Your financial status plays a crucial role, for not only young people but adults; this is even more evident in the lives of adolescents." (a respondent from Tbilisi, aged between 17 and 29)

"Financial issues, which are the most important and especially in our region, have their impact on parents; the parents than are not in control of some stuff and it all passes on to the children" (a respondent from Gori, aged between 17 and 29)

"Many reasons originate in the family, the society. I, for example, have missed parental attention and other attention on many occasions. In general, we are aggressive and nervous all the time." (a respondent from Tetrtskaro, aged between 17 ad 29)

“I think it all starts with the social medium, the environment of friends and partners around you. This is one of the major factors that may make you commit a crime.” (a respondent from Tbilisi, aged between 17 and 29)

“In my opinion, parental influence and role are very much important too when it comes people aged under 18 because both the mother and the father are out from 9am till 9pm and they have no time to attend their children (a respondent from Tbilisi, aged between 17 and 29)

“They [young people] don’t realize it, they can’t take everything into account. They have no idea what it may result in. They don’t realize who’s ultimately responsible for the crime committed. Or, they think they can get away.” (a respondent from Gori, aged between 17 and 29)

“Well, those wishes and aspirations, weak willpower – they result from stress. Why do you have a weak willpower? Because you can’t cope with something, you’re out of strength. What I mean is bullying, influence, stress. Take the situation at work, for example. It’s all stressful, too much load, and then drugs help you get away and forget all of these for a while.” (a respondent from Gori, aged between 17 and 29)

4.3. Factors affecting violence evaluated

Within the research, using projective techniques in order to determine adolescents’ psychological types and project their environment, we explored factors affecting unlawful conduct of adolescents. Our respondents in focus groups were handed out case studies related to young people’s criminal activity.

The participants received two different case studies:

Case 1

Irakli, 22, snatched a sum of GEL 300 from a shop salesman. Irakli was found guilty and was convicted of robbery. He was sentenced to imprisonment for 4 years. Irakli served his sentence and was released from the prison in October 2016.

Case 2

A young man physically and verbally assaulted his wife. The court found him guilty of domestic violence. He was sentenced to imprisonment for 6 months. He was released from prison in 2016.

Using these fact patterns, participants of the group discussions discusses likely reasons for which adolescents could decide to commit unlawful conduct; they also discussed crime motives, the role of family, social environment, interests, etc.

A majority of young people who participated in the focus group discussion thought that youth criminality had to do with both the family and friends but family was considered more important. According to our respondents, “what you see in the street” is less likely to cause you to do illegal things or commit violence. Members of the focus groups believed that family contributes to forming the behavior of its members and becomes a triggering factor in the future: an individual who himself has been part of domestic violence and has been watching his father abusing his mother his whole life is prone to becoming an abuser himself, our respondents thought:

“I find it hard to believe that one person is abusing another just because he saw something similar in the street. The problem is more likely to start from the family because he has been watching this violence all his life” (a respondent from Akhaltsikhe, aged between 17-29)

“I think this guy took a page from his parents. In fact, he is an abuser and has been watching it since he was a child. I believe if a man hits a woman, it means he has done it before many times already and can do it again in the future. Different scenarios come to mind but most likely his father was beating his mother.” (a respondent from Khashuri, aged between 17-29)

Among factors affecting youngsters’ unlawful conduct, members of the focus groups referred to economic hardship, unemployment, lack of opportunities for self-fulfillment, etc. The respondents stated, in their opinion, a young person who could not find the path of his life and is unemployed is very likely to suffer from the complex of inferiority, worry about his situation and is more susceptible to generating and demonstrating aggression. Aggression as a mechanism of self-defense, on its turn, preconditions and precedes violent conduct by the person holding it.

“You know, poor and jobless people spend most of their time at home and are always on the nerves, stressful. It’s all about nervousness, all what happens to them. Potential violent abusers are one of these, deadbeats” (a respondent from Gori, aged between 17-29)

“I suppose this guy has collected a lot of aggression in himself because of social problems, I mean money problems, and uses it [the aggression] as an instrument of self-defense. Most likely he wants to be busy but can’t make it” (a respondent from Akhaltsikhe, aged between 17-29)

“In my opinion, insulting a person or using violence is a result of the inferiority complex. People have not fulfilled themselves, they don’t know what exactly they expect from life” (a respondent from Khashuri, aged between 17-29)

“Domestic violence occurs when the family is experiencing economic and social problems. I think that particular person was alone, somewhere in a rented space, and he owed many obligations to various entities and a lot of problems. For example, he could be gambling – something that can get you into a serious trouble.” (a respondent from Marneuli, aged between 17-29)

Views of youngsters who took part in our qualitative survey divided into two in regard to education as a factor affecting unlawful conduct of young people.

