



Memorandum of understanding between

The Provost Marshal (Army) and His Majesty's Inspectorate of Prisons concerning the inspection of service custody premises

November 2025

Participants

1. This Memorandum of Understanding (MOU) has been reached between the Provost Marshal (Army) (PM(A)) and His Majesty's Inspectorate of Prisons (HMIP), hereinafter referred to as 'the Participants.'

Definitions

2. In this MOU:
 - a. 'Service Custody Premises' (SCP) are places in which a person may be required to serve the whole or part of a sentence of Service detention. They consist of Service Custody Facilities (SCF) and the Military Corrective Training Centre (MCTC), Colchester.
 - b. 'Service Custody Facilities' (SCF) has the meaning contained in the Service Custody and Service of Relevant Sentences Rules 2009.

Background

3. HM Inspectorate of Prisons (HMI Prisons) is an independent inspectorate whose Chief Inspector is a Crown appointment. HM Chief Inspector of Prisons' responsibilities are set out in sections 5A and 43 of the Prison Act 1952 (as amended). The Chief Inspector reports to the Secretary of State on the treatment of and conditions for those in prison, young offender institutions, court custody facilities in England and Wales and immigration detention facilities in the United Kingdom. HMI Prisons also inspects secure training centres (jointly with Ofsted and the Care Quality Commission). By

invitation, HMI Prisons inspects some military detention facilities as well as prisons in Northern Ireland and in other jurisdictions with links to the UK such as the Isle of Man. HMI Prisons promotes the concept of “healthy establishments” in which staff work effectively to support prisoners and detained people to reduce reoffending and achieve positive outcomes for those detained and for the public.

4. Details of HMI Prison’s framework, approach and general methodology can be found at: [How we inspect – HM Inspectorate of Prisons](#)
5. HMI Prisons’ work is conducted in accordance with the UK’s obligations as a party to the Optional Protocol to the United Nations Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT). OPCAT requires each state party to designate an independent National Preventive Mechanism (NPM)¹, which monitors places of detention for the purpose of preventing torture and ill-treatment. HMI Prisons is one of the 21 statutory bodies that make up the UK NPM².
6. HMI Prisons’ inspections of the MCTC began in 2004. After a brief trial, in 2014 an MOU was established between MOD and HMI Prisons for the inspection of MCTC as well as UK based SCFs by invitation of the MOD. A proportionate approach will ensure a programme of inspection of all active SCFs every 4 years.

Objective of the Programme

7. The programme of inspection is designed to meet the obligations under OPCAT, by examining the treatment and conditions under which people are detained in the MOD’s active SCPs.
8. In addition, the programme aims to provide an operational and strategic overview of the efficacy and effectiveness of the facilities measured against published inspection criteria.

Governance Structure

9. HMI Prisons will notify the PM(A) of all proposed inspections of SCPs at least 2 weeks in advance, to confirm active status of SCF and to facilitate entry to the SCP. Specific arrangements will be made between the HMI Prisons team and the relevant local contacts prior to the inspection. A Notice of Details of Inspection as set out in Annex A to this MOU will be handed to the senior officer on duty at the SCF at the commencement of an inspection.
10. Inspections of MCTC will be unannounced to the establishment, but PM(A) Staff will be informed 2 weeks prior to the inspection to facilitate entry. Authority to enter the MCTC will ordinarily be granted, but may be delayed or deferred for reasons including, but not limited to, operational necessity, or security.

¹ The UK designated its NPM in March 2009.

² Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, A/RES/57/199, adopted on 18 December 2003; came into force 26 June 2006.

11. HMI Prisons' employees and agents will abide by all security instructions issued to them during the inspection period by the Commanding Officer Military Provost Staff Regiment, employees or agents, including any instructions relating to the storage of information. All participants will comply with relevant legislation in the sharing and storage of sensitive information.

Inspections Methodology

12. The inspection of Service Custody conditions will be conducted by inspectors from HMI Prisons and will include healthcare inspectors and social researchers.
13. The inspection framework³ has been developed using an adapted version of the methodology employed in civilian custodial settings, adjusted to the particular context of military SCP.
14. The methodology focuses on outcomes for detainees and reflects published custodial inspection criteria. The relevant human rights standards and the core standards for Service Custody as set out in the Joint Service Publication 837⁴.
15. The HMI Prisons inspection methods include:
- Collation of performance data and intelligence;
 - Analysis of documentation;
 - Questionnaires to relevant detainees to elicit views on previous experience in service detention;
 - Fieldwork visits;
 - Interviews with detainees, staff managers and key individuals, including healthcare staff;
 - Custody record analyses and, if necessary, review of other sources of evidence (record; CCTV);
 - Hot debrief to service representatives;
 - Publication of a final report.
16. Inspections will be conducted against HMI Prisons' published inspection criteria and methodology, and in line with the four tests of a healthy prison environment as set out in HMI Prison's Expectations. Inspectors will also assess and produce a narrative judgement on leadership. The four tests of a healthy establishment are:

Safety: detainees, particularly even the most vulnerable, are held safely.

Respect: detainees are treated with respect for their human dignity.

³ [Expectations – HM Inspectorate of Prisons](#)

⁴ Joint Service Publication 837: Service Code of Practice – Custody and Detention and Committal to Civil Prison

Purposeful activity: detainees are able, and expected to, engage in activity that is likely to benefit them.

Preparation for release: Preparation for release is understood as a core function. Detainees are supported to maintain and develop relationships with their family and friends. Detainees are helped to reduce their likelihood of reoffending and their risk of harm is managed effectively. Detainees are prepared for their release back into the community.

