



**USAID**  
FROM THE AMERICAN PEOPLE

# Result of the Second National Public Survey Regarding Trust in the Judiciary Judicial Reform and Perception of Corruption

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October 2018

USAID NEW JUSTICE PROGRAM

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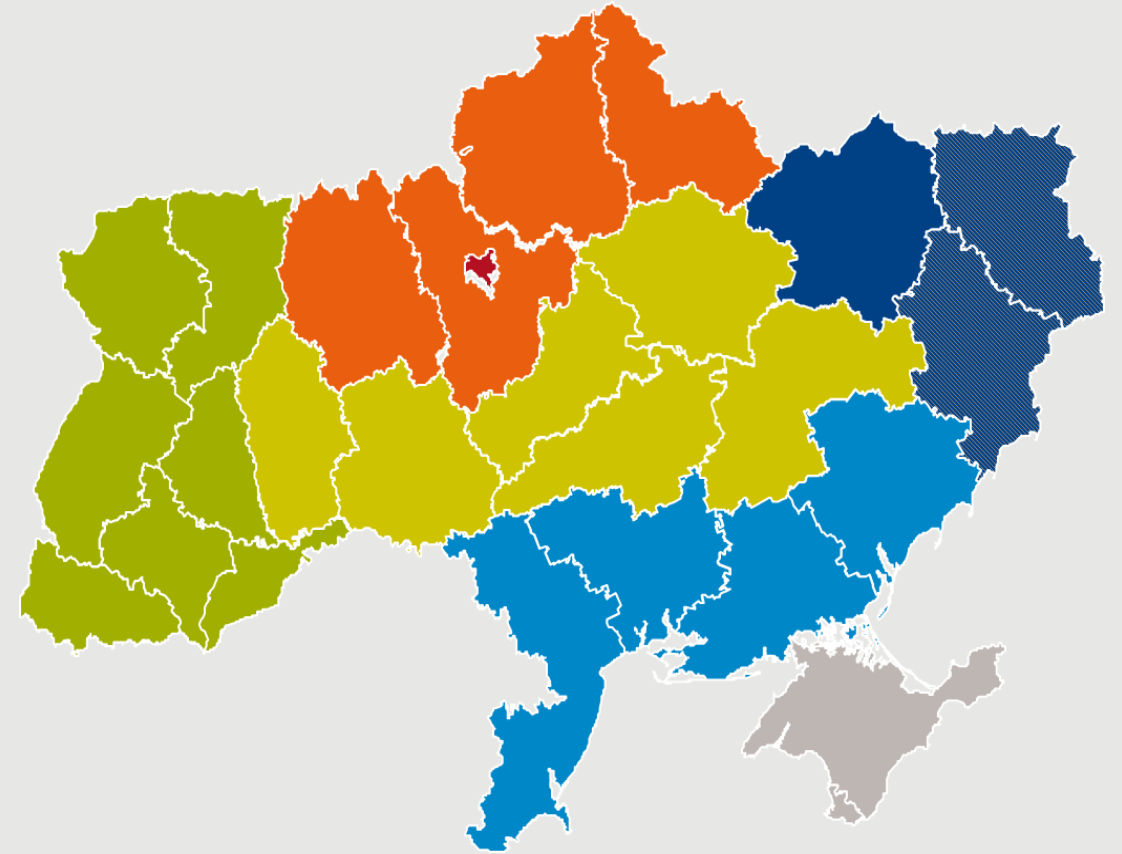
# — INTRODUCTION



## OVERVIEW

### Geographic coverage:

- ✓ **West:** Volynska, Zakarpatska, Ivano-Frankivska, Lvivska, Rivnenska, Ternopilska, Chernivetska
- ✓ **North:** Zhytomyrska, Kyivska, Sumska, Chernihivska
- ✓ **Kyiv City**
- ✓ **Center:** Vinnytska, Dnipropetrovska, Kirovohradska, Poltavska, Khmelnytska, Cherkaska
- ✓ **South:** Zaporizska, Mykolaivska, Odeska, Khersonska
- ✓ **East:** Kharkivska, Donetska and Luhanska (areas controlled by the Ukrainian government)



*2,478 respondents*

### Analysis

- This presentation contains main survey results compared with the same results of the same survey conducted in 2017.
- Changes compared to the previous year are reflected in the presentation if the absolute difference between same indicators is 3% and more from general base of respondents surveyed on particular indicators.
- Positive trends compared to 2017 indicated in this presentation with green arrows and negative trends indicated with red arrows.

## HYPOTHESES TO BE TESTED

Justice sector reform helps to increase public trust in the judiciary and other branches of government

Anti-corruption measures decrease public tolerance for corruption and increase public involvement in combatting corruption

Justice sector personnel and citizens are aware of justice sector reform and perceive it in a positive way

Opinions of legal professionals regarding judicial independence, accountability, impartiality and efficiency reflect the actual status of the judiciary and their attitudes help to demonstrate justice sector reform successes

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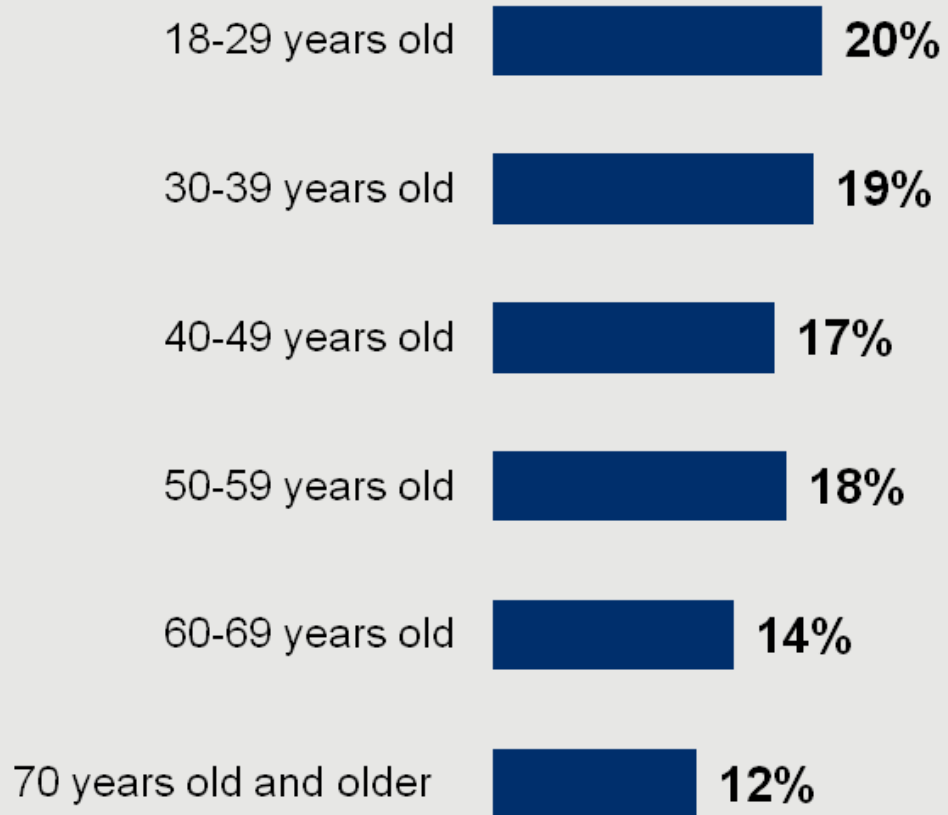
# PROFILE OF RESPONDENTS



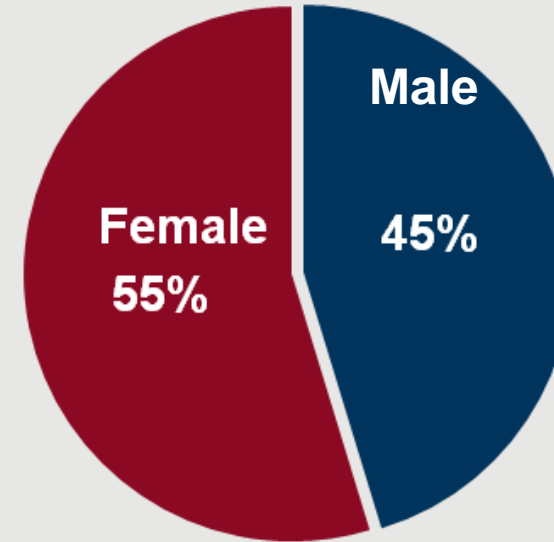
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## PROFILE OF RESPONDENTS (1/4)