One branch of the focus group participants thought education was unimportant and was not having impact on unlawful conduct. To support this thesis, respondents adduced an example from daily life: they said they knew many educated and literate individuals who have perpetrated violent acts despite their level of education. Also, some participants thought violence was a personality attribute that some individuals manage to subdue, while others do not. Contrary to this opinion, the other group of discussion participants asserted that poor education was an important factor contributing to unlawful conduct. According to our interviewees, education helps raise awareness level and subdue violent aspirations. Accordingly, they thought, families with poor education were more likely to have a low-level consciousness and hence were more prone to violent behavior.

“The mere fact that someone is literate and studies well at school doesn’t necessarily mean they will never resort to violence. In fact, in a majority of cases I know, these people were all well literate and well educated.” (a respondent from Tbilisi, aged between 17 and 29)

“Often times men physically and verbally abuse women because their (the male persons’) level of consciousness is poor. It means that they lack intellect and mind to understand they should not be doing this, right? And secondly, if he is what he is, it means he grew up in a family where education level was poor and his family members didn’t care about education; they didn’t or couldn’t educate him. Or the

child was witnessing how his father was abusing his mother; so he had this very problem in his own family” (a respondent from Tetrtskaro, aged between 17 and 29)

“I too agree that violence stems from your personality and things like education don’t really matter. Manifestation of violence and aggression is rather a personal property of individual human beings. Some people manage to subdue it, some not. Education has nothing to do here. You may be realizing its wrong but may be unable to suppress it.” (a respondent from Khashuri, aged between 17 and 29)

“Perhaps that person had psychological problems because he experienced violence in his childhood; nevertheless, this is rather a matter of education in the family. You might have experienced violence in the past but when you’ve grow up you can just say “I’m not going to beat my spouse and use violence in my family” (a respondent from Marneuli, aged between 17 and 29)

The focus group participants shared some interesting views about one’s circles of friends. According to the respondents, a majority of youngsters in conflict with the law spend their time with other young people with criminal background and try not to come into contact with those who disapprove of their behavior.

“I think their circle of friends is made of people of their own kind. You wouldn’t want someone as your friend if they keep referring to your defects all the time; at least I wouldn’t want to see this happening. It then follows that their friends will be those who themselves are abusers” (a respondent from Tbilisi, aged between 17 and 29)

According to the participants of our focus groups, young people who come to perpetrate a wrongdoing may consider their family member, close friend, priest or even their self as an authority to look to. As our respondents have stated, the clergy in Georgia is highly respected so that even less religious youngsters or youngsters with criminal mindset have positive moods about members of the clergy. Our respondents further thought people who perpetrate unlawful conduct may be considered themselves as an authority, since they put their self above all.

“For such people, an authority to look to is just themselves. It means they don’t care about other people and can do anything they want. This is why they are up to such conduct.” (a respondent from Akhaltsikhe, aged between 17 and 29)

“Their idols are those who they find are of their own kind. When you like somebody, you try to be like them.” (a respondent from Sagarejo, aged between 17 and 29)

“In general, clergymen have a high reputation in Georgia. Even if you’re not religious and even your mindset is kinda criminal, you’re going to respect priests anyway and will at least listen to what they’re saying. I doubt anyone considers their family members as ones whose words have power.” (a respondent from Tbilisi, aged between 17 and 29)

“They may take parents’ and friends’ advice into account to some extent but will never put them above their own views” (a respondent from Kazbegi, aged between 17 and 29)

As for personal properties, traits and bad habits, a majority of focus group participants thought young people in conflict with the law do have various bad habits: they spend their free time “hanging out on the sidewalk”, manifest aggression, have weak psyche, are pessimistic and impulsive, use alcohol, tobacco and drugs, and love games of chance.