17. All core team members are trained in security and personal safety awareness and conflict resolution.
18. The Chief Inspector or Deputy Chief Inspector from HMI Prisons may participate in the inspection.
19. Within seven weeks of the end of the inspection, the Chief Inspector will present a report to the PM(A) so that it can be checked for factual accuracy. The PM(A) will have three weeks to respond to this. The Chief Inspector will respond within a further three weeks confirming what changes have been made and why. A final copy of the report will then be formally submitted to the PM(A), subject to any security considerations. The report will highlight priority and key concerns where relevant and will record areas of good practice. Overall, this means reports should be published within 14 weeks of an inspection⁵.
20. All reports will be published and placed on the HMI Prisons website together with a media statement to cover publication. The media statement will be shared with the MoD. However, media handling will ultimately be a matter for HMI Prisons. The MoD will receive advance copies, embargoed, up to one week in advance to an agreed publication time and dates.

Response to Report

21. Each service will be expected to publish their considered response to the final report. It is expected that this response will include an action plan to address any recommendations from the report and that it will be published within three months of the publication date of the inspection report.

Dispute Resolution

22. Should difficulties arise with the operation of this MOU, in the first instance resolution will be sought at the lowest possible level initially between the team leader and Commanding Officer Military Provost Staff Regiment⁶. If resolution is still not achieved, this will escalate through the Deputy Chief Inspector and Assistant Head (Technical) within Headquarters Provost Marshal (Army). Ultimately, matters may be referred to the Minister of State for Justice and the Minister of State for the Armed Forces.

⁵ In order to achieve this, both participants will use reasonable endeavours to follow the timetable set out in Annex A where reasonably practicable.

⁶ Commanding Officer Military Provost Staff Regiment is the Licence Holder for all UK SCFs.

Amendment, Effective Date and Duration

23. This MOU, including its Annex, is subject to review and amendment at any time with the approval of both participants.
24. This MOU will be effective from the last date of signature and will be subject to a four yearly review and/or on appointment of a new HMCIP or PM(A).

The foregoing represents the understandings reached between the Provost Marshal (Army) and His Majesty's Inspectorate of Prisons on the matters herein.



Brigadier S L Pringle-Smith

Provost Marshal (Army)

10 November 2025



Charlie Taylor

HM Chief Inspector of Prisons

1 November 2025

Annex A to the MOU between PM(A) and HMIP concerning the inspection of SCP

October 2025

Standard Notice of Details of Inspection

To be handed to the senior officer on duty at an SCF that is subject to an inspection by HM Inspectorate of Prisons

Service: [details]

Location: [details]

Lead Inspector: [name and position/organisation]

1. Purpose of this document

- 1.1 To explain the reason for this inspection of your facility;
- 1.2 To set out the procedure to be followed during the inspection;
- 1.3 To explain how you might see to delay or defer the inspection;
- 1.4 To provide contact details for HMIP representatives, should you require to check the validity of the inspection or discuss any substantial reasons for deferral or delay;

2. The reason for inspection

- 2.1 To provide contact details for HMIP representatives, should you require to check the validity of The UN Optional Protocol to the Convention Against Torture and other cruel, inhuman or degrading treatment or punishment (OPCAT – 2003) was ratified by the UK in 2006. In order to fulfil its obligations under OPCAT, the UK formally designated a national mechanism to prevent torture and ill treatment through regular, independent inspection of all places of detention within its jurisdiction (the National Preventative Mechanism, NPM). As a member of the NPM, HMIP discharges obligations established under OPCAT.
- 2.2 HMIP inspections of the Military Corrective Training Centre (MCTC) began in 2004, and in 2013 a trial period inspection of UK based Service Custody Facilities (SCF) began. Further to the successful completion of the trial period, an understanding has been reached for HMIP to continue with a system of inspection of UK based Service Custody Facilities by invitation of MoD.

2.3 The selection of MOD SCPs for inspection should not be taken as indicating that the inspectorates have identified any particular risk, vulnerability, or poor performance in that facility.

3. The inspection format and scope

3.1 The inspection will be undertaken against the published expectations of healthy establishments (a copy of which can be made available if requested) that focuses on:

- Leadership
- Safety
- Respect
- Purposeful Activity
- Preparation for Release

3.2 The team members will not examine operationally sensitive issues – such as sufficiency of evidence – nor interfere with any on-going investigation or interviews. However, the team will require to:

- Visit and examine the custody facility, including cells, exercise yard, clinical examinations room, interview rooms and any storage areas;
- Check records, CCTV, procedures, equipment, maintenance and security;
- Speak confidentially with any detainees (subject to their consent and risk assessment) and complete questionnaires regarding the physical conditions of their detention;
- Interview custody/detention staff;
- Interview investigating/operational officers who deal with detainees.

3.3 Everything will be done to reduce as far as possible the additional administrative impact of the inspection, but it is accepted that inspections do not, by their nature, allow arrangements for staff to be located to escort or service the inspection teams requests.

4. Request for delay or deferral.

4.1 While an independent inspection will always be demanding of colleagues, it will require a very substantial reason for this inspection to be delayed or deferred – such as posing a significant threat to highly sensitive operational activity or major risk to personal safety or security.

4.2 If you believe that such exceptional circumstances are indeed evident and wish to request a delay or deferral, the detail of these circumstances must be explained in full to the team leader, who will either:

- Accept that the inspection should be delayed or deferred; or
- Reassert the request for access to conduct the inspection, explaining why the reason given does not constitute a substantial cause for deferral or delay.

4.3 Where any difference of opinion cannot be resolved between the team leader and the local senior officer, arrangements should be made for one of your chief officers to speak directly with the office of the Provost Marshal (Army) while the HMIP team leader should contact the Deputy Chief Inspector, so that the matter can be resolved, with regard to prevailing operational and security issues.