




The European Union  
for Georgia  
EU4Justice

**GCRT** The Georgian Center for  
Psychosocial and Medical  
Rehabilitation of Torture Victims 

# Specialization of Professionals in Juvenile Justice System

## Research Report



ინიციატივა მონწყვლადი ჯგუფების  
რეაბილიტაციისათვის  
Rehabilitation initiative for  
vulnerable groups

**Tbilisi**  
2020

This research has been produced with the assistance of the European Union. Its contents are the sole responsibility of GCRT (Georgian Centre for Psychosocial and medical rehabilitation of Torture Victims) and do not necessarily reflect the views of the European Union.

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We would like express our gratitude to Sopio Vibliani and Natia Tabatadze for their contribution to implementation of this research.

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## Introduction

Personal qualification of persons involved in juvenile justice system is the most important element of impartial and efficient implementation of justice, therefore close attention must be paid to selection, promotion and professional training of persons administering juvenile justice procedure and creation of relevant working conditions for them.<sup>1</sup>

According to Georgian legislation, juvenile justice is carried out only by persons specialized in juvenile affairs, specifically specialized judge, inspector, prosecutor, police officer, social worker, lawyer, probation officer, psychologist, coordinator of the witness and the victim, prison personnel.<sup>2</sup>

According to international standards (The Beijing Rules, the Riyadh Guidelines, Havana Rules), juvenile justice system differs from adult criminal justice system in that its main goal is to reintegrate the juvenile and prevent re-offending, accordingly, there is less emphasis on such traditional goals of justice as restoring justice and punishing the offender.

It is especially important to properly select juvenile justice providers who will be responsible to achieve these goals. During evaluation of juvenile justice system, attention is paid not only to separate existence of juvenile justice regulating norms and legislation, but also to specialization, selection and professional training of persons/parties to justice. Availability of persons specialized in juvenile affairs is one of the most important components to assess the functioning of juvenile justice.<sup>3</sup>

This research was conducted by the Georgian Centre for Psychosocial and Medical Rehabilitation of torture victims (GCRT) and Rehabilitation Initiative for Vulnerable Groups (RIVG), within the frames of the project “Contribution to the process of successful implementation of juvenile justice reform”, funded by the European Union.

<sup>1</sup> United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules) comment, clause 22.

<sup>2</sup> Code on juvenile justice, clause 16-21.

<sup>3</sup> The evaluation of the implementation of the international standards in the European Juvenile Justice systems, IJO green paper on child friendly justice, European Council for Juvenile Justice, administration section.

The research is focused on one of the priority directions of criminal justice reform strategy, such as establishment of selection criteria for professionals involved in juvenile justice system, their specialization and continuous training.

To reflect the existing situation in the country and to identify achievements and challenges, in 2019, the research team analyzed local and international legislation and standards, as well as information provided by public agencies working on juvenile issues.

GCRT and RIVG hope that this research will be valuable to agencies and organizations involved in juvenile justice system.

## Research Design

### Research aim and objectives

The aim of this research is to evaluate selection and training of juvenile justice system professionals in Georgia and assess the practice of specialized persons, also to identify the challenges.

Research objectives:

- ❖ review of international standards
- ❖ analysis of local legislation in relation to international standards;
- ❖ analysis of current practice in the country encompassing roughly a 4 year-long period, after the code on juvenile justice was enacted (2016-2019).

### Research methodology

Research is based on the following methodology:

- a) analysis of international standards
- b) analysis of local legislation
- c) analysis of public/statistical information
- d) qualitative research (interviews and focus groups)

**a) Analysis of international standards**

We analyzed international standards which refer to the issues of training and specialization of juvenile justice system parties, specifically:

- ❖ The United Nations Convention of the Rights of the Child
- ❖ Committee on the Rights of the Child, general commentary N10
- ❖ United Nations Rules for the Protection of Juveniles Deprived of their Liberty (Havana Rules)
- ❖ Guidelines for Action on Children in the Criminal Justice System (Vienna Guidelines)

**b) Analysis of local legislation**

The research discusses local normative acts, which define specialization, training and selection issues for juvenile justice process parties, and their qualification requirements. The research analyses legislation as well as by-laws and assesses their relevance to international standards.