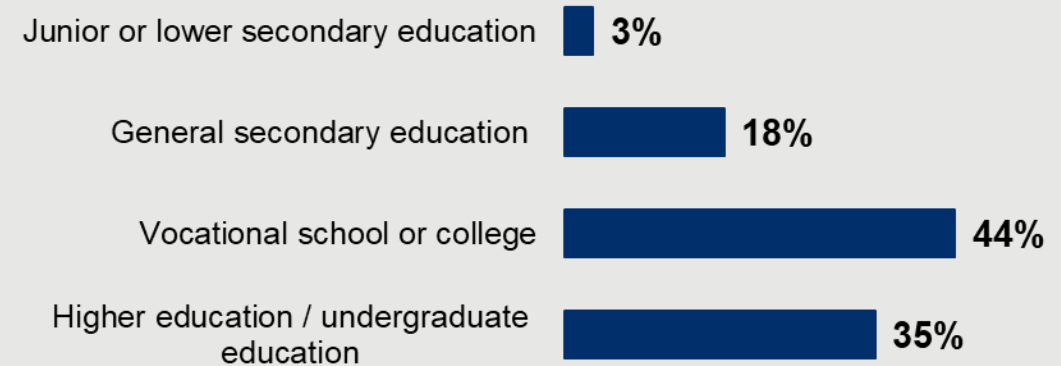
### AGE GROUPS



### SEX OF RESPONDENTS

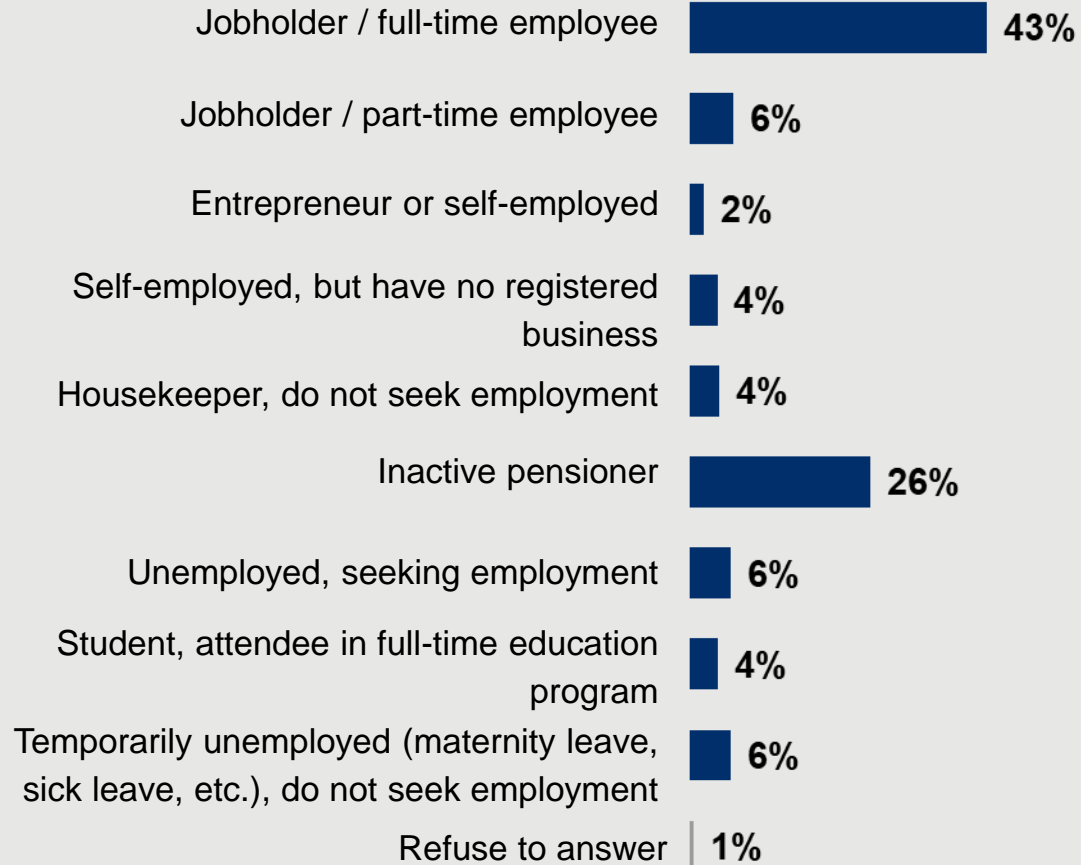


### EDUCATION

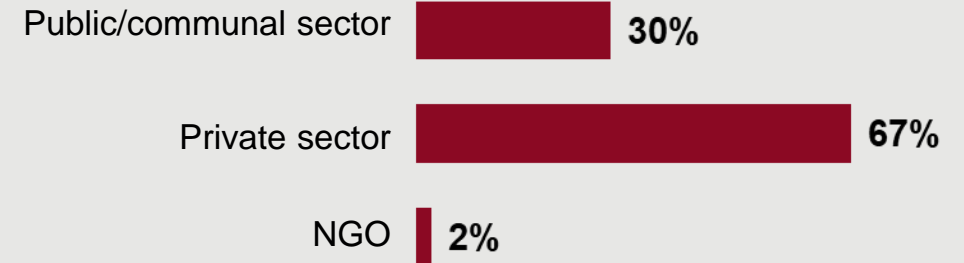


## PROFILE OF RESPONDENTS (2/4)

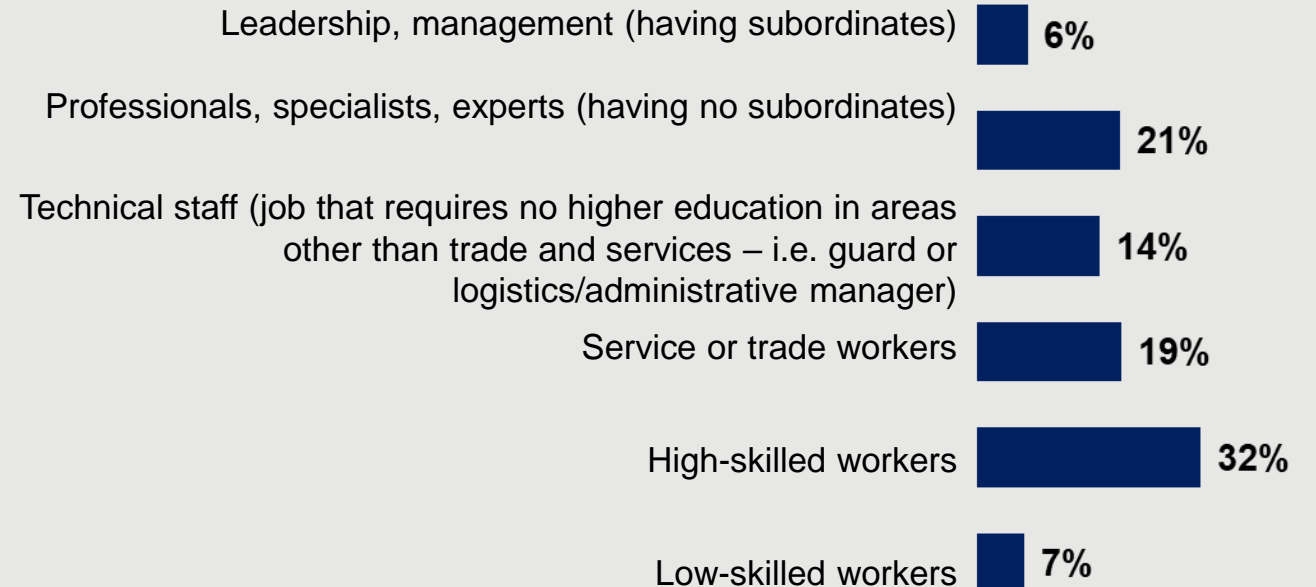
### TYPE OF EMPLOYMENT



### SECTOR OF THE ENTERPRISE



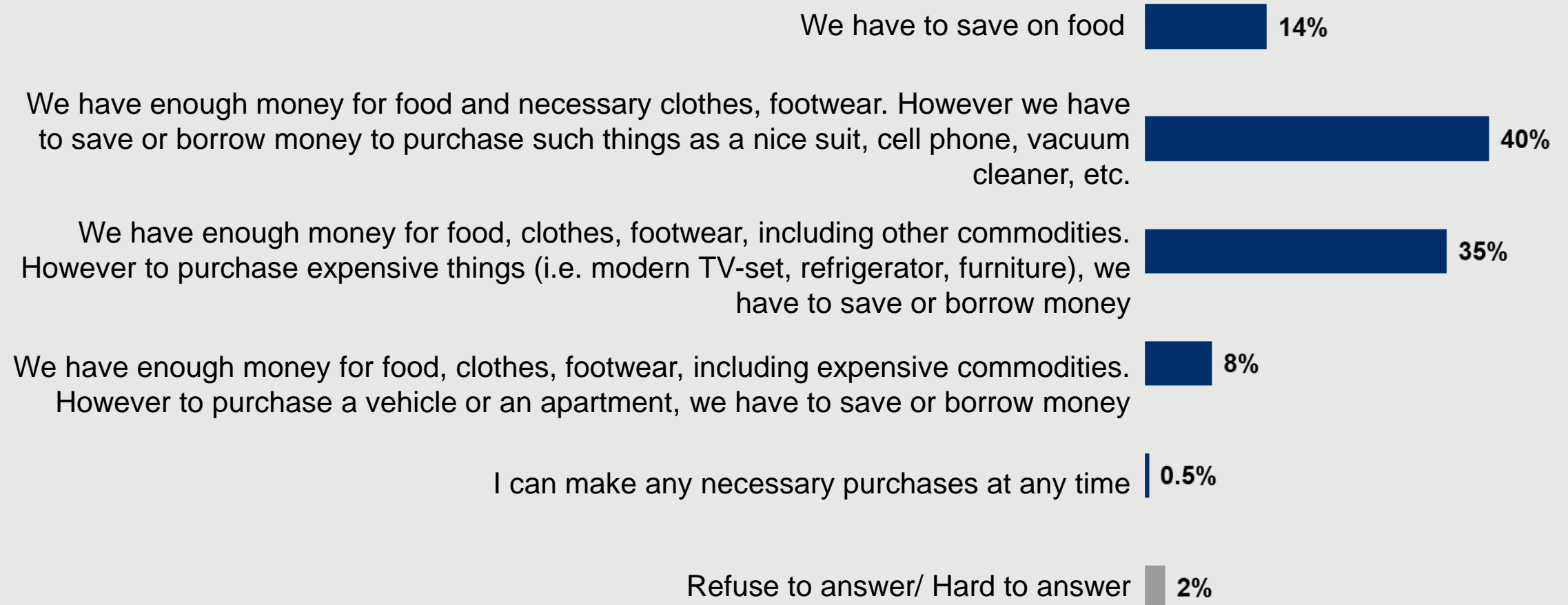
### PROFESSIONAL GROUP





## PROFILE OF RESPONDENT (3/4)

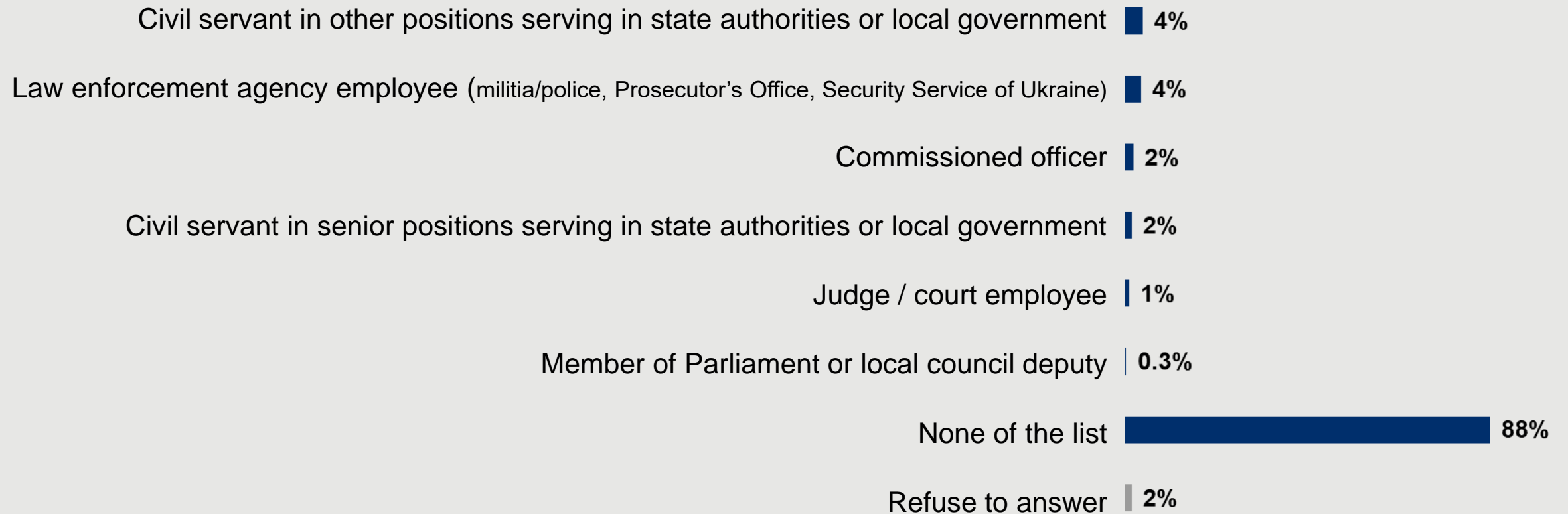
### HOW DO YOU ASSESS FINANCIAL SITUATION IN YOUR FAMILY?



Base: total (n=2478)

## PROFILE OF RESPONDENT (4/4)

**DO YOU PERSONALLY OR ONE OF YOUR RELATIVES (SPOUSE, FATHER, MOTHER, GRANDFATHER, GRANDMOTHER, BROTHER, SISTER, GRANDCHILDREN, DAUGHTER-IN-LAW, ETC.) FALL (OR PREVIOUSLY FELL) WITHIN THE FOLLOWING CATEGORIES?**