“In order to commit a crime, you have to go through some process in your mind. You must be a drunkard, drug user or alcoholic, something like that. Must be one of these or so. And clearly you have not had a brilliant and happy life. You must have had some family issues and during your time you probably were out for gambling or drinking or at least hanging out on the street.” (a respondent from Tsnori, aged between 17 and 29)

“I just recall about personal properties... One may be a pessimist by nature thinking he just can't make it. He just doesn't give a try, does not bother to develop himself.” (a respondent from Tbilisi, aged between 17 and 29)

When discussing unlawful conduct, the focus group participants were referring, in the first place, to socio-economic background, stress, hit of emotion, and use of alcohol and drugs as factors facilitating crime commission. According to youngsters interviewed within the survey, poor people have no access to proper education and they can hardly make both ends meet; this situation then contributes to channeling their mind towards criminal activity. Furthermore, our respondents thought, people who are under alcoholic influence, much like those in their rise of passion, are not able to control themselves and are prone to committing violence for no clear reason.

“Mostly drunk people, since they can't control themselves, are likely to commit stuff like that. Some people may be using violence to express love.” (a respondent from Gori, aged between 17 and 29)

“When you're in your rise of passion, you may perpetrate something you don't quite understand at that moment.” (a respondent from Gori, aged between 17 and 29)

“I suppose this guy lived in poverty and did not have much opportunities. He does not have proper education and his family members were lazy bums most likely. He lacks opportunities, can do nothing; so he is not the only one to blame. Those who didn't give him a helping hand are guilty too, for example, of not helping him receive some education or master an occupation so that he would avoid becoming a criminal.” (a respondent from Tsonri, aged between 17 and 29)

“There may be a lot reasons behind such as cheating or the guy might have been drunk or he just had no reason after all... Maybe he wasn't even drunk, was in a bad mood. Anything could have triggered him to do so.” (a respondent from Kazbegi, aged between 17 and 29)

Judging from the views of focus group participants, it can be found that young people's motive to commit crime has to do with their acute socio-economic background and problems arising thereof such as poverty, unemployment, lack of opportunities to fulfill themselves, stress, use of alcohol and drugs, addiction to games of chance, etc.

4.4. Youth feelings about the future of wrongdoers

In focus groups, participants of the qualitative research discussed possible scenarios of what the future of the individuals from the case studies could be like. They also analyzed what those individuals could be feeling about their own conduct.

A large number of the discussion participants thought the individual from the case study who physically abused his wife would not regret his conduct and could, after release from prison resort to violence again because of the accumulated aggression. One reason for not being sorry for what he did could have been that he committed the crime in the rise of passion, without thinking it through and most likely he'll repeat the same if he finds himself in a similar situation.

“It may well be the case that he's not sorry at all for what he did and actually now holds even greater amount of aggression against those who served as a reason for jailing him.” (a respondent from Akhaltsikhe, aged between 17 and 29)

“Whenever there is a situation of the husband using violence against his wife, there's always a chance the same thing will recur over and over again. And the reason is such people simply never recover from this disease.” (a respondent from Sagarejo, aged between 17 and 29)

“He’s not sorry. He did it so unconsciously, without giving it a thought. He couldn’t see the consequences through. He keeps holding his harmful habits and keeps committing crime over again.” (a respondent from Tbilisi, aged between 17 and 29)

As regards feelings about future, a majority of focus group participants reckoned the man from the case study was most likely pessimistic about future. One reason was, in their mind, that the society labels citizens with previous convictions as violent people – something that causes them to become isolated and anti-social. As regards domestic violence, discussion participants mentioned that, in violence cases, the Georgian society is more likely to justify the man and blame the woman. Against such background, violent men continue to live their lives in the usual way and the society is rather loyal towards them.

“If he succeeds to justify his behavior, he’ll continue to live among the society; and if he doesn’t, he’s then an abuser, officially.” (a respondent from Khashuri, aged between 17 and 29)

“Our understanding is that if you’ve been in prison, it remains your label and therefore he must be feeling pessimistic.” (a respondent from Khashuri, aged between 17 and 29)

“What causes violence? It’s stress, isn’t it? Stress may be coming from your childhood or you may have spent part of your life in a stressful environment that then makes you a violent person. In such situations, psychological assistance is necessary – something that is unpopular in Georgia. They think if you need a psychologist, you’re insane.” (a respondent from Sagarejo, aged between 17 and 29)

When discussing future of the individuals from the cases studies, the participants spoke about current situation in penitentiary institutions nowadays and found that the prison environment pushes inmates to become pessimistic about future.