**c) Analysis of public/statistical information**

In order to study the specialization process within the frames of juvenile justice system reform we requested public information from the following agencies: Ministry of Internal Affairs, Common Courts System, Ministry of Justice, Ministry of Education, Science Culture and Sport of Georgia; the Ministry of Internally Displaced persons from occupied territories, Labor, Health and Social Affairs of Georgia, the prosecutor's office. Apart from this, information was collected from various web resources. All the information gathered from these sources is reflected in this research.

**d) Qualitative research (interviews and focus groups)**

Representatives of state agencies involved in juvenile justice process participated in research. Senior and mid-level management from state agencies as well as practitioners working with juveniles participated in research. The respondents were presented by the above mentioned agencies based on official request.

Apart from this, the respondents were selected from ombudsman's office and from international/local organizations that were involved in specialization process in some form or communicated regularly with specialized professionals involved in juvenile justice system.

27 interviews and 2 focus groups were conducted. Within the frames of research, the following respondents were interviewed: 3 judges, 3 prosecutors, 4 representatives of the Ministry of Internal Affairs (2 from central service of the Ministry and 2 from the Police Academy); 1 representative of Georgian Bar Association, 2 representatives from LEPL Legal Aid Service, 2 practitioner lawyers, 4 representatives from LEPL Crime Prevention Center, 2 representatives from National Probation Agency, 4 representatives from Social Service Agency of the Ministry of Internally Displaced persons from occupied territories, Labor, Health and Social Affairs of Georgia, 2 representatives of ombudsman's office, 3 representatives of NGO-s.

For each target group the research team elaborated semi-structured interview and focus groups questionnaires.

**Research limitations**

The research aim was to evaluate the issue of specialization of all persons involved in juvenile justice area. Unfortunately, the representatives of special penitentiary institution of Ministry of Justice didn't participate in research. Public information delivered by the above mentioned agency is presented in research report.

Within the frames of research, the issue of specialization of newly introduced Witness / Victim Coordinators in the prosecution system and Supreme Court Judges in common courts system could not be thoroughly assessed (no relevant information was provided).

## Main findings of research

### Local legislation in relation to international standards

Local legislation regarding the specialization of juvenile justice personnel is in full compliance with international standards. Local legislation sets high standards of specialization of the staff, because the law covers a long list of persons involved in the justice system (judge, investigator, prosecutor, police officer, lawyer, social worker, psychologist, mediator, probation officers, victim and witness coordinator, juvenile rehabilitation staff, prison staff), whose specialization is necessary. However, the legislative shortcoming is the fact that there is no specific definition of the agency responsible for training of procedural representatives and psychologists. It should also be noted that the written record at the legislative level alone does not guarantee a high degree of specialization and in this respect it is important to evaluate the practice, presented below.

### Ministry of Internal Affairs

LEPL Academy of the Ministry of Internal Affairs of Georgia has prepared a specialized police and investigator training program for juvenile justice process implementation, the staff is trained according to this program. During the reporting period, 1220 system employees were retrained. The study revealed the following trends:

- The selection of staff for the purpose of specialization is carried out at the discretion of the head of the territorial unit, taking into account the context / existing situation and human resources in the region. Although the information provided indicates that the willingness of a particular person is taken into account in the selection process, it is clear from qualitative research that this is not the case. Academy of the Ministry of Internal Affairs does not participate in selection process;
- The first stage included a 5-day training module for specialized police officers and investigators, which was extended to 7 days. The study found that training was insufficient and could not provide comprehensive delivery of necessary information. Continuous staff training is not regulated and the government cannot conduct continuous training; in most

cases, such training is provided by the support from donors. The scale of continuous training for system staff on various issues carried out by UNICEF is appreciated;

- The Ministry of Internal Affairs has certain plans to establish a special unit working on juvenile cases, which will start operating in Tbilisi at the first stage. In the narrow specialization that deals only with the infrastructure component, the first steps, with the support of the United Nations Children's Fund, were taken to create an adapted infrastructure in the city of Rustavi. However, apart from improving the infrastructure, no steps have been taken in Rustavi to form a separate group of professionals;
- It is noteworthy that there are no special working conditions (salaries, work environment) for specialized police officers / investigators, which can become the reason for their low motivation, as specialized staff have increased responsibility for working with a vulnerable group;
- Regarding the quality control system, the Ministry of Internal Affairs has a Human Rights and Investigation Quality Monitoring Department, which monitors the quality of investigations of juvenile offenses. Research has shown that this mechanism works in practice. However, it is difficult to assess the effectiveness of this department's work within the frames of the study. This is the subject of additional research.