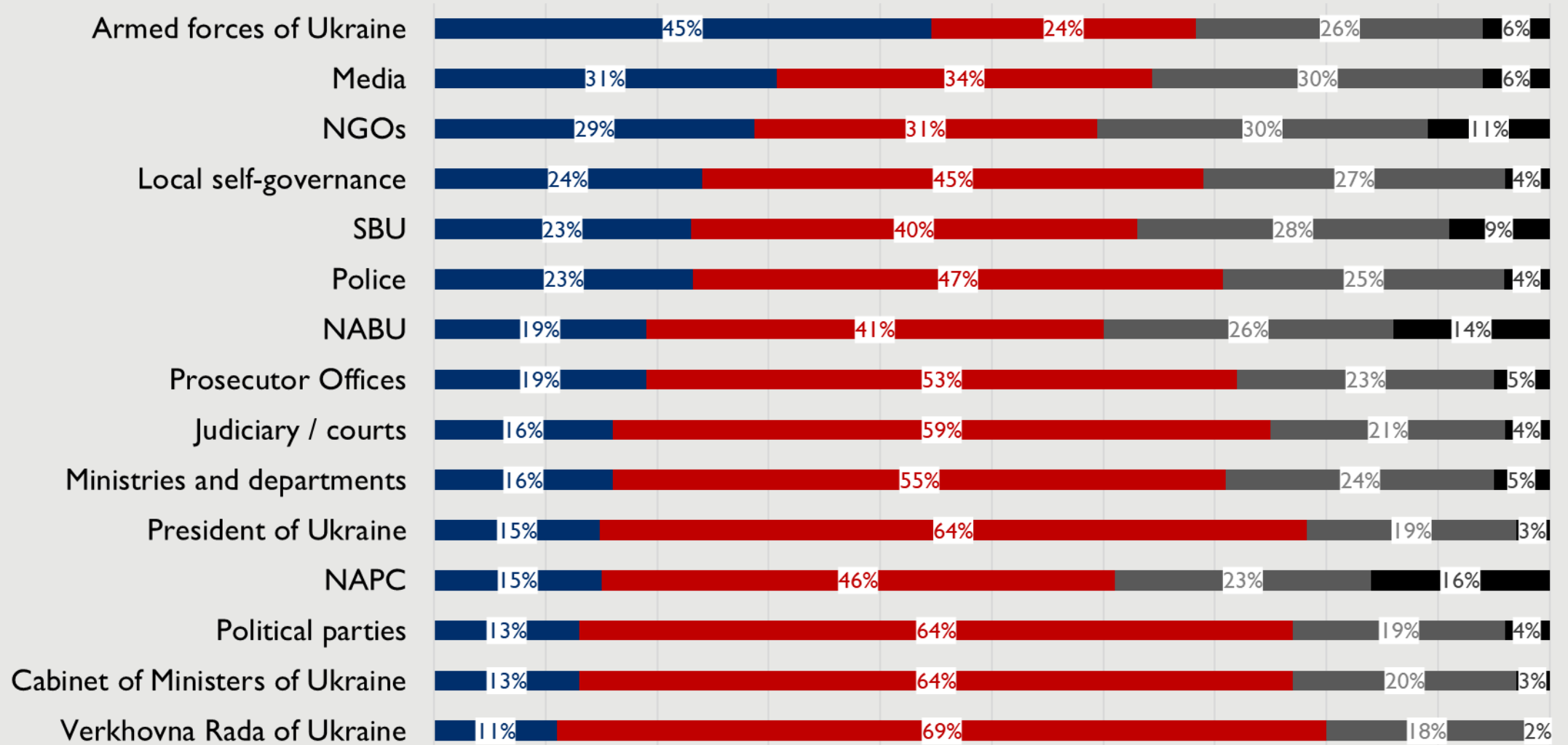


# — TRUST IN THE JUDICIARY



# TRUST IN GOVERNMENT BRANCHES AND SOCIAL INSTITUTES (1/2)

## HOW MUCH DO YOU TRUST?



■ Trust in full / mostly trust

■ Do not trust / mostly do not trust

■ Neutral

■ Difficult to answer / refuse to answer

Base: TOTAL (n=2478)

# TRUST IN GOVERNMENT BRANCHES AND SOCIAL INSTITUTES (2/2)

BALANCE OF TRUST

## HOW MUCH DO YOU TRUST?

■ Absolutely distrust / distrust ■ Absolutely trust / trust



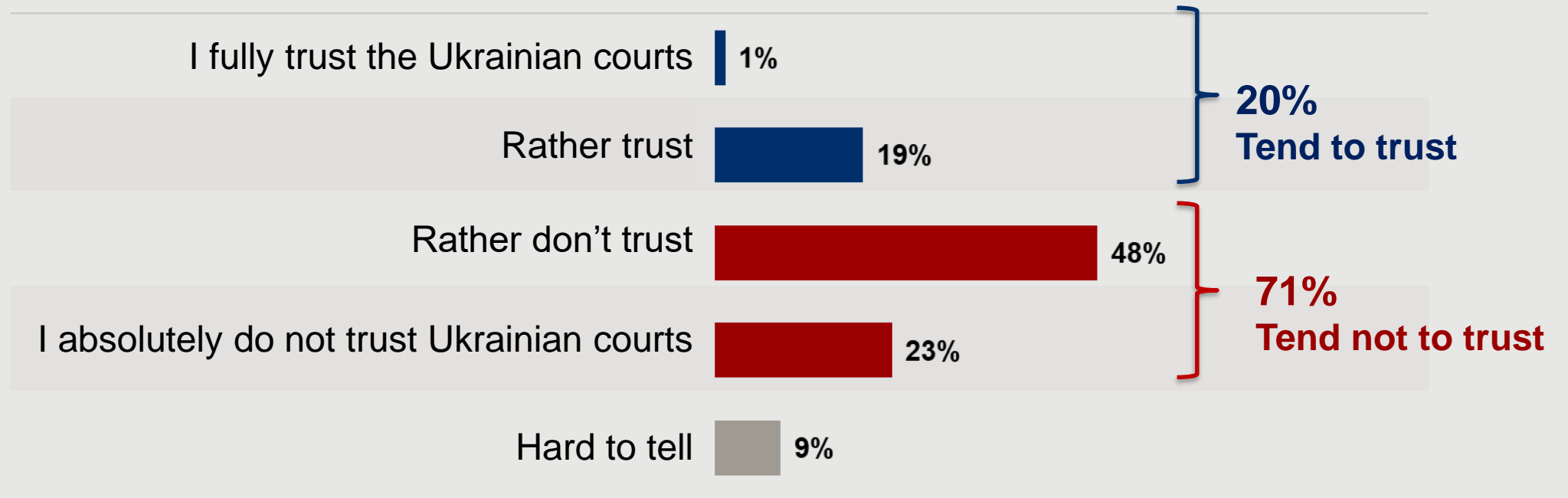
# TRUST IN THE JUDICIARY IN DETAILS AND BY REGIONS

## HOW MUCH DO YOU TRUST IN THE JUDICIARY?

Answer	West	Center	South	East	North	Kyiv	TOTAL
<b>Do not trust completely</b>	31%	28%	29%	27%	31%	27%	<b>29%</b>
<b>Mostly do not trust</b>	27%	26%	32%	42%	26%	34%	<b>30%</b>
<b>Neutral</b>	16%	26%	21%	20%	19%	23%	<b>21%</b>
<b>Mostly trust</b>	18%	12%	12%	7%	14%	10%	<b>13%</b>
<b>Completely trust</b>	6%	3%	2%	0%	4%	3%	<b>3%</b>
Difficult to answer	2%	4%	4%	3%	6%	3%	3%
Refuse	0%	0%	0%	0%	0%	0%	0%
TOTAL	100%	100%	100%	100%	100%	100%	100%

## TRUST IN THE JUDICIARY IN 2018 THROUGH EUROBAROMETER SCALE

Which of the following statements most accurately conveys your personal attitude to the judicial system of Ukraine?



## TRUST AND CONFIDENCE IN THE JUDICIARY FOUR YEARS TREND

	2015		2016		2017		2018	
Public	5%	79%	10%	69%	12%	65%	16%	59%
Court users	16%	66%	13%	67%	28%	50%	34%	39%
Legal Professionals	n/a	n/a	n/a	n/a	38%	18%	41%	16%

**After the critical downside in 2015 the trend is overall positive. The number of those who trust in the judiciary remains very low but is growing. The number of those who do not trust in the judiciary remains high but is decreasing.**

### Key factors for public trust

- Public trust and confidence in the judiciary correlates with trust and confidence in executive and legislative branches
- Judiciary communicates with public in general, not only with court users
- User satisfaction with court services



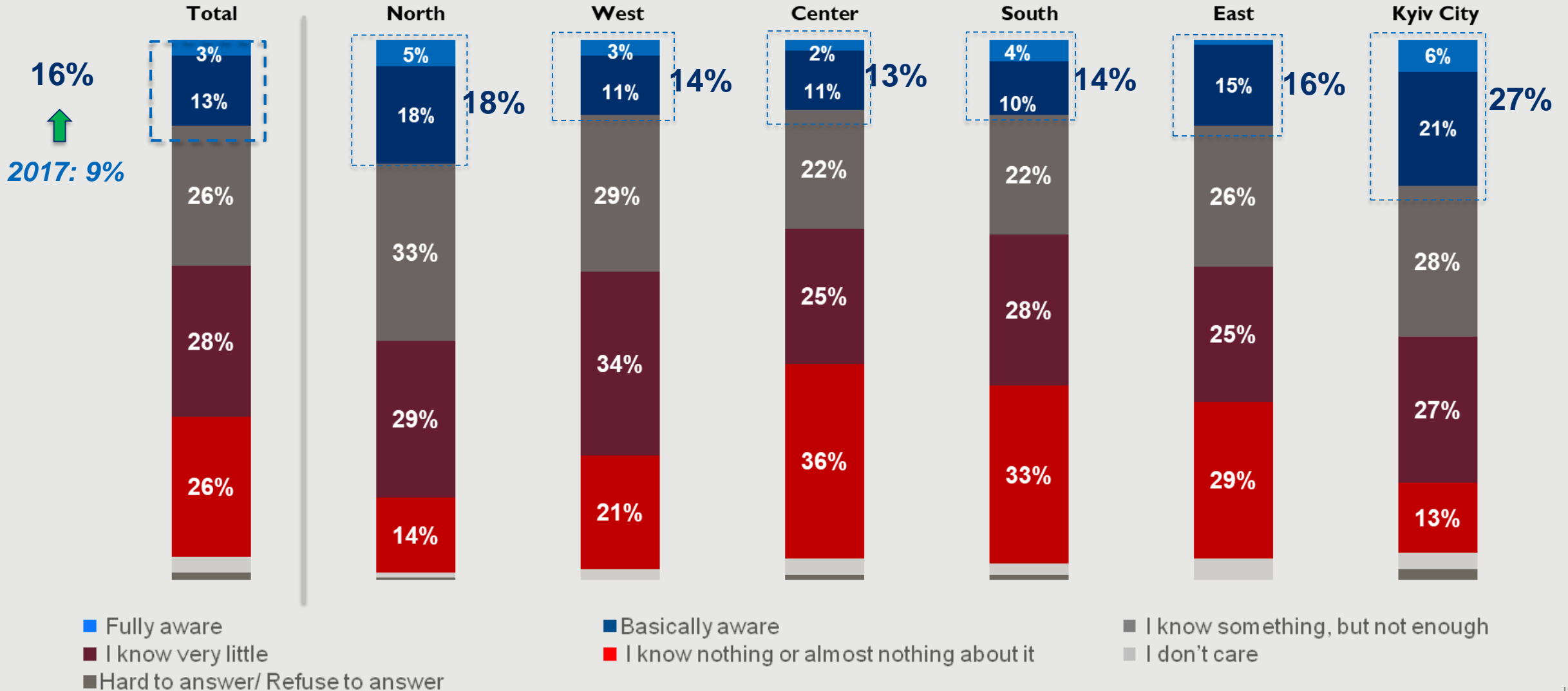
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# PERCEPTION OF THE JUDICIARY AND JUDICIAL REFORM



