

# ALCOHOL ABSTINENCE MONITORING REQUIREMENTS

Humberside  
Lincolnshire  
& North Yorkshire  
Community Rehabilitation Company



## Introduction and Background

It is estimated that around 44% of all violent offences are committed by offenders who are under the influence of alcohol and the total cost of alcohol related crime in the UK is between £8 billion and £13 billion per year. Within Humberside, Lincolnshire and North Yorkshire, alcohol is a significant factor in criminal offences. For example, in Grimsby, North East Lincolnshire in 25% of offences, alcohol was a contributing factor or feature in the offence. For offences that involve domestic abuse, this percentage is even higher, increasing to more than 40%. Reoffending rates and the frequency of reoffending is also greater by offenders who commit offences where alcohol plays a part.

The Alcohol Abstinence Monitoring pilot seeks to better address the issue of alcohol related offending and reoffending, particularly in cases where there is violence, including domestic abuse. Rehabilitative interventions will be delivered to address issues relating to attitude, thinking and behaviour, alongside an Alcohol Abstinence Monitoring Requirement. This Requirement provides an enforced period of sobriety during which there is a greater opportunity to engage an individual in rehabilitative interventions with the aim of delivering improved outcomes and reductions in reoffending.

## What is an Alcohol Abstinence Monitoring Requirement?

Provisions in the Legal Aid, Sentencing and Punishment of Offenders (LASPO) Act 2012, now provide courts with a power to impose an Alcohol Abstinence Monitoring Requirement (AAMR) as part of this pilot.

This sentencing power allows the courts to impose a requirement for an offender to abstain from alcohol for a fixed time period of up to 120 days; and be regularly tested/monitored to ensure compliance; as part of a Community Order or a Suspended Sentence Order. Consent by the offender is not required for the imposition of an AAMR, but alcohol must be a feature or contributing factor in their offending behaviour.

For the purposes of this pilot, we are asking sentencers to only use an AAMR as part of a multi requirement Order alongside a Rehabilitation Activity Requirement or an Accredited Programme Requirement, as opposed to being used as a standalone requirement, so that the added value of monitoring and control alongside rehabilitation can be fully tested and hopefully deliver the improved desired outcomes.

In this pilot, AUDIT will be used to assess an offender's level of alcohol consumption. (This will be conducted at pre-sentence stage by the National Probation Service.) An AAMR is suitable for offenders who are assessed to consume alcohol to harmful (risky) or hazardous levels, but NOT for those who are dependent on Alcohol.

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AUDIT Score	Alcohol Risk	Suitable Disposal:
0-7	Lower Risk	Brief Advice and signposting for information
8-15	Increasing Risk	Suitable for an AAMR with a Rehabilitation Activity Requirement or an Accredited Programme Requirement.
16-19	Higher Risk	Suitable for an AAMR with a Rehabilitation Activity Requirement or an Accredited Programme Requirement.
20+	Possible Dependence	Consider specialist assessment for Alcohol Treatment Requirement if available. They are NOT suitable for AAMR if dependant on alcohol.

## Pilot parameters

The Pilot will commence on 1<sup>st</sup> May 2017, and run for a period of two years. In order to limit the life of the pilot, the AAMR will not be available for sentencers to impose after 31<sup>st</sup> December 2018. Those already subject to an AAMR will continue to the end of their sentence requirement.

The pilot will operate in three different areas, but the same operating model, and eligibility criteria will apply in each location. The Requirement can be imposed by both the Magistrates Court and the Crown Court in each of the locations. Offenders can only be eligible for an AAMR if they intend to reside in the pilot locations post sentence. The pilot sites and anticipated approximate annual volumes are:

- Grimsby in North East Lincolnshire – 120 AAMRs
- York in North Yorkshire – 96 AAMRs
- Boston, Skegness, Spalding, Louth in Lincolnshire – 74 AAMRs

In order to be considered for an Alcohol Abstinence Monitoring Requirement, offenders must appear in a Court (Magistrates or Crown Court) within the relevant area of the pilot and must reside in the pilot area. The Courts included in this pilot are:

York Magistrates Court	York Crown Court
Grimsby Magistrates Court	Grimsby Crown Court
Boston Magistrates Court	Lincoln Crown Court
Lincoln Magistrates Court	

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The pilot will only be available for adult (over 18) offenders. Legislative conditions need to be satisfied in order to impose an AAMR as part of a Community or Suspended Sentence Order, and unlike most other electronic monitoring requirements, offenders who are of no fixed abode can be deemed as suitable for this requirement (subject to them meeting all other eligibility criteria.) However, this would require the offender to attend an approved designated location a minimum once a day (i.e. Probation Office, or Police Station) to enable the monitoring device to connect to the base station to download the required data.