### Prosecutor's office of Georgia

The research has shown that the issue of specialization of personnel in the field of juvenile justice in the prosecution system is well organized. During the reporting period (as of 18.07.2019), 343 employees were trained and 252 specialized prosecutors were in the system. The research revealed the following tendencies:

- Currently, the system does not have specific criteria for the selection of specific prosecutors for the purpose of specialization, which would be normatively defined. Generally, the prosecutors are selected through internships, who then undergo general training and are appointed as prosecutors. During the training, the candidate's academic performance is assessed. As a result, by the recommendation of the training center and the decision of the structural unit, a person is selected for specialization;

- The Prosecutor's Office's Professional Development and Career Management Center provides specialization for juvenile justice system staff. Training module consists of 22 sessions, over a period of 6 days. The module includes all the components specified by Government Decree N668. The research has shown that considering the existing practice, the content of the training has significantly changed after the first version.
- The process of continuous training at the Prosecutor's Office is not regulated. The legislation only requires one-time training. However, the evaluation of the practice reveals that the process of continuous learning was provided on a variety of topics (diversion and mediation; witness / victim issues, etc.). All respondents in the study confirmed that they had the opportunity to be involved in continuous training process;
- Prosecutors have positively assessed the content of the training course, with a positive effect on their work with juvenile cases. The evaluation of the activities of specialized prosecutors by NGO representatives is varied. They positively assess the work of prosecutors, but note that there have been several cases where prosecutors have not acted in the best interests of the child;
- The Prosecutor's Office has an electronic system for the study of criminal cases to ensure quality control. This system provides online monitoring of ongoing cases involving juveniles of different status. It is noteworthy that at this stage only one prosecutor is in charge of monitoring juvenile cases;
- There are challenges regarding a child-friendly environment where prosecutors interact with juveniles. Rustavi Prosecutor's Office is an exception, where, with the support of UNICEF, a child-friendly, adapted space has been created;
- At this stage, the prosecutor's office does not have a narrow specialization of prosecutors that would focus solely on juvenile cases. This kind of narrow specialization would definitely increase the quality in this area. This is especially important given that specialized prosecutors do not have any specific working conditions (salaries, work environment), which is the basis for their demotivation, especially when they have increased responsibilities when working with a vulnerable group. Clearly, this kind of need may not be present in every region / city and this should be done in high-density urban areas. Therefore, it is important to study the situation in the regions in detail and to plan steps towards narrow specialization;
- Before creating a special juvenile unit, or where such unit cannot be established, persons working with juvenile cases should be given this type of work as an additional motivation and

encouragement (rank increase, salary bonus, sending them to attend trainings, providing a separate working room etc.);

- The work of the multidisciplinary working group, which is initiated and led by the Prosecutor's Office in all regions of Georgia, should be appreciated. The working group is comprised of regional representatives from various agencies (Prosecutor General's Office, MIA, LEPL National Probation Agency, LEPL Social Service Agency, etc.). The task of the working groups is to assess the legislative and practical challenges in the region related to juvenile justice and to plan ways to solve them. The research has shown that these working groups tend to discuss not only justice, but also crime prevention issues;
- The study revealed shortcomings regarding the specialization of the Witness-victim coordinator in the Prosecution System. There are currently 18 Witness-Victim Coordinators in the system, though all of them have not been specialized during the reporting period as required by the legislation, although plans are underway in this regard.

### Common Courts system

During the research period, in the system of common courts, there were 261 specialized judges in the process of conducting the investigation (as of 18.07.2019). Out of these, 194 judges are employed in the first instance courts and 67 in the appellate courts (no information was provided on Supreme Court judges). Judges are trained according to a pre-designed module covering the key issues under Government Resolution N668. The study revealed the following trends:

- The module on Criminal Justice, which is required for specialization in juvenile justice, does not include international standards for juvenile justice, which are mandatory by law. In one of the areas of the module - Children's Rights in Civil Litigation, there are international standards that may include general principles in the field of child rights, but refer less specifically to criminal justice issues. The duration of training in criminal justice is 3 days;
- The study revealed that the training of judges in juvenile justice has been quite different. Some of the judges reported that they received 2 or 3 days of training, and some stated that they had 6-7 days of training. One conclusion that can be made is that all judges have undergone a 3-day training course in the first phase, and some judges had the opportunity to undergo additional training;

