

Central Lancashire 
Primary Care Trust



Preston Nightsafe
Conditional Caution
Alcohol Awareness
Pilot Project
Process Evaluation
Final Report

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1.0 Introduction

1.1 Health and Crime

Excessive alcohol consumption and its impact on health and society are areas of increasing concern. In 2002 the World Health Organisation identified alcohol as the third highest risk to health in developed countries and established a direct link between alcohol and 5.2% of the chronic disease burden in the UK (WHO, 2005). Figures recently released by the Office of National Statistics demonstrate that the number of alcohol related deaths in the UK has more than doubled from 4,144 in 1991 to 8,396 in 2005 (ONS, 2006a). However, the charity Alcohol Concern has argued that this number does not fully capture the scale of the problems associated with alcohol consumption in the UK. Its recent report, 'Wasted: Lives Lost to Alcohol', investigates the wider ramifications of alcohol misuse to reveal that 22,000 people die each year from alcohol-related causes. This number included deaths due to cirrhosis of the liver, cancer, cerebro-vascular diseases, as well as to accidents, suicide and violent crime (Alcohol Concern, 2006).

The social impact of alcohol-related crime has also become an increasing cause for public concern. Crimes associated with alcohol are wide-ranging, including driving offences, assault, criminal damage offences, drunk and disorderly and other public order offences. A survey of arrestees between October 2003 and September 2004 in England and Wales found 57% of arrestees to be harmful or dependent drinkers (Boreham et al, 2006). The most recent release of the British Crime Survey disclosed that alcohol related violence had remained high since 1995, with the 2006/7 survey finding that in nearly half (46%) of all violence related incidents, victims believed the offender to be under the influence of alcohol. This figure rose to 58% in cases of 'stranger violence' (Nicholas et al, 2007).

Much alcohol-related crime is connected with the night-time economy, particularly in and around clubs and bars in town and city centres (Institute of Alcohol Studies, 2006, Finney, 2004). A high level of binge drinking has been identified as a contributory factor to alcohol-related crime. A survey in 2003 found that binge drinkers were more likely to offend than other regular drinkers, with almost a fifth (19%) of adult binge drinkers (aged 18 to 65 years) admitting they had committed an offence in the past twelve months, compared to 6% of other regular drinkers. Binge drinkers were found to account for a disproportionate volume of crime. Whilst they made up only 16% of the total sample, they were responsible for 55% of the total crimes reported by adults in the past twelve months. Binge drinking was found to be particularly prevalent amongst younger age groups, with 44% of 18 to 24 year olds qualifying as binge drinkers. Over a quarter of these (27%) admitted to committing an offence in the past year compared to only 13% of regular drinkers. Young male binge drinkers were most likely to be involved in violent crime and were over twice as likely to be involved in a violent incident in the past twelve months compared to other male drinkers (16% compared to 7%) (Matthews and Richardson, 2005).

Moreover, a study of young adults' drinking patterns and offending behaviour found that binge drinkers in the 18 to 24 year old age group were five times more likely to admit being in a fight than regular drinkers (15% compared to 3%) (Richardson and Budd, 2003). Research has also shown that young males presenting to Accident and Emergency with facial injuries sustained through falls or assault are often heavy binge drinkers, manifesting the early signs of chronic alcohol misuse (Smith et al, 2003).

The Strategy Unit Alcohol Harm Reduction Project calculated that annual costs for alcohol-related harm in England could amount to £20 billion. Of this, harms to health accounted for £1.7bn, harms to society and family accounted for £4.6bn and loss of productivity and profitability in the workplace accounted for £6.4bn, whilst alcohol-related crime incurred the largest cost of £7.3bn. To address and reduce these costs, the Government's Alcohol Harm Reduction Strategy aims to improve education and communication about alcohol, improve the identification and treatment of alcohol problems, encourage relevant industries to promote responsible drinking and help tackle levels of crime, public disorder and anti-social behaviour associated with alcohol. Particular areas of concern around alcohol-related crime are the public disorder and anti-social behaviour in town and city centres as a result of the night-time economy and underage drinking. Less visible areas of concern to be addressed include driving offences, domestic violence and alcohol-related crime caused by repeat offenders. The need for a range of interventions to deal with heterogeneous groups of alcohol-related offenders has been recognised. Treatment can be provided for dependent, pre-dependent, binge or non-serious drinkers, including brief interventions, counselling and referral to self-help groups or alcohol treatment agencies. Proposed rehabilitative measures could be incorporated into Community Orders and through the introduction of Conditional Cautions (Cabinet Office, 2004).