“If you look at the conditions especially in our prisons nowadays, I don’t believe these people can ever mend their ways. I mean the video footages that were shown to the public and the stories I’ve heard. Violence is perpetrated both by the prison administration against inmates and by the inmates against each other. This is why I think the stress in the prison will now add to the stress they’ve experienced before they had gotten in the prison. So rehabilitation is necessary after they serve their sentence.” (a respondent from Sagarejo, aged between 17 and 29)

“He’s a cutthroat.” (a respondent from Gori, aged between 17 and 29)

“He can see his future, his loneliness. After all of what happened, he can’t have a wife or children ever. Rumors spread very quickly in Georgia that this man did what he did. So I don’t think anyone will want to have relations with him or that he can have a family ever.” (a respondent from Gori, aged between 17 and 29)

“I think this guy is living with today only. He’s not thinking about future.” (a respondent from Gori, aged between 17 and 29)

“He may change radically, perhaps to the worse.” (a respondent from Khashuri, aged between 17 and 29)

“He may be worrying for not having beaten [the victim] even harder. This man has no future; I mean people who have spent their time in prison. I’ve heard that, in Georgia, people who have served a prison sentence have no good documents and they can’t find work anywhere.” (a respondent from Tbilisi, aged between 17 and 29)

Focus group participant’s views about what the life of former inmates is going to be when they are out from prison were pessimistic. Some of the focus groups thought, however, that sometimes people may feel sorry for what they have done and this can lead them to changing their values. In other words, the time in prison may serve for them as a motive and an opportunity to start a new life.

“Since his release, my neighbor has been so greatly motivated that he is doing miracles now. In fact, he’s done something really bad and was jailed for a long time but he came out with even stronger motivation and has become a nice guy.” (a respondent from Tbilisi, aged between 17 and 29)

4.5. Relations with the law enforcement

Within the qualitative survey, focus group participants discussed attitudes of law enforcement agents towards young people. A majority of respondents spoke about rude treatment such as stopping people on the street without introducing themselves and talking in a rude manner. According to youngsters interviewed, some law enforcement officers “are doing exactly what they’re telling others not to do”. It should be noted that in assessing police officers’ behavior the respondents’ views did not differ by gender. According to the respondents, neither young people nor police officers know their rights, which then allows the police officers to exceed their official powers. Some focus group participants have had experience with law enforcement officers in regard to being fined or having breached administrative order. When assessing actions of law enforcement agents, they were basing their findings on their own or their friends’ experience. In most cases the respondents’ evaluations were negative. More specifically, the respondents stated police officers were treating them with suspicion, stopping them for no reason, threatening and using verbal or physical insults.

“When it comes to my feelings, I can tell you a story about my cousin. He was standing with his friends outside, in front of his home. One of his friends asked him to come out and so he went out. They told him something and they were going to depart. But a patrol police car came by. They put my cousin in the car, threatened him, gave him a punch several times and told him to never meet these people again. [...] They’ll stop you on the street, never explain your rights, will dig out your pockets for no legal reason, etc. This is their usual way of treating young people.” (a respondent from Sagarejo, aged between 17 and 29)

“You know, I’ve noticed that they get into a brawl they’re not wearing a police uniform but once they put their uniform on they go back to arrest those people; they’ll find a reason to catch them.” (a respondent from Akhaltsikhe, aged between 17 and 29)

“I’ve have had similar experience. I was walking down the street with my friends when they stopped us. I think they were high because they were so inadequate.” (a respondent from Marneuli, aged between 17 and 29)

“My friends and I were in the center of the town, standing and talking. They approached us and started asking questions and mocking at us.” (a respondent from Khashuri, aged between 17 and 29)

“They said to me I had parked my car wrongly. But it’s ok for them to park where I did. I told them there was no prohibition sign to park there. They agreed there was no sign. I pulled the car over. They’re telling you not to do something while they’re doing exactly the same thing in that moment. I don’t know what my rights are and, even if I say something to them, they’re reaction is going to be worse.” (a respondent from Gori, aged between 17 and 29)

“There was a situation that a stranger was frequently watching us through the window. We got scared and called the patrol police. The police came but the investigator was so sarcastic. They don’t believe in what we say.” (a respondent from Marneuli, aged between 17 and 29)

“They’re aggressive.” (a respondent from Gori, aged between 17 and 29)

“They think they’re privileged people. If you’re not a lawyer and have no good knowledge of this sphere, you’re not going to know they have no right to search you. Often times they will search people

and those will say nothing because they don't know [the police] have no right to do so." (a respondent from Gori, aged between 17 and 29)

