

## Annex 5.2.3. Topic guide for focus group interviews (FGIs)

### Introduction

Ecorys has been tasked by the Directorate of Internal Oversight (DIO) of the Council of Europe to conduct this independent evaluation of the 'Independence and Efficiency of Justice' sub-programme which was included in the Work Programme 2022-2023 of the DIO. The evaluation aims to contribute to the decision-making needs of relevant stakeholders and support Council of Europe's efforts in exploring and optimising the Independence and Efficiency of Justice's sub-programme's significant work.

The overall purpose of this evaluation is to assess whether the sub-programme has contributed to more robust, independent, transparent and accessible judicial institutions and procedures based on the rule of law. To answer this overarching question, we will look at the relevance, effectiveness and efficiency of the sub-programme, as well as the impact of the three bodies that operate within its boundaries, namely the European Commission for the Efficiency of Justice (CEPEJ), the Consultative Council of European Judges (CCJE) and the Consultative Council of European Prosecutors (CCPE). During the study we will concentrate on the period between 2018-2022, but the impact of the three institutions will be assessed from their establishment.

Our focus group will be confidential, so you will not be quoted at any point. In the report, the information will be attributed generally to 'the FGIs conducted for the purpose of this evaluation over the period ...'. Your name will only be included on the list of people interviewed in an annex to the report, unless you prefer that it is not included at all. In such case, please mention it during the interview. The data will be used exclusively for the purpose of this evaluation. It will be treated in accordance with the Council of Europe data protection rules and will be deleted after five years or any time sooner, at your request.

### FGI questions

#### RELEVANCE

##### 1. To what extent is the work of the Independence and Efficiency of Justice sub-programme relevant?

1a. Are the sub-programme's interventions and key areas of work relevant to the **sub-programme's objectives**?

##### Prompts:

- Which interventions are of particular relevance?
- Which areas of work are of particular relevance?
- What gaps, if any, do you see? What else could be done?

1b. To what extent are the **objectives** relevant to the needs of member states?

##### Prompts:

- What do you see as the most pressing needs across member states in relation to the independence and efficiency of justice?
- Are there any needs that are better covered than others in the sub-programme?

1c. To what extent are the **interventions** relevant to the needs of member states?

##### Prompts:

- What do you see as the main interventions?
- Are any types of interventions missing?

**EFFECTIVENESS****2. To what extent has the work of the sub-programme been effective in achieving the objectives and expected results as outlined in the Programme and Budget documents 2018-2022?**

2a. To what extent does the sub-programme contribute to the Rule of Law based institutions Programme?

2b. What do you consider to be the main achievements of the sub-programme?

**Prompts:**

- How have the availability and distribution of CEPEJ evaluations and tools affected the efficiency and quality of justice in member states?
- How have the availability and distribution of CCJE and CCPE opinions affected the status and functioning of the professions of judges and prosecutors in member states?
- How has the sub-programme affected the strength of the judicial systems in member states?
- How would you define the main achievements (results) of the sub-programme?

2c. What were the main factors influencing the achievement or non-achievement of the objectives?

**Prompts:**

- What helped to reach results?
- What hindered achievement of results?
- What can be done to deal with the hindering factors, if anything?

2d. To what extent has the sub-programme's effectiveness been facilitated by support from other areas of the Council of Europe and vice-versa?

- (if not answered earlier) What role has co-operation between different bodies of the Council of Europe played?

**EFFICIENCY****3. To what extent has the Independence and Efficiency of Justice sub-programme been efficient in implementing its programme of activity for the period 2018-2022?**

3a. How do you assess the level of resources allocated to the sub-programme?

**Prompts:**

- How do you assess the planning in time?
- How do you assess the available funds vis-à-vis priorities?
- How do you assess the available funds vis-à-vis expected outputs?

**IMPACT****4. What has been the impact of the three main bodies under the Independence and Efficiency of Justice sub-programme (CEPEJ, CCJE and CCPE) since their establishment?**

4a. In your view, has the sub-programme contributed to member states fulfilling their obligations under Article 6 (right to a fair trial) of the European Convention on Human Rights?

- If so, how?
- What do you see as the main contributions?

4b. In your view, has the sub-programme contributed to citizens enjoying their rights to a fair trial as enshrined in Article 6?

- If so, how?
- What do you see as the main contributions?