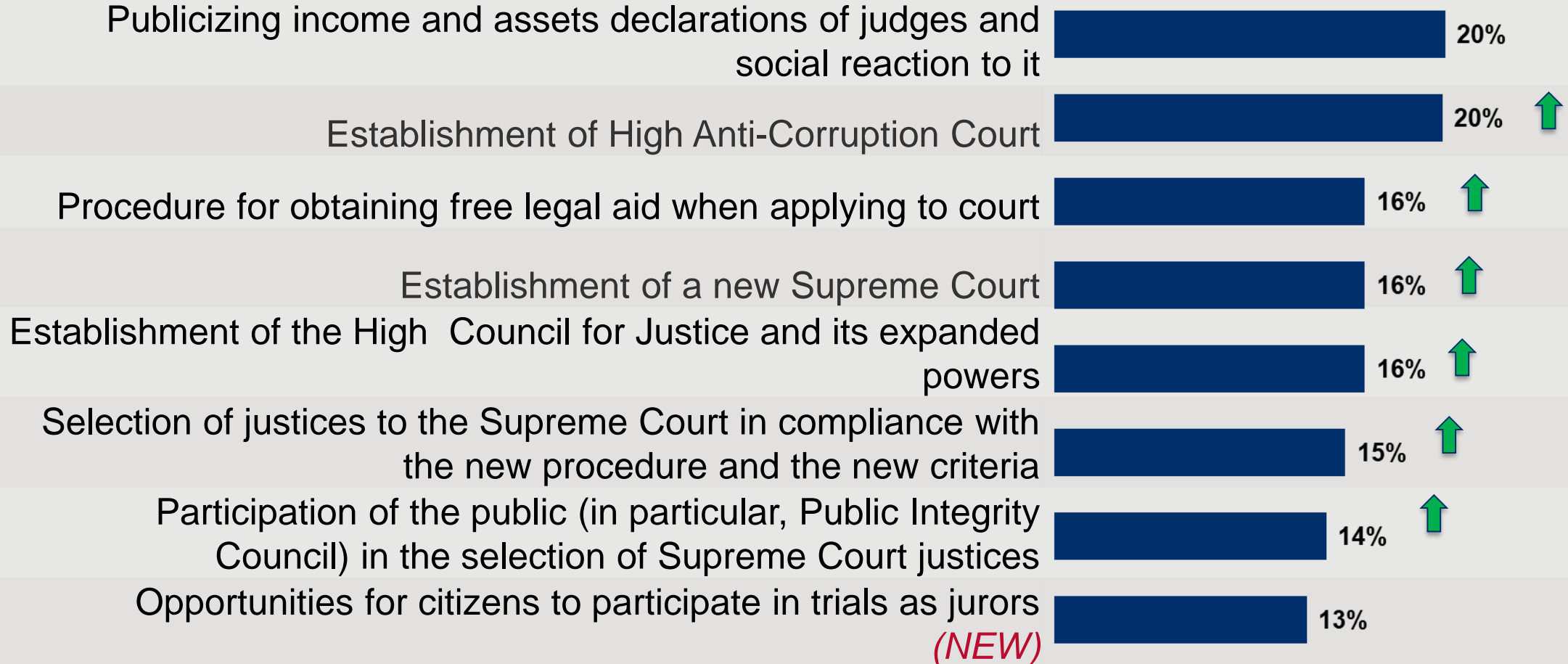
# PERCEPTION OF THE JUDICIARY AND JUDICIAL REFORM (I/II)

UKRAINE CONTINUES TO IMPLEMENT JUDICIAL REFORM. HOW MUCH ARE YOU AWARE OF ITS PROGRESS, COMPONENTS, SUCCESSES AND FAILURES?



## PERCEPTION OF THE JUDICIARY AND JUDICIAL REFORM (2/11)

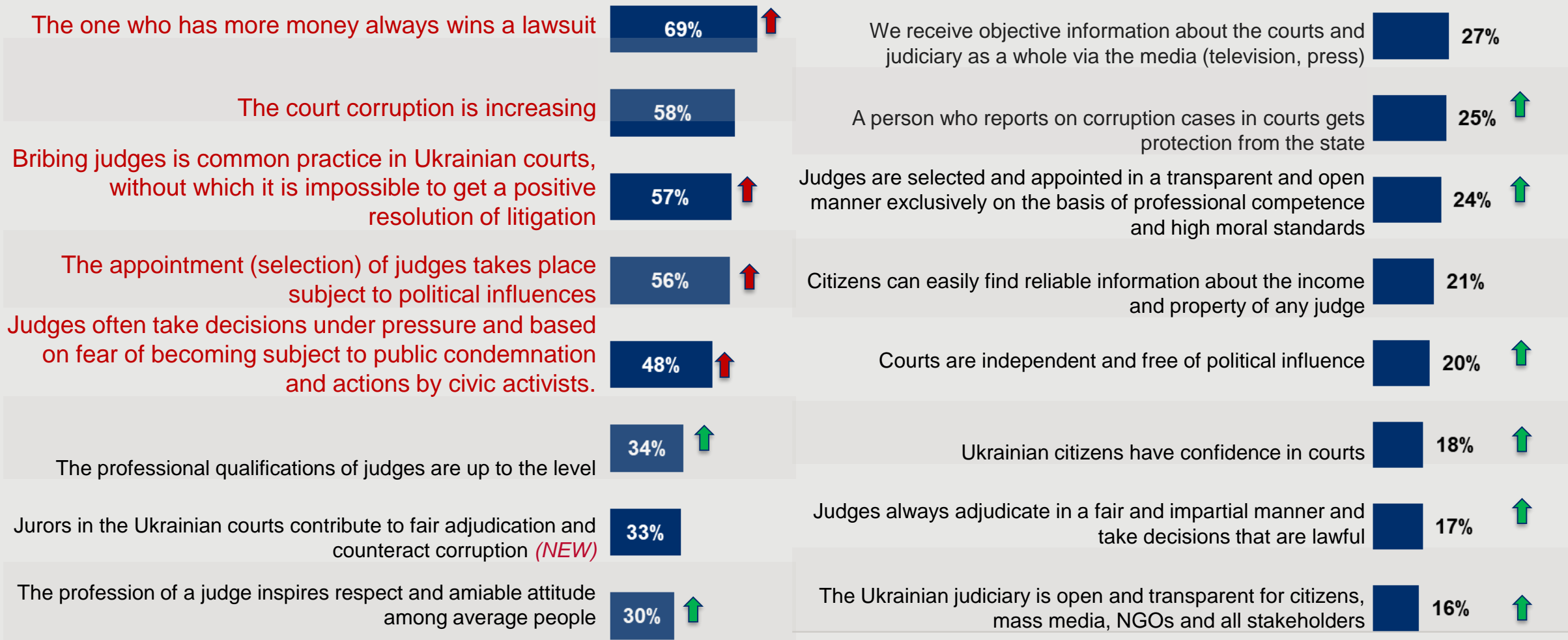
**IF TO TALK ABOUT SPECIFIC ASPECTS OF JUDICIAL REFORM, TO WHAT EXTENT DO YOU CONSIDER YOURSELF AWARE OF THE FOLLOWING:**



■ Basically aware / Fully aware

# PERCEPTION OF THE JUDICIARY AND JUDICIAL REFORM (3/11)

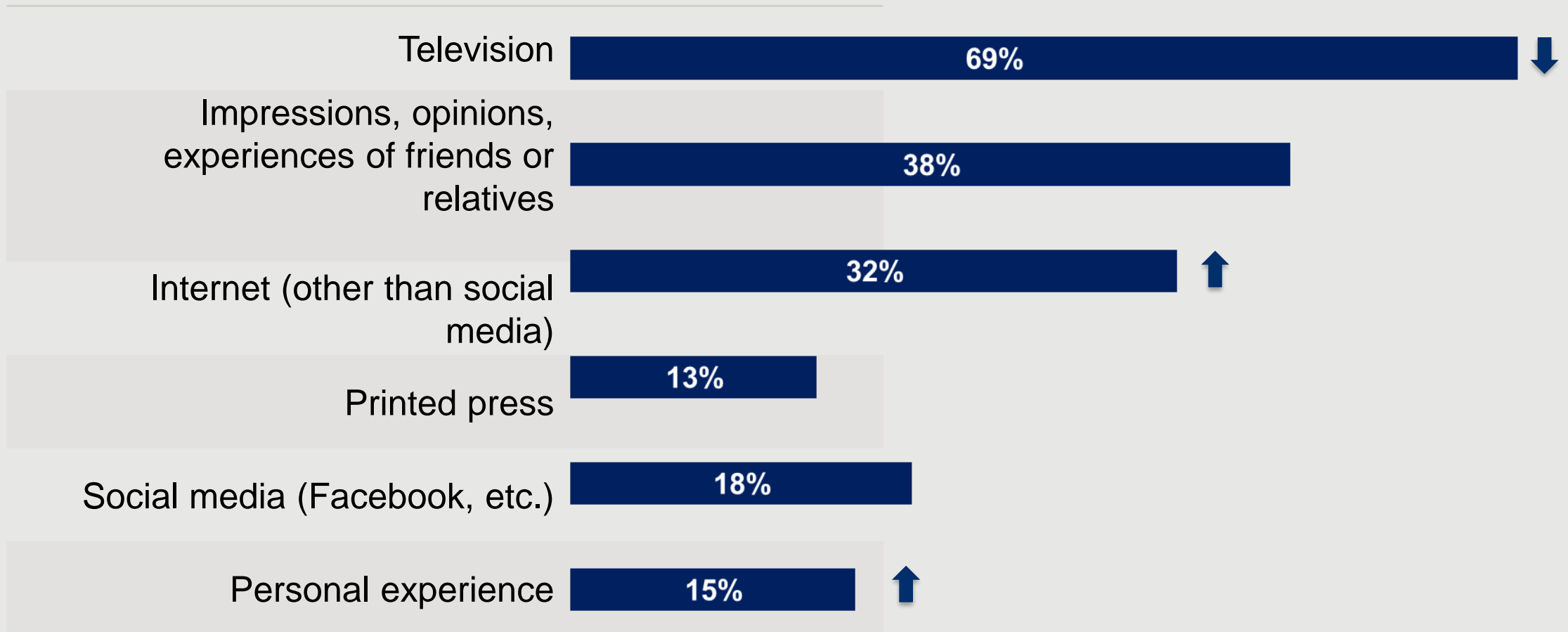
TO WHAT EXTENT DO YOU AGREE WITH THE FOLLOWING STATEMENTS ABOUT THE CURRENT STATUS OF THE UKRAINIAN JUDICIARY?



■ Mostly agree / Fully agree

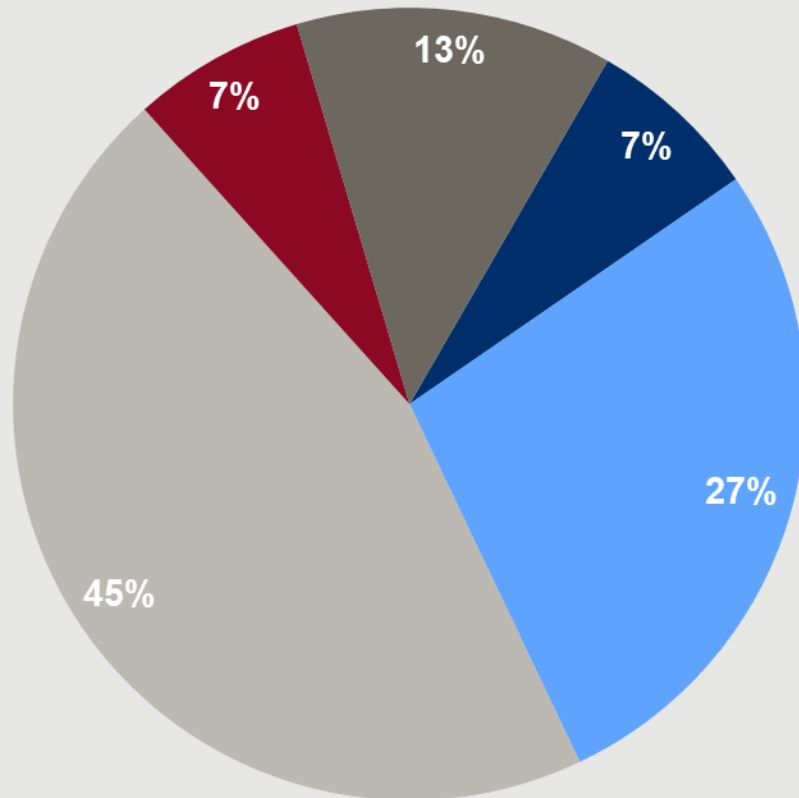
## PERCEPTION OF THE JUDICIARY AND JUDICIAL REFORM (4/11)

*WHICH SOURCES DO YOU GET INFORMATION ABOUT THE UKRAINIAN JUDICIARY AND THE JUDICIAL REFORM FROM?*



## PERCEPTION OF THE JUDICIARY AND JUDICIAL REFORM (5/11)

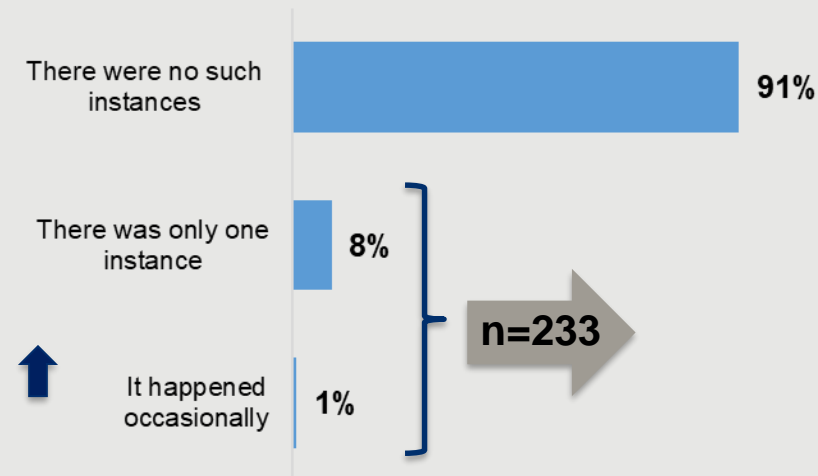
**WHAT ARE YOUR EXPECTATIONS ABOUT THE POSSIBLE CONSEQUENCES OF THE JUDICIAL REFORM OVER THE NEXT 24 MONTHS?**