"They're rude, very rude. I am no fan of them because I've had some experience with them. They demonstrate a lot of aggression. When I'm talking to them, I always try to smile and sound positive. These things happen. I have a 17-year-old brother. They've stopped us several times when we were together. [My brother] is young and they [the police] have been trying to provoke him so that they then have a reason to take him to the police station and check him." (a respondent from Tbilisi, aged between 17 and 29)

"My friends have been taken to a police station by members of the Criminal Police. The police have beaten and insulted them for no reason at all. If you try to defend yourself physically, they'll impose fines or can even send you to jail. They beat you with open palms not to leave bruises on your body. They're brutal SOBs." (a respondent from Gori, aged between 17 and 29)

Our respondents in the qualitative survey who had negative feelings about police activities thought young people take up police jobs just because they can't find any other job or opportunity.

Only a very small part of the focus group participants said police officers were following the word of the law. This category of the surveyed respondents says they can understand police officers' rudeness because of their busy lifestyle and the special work they are doing. Their work schedule and difficult job explain their rude attitude, according to the respondents.

"Compared to past years, everyone on the social network and even the entire country is talking about rule of law nowadays – I think this made them rethink their attitude to citizens to become milder and observe the frontiers prescribed by law. Their actions are in conformity with the law." (a respondent from Tbilisi, aged between 17 and 29)

"They were nice and attentive to me showing zealotry and respect. Perhaps because they were my acquaintances. I know they're usually aggressive. If you decide to work for the [police] agency, you have to have education and know human psychology well. If I lose even as small thing as a spoon from home – somebody stole the spoon – isn't this a crime too meaning that they must not be cynical even about what may seem petty issues."

"I respect the law enforcement for many reasons and their attitude is justified because they interact with a million people and this makes them change their ways." (a respondent from Khashuri, aged between 17 and 29)

Young men and women interviewed within the survey were saying police is responsible for good order in the country and its role is important for the State. However, they thought public opinion is divided into two and even some of their family members have negative feelings about police.

"We know law enforcement officers behave badly but what is the populace's attitude like? A part of population strongly dislikes law enforcement agents. Sometimes people will swear at them but for various reasons such as powerful people behind their back they manage to get away with it. Then the police officers will do anything to blame those who are innocent but can avail of no such protection all the crimes they failed to investigate successfully. I think this is happening because people don't know their rights. There were occasions of police stopping and searching us on the street. If you know your rights, then you know they can't search you. You may be witnessing how police officers are breaching what they are supposed to be protecting but you don't want to report this." (a respondent from Tetritskaro, aged between 17 and 29)

Despite the prevalent negative feelings about police, young people said they felt safe to walk in Tbilisi.

In response to our question about knowledge of their own rights or awareness of the law enforcement bodies' mandate and duties, a majority of our focus group participants answered negative. According to the respondents, they are unaware of their rights and this allows the police to step over their powers. A majority of the youngsters mentioned that, if need be, they will ask their lawyer friends for help. Those respondents who have some knowledge of their rights and police duties said they got to know this information through informal education or just searched on the Internet for interest.

"I think everyone should know their rights but I have not gotten interested in my rights so far." (a respondent from Akhaltsikhe, aged between 17 and 29)

"What's wrong with the schools is that, first, they don't teach you anything and secondly, [human rights] was an elective subject and [the school administration] would decide on its own who would join the class [of this elective subject]. Every other 12th-grade student didn't know [their rights]" (a respondent from Gori, aged between 17 and 29)

"Their ignorance of their own rights explains the police officers' attitude. Police officers know [that citizens don't know their rights]. Police officers generally have better knowledge." (a respondent from Tsnori, aged between 17 and 29)

"Young people aren't aware of their rights and police then abuses their ignorance." (a respondent from Tsnori, aged between 17 and 29)

"I try to search [for information on my rights] myself because I believe every citizen should know their rights." (a respondent from Tbilisi, aged between 17 and 29)

"Here's what I think. Until you come across a real-life situation, you don't get interested in your or others' rights. Only when it starts to concern you personally, you then have no choice but to look into the stuff. In our country, law enforcement officers often step over their legal powers and the public doesn't even guess they're breaching the law. The reason is the public is not ready." (a respondent from Akhaltsikhe, aged between 17 and 29)

The focus group participants said they were unaware of their rights and even if they knew them, this would help them defend themselves; to be protected, you have to have some influential people, they think.