1.2 Conditional Cautioning

Conditional Cautioning was introduced as part of the Criminal Justice Act 2003, where a Conditional Caution was defined as 'a caution which is given in respect of an offence committed by the offender and which has conditions attached to it' (Home Office, 2004). It represents a statutory development of the non-statutory 'simple caution' used previously by Police and the CPS. Conditional Cautioning provides offenders with an alternative disposal without channelling them through the usual court processes. Conditional Cautions are applicable where the offender is over 18, where an admission of the offence has been given and where there is sufficient evidence to prosecute. Offenders must be notified at the time the Conditional Caution is issued that should they fail to comply with the conditions imposed, they will be prosecuted for the original offence. Sufficient evidence for charge is therefore needed to ensure that should the Conditional Caution be breached without valid reason, the caution can be cancelled and the offender then prosecuted through the courts. The offender signs an official document (MG14) providing the details of their offence, their admission, their consent to being issued with a Conditional Caution, their agreement to comply with the conditions imposed and their

acknowledgement of the consequences should they breach these conditions (Home Office, 2004).

Conditional Cautions may be used as an alternative to charge when the Crown Prosecutor considers that, though the public interest justifies prosecution, the offender and victim would be better served through the offender's compliance with restorative justice conditions. These conditions must be proportionate and relevant to the offence and achievable within a realistic time period. Conditions attached to a caution should have reparative, rehabilitative or restrictive aims (Home Office, 2004, Director of Public Prosecutions, 2006).

- Reparative conditions might involve paying compensation to the victim or community, repairing any damage to property or replacing stolen goods, and will often accompany a letter of apology to the victim (Home Office, 2004).
- Rehabilitative conditions might include participating in drug or alcohol treatment through attendance at awareness sessions, including perhaps some form of assessment and appropriate referral to further services (Home Office, 2004).
- Restrictive conditions might include prohibiting the offender from entering a certain area or premises. Less commonly used, restrictive conditions are intended to reinforce other reparative or rehabilitative elements (Director of Public Prosecutions, 2006), where appropriate.

To address alcohol-related harms, reduce future re-offending and reduce health and criminal justice costs incurred by alcohol-misuse there have been strong recommendations for the wider availability and delivery of alcohol brief interventions (Alcohol Concern, 2006). The Conditional Caution presents the possibility of integrating a brief-intervention session as part of the rehabilitative condition in order to address problematic alcohol consumption and its related health, social and criminal consequences.

1.3 Brief Interventions for Alcohol

A brief intervention is not clearly defined in form or structure and may range from a single five-minute information and advice meeting to two or three sessions of motivational interviewing or counselling. It is designed as an early intervention for those drinking excessively but not for dependent drinkers. Brief interventions commonly include information about the adverse effects of alcohol, how the recipient's levels of consumption compare to national averages and recommended levels, in addition to information and encouragement on reducing consumption. Despite the accepted benefits of brief intervention sessions, research has raised the need to distinguish between different types of brief intervention in order to properly appraise effectiveness and long-term impact. This might include the distinction between very brief

interventions of five to ten minutes' advice as opposed to brief interventions involving behavioural therapy, self-help manuals and follow-up visits (Anderson, 1994).

Studies in Britain, the United States and Australia have demonstrated the beneficial impact of the brief intervention session on reducing excessive alcohol consumption amongst both sexes, particularly in primary care settings (Heather and Wallace, 2003, Alcohol Concern, 2001, Wutzke et al, 2002, Moyer and Finney, 2004). Research has also shown brief interventions to be effective in reducing mortality amongst problem drinker populations by between 23% and 36%, providing further evidence of their psychosocial benefit and for their routine application in medical settings (Cuijpers et al, 2004). The value of brief interventions as a low cost and early intervention for non-dependent drinkers has been recognised (Department of Health, 2005).

A meta-analysis examining randomised control trials, involving short motivational and counselling sessions ranging from ten to 60 minutes, found that heavy alcohol drinkers were twice as likely to moderate their alcohol consumption as a result of the brief intervention for up to twelve months after (Wilk et al, 1997). However, the long-term effectiveness of brief interventions has been questioned since they were found to be insufficient to sustain reduced alcohol consumption at ten-year follow-up (Wutzke et al, 2002). Research has demonstrated success with some forms of brief intervention for alcohol in a primary care setting (Wallace et al, 1988, Poikolainen, 1999, Ballesteros et al, 2004). However, there is a need for research into the wider applicability and effectiveness of the brief intervention session in non-medical settings, including its use within social care, the workplace and the criminal justice system (Heather and Wallace, 2003). Preston's alcohol Conditional Caution scheme is one example of how the intervention session can be incorporated into the criminal justice system.