- The situation will improve, courts will become more efficient, independent and impartial
- The situation will improve, but the changes will not be significant
- The situation will not change
- The situation will get worse
- Hard to answer/ Refuse to answer

## PERCEPTION OF THE JUDICIARY AND JUDICIAL REFORM (6/11)

**HAVE YOU BEEN INVOLVED IN LEGAL PROCEEDINGS OVER THE PAST 24 MONTHS (AS A PLAINTIFF, DEFENDANT, WITNESS, VICTIM, ETC.), REGARDLESS OF WHETHER THOSE WERE YOUR PERSONAL CASES OR YOU WERE SOME ANOTHER PERSON'S REPRESENTATIVE?**

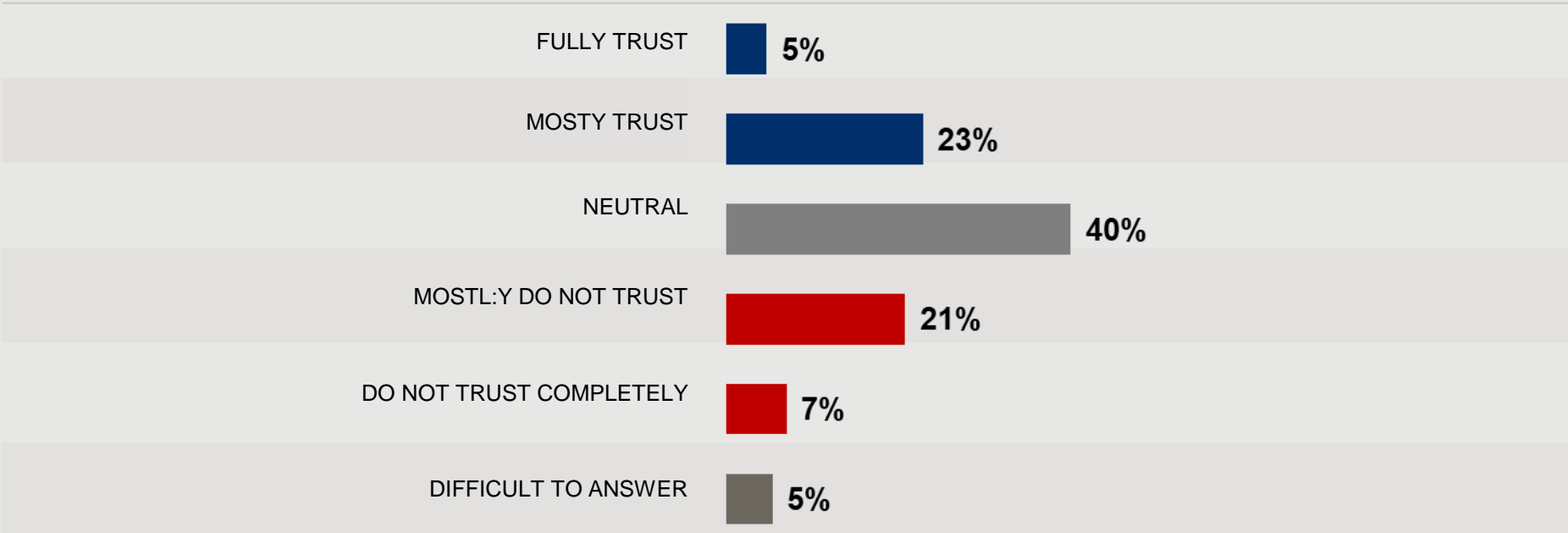


**DO YOU AGREE THAT THE JUDICIAL PROCEEDING YOU WERE INVOLVED IN IS CHARACTERIZED AS FOLLOWS?**

	2018	2017
➤ The case was handled within a reasonable time, without unreasonable delays from the judge	53%	38%
➤ The judges adopted lawful and fair decisions	44%	42%
➤ The judges' professional qualifications were up to the level	60%	58%
➤ The operations of the court office / staff were well organized	59%	51%
➤ The judges were tactful and polite	63%	58%
➤ There were no indications that the judge acted under the influence of the other party or third persons	49%	46%
➤ The court offered comfortable conditions (comfortable courthouse premises, sufficient information for visitors, etc.)	54%	58%
➤ There were no requirements for bribes, unofficial payments, gifts, or other corruption situations	54%	50%
➤ The trial was open to third parties (the public / interested persons / journalists could attend the court session)	49%	46%
➤ There were some problems and you or your friends used their relations / acquaintances / influences	42%	33%
➤ Expenses incurred in connection with the trial (court fees, transport costs, fees for examinations, etc.) were justified	47%	40%
➤ The court judgment in the case was executed on time and in full	46%	

# PERCEPTION OF THE JUDICIARY AND JUDICIAL REFORM (7/11)

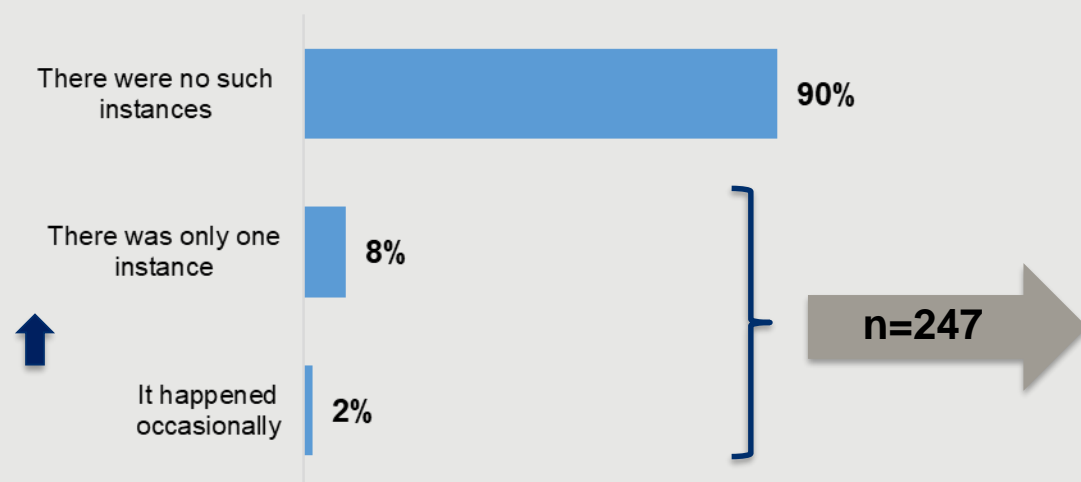
*How much do you trust those courts where you participated in proceedings?*





## PERCEPTION OF THE JUDICIARY AND JUDICIAL REFORM (8/11)

**IN THE PAST 24 MONTHS, DID THE INSTANCES TAKE PLACE WHEN THE CIRCUMSTANCES REQUIRED OR CONSIDERED JUDICIAL RECOURSE (FOR EXAMPLE, YOUR PERSONAL RIGHTS HAVE BEEN VIOLATED, YOU HAVE SUFFERED PROPERTY DAMAGE FROM THE ACTIONS OF CERTAIN PERSONS OR ORGANIZATIONS, ETC.), BUT YOU REFRAINED FROM LEGAL ACTION?**

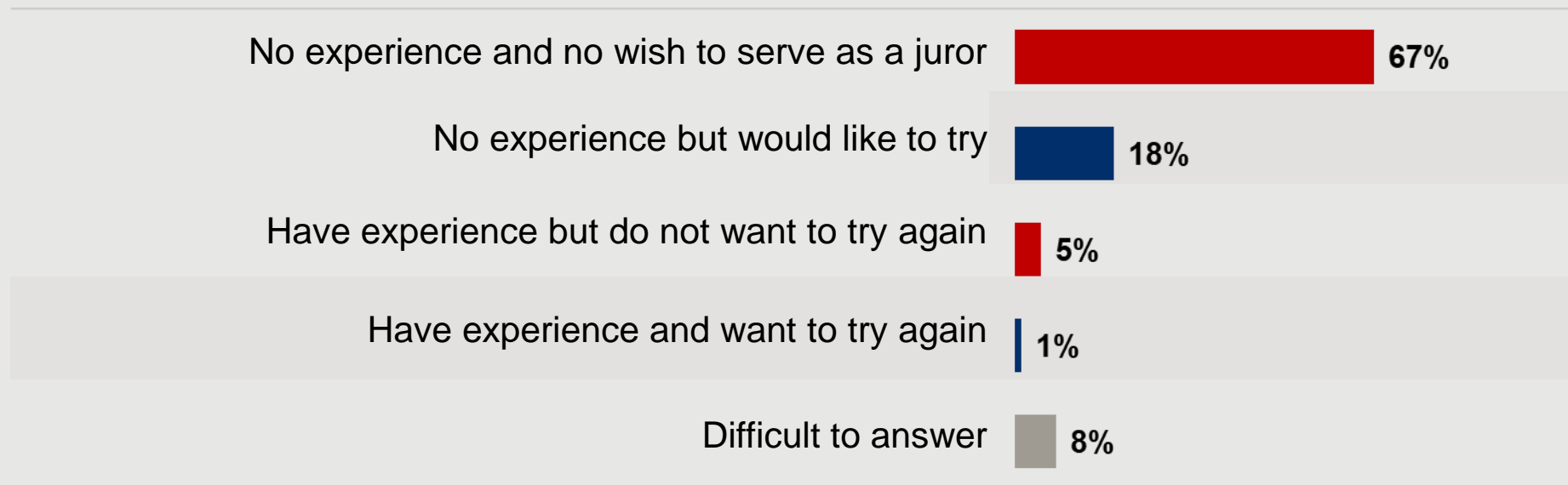


**IF SUCH INSTANCES TOOK PLACE, WHAT PREVENTED YOU FROM BRINGING THE MATTER BEFORE THE COURT?**

	2018	
➤ Disbelief in the possibility to obtain a fair and legitimate court decision	43%	↑
➤ Resolving issue through the court would last too long	29%	↑
➤ I had no opportunity to involve a lawyer	26%	
➤ I did not know how and which court I should apply to	23%	
➤ The court fee or other official fees would be too high	22%	↓
➤ I managed to solve the problem in a different way	18%	↓
➤ My previous experience of litigation has shown that there's no sense in doing this	13%	↑
➤ The court which I had to address was located in a geographically remote area	11%	
➤ Other circumstances	1%	

## PERCEPTION OF THE JUDICIARY AND JUDICIAL REFORM (9/11)

***DID YOU HAVE EXPERIENCE OF SERVING AS JUROR IN THE PAST 24 MONTH? IF YES, WOULD YOU LIKE TO SERVE AS A JUROR AGAIN?***