- There is no mechanism of continuous learning for judges, this is confirmed by all respondents. However, some judges were able to undergo additional training under various projects, probably with the support of donors.
- The study revealed that the system does not have criteria for selecting judges for specialization. Most of the respondents stated that they do not remember how they were selected for the specialization, which indicates that they were not asked whether they wanted to get involved in the process.
- Research has shown that there is a completely different situation in this regard in smaller courts, where only 3-4 judges are available. In this case, there is technically no other mechanism (except when these courts do not deal with juvenile cases at all), except for the mandatory specialization of all judges, since the same judge cannot participate at different stages of the trial. Accordingly, all of them must be specialized;
- Regarding the quality control system, no internal quality control system has been set up in the court to carry out some kind of monitoring in this regard. The quality control system is mainly tied to the process of disciplinary proceedings in the High Council of Justice, which is a qualitatively different mechanism;
- The study revealed that external monitoring of court hearings is currently underway within the Public Defender's mandate, which is to be appreciated, although it is clearly implemented within the mandate of the Public Defender's Office and is not a permanent internal quality control system<sup>4</sup>.

### LEPL National Probation Agency

The National Probation Agency for the Execution of Non-Custodial Sentences was a legal entity under public law under the Ministry of Justice. Since 2020, structural changes have taken place, resulting in a merging of the two agencies and the establishment of a National Agency for Crime Prevention, Non-custodial Sentencing and Probation. Prior to June 2019, the Agency's staff specialization in juvenile justice was implemented at the LEPL Penitentiary and Probation Training Center under the jurisdiction of the Ministry of Corrections and Legal Assistance of Georgia. Currently, this function is entrusted to the Training Center of Justice. The study revealed the following trends:

<sup>4</sup>implemented in close collaboration with RIVG, with support of Dutch Embassy

- The duration of the basic training in the agency is 12 sessions and is divided into 3 days, which is mainly based on the general standards defined by Government Decree N668;
- As of 02.07.2019, 82 employees of the Agency were trained. There are 33 social workers, 7 psychologists, 33 probation officers. The training was also attended by 3 professional supervisors, 6 bureau chiefs and their deputies. All social workers and psychologists have specialized in juvenile justice. As for probation officers, the criterion for selection of staff for specialization is direct contact with juvenile cases. Preference is given to specialists working with juveniles who are the so-called "case managers";
- Apart from basic specialization in the agency, which mainly covers the issues defined by the Government Decree, the process of continuous training was carried out, the so-called "secondary specialization". In this regard, additional trainings were conducted in different directions. At the first stage, 76 out of 82 trained social workers, psychologists, professional supervisors and probation officers received additional training (92%). The duration of the training module was 12 sessions;
- The Agency has established a supervisory system regarding the quality control system. Professional Supervisors of the Rehabilitation Programs Division provide quality monitoring of the activities of social workers and psychologists of the same agency in order to implement shared practice. Supervision is carried out in three main areas: administrative, educational and supportive. Future activities are planned on the basis of the feedback provided by supervision.
- The study also revealed that there are some challenges related to the small number of staff who have to overwork. In addition, all respondents unanimously stated that narrow specialization would significantly increase the quality of their work.

### Special Penitentiary Service

A juvenile convict sentenced to imprisonment was placed in juvenile rehabilitation facility N11 or women's facility N5 (in case of girls). Juvenile defendants are placed in facilities N2, N8 and N5 (for juvenile girls). At the end of 2019 there were no juvenile female defendants / convicts at the N5 Women's Facility<sup>5</sup>. As mentioned in the research limitations section, the penitentiary system staff did not participate in the qualitative research process and provided only public information. The analysis of this information reveals the following trends:

<sup>5</sup> Code on imprisonment of Georgia clause 79

- The penitentiary system employs 5 social workers and 5 psychologists who specialize in juvenile justice. Public information indicates that facilities N2 and N8 currently do not have specialized juvenile social workers. However, the information provided also indicates that social workers / psychologists from the Central Special Penitentiary Service worked at facility N8;
- The specialization of the penitentiary system staff involved in juvenile justice began in 2015. In 2015-2018, 152 juvenile justice specialists were trained, 91 of whom were men and 61 were women;
- The Penitentiary System Specialists specialized in the field of juvenile justice within the frames of a specially elaborated module “Juvenile Justice, Psychology, Juvenile Relationships Methodology”. The module was developed in collaboration with UNICEF and covers 18 academic hours;
- Information on the workload of social workers / psychologists was also provided as public information. Based on this information, social workers / psychologists conduct an average of 15-16 cases per month at facility N11, and rehabilitation / resocialization staff (social workers, psychologists) work at facility N8, managing on average 15-16 cases per month.

