

Mandatory sobriety programmes for alcohol-involved criminal offenders

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An innovative scheme to reduce alcohol-related crime and disorder is extending across London. The programme, which imposes mandatory sobriety on alcohol-involved offenders through an Alcohol Abstinence Monitoring Requirement sentence, has shown how to decrease alcohol-fuelled crime and improve the health of alcohol misusers at the same time.

In South Dakota, USA, Judge Larry Long, wearied by repeated appearances of the same offenders for drunk-driving, drunken violence and other alcohol-fuelled offences, began sentencing them to abstinence, verified through regular breathalysation. In contrast to the typically ponderous and inconsistent ways of the criminal justice system, those who breached their abstinence order were arrested and jailed immediately. The punishment was light – one night in jail – but because it was swift and certain, it was extraordinarily effective. Of the over 8 million scheduled breath tests, the offender has appeared and confirmed abstinence at a rate of 99.1%.¹

Independent evaluation revealed impressive benefits, with falling arrests for drunk-driving and for domestic violence.² Even more strikingly, mandatory sobriety yielded a 4.2% drop in the South Dakota's all-cause adult mortality. Because three-quarters of participants are male, it is particularly striking that the decrease in mortality was even higher among the state's women, who might otherwise have suffered fatal consequences from others' drinking.³ This was a remarkable demonstration of scientific knowledge on behaviour change being applied in criminal justice programmes to benefit public health.

Our proposed legislation to allow a trial of mandatory sobriety in England encountered scepticism in Parliament that an initiative designed in the wide open plains of South Dakota could be effective in the UK.^{4,5} However, the results of the first year of mandatory sobriety in South London has shown the

proof of concept applies here.⁶ Over 12 months from 31 July 2014, 111 individuals were sentenced to *Alcohol Abstinence Monitoring Requirement* for an average of 75 days. They were primarily male (88%), white (66%) and between the ages of 18 and 34 years (59%). The proof of concept pilot had no random assignment or untreated control condition, but the criminal history of the sample (average of 12 prior arrests, 8 sanctions and 6 court convictions) was comparable to the typical offender in the UK who receives a community sentence. Over a total of 6500 days monitored using electronic tags that measure alcohol in sweat through 45 readings per day, 92% of offenders complied fully with alcohol abstinence; only nine people breached, four of whom ultimately completed their sentence (95% success).

The Conservative 2015 manifesto committed to 'make sobriety orders available to all courts'.⁷ Rolled out across England and Wales, the 95% success rate attained in the pilot – or indeed any rate even close to it – would significantly reduce the appalling suffering from the over 700,000 alcohol-fuelled violent incidents that occur each year.

Criminal offenders, like all human beings, are most responsive to immediate, consistent consequences for their behaviour. Yet the criminal justice system can be slow and inconsistent in punishing misbehaviour, which is counterproductive to incentivising change. Mandatory sobriety shows that justice administered by modest, swift, consistent punishments can decrease alcohol-fuelled crime. Not incidentally, these same behaviour change principles have repeatedly proved effective in randomised clinical trials of 'contingency management' treatments for voluntary substance-dependent patients.

Individually focused approaches are no substitute for much-needed public health measures such as minimum unit pricing and lowered drink-driving levels. But wide-scale introduction of evidence-based,

effective management strategies for alcohol-involved offenders provides one valuable tool to reduce the appalling harms of problem alcohol consumption.

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