Our respondents viewed raising the level of education among youngsters as a way to deal with the police officers' bad attitude to young people. Both police officers and young people should know their rights and duties to deter the police from provoking young people.

4.6. The judiciary

In order to find out young people's attitude to the judiciary, we asked the focus group participants to share their feelings and associations about courts. The respondents were openly discussing the issue and sharing their feelings sincerely. As regards the results, it is safe to say that young people are distrustful of the court system. The respondents cited their own examples or examples from their relatives' lives to describe how ineffective and biased the courts were. However, a small part of the respondents felt positive about the judiciary and associated the system with fairness.

"Well, depends on the judge. My uncle is a prosecutor and I have attended trials quite a number of times. Sometimes their judgements are far from being reasonable. But sometimes they do make right judgements. Often times the judge has been bribed or he/she was a party's relative." (a respondent from Sagarejo, aged between 17 and 29)

“I am a law student. In the past, hearing the word ‘court’ would cause me to think about super fair people who don’t breach laws themselves and therefore have the right to judge others. But when I attended a criminal trial for the first time I saw how defendants were addressing the judge and how the prosecutor was flirting with the lawyer. So, what can I say, I have no more than bad feelings about it.” (a respondent from Tetrtskaro, aged between 17 and 29)

“If there were no courts, you might actually be right, but they could send you to jail directly.” (a respondent from Kazbegi, aged between 17 and 29)

“[My feelings are] positive; [it is a place] where I can defend my rights ultimately.” (a respondent from Tbilisi, aged between 17 and 29)

We also wanted to explore whether youngsters’ viewed courts as impartial institutions. A large part of our respondents had doubts about impartiality of the judiciary. They thought there were two categories of situations: first they thought was petty cases in which the courts had no big interest and second was high-profile cases at the State level. In cases belonging to the first category our respondents thought the chances of courts being biased were low, while in regard to the second type of cases they were sure the judiciary lacked objectivity owing to the amount of influence exerted by relevant interested persons. A small number of respondents considered the courts are impartial these days because trials are transparent and activities of courts are governed by international regulations.

“In really ordinary cases decisions rendered by courts are not biased. But in cases where public interest is high, the pressure on the court is so heavy that terrible injustices happen there.” (a respondent from Akhaltsikhe, aged between 17 and 29)

“I think [the courts] are objective in relation to regular people; in other cases, well, you know, they act like Georgian courts. The level of pressure on them is great. I may be mistaken but I think there is some link, I mean high-profile cases involving those who are not mere mortals. (a respondent from Kazbegi, aged between 17 and 29)

“I’m of the same view, in principle. Mostly they’re fair and I know many things are being done nowadays to raise judicial qualifications. They do have knowledge they need and know how to do the job but there are some distinct cases whose objectivity is open to doubt. The doubt is caused by, for example, the influence or money the interested parties have. This happens when a large business is or even the State is involved. Also, there may be cases in which the judge is somebody’s relative and this too will have some influence.” (a respondent from Kazbegi, aged between 17 and 29)

“In my view, courts have developed to a level that they can’t be unfair just like that because we have handed our controls in the hands of the world [international community]. We allow everyone to control us because we want to stick our head into something. They won’t actually let us do it.” (a respondent from Kazbegi, aged between 17 and 29)

We asked the respondents who thought the courts were not objective to tell us who could be controlling the courts and influencing trials. They replied the judiciary is under the influence of politicians, high-ranking officials and other power people. The respondents also thought that often times courts are defending the interests of the government but not those of people.

“There are individuals having so big influence and they don’t care about American and European courts. At least they can achieve what they want here in Georgia.” (a respondent from Kazbegi, aged between 17 and 29)

“They’re kinda high society people. They can make important decisions, influential people.” (a respondent from Akhaltsikhe, aged between 17 and 29)

“The court says what the government wants the court to say. It’s like Rustavi². They government says it, the court does it.” (a respondent from Marneuli, aged between 17 and 29)

“Courts have to be impartial. Today’s courts are dependent on the State.” (a respondent from Sagarejo, aged between 17 and 29)

Young people all agreed that courts must be impartial, independent, away from politics and fair. But their views about how to establish an ideal judiciary differed. A part of respondents was rather pessimistic and thought nothing can mend the judiciary-related problems in this country. The other part considered the solution was to train the personnel, introduce European standards on the judiciary and toughen any supervisory mechanisms.

