

Scoping Document

An examination of the effectiveness and efficiency of the Military Court Service (MCS)

A. Introduction

The Crown Prosecution Service Inspectorate Act 2000¹ sets out the statutory basis for His Majesty's Crown Prosecution Service Inspectorate and its core role in inspecting the Crown Prosecution Service and the Serious Fraud Office. The Act also permits HM Chief Inspector to assist other public authorities to facilitate the effective execution of their functions. Where a public authority seeks HMCPST's assistance this is an inspection by invitation.

HMCPST has been invited by the Military Court Service (MCS), under the assistance provisions, to inspect the service it provides to its court users.

B. Background

The MCS delivers a criminal court service for the Royal Navy, Army and Royal Air Force. It is the administrative organisation within the Ministry of Defence (MoD) that supports the operation of the Service Justice System, providing logistical and clerical support to the Court Martial (CM), Summary Appeal Court (SAC) and the Service Civilian Court (SCC). There are two permanent Military Court Centres (MCCs) in the UK based at Bulford and Catterick. However, the court system is entirely "portable" so trials can be held outside of the MCCs where necessary.

The MCS is staffed by civil servants employed by the MoD. The Director MCS is appointed by the Defence Council as the Court Administration Officer (CAO). He is supported by a Deputy Director and a Court Administration Unit. Each of the two permanent MCCs has a dedicated Court Officer who is directly responsible for the management of court proceedings. They are supported by Deputy Court Officers and Court Assistants.

Performance of the MCS is measured through a series of administrative and operational indicators that are focused on how effectively cases are progressed through the judicial process. The principal aim of the MCS is to ensure that cases are heard promptly and

¹ [Crown Prosecution Service Inspectorate Act 2000](#)

efficiently, while upholding fairness and due process for all court users and preserving the independence of judicial decision-making.

There has been a drive for continuous improvement by ongoing modernisation of its processes. Technology-based systems to enhance efficiency and improve integration with court users and stakeholders have been introduced but this is ongoing and evolving.

The purpose of the invitation to inspect is to assess how effectively the MCS operates and uses its resources to deliver efficient administrative court services within the Service Justice System, drawing on HMCPsi's inspection experience to identify strengths and opportunities for improvement. The inspection scope has been developed following discussion between the Chief Inspector and Deputy Chief Inspector (inspection) HMCPsi and the Director and Deputy Director MCS.

Out of scope

Due to the Judiciary's independent role within the Service Justice System, judicial decision-making and functions, including the scheduling of hearings beyond the initial administrative listing of a Pre-Trial Preparation Hearing (PTPH) and any judicial decision to change that first listing for PTPH, fall outside the inspection scope remit.

Board members' decision-making and their role in determining verdicts or sentences also fall outside the inspection scope.

C. The Inspection question

How does the Military Court Service use its resources and assure itself that it provides an effective and efficient service for all court users?

D. Objective

The objective of the inspection is to assess how the Military Court Service uses its resources and assurance mechanisms to deliver an effective and efficient service for all court users.

E. Inspection Criteria

We will assess the following criteria:

a) **Case progression systems and processes:** how the MCS uses its systems and processes to support effective case progression, including receipt of cases and administration of the listing of the first Pre-Trial Preparation Hearing, use of the traffic-light monitoring system, the assize programme and assize periods, and the selection process for Board members.

b) **Staffing structures and capability:** the suitability of staffing structures, roles and capacity within the MCS to deliver an efficient and effective court service.

c) **Digital tools and technology:** how digital tools and technology are used in court to support an efficient and effective service for court users, including digital audio recording, court video links/remote links, and digital interpretation.

d) **Facilities:** whether facilities at the Court Centres are fit for purpose in providing a safe, secure and supportive environment for victims and witnesses.

e) **Stakeholder relationships and communication:** the relationship and communication that the MCS has with stakeholders, and any impact this has on their ability to deliver an effective and efficient service. This includes the Judge Advocate General and Judge Advocates in understanding how the MCS supports their role.

f) **Performance framework and performance data:** how performance data is used and whether the key performance indicators in the MCS performance framework are effective in assuring court efficiency and timely case progression.

g) **Assurance mechanisms:** the assurance mechanisms the MCS uses to monitor and ensure that it provides an effective and efficient service for all court users, including governance and oversight arrangements, risk and issue escalation, quality assurance or audit activity, and how feedback and complaints are used to support learning and continuous improvement.

F. Methodology

This inspection will comprise a review of relevant documents and on-site attendance at the two UK based military court centres of Bulford and Catterick. There will also be observation of a “portable” court system set up for a Court Martial in Northern Ireland.

- **Document examination**

We will examine documents relating to relevant policies, performance measures/framework and assurance processes.

- **On-site – Interviews and Focus Groups**

The on-site stage will involve interviews of key personnel.

- **Other On-site Inspection Activity**

We will undertake court observations in Bulford and Catterick Court Centres. This will concentrate on observing court usage, use of technology in court, how witnesses are supported including use of special measure facilities.

We will also conduct some real time observations, sitting with key MCS personnel to observe how they carry out their roles.

G. Timeline

The evidence gathering phase including any onsite work will be conducted in April 2026. Publication is planned for Summer 2026.

H. Equality Impact Assessment

A preliminary evaluation of the need for an equality impact assessment has been undertaken. The potential effects of the inspection on disadvantaged groups or individuals with protected characteristics have been considered. Based on the nature of the inspection and the methodology to be used, there is no indication that any protected groups are likely to be impacted by the outcome. As no impacts were identified during the screening process, a full equality impact assessment is not anticipated to be required. This position will be kept under review throughout the course of the inspection.