



PRESS NOTICE

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MILITARY COURT SERVICE MAKES SIGNIFICANT PROGRESS, SAY INSPECTORS

The Military Court Service (MCS), a relatively new organisation, is well on its way to success, though there are some areas for improvement, said David Abbott, Acting HM Chief Inspector of Court Administration, and Andrew Bridges, HM Chief Inspector of Probation, as they published a joint report.

HM Inspectorate of Court Administration (HMICA) was invited by the Ministry of Defence (MoD) to inspect the MCS, in support of the government's response to the Deepcut Review to commence regular inspections of the Military Justice System. Because the MCS contracts probation services for courts martial and administers Legal Aid to service personnel, HM Inspectorate of Probation (HMI Probation) and the Legal Services Commission (LSC) assisted with the inspection.

The MCS brings together the Royal Navy, Army and RAF court services to deliver a modern system of service law.

Inspectors were pleased to report that the MCS has made significant progress both culturally and procedurally:

- Its leadership was visible and effective in how it set the direction for the organisation;
- Its leadership was also effective in how it set the basis for, and the pace of, change;
- The development of new court centres has significantly improved facilities for court users, with excellent witness accommodation and easier access for the public;

- Staff at all levels engaged well with stakeholders, and witnesses were treated with courtesy and consideration, and kept informed at every stage of the process;
- Staff were dedicated, customer focused and committed to the provision of effective and efficient service delivery, and were developing the skills and knowledge to support this; and
- The arrangements for the provision of pre-sentence reports to the Military Court Service worked well. Timeliness of report production was excellent and particularly commendable in view of the very short time frames sometimes requested by courts.

Inspectors found some areas where improvements could be made:

- The MCS' governance structures and processes were weak with its position within the Army reducing the confidence of some stakeholders in its independence;
- It did not make adequate use of performance information or take a structured approach to communicating with its stakeholders to support the planning and improvement of its services;
- It did not have satisfactory systems in place to assure itself that its plans and processes were meeting its commitment to diversity and equality; and
- The quality of Pre-Sentence Reports was variable and they did not consistently consider the risk of harm to others or wider safeguarding issues.

HMICA has made four recommendations to address these areas of concern, and HMI Probation has made some specific recommendations to further improve the quality of Pre-Sentence Reports.

The LSC found that stakeholders valued and respected the service provided, but felt the roles and responsibilities of the Armed Forces Criminal Legal Aid Authority (AFCLAA) could be clearer. These related to legal aid strategy and planning, the quality and transparency of the processes used to nominate legal representation, the quality of advice given about legal aid including the information provided to non-military personnel, and a lack of performance data collation and analysis.

David Abbott said:

“We are confident that, while the MCS is already performing well in many areas, the implementation of recommendations made as a result of this joint inspection will enable it to progress towards excellence and better outcomes for users of the Military Court Service. The MCS has continued to introduce improvements throughout and since our inspection and we welcome the Director’s response in the form of a comprehensive action plan for improvement.”

- Ends -

Notes to editors

1. The report is available at www.hmica.gov.uk on 11 June 2010.
2. The Armed Forces Act (2006) introduced a tri-service Military Court Service, merging the Royal Navy, Army and RAF court services in order to deliver a coherent and modern system of law. The final implementation date for the Act was 31 October 2009, but in reality the tri-service Military Court Service has been up and running since 2007.
3. HMICA’s framework is based on the European Foundation for Quality Management model and provides for HMICA to assess their findings against internationally recognised and robust standards for sustainable excellence.
4. HMICA is an independent inspectorate, sponsored by the Ministry of Justice and reporting directly to the Secretary of State. It has a duty, under the Courts Act 2003, as amended by the Police and Justice Act 2006, to inspect the administrative systems that support the Crown Court, county and magistrates’ courts in England and Wales. HMICA also works with other criminal justice inspectorates to inspect the end to end criminal justice process.
5. HMI Probation is an independent inspectorate, sponsored by the Ministry of Justice, and reporting directly to the Secretary of State on the effectiveness of work with individual offenders, children and young people aimed at reducing reoffending and protecting the public.
6. The LSC inspected the Armed Forces Criminal Legal Aid Authority. The LSC works in partnership with solicitors and not-for-profit organisations to help over two million people each year access legal advice, information and help.
7. The Deepcut Review (2006) proposed independent, external inspection and review of the entire military justice system. The government commitment was that, in line with the Government’s response to the Blake Review recommendations 24 and 26, arrangements were made with each of the relevant inspectorates to ensure that all elements of the Service Justice System were inspected regularly. This inspection means that the Service Justice System has now been inspected from end to end.
8. David Abbott has some time available for media interviews. Please contact Jane Parsons on 0207 035 2123 or 07880 787452 to arrange an interview.