



Ministry
of Justice

Review of Veterans within the Criminal Justice System Call for Evidence

*“The whole nation has a moral obligation to the members of the Naval Service,
the Army and the Royal Air Force, together with their families.
They deserve our respect and support, and fair treatment.”*

The Armed Forces Covenant.

Call for Evidence

I have been asked by the Lord Chancellor and Secretary of State for Justice to conduct an independent review of veterans within the criminal justice system (CJS). We are seeking evidence from interested parties – on their experience of veterans in the CJS and in particular the ways in which we can improve services, if needed.

The review will also include oral evidence sessions and we are aiming to report in October 2014.

Terms of Reference of the Review

We have been asked to consider the following:

- I. The rehabilitative needs of ex-service personnel convicted of criminal offences and sentenced to a custodial or community sentence, and the current rehabilitation available to them.
- II. The process whereby ex-service personnel are identified following conviction.
- III. Best practice relating to the rehabilitation of ex-service personnel offenders including evidence of effective interventions in other countries. In particular what learning from the US model of Veterans Courts US could be adapted for England and Wales aside from full adoption of specialist courts.

Background

The Armed Forces Covenant was first published in 2011 and sets out the obligations of Government and society as a whole to those serving in the army, navy or air force. The covenant states that those currently serving, those who have served in the past and their families should not suffer disadvantage compared to other citizens in the provision of public and commercial services; and that special consideration is appropriate in some cases, especially for those who have given most such as the injured and the bereaved.

It is this obligation the Review is seeking to uphold. It will seek to do so by examining the numbers and characteristics of ex-service personnel in the CJS, and the rehabilitation available to them.

The issue of veterans in custody is not a new one and this Review is not by any means the first time the issues have been properly considered. With this in mind we are seeking to build upon existing work such as those recommendations made by Lord Ashcroft in his Veterans’

Transition Review¹ and The Howard League for Penal Reform's inquiry into former armed service personnel in prison². We will also be looking to the future and considering the changing landscape the Transforming Rehabilitation Programme is introducing, and what impact that might have. We hope that this call for evidence will tap into the vast experience and expertise of those working in and around this area as well as allowing us to hear from those with first hand experience.

We would like to invite you to contribute to the Review by providing us with evidence from your own personal or professional experiences, your organisations experiences, or knowledge gained through research or other means. I would also welcome your support in encouraging your stakeholders and service users to contribute.

The call for evidence will close on Wednesday 23 April and we ask that each submission is no more than 5000 words. Please send your evidence submission to veterans-review@justice.gsi.gov.uk.

Within the scope set out above the Review will be seeking to answer the following questions and I would be grateful if your evidence reflected this. However please do not be constrained by the questions if you think there are others we have missed.

Assessment of the current situation:

- Q1: What are the rehabilitative needs of ex-service personnel in the CJS?
- Q2: What, if anything, sets ex-service personnel apart from other offenders?
- Q3: What rehabilitation support is currently available for ex-service personnel who offend? Is it fit for purpose and why or why not?
- Q4: Are there any particular issues for ex-service personnel as victims of crime?

Future ideas:

- Q5: What more could be done to reduce offending and reoffending amongst veterans?
- Q6: What measures could be introduced by the military to reduce offending in post-military life?
- Q7: What measures could be introduced by the CJS to reduce reoffending? In particular around the point of arrest, by probation, or in prison?
- Q8: Which element of the US veterans courts approach has been responsible for its success?
- Q9: What would be the challenges of adopting the approach to the UK system? In particular what are the constitutional, legal and administrative barriers?
- Q10: What other approaches might be introduced through Government or society as a whole?
- Q11: If any of your proposals outlined in the preceding questions were taken forward, how might we avoid a perception of veterans receiving 'special treatment'?

Rory Stewart

¹ The Veterans' Transition Review, Lord Ashcroft KCMG PC

² The Howard League for Penal Reform, Report of the Inquiry into Former Armed Service Personnel in Prison, 2011