**Wish: 19%**

**No wish: 72%**

## PERCEPTION OF THE JUDICIARY AND JUDICIAL REFORM (10/11)

### You want to act a juror in trials because it is:

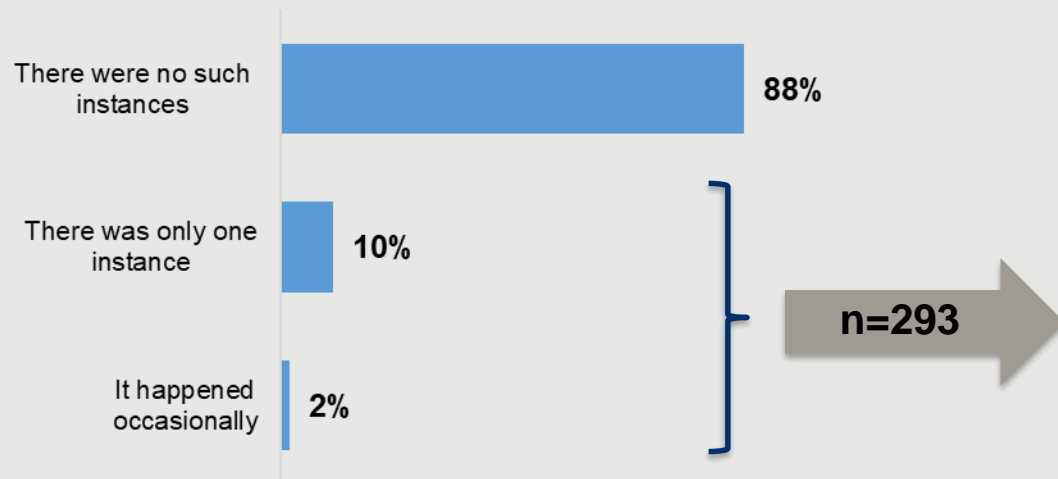
Opportunity to contribute to fair justice administration	<b>55%</b>
Opportunity to prevent corruption in courts	<b>48%</b>
Opportunity to obtain legal experience	<b>31%</b>
An honorary duty	<b>22%</b>
Opportunity to make money (within the amount of remuneration established by the state for performing the jury's duties)	<b>12%</b>
Other	<b>3%</b>

### You don't want to act a juror in trials because:

I lack / have no legal knowledge	<b>51%</b>
I have no time for it	<b>48%</b>
Possibility of exerting pressure on jurors or threatening them or their family members with a view to persuade them to accept unfair decisions	<b>16%</b>
Possible negative reaction of my employer due to my absence at workplace	<b>7%</b>
Inconveniences of coming to court and waiting for case consideration	<b>8%</b>
Inconveniences and risks associated with the obligation of the jury to submit an electronic income declaration	<b>6%</b>
Other	<b>7%</b>

## PERCEPTION OF THE JUDICIARY AND JUDICIAL REFORM (I I / I I)

In the past 24 months, did the instances take place that required legal assistance (for example, your personal rights have been violated, you have suffered property damage from the actions of certain persons or entities, etc.)?



If such instances took place, whom you applied for legal assistance to?

➤ Professional attorney	28%
➤ NGO consultant	26%
➤ Free legal aid attorney	25%
➤ Relatives or acquaintances who are knowledgeable in legal matters	25%
➤ Legal clinic consultant at a higher educational institution	17%
➤ Local government bodies consultant	13%
➤ Other	7%

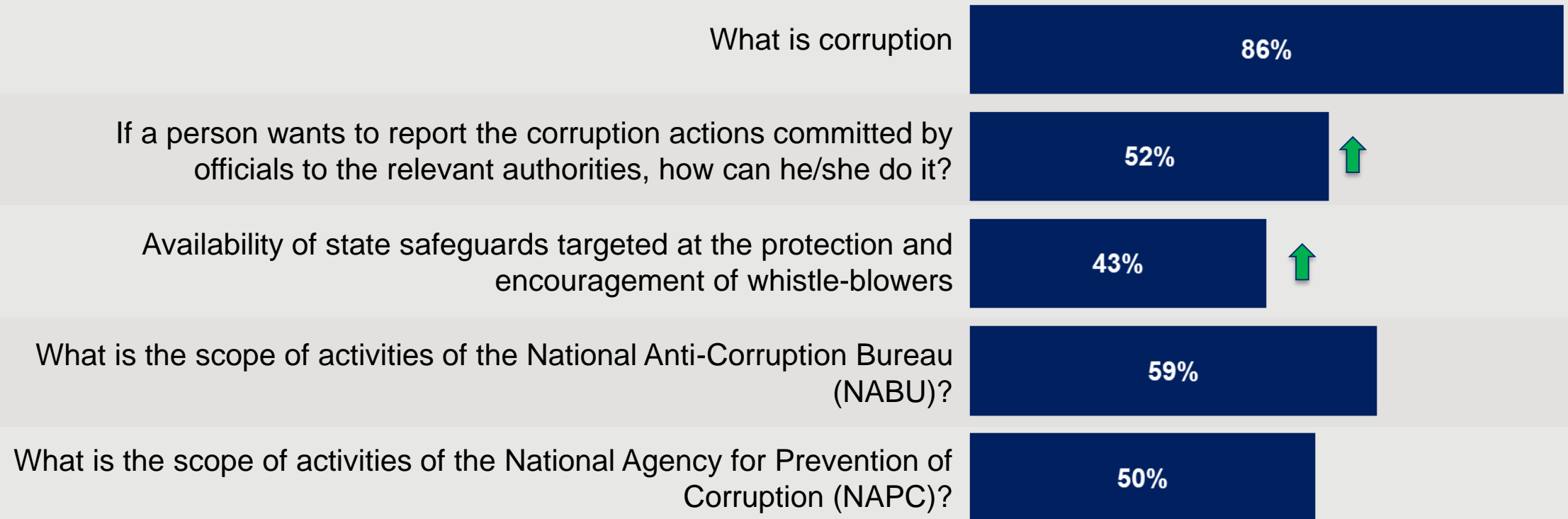
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# PERCEPTION OF CORRUPTION



## PERCEPTION OF CORRUPTION IN UKRAINE (1/7)

### HOW MUCH ARE YOU AWARE OF THE FOLLOWING?

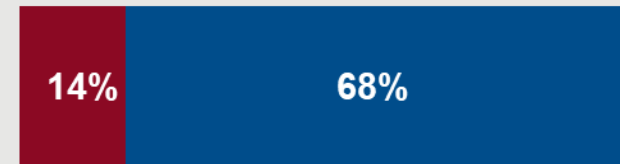


■ Fully aware/ Pretty aware

## PERCEPTION OF CORRUPTION IN UKRAINE (2/7)

**TO WHAT EXTENT DO YOU AGREE (OR DISAGREE) WITH THE FOLLOWING STATEMENTS REGARDING CORRUPTION IN EVERYDAY LIFE (IN HEALTH CARE INSTITUTIONS, EDUCATIONAL INSTITUTIONS, POLICE, LOCAL GOVERNMENT, ETC.)?**

I believe that any use of power by high officials or politicians to obtain unlawful benefits is completely unacceptable, despite the amount of such benefits; and this phenomenon should be counteracted by all possible means



■ Absolutely disagree/ disagree

■ Absolutely agree/ agree

## PERCEPTION OF CORRUPTION IN UKRAINE (3/7)

TO WHAT EXTENT DO YOU AGREE (OR DISAGREE) WITH THE FOLLOWING STATEMENTS REGARDING CORRUPTION IN EVERYDAY LIFE (IN HEALTH CARE INSTITUTIONS, EDUCATIONAL INSTITUTIONS, POLICE, LOCAL GOVERNMENT, ETC.)?

Corruption is an integral part of the political life of Ukraine, it's useless to fight this phenomenon

48%

36%

Overall, I treat corruption negatively. However, there are situations where gaining some benefits or significant profits by politicians or high officials may be justified

28%

49%



If corrupt acts by politicians or senior officials do not result in negative consequences directly for me or my close persons, then I do not care

24%

52%



It all depends on the amount of unlawful benefit received. The excess profit obtained by senior officials or politicians through the use of their authority is unacceptable to me; however insignificant additional benefits are perfectly acceptable

22%

55%

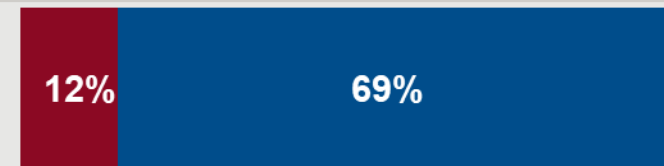




## PERCEPTION OF CORRUPTION IN UKRAINE (4/7)

**TO WHAT EXTENT DO YOU AGREE (OR DISAGREE) WITH THE FOLLOWING STATEMENTS REGARDING CORRUPTION IN EVERYDAY LIFE (IN HEALTH CARE INSTITUTIONS, EDUCATIONAL INSTITUTIONS, POLICE, LOCAL GOVERNMENT, ETC.)?**

I believe that bribery and other similar manifestations of corruption are completely unacceptable and it is necessary to counteract them by all possible means



■ Absolutely disagree/ disagree

■ Absolutely agree/ agree

## PERCEPTION OF CORRUPTION IN UKRAINE (5/7)

**TO WHAT EXTENT DO YOU AGREE (OR DISAGREE) WITH THE FOLLOWING STATEMENTS REGARDING CORRUPTION IN EVERYDAY LIFE (IN HEALTH CARE INSTITUTIONS, EDUCATIONAL INSTITUTIONS, POLICE, LOCAL GOVERNMENT, ETC.)?**

Bribery and other similar manifestations of corruption are already commonplace phenomena in our society and are therefore acceptable

43%

38%



Salaries of civil servants, doctors or teachers are extremely low and hardly possible to make a living. Therefore, obtaining additional benefits through corruption actions is a forced step and therefore acceptable

29%

51%



Bribery and other similar manifestations of corruption are acceptable to me provided that they help resolve the issues in my favor and in a more rapid way

27%

47%



If corruption doesn't cause negative consequences directly for me or my close persons, then I do not care

26%

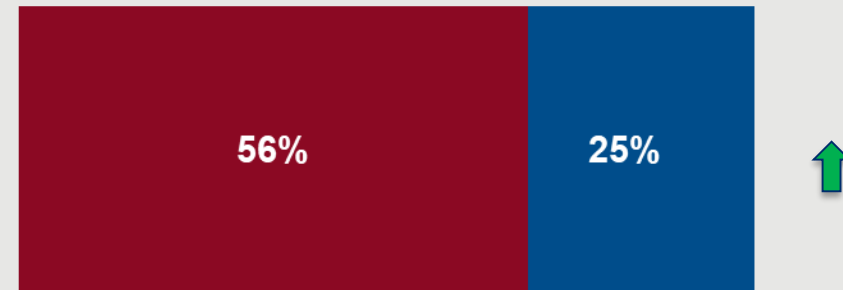
53%



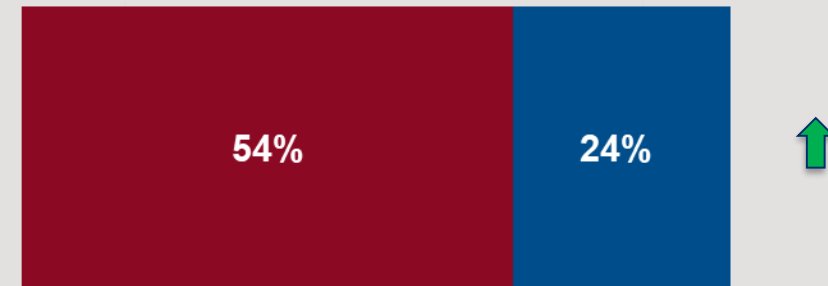
## PERCEPTION OF CORRUPTION IN UKRAINE (6/7)

TO WHAT EXTENT DO YOU AGREE (OR DISAGREE) WITH THE FOLLOWING STATEMENTS?

