

Service Prosecuting Authority

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The Service Prosecuting Authority is the principal prosecuting authority within the Service Justice System and is responsible for the prosecution of all service offences before the Service Courts.

His Majesty's Crown Prosecution Service Inspectorate (HMCPSI) inspection of the Service Prosecuting Authority (SPA)

HMCPSI published their inspection report on 28 November 2024 on the quality of legal casework undertaken by the SPA.

SPA invited HMCPSI to carry out this inspection as part of our commitment to delivering fair and efficient justice in support of the Armed Forces.

HMCPSI report

Statement from the Director of Service Prosecutions (PDF, 141 KB, 1 page)

The SPA invited HMCPSI to complete a follow-up inspection to ensure the recommendations from the original report were implemented, and this report was published on 10 December 2025.

HMCPSI follow-up report

Director of Service Prosecutions, Mary Cowe, welcomes HMCPSI's findings that the Service Prosecuting Authority continues to deliver high quality casework.

Statement from the Director of Service Prosecutions (PDF, 69.5 KB, 1 page)

Statement from the Director of Service Prosecutions (ODT, 7.6 KB)

Mission statement

The Service Prosecuting Authority (SPA) provides for the independent, fair and efficient consideration of criminal cases and offences contrary to service discipline within its jurisdiction. It will initiate prosecutions where justified, conducting just and thorough proceedings in the Service courts. It will liaise effectively with the police, and deal with prosecution witnesses and victims of crime with care and sensitivity. Although independent from the Service chain of command, the SPA fulfils its functions in support of operational effectiveness of the Armed Forces throughout the world.

What we do

The SPA is the principal prosecuting authority within the Service Justice System and is responsible for the consideration and, where necessary, prosecution of service offences before the Service Courts, which include, the Court Martial, the Court Martial Appeal Court, the Service Civilian Court and the Summary Appeal Court.

In respect of cases referred to it by either a Service Police Force or a Commanding Officer, the SPA:

- decides whether the case should be prosecuted
- decides where the case should be prosecuted
- determines the appropriate charges to bring
- prepares cases and presents them in the Service courts – using either employed advocates or members of the Bar.

In addition the SPA works closely with and provides advice to the Service Police Forces in respect to the investigation of offences.

How we do it

The SPA is independent of both the Ministry of Defence and the military chain of command in respect of its prosecutorial functions.

The SPA acts under the general superintendence of the Attorney General.

The SPA acts in accordance with the Code for Crown Prosecutors.

The SPA is committed to delivering a high quality prosecution service, as expressed in our Casework Quality Standards (PDF, 131 KB, 4 pages).

Who we are

The SPA was established in 2009 when the three single service prosecuting authorities were amalgamated.

The Director of Service Prosecutions (DSP) is the head of the SPA and operates under the general superintendence of the Attorney General.

The current Director of Service Prosecutions is Mary Cowe: Director Mary Cowe biography (ODT, 7.02 KB)

The principal statute governing the Service Justice System is the Armed Forces Act 2006.

The SPA has an establishment of 60 members of staff, 26 of whom are prosecutors (21 military prosecutors, 5 civilian prosecutors).

The principles we follow:

The SPA will act with fairness and impartiality seeking always to achieve the outcome that best meets the interests of justice and operational effectiveness.

In particular Service prosecutors will act in accordance with the following:

- the Code for Crown Prosecutors
- legal guidance to the Crown Prosecution Service incorporating the CPS Charging Standards
- Core Quality Standards issued by the Deputy Director Service Prosecutions: Casework Quality Standards (PDF, 131 KB, 4 pages) or Casework Quality Standards (ODT, 25.9 KB)
- (if a barrister) Code of Conduct of the Bar of England and Wales
- (if a solicitor) The Solicitors Regulation Authority Code of Conduct
- the Farquharson Guidelines: the role and Responsibilities of the Prosecution Advocate
- Code of Practice on Services to be provided by the Armed Forces to the Victims of Crime

- the Attorney General's guidelines on the acceptance of pleas (revised 2009)
- 'Practice in the Court Martial: Collected Memoranda' issued by the Judge Advocate General

Prosecutors and support staff will act in accordance with the following (as appropriate):

- A Soldier's Values and Standards - The British Army
- Our People - Royal Navy
- RAF Ethos, Core Values and Standards
- The Civil Service code

Information access requests

While the Service Prosecuting Authority is independent of the service chain of command (its prosecution function), the Ministry of Defence acts as data controller in respect of the Freedom of Information Act 2001 (FOIA) and the Data Protection Act 2018 (DPA).

Requests for recorded information made under the FOIA should be sent to CIO-FOI@mod.gov.uk in the first instance.

Requests for Personal Information made under the DPA should be sent to CIO-DPA@mod.gov.uk.

Guidance for making requests under the FOIA and DPA can be found here: [How to make a freedom of information \(FOI\) request](#).

Further information

- FOIA: Publication scheme
- DPA: Requests for personal data and service records: a detailed guide

Publication scheme

- Guidance on handling complaints (PDF, 161 KB, 7 pages) or Guidance on handling complaints (ODT, 36.4 KB)
- Casework Quality Standards (PDF, 131 KB, 4 pages) or
- Victim's right to review - policy (PDF, 197 KB, 5 pages) or Victim's right to review - policy (ODT, 23.9 KB)
- The Armed Forces Code of Practice for victims of crime (PDF, 608 KB, 65 pages)
- JSP 839: Victims' Services

Protocol Between Law Officers and the Service Prosecuting Authority (SPA)

The protocol defining the relationship between Law Officers and the Service Prosecuting Authority has now been agreed and published. This is the first time that a formal protocol has been put in place between Law Officers and SPA.

Read more about the protocol between the Law Officers and the Service Prosecuting Authority.

Protocols relating to concurrent jurisdiction in the UK

Sections 320A, 320B and 320C of the Armed Forces Act 2006 require the Director of Service Prosecutions to agree protocols regarding the exercise of concurrent jurisdiction with the Director of Public Prosecutions, the Lord Advocate and the Director of Public Prosecutions for Northern Ireland, in respect of alleged criminal conduct of persons subject to service law in England and Wales, Scotland or Northern Ireland.

In such a case, both the Service Justice System and the relevant civilian justice system have jurisdiction to investigate and potentially prosecute the individual. The protocols provide guidance to prosecutors at the Service Prosecuting Authority (SPA) and the relevant civilian prosecuting authority on the most appropriate jurisdiction depending on the nature of the case, including circumstances where consultation between the two authorities is necessary.

The principle underpinning the protocols is the promotion of fair and efficient justice. This includes support for the effective participation of victims, witnesses, suspects and defendants to ensure public confidence in the civilian justice systems and the Service Justice System.

The protocol regarding the exercise of criminal jurisdiction in England and Wales was agreed on 25 October 2023 and an updated version agreed on the 18 December 2025: Joint Prosecution Protocol.

The protocol regarding the exercise of criminal jurisdiction in Northern Ireland was agreed on 4 November 2024: Protocol regarding the exercise of criminal jurisdiction in NI (PDF, 143 KB, 8 pages)

The contents of the protocol regarding the exercise of criminal jurisdiction in Scotland are still the subject of negotiation.

Contact details

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<https://www.gov.uk/guidance/service-prosecuting-authority>