

Alcohol Abstinence Monitoring Requirement

Amit Sethi, UK Programme Manager at Alcohol Monitoring Systems Ltd, discusses alcohol abstinence requirements in the criminal justice system

The negative impact that alcohol has on the UK landscape has been highly researched. The effect on victims, blue light services, the NHS, and the communities is a £21 billion issue (The Institute of Alcohol Studies, 2013).

The Alcohol Abstinence Monitoring Requirement (AAMR), is an innovative sentencing tool that allows courts across London, Humberside, Lincolnshire and North Yorkshire to impose a compulsory period of sobriety upon individuals convicted of an offence where alcohol consumption was an element of the offence, or associated offence.

Section 76 of The Legal Aid, (Sentencing) and Punishment of Offenders (LASPO) Act 2012 introduced the AAMR as a new sentencing power that allows courts to impose a sobriety requirement as part of a Community Order or Suspended Sentence Order. Those subject to the AAMR must abstain from alcohol for a fixed period of up to 120 days and are required to submit to monitoring for the purposes of ensuring compliance with the requirement.

To be eligible for the AAMR, alcohol consumption must be an element of the offence or associated offence, the offender must reside in a pilot area and must not be dependent on alcohol. The National Probation Service is responsible for assessing these factors and whether to recommend the AAMR in a pre-sentence report.

The AAMR is monitored through the use of a transdermal sobriety tagging technology called SCRAM(tm) (Secure Continuous Remote Alcohol Monitoring Systems). The sobriety tags are fitted to the offender's ankle and are used to determine compliance with the AAMR. The SCRAM CAM™ tags measure the level of alcohol in an offender's sweat every 30 minutes, 24/7. The sobriety tagging system also contains anti-circumvention technology that alerts authorities if attempts are made to tamper with the system. In the event of a non-compliance, probation services are notified and enforcement action may ensue. To find out more about how the technology works, please visit: www.scramsystems.com

In July 2014, the Mayor's Office for Police and Crime (MOPAC) procured the SCRAM CAM(tm) technology and initially launched the AAMR in the South London Local Justice Area (LJA). Following a 12 month proof of concept pilot, an evaluation revealed successes including 113 orders imposed with an AAMR (95% from the Magistrates Courts), a 92% offender compliance rate and 95% of offenders successfully completing their AAMRs. MOPAC's Evidence and Insight team found that the AAMR was generally well received, as evidenced by the uptake along with key feedback from critical stakeholders. The strengths of the pilot were attributed to the design, feedback and input from all parties. 'The effectiveness and certainty of the technology combined with a strong understanding of the aims of the pilot and how the AAMR works in practice' were key findings from the evaluation (Pepper & Dawson, 2016). Offenders provided



feedback via an anonymous survey. Positive associated outcomes captured in the surveys ranged from 'I have stopped binge drinking for the long term and I have seen how good life can be without drinking.' to negative responses such as 'I hate this thing cause I can't drink around it'.

In April 2016, MOPAC, supported by the Ministry of Justice, expanded the AAMR pilot across all nine LJAs under a phased approach. This involved conducting bespoke training events to over 1,250 magistrates, 50 District Judges, Legal Advisers and National Probation Service Court Teams. Feedback from these events has been extremely positive and the stakeholders appear keen to utilise the AAMR. Since January 2017, the requirement has been available to all London courts and to date, over 600 AAMRs have been imposed. Typical offences have included but were not limited to, driving with excess alcohol, assault and criminal damage.

On 5th June 2017, the three Police and Crime Commissioners in Humberside, Lincolnshire and North Yorkshire launched a new two year pilot to implement the AAMR. Consequently, Humberside, Lincolnshire & North Yorkshire Community Rehabilitation Company (HLNY CRC) – part of Purple Futures – are working with Alcohol Monitoring Systems Ltd and the National Probation Service, to pilot a new model under which a strong rehabilitative approach has been adopted. Within these LJAs, Magistrates will be provided with recommendations to impose the AAMR in accordance with multiple requirement community based orders. A robust evaluation will then provide meaningful insights into how an electronically monitored period of sobriety can support rehabilitation and address factors that contribute to offending behaviour.

Resources

For additional information regarding:

- Pilot for the AAMR in London, please visit: www.MOPAC.Sobriety.Pilot
- Pilot for the AAMR in Humberside, Lincolnshire and North Yorkshire, please email HLNY CRC: HLNYAAMR@Interservefls.gse.gov.uk
- Alcohol Monitoring Systems Ltd, please visit: www.scramsystems.com