

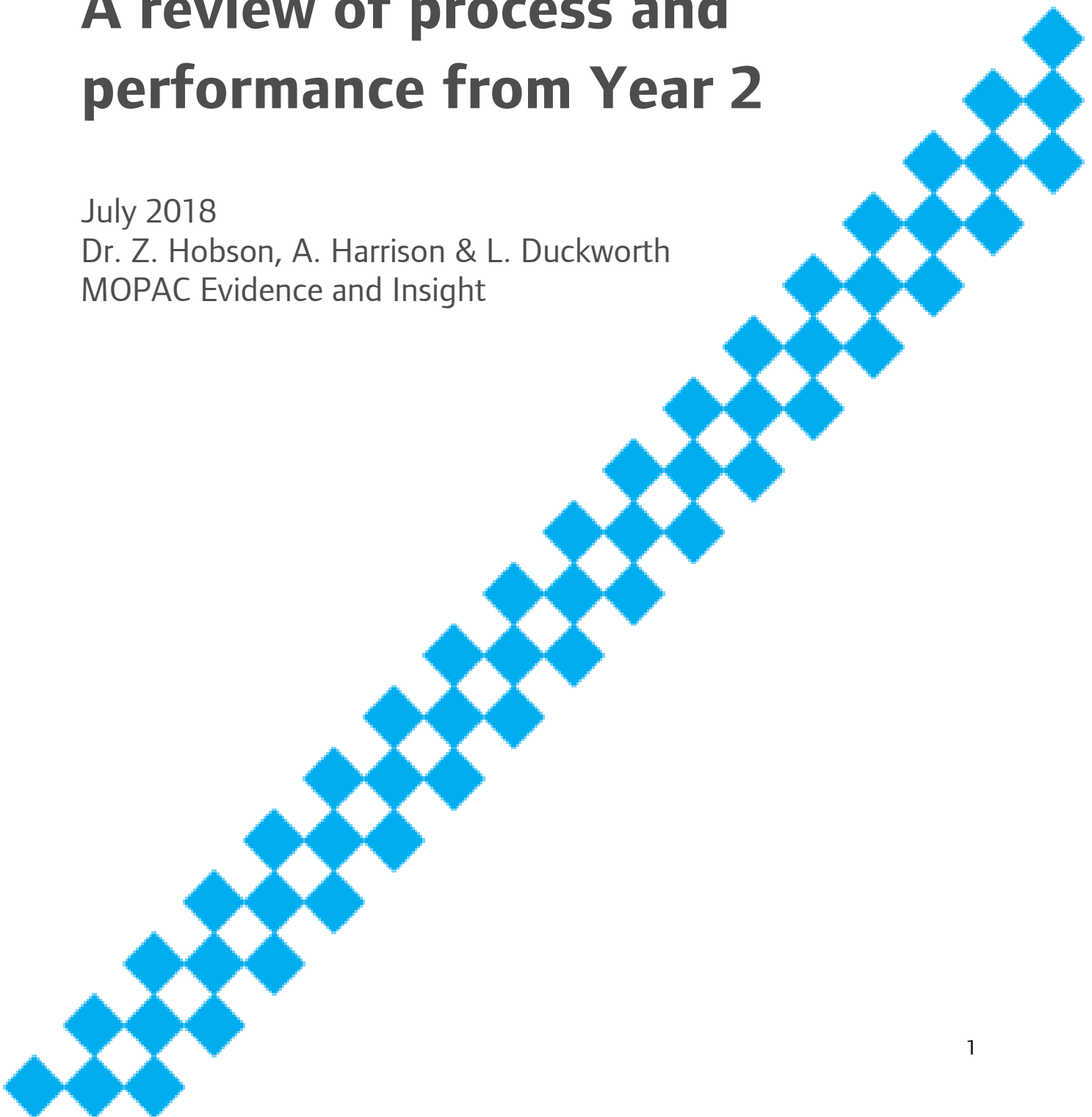
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# **Alcohol Abstinence Monitoring Requirement**

## **A review of process and performance from Year 2**

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# Contents

<b>Executive Summary</b> .....	<b>3</b>
<b>1. Introduction</b> .....	<b>5</b>
Sobriety Programmes and Interventions.....	5
Alcohol Abstinence Monitoring Requirement .....	6
The 2014/2015 Pilot .....	7
Pan London Roll Out .....	8
<b>2. Methodology</b> .....	<b>10</b>
<b>3. Results</b> .....	<b>12</b>
Using the AAMR: Performance Learning.....	12
Using the AAMR: Process Learning from Stakeholders .....	15
Using the AAMR: Process Learning from Offenders .....	20
<b>4. Discussion</b> .....	<b>24</b>
<b>References</b> .....	<b>26</b>
<b>Appendices</b> .....	<b>29</b>

## Executive Summary

In 2011 the Mayor's Office for Policing And Crime (MOPAC) secured legislation to allow for the introduction of a new sentencing power - the Alcohol Abstinence Monitoring Requirement (AAMR) - to tackle the significant problem of alcohol related offending in London. The AAMR gives the Judiciary the statutory power to impose compulsory sobriety, or to stop an offender drinking alcohol, where their offence is alcohol related. The AAMR involves fitting a tag to the offender's ankle and monitoring their alcohol consumption for up to 120 days. When this is not complied with, the offender will be breached and punished further.