The information provided allows us to have certain idea of the process of specialization of juvenile justice in the penitentiary system. Information is provided on the number of specialized staff, their workload and the training module according to which they have been trained. However, due to the inability to conduct qualitative research with penitentiary staff, it was impossible to evaluate the practice in this regard, which would give us a more complete picture. Therefore, it is difficult to make specific recommendations on this issue.

### LEPL Crime Prevention Center

Until the end of 2019, the LEPL Crime Prevention Center operated under the Ministry of Justice of Georgia. The training of juvenile justice staff in the Center for Crime Prevention was different from the practice in other agencies. This service identified two areas where juvenile justice specialization was required: a) the diversion and mediation process involving mediators; B) The process of rehabilitation and re-socialization of former prisoners, involving social workers and psychologists. However, unlike the diversion and mediation program where mediators work only with juveniles, working with juveniles in the former prisoners' rehabilitation-resocialization unit was only a small part of the staff's work. The study revealed the following trends:

- As of 27.06.2019 data, the Center for Crime Prevention employed 16 mediators, 13 social workers and 1 psychologist with specialization in juvenile justice. They were trained at the Training Center of Justice;
- The training module, which included staff training, was different for mediators and social workers. Mediator training duration was 20 days and social worker training duration was 5 days. Out of the 20 days of training for mediators, 15 days cover issues related to the general functions of mediators, while 5 days of training include direct training in juvenile justice;
- The study revealed that the processes of selection and training of mediators are connected to each other. Internal guidelines set out the criteria for selecting mediators. At the first stage, the selection of mediators is carried out through a competition, the criteria of which are already set out in the relevant act. At the second stage, the selected candidate undergoes a three-step training phase, where appropriate testing is required to move from each stage to the next. At the third stage, the candidate is appointed for a probationary period, where his / her activities are monitored and if the probationary period is successful, he / she is already contracted. Therefore, it can be assumed that the process of selecting and training of mediators is quite well organized;
- The criteria for the selection of social workers are set out in a statutory act (internal legal act), after which the candidates undergo a 5-day training and, if successful, are given the authority to work with juvenile cases;
- Research has shown that continuous training of mediators is carried out periodically. They are trained several times a year, mostly with the support of donor organizations;
- Regarding the quality control system, it was revealed that the diversion and mediation program manager supervises the work of the mediators, the manager's functions are defined by the legal act. Also, the internal legal act regulates the quality control of the activities of social workers, carried out by a professional supervisor of social work.



## Specialization of lawyers

### Georgian Bar Association

During the research process there were 4687<sup>6</sup> lawyers registered with the Georgian Bar Association in Georgia. In order to become a member of the Bar Association, the necessary condition is to pass the qualification exams and to pay the relevant membership fee. The Association specializes mainly in three areas - general, criminal and civil law. In addition to these three areas, lawyers are able to specialize in juvenile justice. Out of 4687 lawyers - 2259 lawyers have general specialization, 620 have additional specialization in juvenile justice; 990 lawyers specialize in the field of criminal justice, among them 313<sup>7</sup>; additionally in the field of juvenile justice; 1459 lawyers specialize in the field of civil law. In total, there are 940<sup>8</sup> lawyers specialized in juvenile justice. The study revealed the following trends:

- A training module for the Bar Association on Juvenile Justice was prepared with the support of UNICEF. The study revealed that if the candidate wishes to undergo a specialization, the appropriate candidate should apply to the association, submit a resume, cover letter and complete the relevant case. Afterwards, applicants undergo a 3-day training (which has 3 components and covers exactly the issues that are outlined in the test) and testing, which, if successful, allows them to work on juvenile cases. Testing consists of 20 tests and consists of three components. 10 questions are given from the Juvenile Justice Code, 5 from international law and 5 from the psychological section. Any lawyer who decides to specialize in working with juveniles must have specialized in criminal or common law before;
- The training module was developed in 2016 and respondents reported that at least in the last 2 years, all the lawyers who were willing and met the relevant criteria, were trained. The study also found that with the support of donor organizations, the Association was able to provide continuous training, though only a small percentage of lawyers participated in the process. In addition, the

<sup>6</sup> as of 21.10.2019.