1.4 Preston Conditional Cautioning Alcohol Awareness Pilot Project

Since the early twentieth-century Preston has been an important administrative centre for Lancashire. The docks, rail network and road links have made the city an important hub for marketing and distribution. Industrial closures of Courtaulds and British Leyland brought job losses in the 1980s but the Riversway redevelopment of the dockland in the 1990s has contributed to the area's economic regeneration (Preston City Council, 2006). Preston's total population is estimated at 131,300 (ONS, 2006b). Approximately 6.5% of this population are unemployed, a higher level than the North West and UK averages of 5.0% (Nomis, 2006). Crime rates in Preston are also higher than the national average. Between January and March 2006, there were 38.6 offences per 1000 of the population in Preston compared to 24.9 offences per 1000 in England and Wales (Home Office, 2006). Crime statistics indicate that over this period, levels of criminal damage in Preston were over twice the national average (11.0 per 1000 compared to 5.5 per 1000). Levels of violence against the person in Preston also exceed the national average (6.6 per 1000 compared to 4.5 per 1000) (Home Office, 2006).

Alcohol misuse has been identified as a prominent cause of health inequalities, crime and social disorder in Preston. Between 2001 and 2003, Preston was reported to have the fifth highest male death-rate from alcohol in England and Wales of 29.5 per thousand of the population, compared to the national average of 15.9 per thousand (ONS, 2005). The rate of alcohol-related deaths is estimated to be increasing faster in the North West than in other parts of England and Wales (from 12.8 per 1000 in 1995 to 19.2 per 1000 in 2002). In Preston, 42% of men and 27% of women drink more than the recommended daily limit, whilst 24% of men and 11% of women drink more than double their recommended daily limit (Hughes et al, 2004). In 2000-2002, over a fifth (21.9%) of people over 16 within the Preston Local Authority area were categorized as binge drinkers. This rate was higher than the English average, which stood at 18.1%, though lower than the average for the North West (25.1%) (Morleo et al, 2006).

These high levels of binge-drinking are coincident with high levels of alcohol-related crime. In 2005/6, 1,799 incidents of recorded crime in Preston were attributed to alcohol. These included crimes such as robbery, burglary, theft of a motor vehicle and theft from a motor vehicle, as well as sexual offences. However, violence against the person accounted for the largest proportion of alcohol-related crimes in Preston, comprising 1,373 (76%) of the total alcohol related crimes. In 2004/5, Preston had the fourth highest rate of violent crime related to alcohol in the North West (11.76 per 1000 of the population). Between 2002 and 2003 Preston had the highest increase in more serious violent alcohol related crime in the North West (0.16 per 1000 of the population) (Morleo et al, 2006).

To combat alcohol misuse and its associated crimes, the Preston Alcohol Harm Reduction and Prevention Strategy Action Plan has been developed by the agencies represented at Preston Crime and Disorder Reduction Partnership (CDRP) Alcohol Subgroup. This operates through a network of stakeholders from the criminal justice system, drug and alcohol treatment services, emergency services, health services, local industry and charities. The strategy is directed towards the four aims specified in the Cabinet Office Alcohol Harm Reduction Strategy mentioned above. As part of the objective to improve health and treatment services, the Preston Alcohol Harm Reduction Strategy seeks to evaluate the effectiveness and cost-effectiveness of alcohol brief interventions in criminal justice settings and has set up the Nightsafe Conditional Caution Alcohol Awareness Scheme (Preston Community Safety Partnership, 2006).

The Conditional Cautioning scheme utilises a rehabilitative condition that seeks to divert alcohol-related offenders from 'more serious alcohol related crime' including, amongst others, murder, attempted murder, manslaughter, infanticide and death caused by dangerous driving. (Strategy Unit, 2003; cited in Hughes et al, 2004). The scheme operates as a partnership between Central Lancashire PCT, Lancashire Constabulary, Criminal Justice Support (CJS), Alcohol and Drug Services (ADS) and the Crown Prosecution Service (CPS) in Preston. Conditional Cautioning as a whole started in Preston in August 2005 and Alcohol Conditional Cautioning

began in September 2005 (Department of Health, 2005). It is supposed that the scheme can be self-funded through the payment of a £30 fee by offenders attending the alcohol brief intervention session.