Following the positive learning from the initial AAMR proof of concept pilot (Pepper & Dawson, 2016), a two year pan London roll out of the AAMR was launched in April 2016, joint funded by MOPAC and the Ministry of Justice. The aim of this expansion was to test the impact of the AAMR, in line with the Conservative government's 2015 manifesto commitment to make sobriety tags available across England and Wales. However, sobriety tags were not included in the 2017 Conservative Manifesto and there are no immediate plans from central government to fund a national rollout of the AAMR. As a result, the pan London AAMR programme's main delivery period ended at the end of March 2018, with a further three month extension period until June 2018 to enable a managed closedown of the programme. This report focuses only on those cases imposed during the main two year delivery period, until 31 March 2018.

### ***Key Findings:***

#### ***Performance learning***

- A total of 1,014 AAMRs have been imposed between April 2016 and March 2018, with an average length of 61 days tagged.
- The vast majority of offenders who completed the AAMR did so successfully, indicating a 94% ( $n=880$ ) compliance rate with this requirement<sup>1</sup>. This has remained consistent since the introduction of the AAMR in London.
- In total, the 1,014 offenders were monitored for 71,584 days in the two year period and were sober for 69,996 of those days. These figures indicate that in 98% of the days offenders were monitored they did not consume alcohol.
- AAMRs were usually imposed as part of a Community Order (73%,  $n=740$ ), and standalone AAMRs accounted for 29% ( $n=297$ ) of all Orders. Multiple requirement Orders accounted for 69% ( $n=702$ ), usually consisting of AAMR and Unpaid Work (19%,  $n=193$ ).
- AAMRs were given for a variety of crime types, most commonly in relation to violence (45%,  $n=456$ ) or drink driving offences (29%,  $n=291$ ), which is higher than reported in the interim report (31%,  $n=115$  and 22%,  $n=82$  respectively).
- AAMRs have been imposed across London, most frequently from Magistrates Courts (91%,  $n=922$ ). Magistrates Courts in the South London LJA (Croydon and Camberwell Green Magistrates) were responsible for a quarter of all AAMRs in both the first (25%,  $n=87$ ) and second year (26%,  $n=150/587$ ). This is unsurprising given that they had already gained momentum and understanding of the requirements from being part of the pilot initiative in 2014/15. However, some courts that came on later also imposed a significant proportion of AAMRs (e.g. Highbury Corner imposed 13% of all AAMRs despite coming on in October 2016).

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<sup>1</sup> For the purpose of measuring compliance we have recorded an unsuccessful completion when alerts about violations on the tag led to enforcement action being taken by the Offender Manager that led to a breach conviction at Court.

- Findings in Year 2 are generally comparable with MOPAC’s previous learning around the AAMR in terms of usage and offences and it is encouraging to see that the compliance rate has remained consistently high since the AAMR pilot.

### ***Process learning***

- To gather learning about the AAMR programme, stakeholders, including Magistrates, National Probation Service (NPS) and London Community Rehabilitation Company (CRC) staff across London were surveyed (N=44) and interviewed (N=24). Additionally, offenders who received an AAMR were asked to complete a survey when the tag was fitted (N=412) and when it was removed (N=407).
- Overall the AAMR has been welcomed across London and supported by stakeholders across London, as a tool tailored to specifically addressing alcohol related offending behaviour.
- Stakeholders who received specific AAMR training had generally positive feedback on the training. However, some reported not receiving any relevant training, despite it being available pan-London. This may be due to the high turnover of staff and frequent rotation of magistrates. Providing on-going /refresher training could address this in future.
- When AAMRs have been used, stakeholders have a good understanding of the eligibility criteria. However, many sentencers noted they often had cases who resided outside of London and would have liked the AAMR to be available for these cases as well.
- Delays in tagging the offender have continued in Year 2 of the programme, with only 42% (n=382) tagged within 24 hours of receiving their Court Orders. This is a significant reduction from the pilot (82%) and Year 1 (50%), and illustrates the continued scale up challenges of covering the whole of London. Tagging at Source was supposed to mitigate some of these issues, but due to staffing and infrastructure issues very few offenders (n=8) were actually tagged at Court.
- Positively, the AAMR has had little impact on the workload of stakeholders, who spoke generally positively about the requirement, noting that it was a “*useful tool*” to their role (82%, n=36).
- It was felt that the AAMR, whilst a punitive measure, should also be viewed as a rehabilitative requirement, as it provides the opportunity to reflect on one’s behaviour. Stakeholders indicated that the AAMR has the potential to have a positive impact on the lives of the offenders, particularly around reducing their alcohol consumption (57%, n=25) and reoffending (86%, n=16).
- Offenders were generally optimistic about the requirement, and felt that the AAMR had a positive impact on their lives, particularly around their health, wellbeing and offending behaviour. However, practical concerns were raised around the size and design of the electronic tag itself and the stigmatisation that wearing it may cause.
- The majority of stakeholders welcomed a national roll out of the AAMR (82%, n=36) to allow for more consistency in sentencing across the UK.
- Overall, performance results and learning from stakeholders and offenders reflect the positive findings reported in the interim report.

This report sits as part of a wider, holistic evaluation to test the impact of the pan-London AAMR programme. As we come to the end of the programme, further research in the form of proven reoffending analysis to explore the impact of AAMR on offending behavior and a full cost benefit analysis will continue. These final elements will be reported on in the final evaluation report in Spring 2019.