

LONDON'S COMPULSORY SOBRIETY PILOT

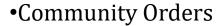
CEP Conference on Electronic Monitoring in Europe "An innovative response to the London Alcohol Challenge"

April 2016

Naomi Simpson and Amit Sethi

Terminology

- •MOPAC Mayor's Office for Policing and Crime
- •Magistrates' Court and Crown Court



- •Suspended Sentence Orders
- •AAMR Alcohol Abstinence Monitoring Requirement
- Ambition to reality



Stage 1 – The South London Pilot

- •Following the Mayor's successful lobbying for the introduction of a new sentencing power, the AAMR, to tackle the significant problem of alcohol related violence in London, a pilot scheme commenced on the 31 July 2014. This operated in Southwark, Lambeth, Croydon and Sutton.
- •Allows judges and magistrates to impose a requirement as part of a Community or Suspended Sentence Order to an offender convicted of an offence where the consumption of alcohol was a contributing factor
- •The pilot was a 'proof of concept' to test how the courts use the AAMR orders, effectiveness of the tags themselves and compliance rates.
- •One year pilot targeting **100 to 150 offenders**

A successful partnership approach



Stage 2 - The London Roll Out

- Up to **600** offenders covering 9* Local Justice Areas and 32 London boroughs
- A phased approach:
 - 1. April 2016 South East and South West. London LJAs
 - 2. July 2016 West and Central London LJAs
 - 3. October 2016 North and North West London LJAs
 - 4. January 2017 East and North East London LJAs
- Whilst it is expected that the majority of AAMRs will be imposed by the Magistrates Courts, a small proportion of cases may also be imposed by the Crown Courts situated within London.
- S.76 & s.77 Legal Aid, Sentencing and Punishment of Offenders Act 2012.



HOW AAMR WORKS

The Alcohol Abstinence Monitoring Requirement

The Compulsory Sobriety Pilot implements the AAMR in London. This
involves fitting a tag to the offender's ankle and monitoring their alcohol
consumption for up to 120 days.

In order to be **eligible** for an AAMR during the course of the pilot, the following conditions must be met:

- Consumption of alcohol must be an element of the offence or an associated offence, or the court must be satisfied that consumption of alcohol was a factor that contributed to the offender committing the offence or an associated offence;
- The offender must **not** be dependent on alcohol;
- The court must not include an alcohol treatment requirement (ATR) in the order (ATRs are for dependent drinkers only);
- The offender must live in London;

The Court Team officer will use Alcohol Use Disorders Identification Test (AUDIT Tool) to assess the offender for **suitability**.

The key delivery partners and their primary responsibilities within the Pilot

STAGE 1 - Arrest & Charge

1.Metropolitan Police Service

Key Pilot Responsibility:

 To flag that alcohol was a contributing factor of the offence.

STAGE 2 - Sentencing at Court

2. Her Majesty's Court and Tribunal Service

Key Pilot Responsibilities:

- To identify qualifying offences,
- To request eligibility and suitability assessments.
- To sentence proportionately to the offence.
- Communicate the imposition of the Order.

3. National Probation Service (NPS)

Key Pilot Responsibilities:

- To identify qualifying offences, assess offenders for eligibility and suitability.
- To complete Pre-Sentence Reports.

STAGE 3 – Tagging and Monitoring

4. Contractor's Delivery Partner

Key Pilot Responsibilities:

- to deliver the field tagging services.
- Managing the tagging processes.
- Notification and delivery of weekly reports and non-compliance reports.
- Enforcement

5. Contractor/Tagging Provider

Key Pilot Responsibilities:

- Service delivery project management
- Provider of transdermal tagging equipment.
- Monitoring and analysis of data retrieved from the tagging equipment.

STAGE 4 – Case Management and Enforcement

6. London Community Rehabilitation Company (CRC)

Key Pilot Responsibilities:

- Responsible Officer for the Order in its entirety.
- Conduct induction.
- Deliver alcohol related advice at the start at end of the AAMR..
- Signpost offenders to alcohol related services.

7. National Probation Service

Key Pilot Responsibilities:

- The NPS Enforcement department are responsible for prosecuting all breaches of community based Orders.
- Case management in high risk cases (to date, all cases have been managed by the CRC).

Sentence to Monitoring

At Court:

- •AAMR Referrals Form must be endorsed in Court.
- •AAMR Guidance Document- provided to the offender at Court.
- •AAMR Leaflets Provided to the offender at Court.

Fitting the tag:

- •Tagging partner will attend the offender's address on the day of sentence (in most cases) or within 24 hours if this is not possible.
- •The tagging officer will provide a full induction for the offender when fitting the monitoring equipment.

Responsible Officer (Probation) Oversight:

- •The Probation Induction appointment should take place within 3-5 days.
- •Identification Brief Advise conducted by a probation officer at induction.
- •Alcohol tolerance conversation before the offender is de-tagged.
- •Enforcement Legal proceedings are passed to the NPS.

Enforcement

The following acts would constitute a failure to comply with the AAMR:

- •A refusal to allow the tag to be fitted.
- Drinking any alcohol.
- •Tampering or damaging the Tag or base unit.
- •Failure to report to the Tag base unit every 48 hours and allow monitoring to take place.
- •Breach proceedings will follow the general enforcement procedures employed by Probation.
- •Following a second failure to comply, the offender will generally be summoned to court for breach proceedings.

The South London Pilot - Overview

AAMRs ordered (on 111 individuals)

Average length of orders 75 days

rate
92%
Only 9 people breached

Over 6500 monitored days.

298,000
alcohol readings
with an average
of 45 readings
per day.

95% completion rate Drink Drive, Assault and Public Order Act related offences

Average age of AAMR cohort

33

Conclusion & Lessons Learned

Challenges:

- Transforming Rehabilitation
- Tagging the offender on the day.
- Tag wearability.
- Judicial and Probation engagement in some areas.
- Swift enforcement.
- Alcohol flagging.

Key Successes:

- Completion rates
- Compliance rates
- Uptake by partners
- •The requirement assists in addressing the trigger to the offence.
- •The AAMR is "another tool your sentencing arsenal".
- Monitoring Equipment

Lessons Learned

- It assists in starting a conversation about the offenders' use of alcohol.
- Probation are a key partner in the implementation of Orders.
- Strong governance, project management and partnership engagement are vital in order to achieve successful implementation.

Q&A



Additional information and contact details

AAMR Project Manager Amit.Sethi@probation.gsi.gov.uk
AAMR Programme Manager Naomi.Simpson@mopac.london.gov.uk

For further information / evaluation and AAMR training and awareness materials, follow the link below.

www.london.gov.uk/what-we-do/mayors-office-policing-and-crime-mopac/community-safety/alcohol-and-substances/sobriety-pilot