“The court must be a place where everyone believes can find justice. And I don’t believe this is possible now.” (a respondent from Tbilisi, aged between 17 and 29)

“I’ve no idea whatsoever what can be done because there are these people who can influence the court. They are weighty people, they prevail over everyone else with their power and everything. You can’t go against them. The only chance is to sue them in other [foreign] courts. I’m not even sure about the European Court; perhaps I’m not that educated but I doubt [the European Court] is as strong as they say. Such things can happen even there [at the European Court].” (a respondent from Kazbegi, aged between 17 and 29)

“What to say, I don’t think anything will change eventually. People can always find some relatives and businessmen will always have money.” (a respondent from Kazbegi, aged between 17 and 29)

“I think introducing European standards on the judiciary will wash this taint away. More qualified people should be brought into the system.” (a respondent from Kazbegi, aged between 17 and 29)

A number of young people who have participated in our survey had had previous experience in interacting with the judiciary. According our findings, these individuals were even more skeptical about the court system than other respondents who did not have any experience with courts.

“Well, you know, [courts] are biased. When I was arrested, my trial was biased then too.” (a respondent from Tbilisi, aged between 17 and 29)

“[The court system] is biased. Power people always intervene. In my personal experience, there is no such thing as restoring justice. The government, acquaintances, friends – all intervene.” (a respondent from Tbilisi, aged between 17 and 29)

To summarize, the survey results clearly show young people’s skepticism towards the judiciary. Their distrust in the court system is primarily based on their own or their relatives’ experience, or media reports. Our young respondents also discussed what an ideal court system should be like and what needs to be done to replace the current negative attitude to courts with a positive one. Mostly, our respondents think the solution is to completely reorganize the court system and establish a strict supervision. However, some of the respondents thought having an ideal judiciary in Georgia was a utopic idea.

4.7. Youth problems

Our qualitative survey helped identify issues young people consider to be important to them things they would like to be dealt with in their regions or communities. We also were able to find out challenges faced by youngsters. Within the survey we covered areas such as employment, education, identity, lifestyle, ecology and other adjacent issues.

To our question on what young people’s concerns were, a majority of the respondents replied it was unemployment. They considered lack of job opportunities as a source of a series of other problems.

“Unemployment is the biggest issue. Employment gives you material support and confidence to study, read books and so on. It is the biggest issue.” (a respondent from Tbilisi, aged between 17 and 29)

“Lack of entertainment has to do directly with unemployment. When people have jobs, they can then spend money on entertainment. It’s all about employment.” (a respondent from Akhaltsikhe, aged between 17 and 29)

In addition to unemployment, young people also mentioned lack of places of entertainment and recreation in the regions. The focus group participants complained of a shortage of cafes, parks, movie theaters and other places in the regions where young people could have fun and spend their leisure time in some productive way.

“For children of our age, for example, there is no place of entertainment where we could spend some of our leisure time.” (a respondent from Akhalkalaki, aged between 17 and 29)

“No of places of entertainment where you could fulfill yourself.” (a respondent from Khashuri, aged between 17 and 29)

It turned out access to information is one of the significant problems in the regions. Information on job vacancies and youth activities is not accessible to everyone equally. In addition to that, the respondents stated, young people themselves do not show much interest in using even those small resources that are available. Some respondents explained this situation by lack of motivation, some by lack of confidence in the future and some blamed family and the general environment. They all agreed an end result is people who are unable to use their talents and abilities.

“I’d say the problem for young people is lack of motivation and shortage of opportunities for self-fulfillment ... young people don’t see a hope in future: I’m not going to make it anyway. There don’t strive to achieve something.” (a respondent from Sagarejo, aged between 17 and 29)

“There’s also an issue of inaccessible information. Insufficient resources. No resources, no qualified staff, no aspiration, no motivation. There are many talented children locked up in their homes who have no money, no resources to get out and do something. In fact, there’s more than that: some parents and the general environment work to subdue such aspirations, if any.” (a respondent from Akhaltsikhe, aged between 17 and 29)

Akhalkalaki region is to be mentioned separately. Respondents from Akhalkalaki thought a major problem for them was the language barrier. Not knowing the languages spoken locally makes relations among citizens of Georgia with different ethnic origin difficult.