<sup>7</sup> <https://www.gba.ge/ka>, seen 05.02.2020

<sup>8</sup> According to the information provided on the association web-site, some of the lawyers specializing in juvenile justice have specialized also in criminal justice, some have received general specialization, so the web site does not accurately sum up the information in this regard.

Association, with the support of UNICEF, plans to make changes to the existing training module, which aims to increase the duration of training;

- Training is mandatory for everyone if they wish to undergo testing, but research has also shown that missing the training days is not strictly controlled and there are cases where persons seeking specialization do not fully attend the training;
- The study also revealed that a quality monitoring document is being elaborated, which was expected to be completed by the end of 2019. In addition, it was emphasized that various types of research in this field are important and helpful to the Association. Also, according to the representatives of the Association, it is important to activate the inter-agency cooperation mechanism, which will facilitate discussion on different issues and finding ways to solve the existing challenges.

### LEPL Legal Aid Service

LEPL Legal Aid Service provides free legal assistance to vulnerable beneficiaries. This service provides the following services: Legal advice for everyone - on any legal matter; Compilation of legal documents (application, petition, etc.); Public advocacy services for the protection of the interests of the accused, convicts, acquitted, juvenile victim and interrogator / witness. It also provides other types of services. The Legal Aid Service provides free legal assistance to juvenile defendants / convicts / acquitted and victims. A juvenile witness shall enjoy this right if he or she cannot pay for services or is an interrogated person / witness in any of the criminal cases referred to in Chapters XIX, XX and XXII and clauses 144<sup>1</sup> -144<sup>3</sup> of the Criminal Code of Georgia (1 January 2019). Young people aged 18 to 21 are also entitled to legal aid during criminal proceedings. Lawyers at the Legal Aid Service conduct the work, and additional lawyers are invited when needed. There are 161 lawyers in the field of juvenile justice in the Legal Aid Service (101 public lawyers, 60 invited from the Public Registry)<sup>9</sup>. The study revealed the following trends:

- The training of lawyers for the Legal Aid Service was carried out at the Bar Association Training Center using a module developed by the Association;

<sup>9</sup> the information on the web site indicates 60 public registry lawyers, there is a difference number provided by public information.

- The Legal Aid Service has established additional criteria and procedures for lawyers who wish to work at the Legal Aid Service in the field of juvenile justice. The service has certain form of narrow specialization in juvenile justice. All candidates should go through the following stages: cover letter; 3-day training is a technical requirement, 85% attendance of training / final exams, where the candidate must score at least 75 points. There are 20 questions in the final testing.
- A narrow specialization does not imply that these lawyers work solely on juvenile cases. They are also involved in other activities, and juvenile cases are added to their work.
- Regarding the continuous education process, in 2018, with the support of the United Nations Children's Fund, a continuous education process for advocates for the Legal Aid Service was undertaken. The lawyers were selected from the staff of Tbilisi and Kutaisi bureaus. The selection was also made on the basis of a cover letter, and the finalists took tests. Additional training was successfully completed by 23 lawyers;
- The study also found that there are no different conditions for lawyers working with juveniles at the Legal Aid Service. No appropriate mechanisms have yet been developed to increase their motivation to work with juveniles, and it only depends on the goodwill of lawyers, whether they wish to work with them;
- Regarding the quality control system, the service has developed certain mechanisms. This process is carried out in the following order - random selection of 10-15 cases; meeting with client, where special questionnaires are filled out; survey of other persons if necessary; checking information at the database of cases; case study. Based on the identified shortcomings, training modules are developed that will have to be adapted to additional needs. The Legal Aid Service plans to establish a training center that will be linked to the quality control system. However, the effectiveness of the quality control system was not evaluated within the study. This is the subject of additional research.