The alcohol rehabilitation element has been organised and facilitated by Preston ADS through monthly alcohol awareness sessions. They currently take place at ADS' Fox Street site and are scheduled to last two hours. During this time, the administrative process of registration and fee payment is carried out in addition to the delivery of the alcohol awareness package. The brief intervention is delivered through a Microsoft Power Point presentation giving statistical and descriptive information about the social and physiological consequences of excessive alcohol consumption, as well as providing advice on unit intake. Offenders are invited to participate in a quiz, which facilitates education and discussion about alcohol consumption and the associated risks. At the end of the session, offenders are offered the opportunity to give feedback about the session and are directed to further services provided by Preston ADS. They are also provided with alcohol unit calculators, self-help literature on alcohol and drugs, in addition to service contact details for use at a later date. Failure to attend the session without a valid reason constitutes a breach of the Conditional Caution and without extenuating circumstances leads to prosecution for the original offence.

1.5 Evaluation Aims

The Centre for Public Health at Liverpool John Moores University has been commissioned to conduct an evaluation of Preston's Nightsafe Conditional Caution Alcohol Awareness Pilot Project. Preston is one of a small number of chosen pilot areas around the country where alcohol conditional cautioning has been implemented and, at least temporarily, made part of standard practice. Preston has been running this alcohol Conditional Caution scheme since September 2005 but the scheme has yet to be externally evaluated. This evaluation has been commissioned to address this need and provide evidence on the scheme's progress and potential for future development and sustainability.

The study is comprised of an outcome evaluation and a process evaluation. The outcome evaluation aims to provide empirical data to support or reject hypotheses concerning the effectiveness of brief interventions incorporated into the CJS, primarily in terms of client rehabilitation and re-offending rates. Data is collected through questionnaires and interviews with offenders, both at the time of the session and at 3 month follow-up. Outcomes will be given in the final outcome evaluation report in July 2008.

The process evaluation is comprised of the interim report, where data was collected from interviews with key-stakeholders at the outset of the evaluation, a progress report and a final report, incorporating a second round of key stakeholder interviews which took place in February

and March 2008. The interim report was delivered in April 2007, the progress report in March 2008 and the Process Evaluation final report is presented here.

The main objectives of the process evaluation are:

- To determine perceptions of success related to staff attitudes, public and victim satisfaction and re-offending
- To examine the effectiveness of interagency working relationships and communication
- To identify barriers to implementation and delivery
- To pinpoint areas for future development or improvement

2.0 Methodology

2.1 Data Collection

The initial interviews were conducted in February 2007 with 21 operational and strategic staff involved with Preston's Nightsafe Conditional Caution Alcohol Awareness Pilot Project. Written responses to a short set of seven questions were also obtained from the three signatories who had signed the working protocol between Central Lancashire PCT, Lancashire Constabulary and Preston ADS. At follow-up in February 2008 a total of 13 operational and strategic staff integral to the project were interviewed, however, a further three scheduled interviews were not conducted at the request of the interviewees or their line managers. Interviewed staff were representative of the key stakeholder agencies involved in the scheme, namely the Lancashire Constabulary (LC), the Criminal Justice System (CJS), the Crown Prosecution Service (CPS), Alcohol and Drug Service Preston (ADS), Central Lancashire Primary Care Trust (PCT) and the Office for Criminal Justice Reform (OCJR). At follow-up the previously interviewed operational and strategic staff were re-contacted where possible. Where staff turnover had occurred the individuals currently employed in the relevant job role were contacted and interviewed. It was not deemed necessary to interview signatory staff at the follow-up stage, since their involvement with the scheme has not continued to a degree that would allow them to contribute additional information to their responses at this stage.

The interviews were semi-structured, lasting between 20 minutes and an hour. Initially interviews were conducted face-to-face, except in one instance where the interview was conducted over the phone. At follow-up interviews were carried out over the telephone owing to unforeseen circumstances inhibiting the researcher from frequently visiting partner agencies in Preston. This technique presented few restrictive problems in withdrawing exploratory data and was not entirely inconsistent with the initial face-to-face interviews since both were recorded and subsequently transcribed. Interview questions addressed issues such as the aims and objectives, public attitudes, the impact on victims, the impact on offenders, the role of the police, good practice, communication, barriers to implementation, breach procedure, staff workload and future improvements. The details of the interviews were tailored specifically to the knowledge and role of the interviewee, which led to an emphasis in certain sections of the interview depending on the individual's perspective and level of involvement in the project.