In Ukraine, average people have the opportunity to combat corruption efficiently



In Ukraine, those who give bribes will probably be detained and punished

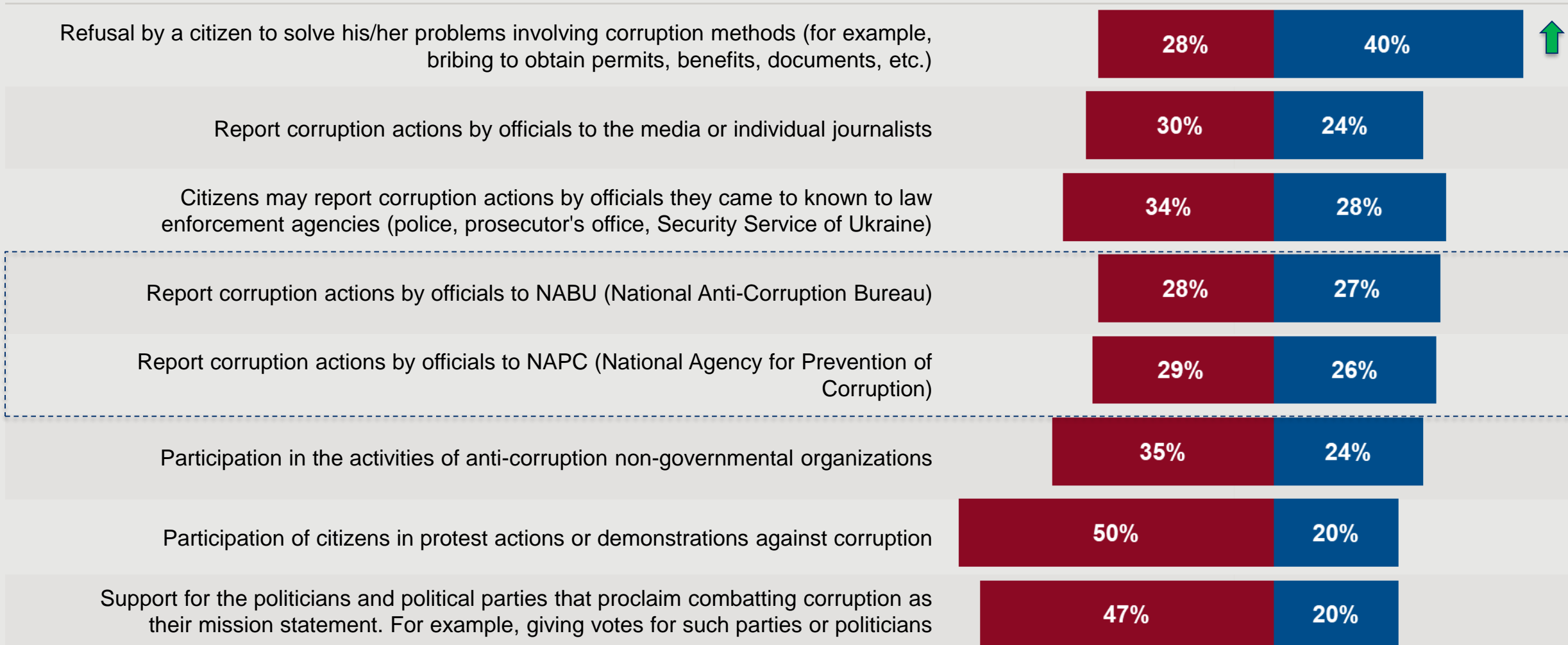


■ Absolutely disagree/ disagree

■ Absolutely agree/ agree

## PERCEPTION OF CORRUPTION IN UKRAINE (7/7)

**THERE ARE DIFFERENT WAYS OF CIVIC ACTION AGAINST CORRUPTION. TRY TO ASSESS THE EFFECTIVENESS AND EFFICIENCY OF THE ACTIVITIES LISTED BELOW:**

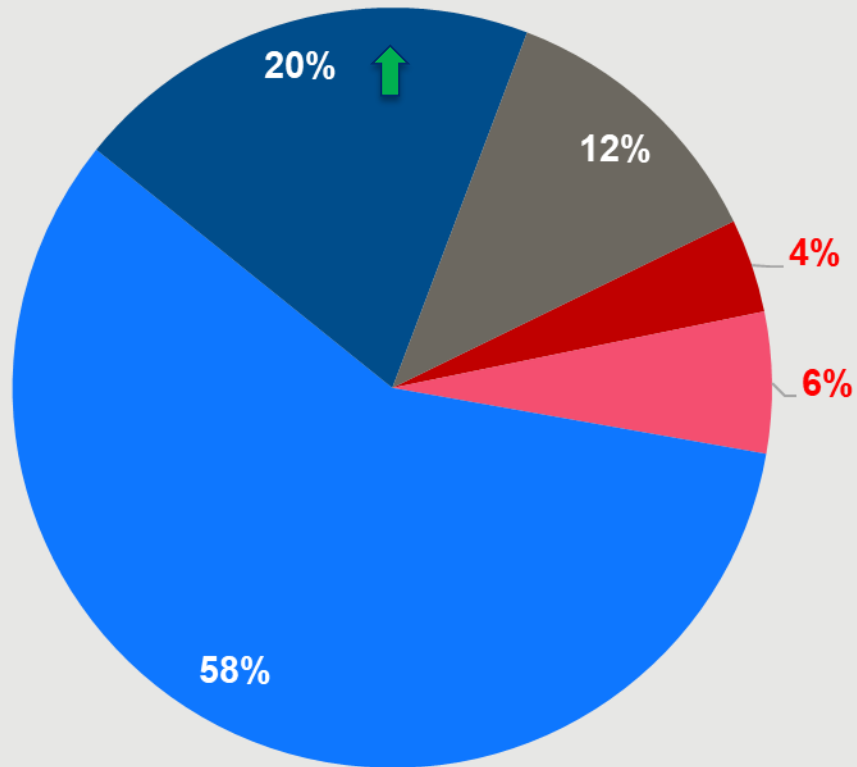


— PERSONAL EXPERIENCE OF DEALING WITH CORRUPTION AND  
READINESS TO RESIST IT

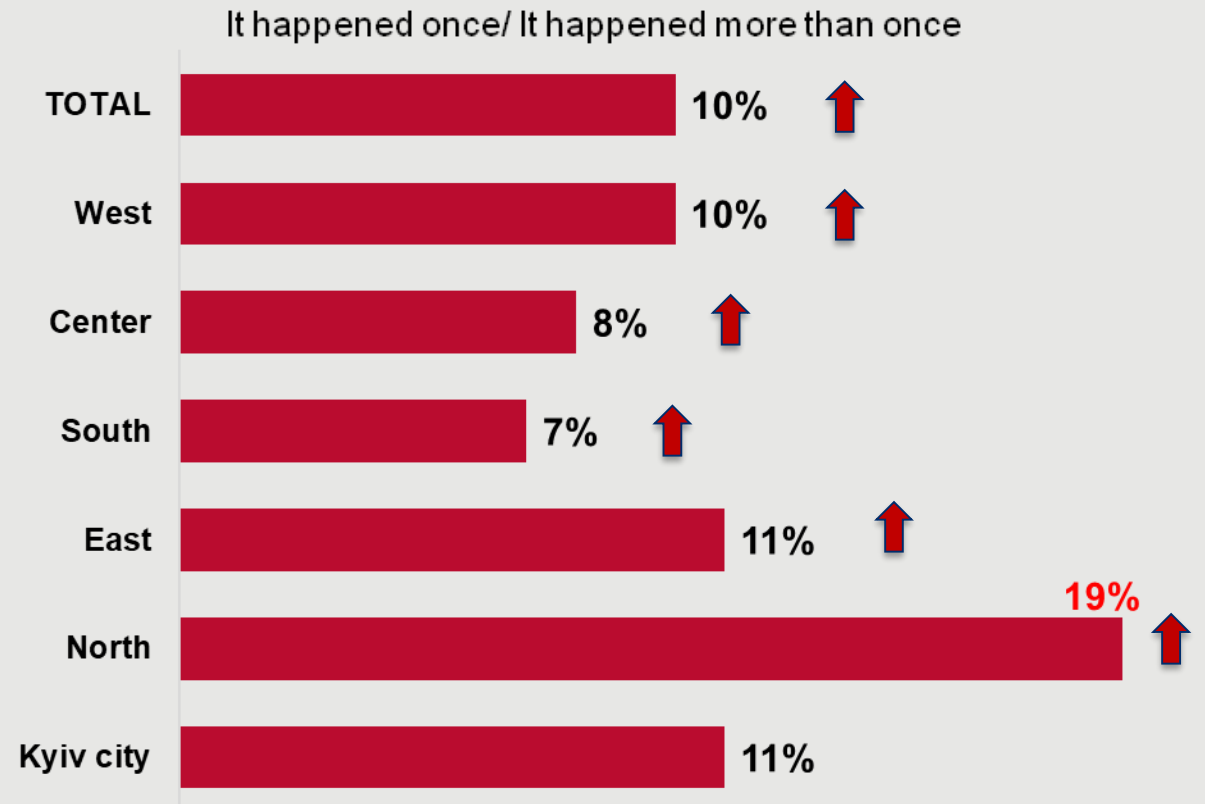


# PERSONAL EXPERIENCE OF DEALING WITH CORRUPTION AND READINESS TO RESIST IT (1/6)

**IN THE LAST 24 MONTHS, HAVE YOU BEEN OFFERED BY GOVERNMENT OFFICIALS TO RECEIVE ASSISTANCE IN SOLVING YOUR ISSUES FOR MONEY, PROPERTY OR ANY SERVICE?**

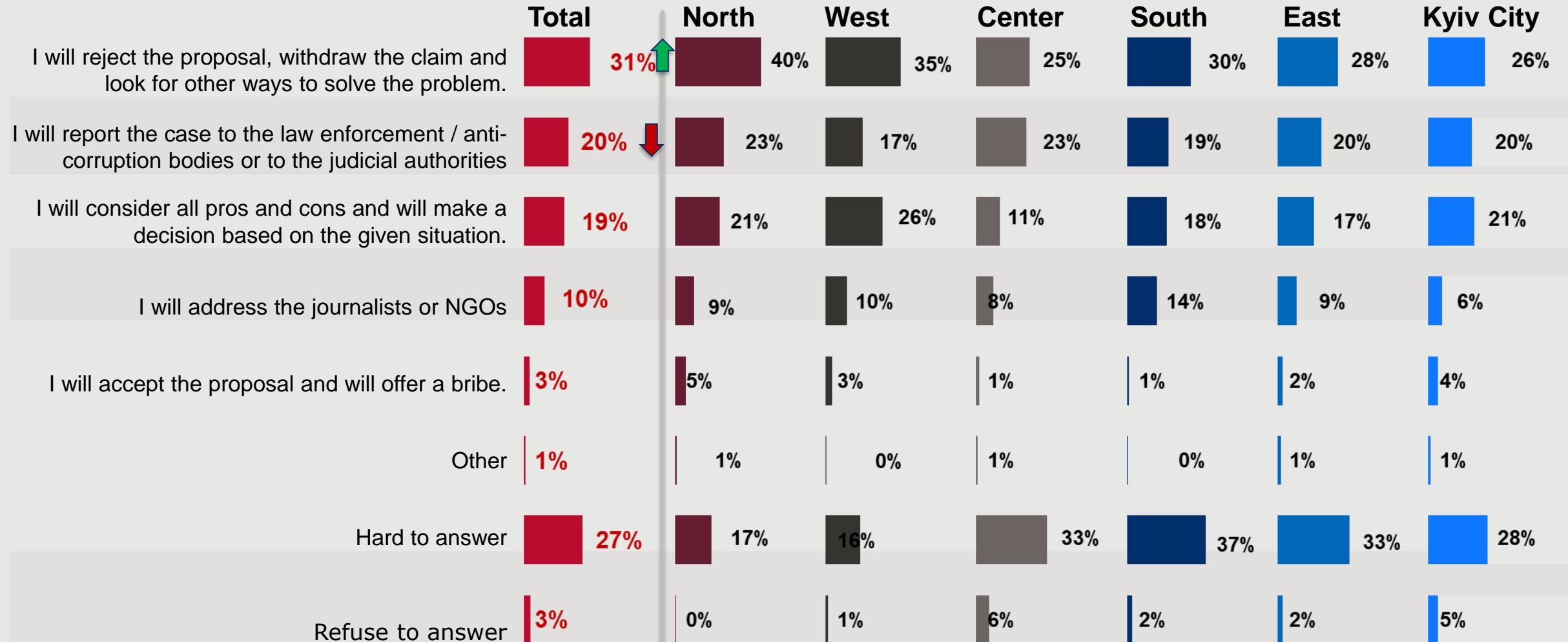


- It happened once
- It happened more than once
- It never happened, as I did not have to deal with officials in the last 24 months
- I had to deal with officials in the last 24 months, yet nobody required any money, property, or any services of me
- Hard to answer/ Refuse to answer