### Participation of procedural representative and psychologist

The Georgian legislation defines the obligation of specialization of psychologists and social workers in the field of juvenile justice. However, the Government decree, which defines the agencies responsible for the training of relevant specialists, does not specify who should train the representative of a Guardianship and Care Authority and a psychologist. The study revealed the following trends:

Procedural representation, in accordance with established practice, is usually carried out by the Social Service Agency social workers, however, the legislation (Code of Juvenile Justice in the transitional provisions of the resolution) does not have a clearly defined record on this subject (Guardianship and Care Authority representative is written in legislation). At this stage, there is no systemic approach to the training of the social workers at the Guardianship and Care Authority. There is no designated agency responsible for this, so the training process is tied to donor support. During the research period, 62 social workers received such training;

- Research has shown that the involvement of social workers in the process of interrogation / questioning of children is quite high and there is a tendency that in many cases the representatives of the Ministry of Internal Affairs directly address social workers and are less likely to contact legal representatives. This results in overwork of social workers, which is reflected on the quality of their work;
- Another important challenge is addressing the issue of overtime pay for social workers and improving their working conditions;
- There are different practices established, regarding the involvement of psychologists. In particular, it is not specified what qualifications a psychologist must have to participate in this process, in some cases it may be a psychologist at the Ministry of Internal Affairs Academy, a Resource Office psychologist or any other psychologist. In addition, there is no specific agency responsible for training psychologists;<sup>10</sup>;
- At legislative level, it is not clear in what cases the decision about involvement of psychologists should be made and what is specific function of psychologists in this process.

<sup>10</sup>RIVG has conducted research regarding involvement of psychologists, the detailed report is available. <https://www.rivg.ge/media/1001537/2020/01/20/4811c6652cd87c83c6ac059fca3697b5.pdf>

## Recommendations

- Criteria should be established for the selection of professionals for specialization in all agencies involved in the juvenile justice system;
- The process of selecting professionals should be based on international best practices and recommendations, using approved assessment tools and methods; candidate selection should include: knowledge of legislation and child protection issues, ethical principles, working experience with juveniles, their wish to work in this area, skills (problem solving, self-control, effective communication, empathy, etc.), personal qualities and motivation;
- The duration and scope of the specialization course should be increased, along with the professional supervision of the process and content of applying the knowledge gained in practice;
- In all agencies involved in juvenile justice system, the following should be normatively defined: continuous education of persons working with juveniles, list of mandatory topics and issues, collection of specific credits (hours) by the specialized staff. State funding should be provided for the above mentioned;
- In the self-governing towns and municipalities where the statistics of juvenile offending, as well crime against juveniles are high, specialized units working only on juvenile cases should be allocated for each agency.
- Before forming a specialized unit dealing with juvenile cases, or in case of inability to create such unit, the specialized staff should mostly work on juvenile cases, in parallel with their increased responsibility various measures should be taken to motivate them (increase in rank, salary bonuses, study trips, isolated and secure work space, etc.)
- Like a Child-friendly Space at the Regional Prosecutor's Office in Rustavi, which has the appropriate technical equipment, and a child-friendly environment for questioning, the state should take the obligation to start creating spaces adapted to questioning/interrogation or other communication with juveniles in justice system, to create spaces that meet their interests, which will support protection of working procedures and confidentiality during the professional's conversations with children.

- Supervision of the activities of specialized staff must be conducted, not only by monitoring the case management process, but also by observing in-depth work practices and using professional supervision.
- Unified standards of specialization for judges dealing with juvenile cases should be provided, also, the judicial system should ensure the continuous training of specialized judges;
- Steps should be taken to narrow the specialization of judges in the courts where it is necessary
- A system of internal control over the quality of the work of judges should be established, which is different from the format directly linked to the disciplinary proceedings in the High Council of Justice and is a qualitatively different mechanism;
- Statutory agency should be responsible for training psychologists, procedural representatives, and witness / victim coordinator. These persons should be specialized in accordance with local and international standards;
- Psychologists' database by regions should be established, which will enable the relevant agency to quickly engage specialists in communication with the child when necessary;
- The following should be developed: specific instructions / regulations on the necessity of the psychologist's involvement in the questioning / interrogation of children, their roles and functions;
- Compensation (overpayment) of social workers and psychologists involved in procedural and investigative activities should be ensured in the manner provided by the law;
- The number of probation officers, social workers and psychologists specialized in juvenile cases should be increased, this will remove the problem of overworking and allow them to spend more time on each child's case;