The pilot is not limited by offence type, but alcohol must have been a feature in the offence for an AAMR to be imposed. The offence and offender must have also reached the seriousness threshold to impose a multi requirement Community Order or Suspended Sentence Order.

Those with serious identified mental health or learning disabilities may not be suitable due to their cognitive functioning and ability to understand and comply with such a requirement.

An independent evaluation of the pilot is being commissioned and the findings from the evaluation will be used to inform and improve the future use of Alcohol Abstinence Monitoring Requirements.

## Key aims and objectives of the pilot

The key aim of this pilot is to test whether the use of alcohol monitoring and an enforced period of sobriety, used alongside existing offender management rehabilitative interventions helps to deliver improved outcomes. Anticipated outcomes include a reduction in reoffending, a reduction in alcohol related offending and violent behaviour (including domestic abuse), reduced number of victims and repeat victims, improved offender engagement and compliance with rehabilitative interventions and improved health and wellbeing of the offender.

The aim of the pilot is also to help determine if this integrated approach of monitoring and control with rehabilitation has an improved outcome for specific cohorts. This includes, although is not exclusive to:

- Offenders with different levels of alcohol use (using AUDIT assessment)
- Offence types, including domestic abuse cases

In addition, we hope to identify whether the designed operating model provides and delivers added value as intended and what the costs and benefits of this are. There will be key focus on challenging and assessing unit costs of delivery against anticipated outcome savings. Within the model, we also hope to identify which critical component parts and elements have the greatest impact and what other external factors impact on the effectiveness of this throughout the offender journey.

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This pilot will be carefully evaluated and help to inform future commissioning and improvements to the operating model.

## The monitoring device and provider

Alcohol Monitoring Systems (AMS) is a vastly experienced company in the enforcement of Alcohol Abstinence and are based in the US. They are the manufacturer of transdermal alcohol monitoring equipment that will be used in the monitoring of AAMRs. They have also provided the hardware for the London Sobriety Tag Pilot where the technology has been piloted, tested and evaluated with excellent results.

The role of AMS in this pilot is to provide the hardware – sobriety tags, base stations etc. and to monitor compliance of offenders who are made subject to AAMRs. The alcohol tags will transmit information to AMS, who will then interpret the data and provide analysis. Once the data analysis is completed, AMS will relay this information relating to compliance and non-compliance to HLNy CRC as the electronic monitoring provider and field officers. The technology also monitors and reports the level of alcohol consumption where there has been a breach.

AMS will provide compliance reports (whether an offender is compliant or not) to HLNy CRC who will then attach these to the Case Management System ensure they are shared with the NPS where they are the Responsible Officer. If a failure to comply is contested by an offender on the basis of accuracy or reliability of the equipment or analysis, supporting evidence will be coordinated and delivered by AMS. AMS will coordinate the defence of the technology with the responsible parties, i.e. the Responsible Officer.

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The SCRAM CAM System Components



## Considerations and suitability

- An AAMR can be attached to a Community Order or a Suspended Sentence Order.
- An AAMR can be imposed for up to 120 days. There is no minimum length.
- The AAMR provides monitoring and control, and the consumption of alcohol by the offender is an element or factor in their offending behaviour.
- For the purposes of this pilot – integrated rehabilitation and punishment, we would ask for an AAMR to be imposed as part of a multi requirement Order with either a Rehabilitation Activity Requirement or an Accredited Programme.
- Domestic Abuse perpetrators are suitable to be sentenced to an AAMR, and there can also be provision made for those of no fixed abode – subject to them meeting the other requirement of the eligibility assessment.
- An AMMR can be imposed as a penalty for Breach of a Community Order or Suspended Sentence Order providing they meet the eligibility criteria – this can be assessed by the National Probation Service and/or Community Rehabilitation Company and included in the Breach Report.

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- The offender must reside in the pilot locations to be eligible to have an AAMR, and be sentenced in one of the pilot Courts.
- The National Probation Service through the completion of a pre-sentence report will be equipped to assess suitability for an AAMR and advise the courts on this.
- The offender must not be dependent on alcohol, and an AAMR should not be imposed alongside an Alcohol Treatment Requirement (where they are available).

## Rehabilitative Interventions

There are a range of rehabilitative interventions that are available to be delivered alongside an AAMR, that are specifically designed to address offending related behaviour.

These include Accredited Programmes:

- Breaking Free (Substance misuse programme)
- Drink Impaired Drinkers
- Enhanced Thinking Skills
- Building Better Relationships (domestic abuse)
- Resolve (violence)

And non-accredited interventions that can be delivered through a Rehabilitation Activity Requirement:

- Help (Domestic Abuse)
- Think Again (Hate Crime)
- Brief Alcohol Intervention

(Further information is available on all interventions)

## Further Information

For further information, please contact the following:

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