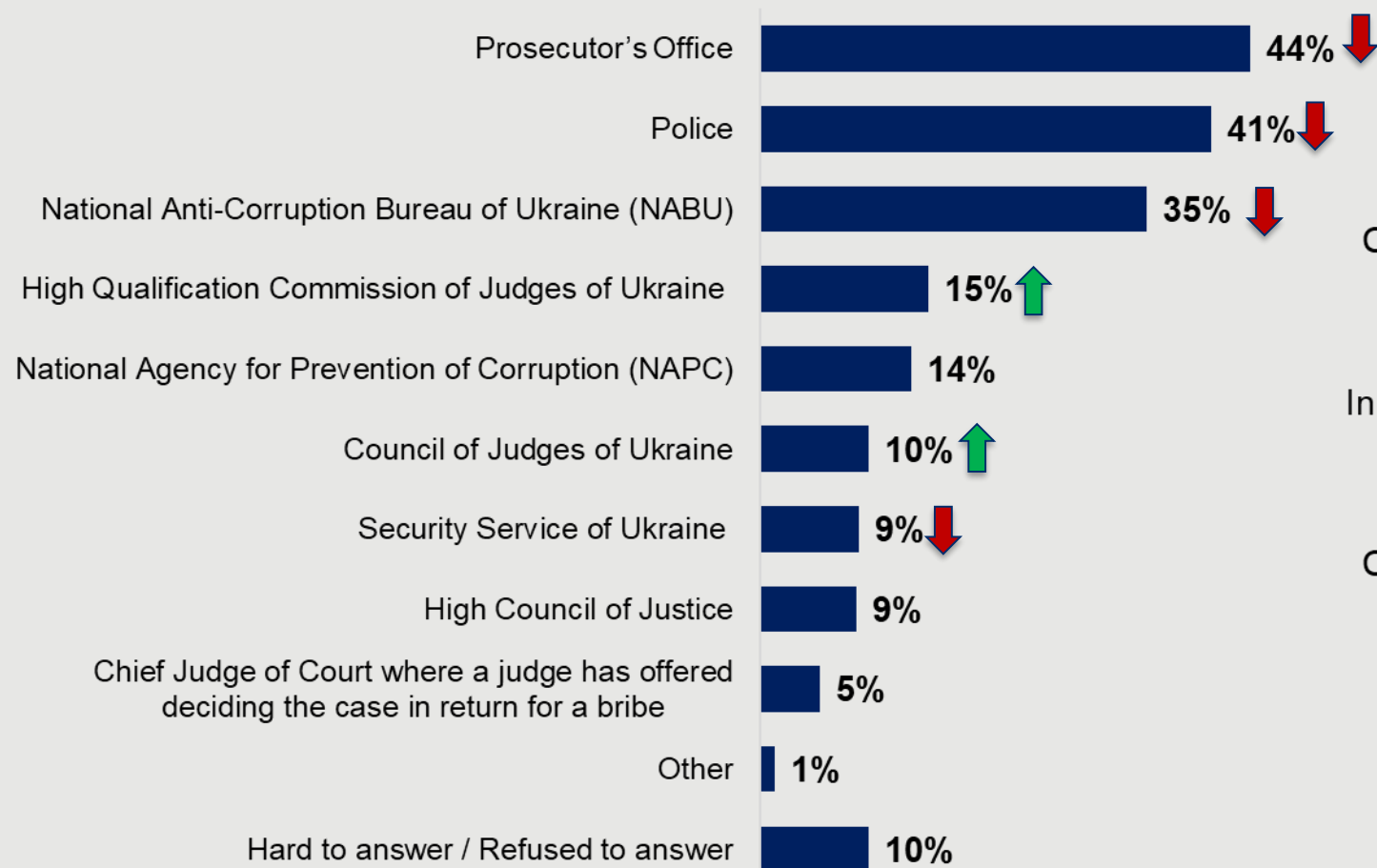
## PERSONAL EXPERIENCE OF DEALING WITH CORRUPTION AND READINESS TO RESIST IT (2/6)

**IMAGINE THE FOLLOWING SITUATION: Your rights have been violated and you have decided to resort to court to defend your rights. You receive direct or indirect (via third parties) proposal offering that the judge will decide the case in your favor provided that he/she receives a bribe from you. What would be your next steps?**

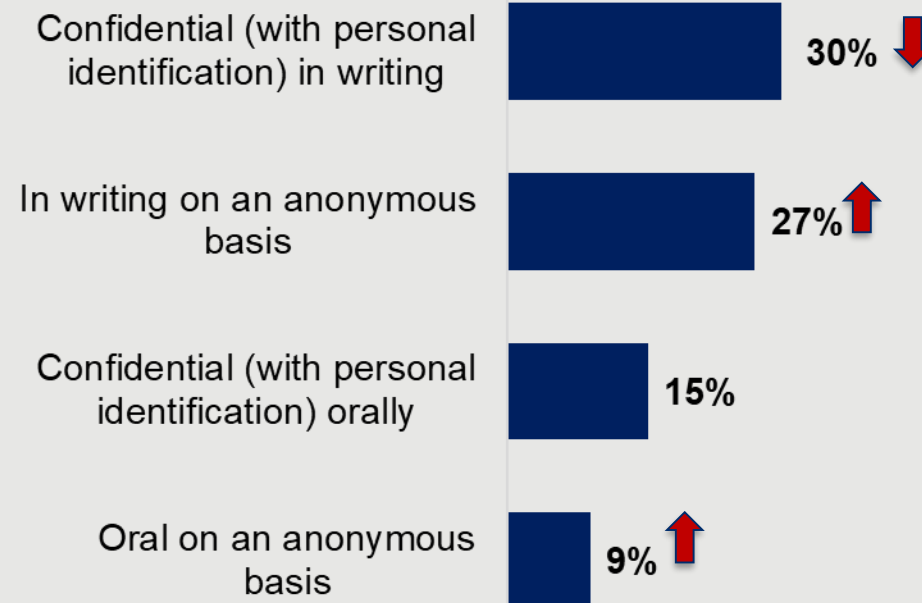


## PERSONAL EXPERIENCE OF DEALING WITH CORRUPTION AND READINESS TO RESIST IT (3/6)

**WHAT GOVERNMENTAL AUTHORITY EXACTLY WOULD YOU APPLY TO? (among those who would report the case to the law enforcement / anti-corruption bodies or to the judicial authorities if they receive direct or indirect proposal to give a bribe to a judge)**



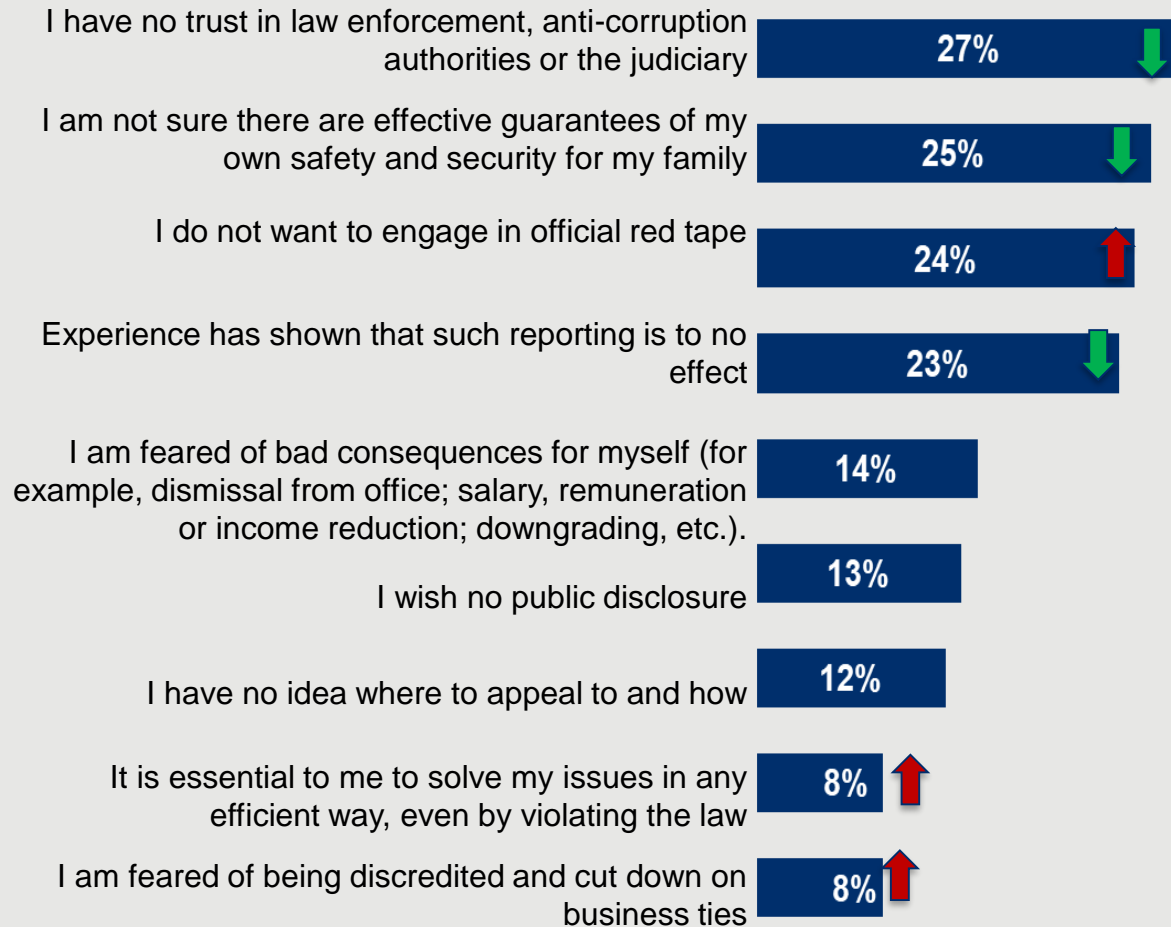
### WHAT THE APPLICATION WOULD BE LIKE?





# PERSONAL EXPERIENCE OF DEALING WITH CORRUPTION AND READINESS TO RESIST IT (4/6)

## REASONS OF NOT APPLYING TO LAW ENFORCEMENT / ANTI-CORRUPTION BODIES *(among those who would not report the case to the law enforcement / anti-corruption bodies or to the judicial authorities if they receive direct or indirect proposal to give a bribe to a judge)*



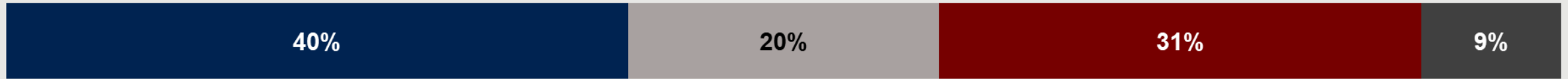
## UNDER WHAT CONDITIONS WOULD YOU REPORT TO THE RESPECTIVE AUTHORITIES ON THE MANIFESTATION OF CORRUPTION?



# PERSONAL EXPERIENCE OF DEALING WITH CORRUPTION AND READINESS TO RESIST IT (5/6)

## HOW READY ARE YOU FOR VARIOUS METHODS OF CIVIC ACTION AGAINST CORRUPTION?

*Refusal to solve one's own problems involving corruption methods (for example, bribing to obtain permits, benefits, documents, etc.)*



*Support for the politicians and political parties that proclaim combatting corruption as their mission statement*



*Report corruption actions by officials to law enforcement agencies (police, prosecutor's office, Security Service of Ukraine)*



*Report corruption actions by officials to the media or individual journalists*



■ Not ready at all    ■ Depending on the situation    ■ Fully ready to act if needed    ■ Hard to answer/ Refuse to answer

## PERSONAL EXPERIENCE OF DEALING WITH CORRUPTION AND READINESS TO RESIST IT (6/6)

*HOW READY ARE YOU FOR VARIOUS METHODS OF CIVIC ACTION AGAINST CORRUPTION?*

*Report corruption actions by officials to NABU (National Anti-Corruption Bureau)*



*Report corruption actions by officials to NAPS (National Agency for Prevention of Corruption)*



*Participation in the activities of anti-corruption non-governmental organizations*



*Participation in protest actions or demonstrations against corruption*



■ Not ready at all    ■ Depending on the situation    ■ Fully ready to act if needed    ■ Hard to answer/ Refuse to answer