“They don’t communicate with each other and are unable to study. Armenians stay together separately, and so do Georgians.” (a respondent from Akhalkalaki, aged between 17 and 29)

“The Georgians speak Armenian but the Armenians don’t know Georgian. Most residents are Armenians. All communication happens in Armenian.” (a respondent from Akhalkalaki, aged between 17 and 29)

The survey revealed women’s problems with socializing as well as their low engagement in various aspects of social life. Our young respondents explained this concern with the existence of stereotypes in the regions. According to the respondents, these stereotypes originate in the society and the family. A majority of young people disapprove of the stereotypes but for the sake of being socially acceptable they decide to abide by them and then try to justify their conduct by adducing various excuses:

“Boys may decide not to attend an event organized by girls. Their thinking is stereotypical, which they got from their families, by tradition.” (a respondent from Akhaltsikhe, aged between 17 and 29)

“This stereotypical thinking is coming from the society. Some youngsters will decide to attend and have fun. But those who can’t go because of their families, they will say then: you know, I’m a decent one, I didn’t go.” (a respondent from Akhaltsikhe, aged between 17 and 29)

The survey showed internal migration is an acute problem in the regions. Young people are abandoning their villages and moving to big towns. Our respondents referred to economic hardship and unemployment as well as lack of opportunities for self-fulfillment as major factors provoking emigration from rural areas. A majority of respondents said there is a chance they themselves will be leaving their home regions if they can’t find the jobs they want:

“In towns, especially in big towns, there are more opportunities for development.” (a respondent from Tbilisi, aged between 17 and 29)

“If I can’t find a job here, I want it or not, I’ll have to go, move to where I can find it.” (a respondent from Akhalkalaki, aged between 17 and 29)

We interviewed the young people to see what they considered to be reasons of the problems they named. Our respondents were looking at the reasons from different perspectives. Some thought the State should deal with these concerns, and it is the State’s prerogative to care about problems of the society. The other part of respondents considered readiness of the society to be a major factor. They were sure that Government’s efforts would be futile if the society was not ready for changes.

“A major problem is that the State is blindfolded to see the issues.” (a respondent from Akhalkalaki, aged between 17 and 29)

“When the Government is doing something, the people should also contribute to it. What sense does it make for the Government to do anything if we are to destroy it?” (a respondent from Gori, aged between 17 and 29)

Our young respondents had long discussions in focus groups about what should be done to improve the situation in their home regions. Some interviewees thought employment would save the day. They suggested job vacancies, internship opportunities and training programs can facilitate self-fulfillment of young people and ensure some subsistence level to many youngsters. Another part of the focus group participants reckoned entertainment opportunities were a priority. Regions should have their own movie theaters, literary cafes, training centers and sports facilities. These would allow the young people be occupied with what they want to do and spend their leisure time in a productive way. Young people should have plenty of alternatives to loitering in the street in order to get away from their tedious way of life.

“I think the best opportunity for me would be to have access to internship, training and similar opportunities.” (a respondent from Akhaltsikhe, aged between 17 and 29)

“I think simple amenities like a movie theater will prevent people from hanging out on the street and doing bad things there.” (a respondent from Sagarejo, aged between 17 and 29)

“Lack of employment and sports opportunities is the reason. No entertainment possibilities. In winter, all you do is come out on the street and then go back inside. There’s nothing else to do.” (a respondent from Kazbegi, aged between 17 and 29)

Our focus group participants also discussed the problem of education. They were unhappy with the current education system and considered it required a complete overhaul. First of all, they said the school curriculum was not tailored to students and was not focused on developing an independent and critical thinking among the youth. Our respondents discussed university education as well. They didn’t think that many universities are needed and preferred establishment and development of vocational education institutions instead.

“In the first place, a good quality vocational training institution must be set up at the local level where people really want to study and don’t just enroll for a diploma. This will help raise the employment level and the general level of education. Not everyone should become a businessman or a lawyer. Different people have different talents.” (a respondent from Gori, aged between 17 and 29)

“Education is voluntary, of course. But school is a place where you should study if you are to attend it. I think it is wrong that schools have their curricula and you have to study according to that curriculum, no matter what. So, they impose on you what’s inside the curriculum. I think this is wrong.” (a respondent from Tbilisi, aged between 17 and 29)

The survey helped us collect important information about youth problems in the regions. Since youngsters from all regions considered these issues were important to them, they were openly discussing their daily challenges of life.

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