Interviews were recorded using specialist equipment, which could be converted to WAV format and digitally stored. Recorded interviews were played back with the key information and quotations extracted from the audio data and transcribed to an interview grid, which divided the data by respondent and topic. Individual respondents would not be identifiable past this point and all reported quotations will be anonymous. It should be mentioned that inevitably certain quotes may indicate a role in the process that may currently be fulfilled by one or one of several members of staff, however care was taken to maintain anonymity as much as possible in

cases such as these. It may also be noted that in order to report clear and concise quotations the exact words used by the respondents were occasionally adapted or refined in order to give context to the quote or in making quotes suitable for presentation in this report.

To supplement data obtained through staff interviews, data was also collected via numerous observational sessions during the brief intervention sessions. These sought to evaluate the content and method of delivery of the alcohol awareness training, to determine clients' responses to it and provide insight into issues of attendance, capacity and optimum group size.

2.2 Ethics

This research was reviewed and passed as ethical in its design and proposed implementation by Liverpool John Moores University Ethics Committee. Interviewees were assured of confidentiality and advised of their right to withdraw at any time.

3.0 Summary of findings from initial staff interviews

3.1 Aims and objectives

All respondents indicated that the primary aim of the scheme was to determine if the alcohol caution would reduce alcohol-related offences in Preston. Many indicated that one of the pilot's objectives was therefore to provide an early intervention into excessive alcohol consumption in order to address the underlying cause of alcohol-related offences and impacts on health and health services. Respondents also identified the alcohol conditional caution as an effective means of diverting offenders away from the courts and of reducing court costs. It was generally felt that the scheme should be aimed at those committing minor offences where alcohol was a contributory factor. Some respondents felt that the alcohol conditional caution should be, and was being, used for an early intervention into one-off incidents related to binge-drinking, especially where offenders identify alcohol as an underlying cause or problem. Other respondents indicated that the alcohol conditional caution was not always relevant for one-off offences and was more suitable for offenders with a few previous convictions for alcohol-related offences. All staff interviewed agreed that the alcohol conditional caution was unsuitable for offenders with serious alcohol dependency.

3.2 Public Perceptions of Success

It was generally considered by all those interviewed to be too early on in the pilot to offer any definite views of its success. The scheme's low profile as a pilot project accounted for difficulties in ascertaining its impact on public perceptions of alcohol conditional cautioning. Some respondents noted that what small attention had been afforded to alcohol conditional cautioning in the media had been ambivalent. Concerns were raised about the media's potential to undermine the pilot project by describing it as a 'soft touch' disposal. Other respondents expressed the potential of the scheme to be viewed positively by the public on a community level and in fostering a good relationship between the public and police.

3.3 Impact on Victims

Many respondents felt unable to comment on victim attitudes, specifically in relation to alcohol conditional cautions. It was generally noted that victims responded positively to other conditional cautions because of the reparative aspects of compensation, the letter of apology and the speed with which justice can be delivered. A number of those interviewed highlighted that unlike conditional cautions imposed for solely criminal damage, burglary or assault, alcohol conditional cautions could often be imposed for victimless crimes such as drunk and disorderly or public order offences. It was also raised that the rehabilitative element of the alcohol conditional caution, whilst it may have a wider public benefit, presents a less direct benefit to the victim involved than other conditions such as compensation.

3.4 Impact on Offenders and Re-offending

As with the evaluation of public perceptions, many felt that it was too early to comment and that a longer time period would be needed in order to assess re-offending rates. However, respondents did report that some offenders previously given conditional cautions had re-offended. Such cases were few and tended to be mis-placed referrals where an underlying alcohol dependency was identified. By contrast, there had been positive feedback from clients with self-reported reduced drinking levels and improved drinking patterns.

3.5 Examples of Good Practice

Respondents felt that the implementation of the scheme as a whole was an example of good practice, whilst others suggested that, given the scheme is a pilot; it was perhaps too early to identify examples of good practice. Despite this, a wide range of successful elements were highlighted such as good interagency working relationships, the integration with other police department teams, the use of CJS to reduce the administrative burden on police officers, enlisting the services provided by the prisoner handling team known as the Cell Management Investigation Team (CMIT) in the custody suite and the implementation of performance indicator targets to increase the number of disposals. Initially, the performance indicator was set at 10 alcohol referrals per and month more recently this has increased to 20 per month. The joint training of CPS and police staff was also cited as another example of success, as was the consolidation of this training through follow-up information bulletins.

3.6 Communication

Day-to-day communication between agencies was regarded as very good. This was particularly the case for working relationships between the CJS and ADS, between the CJS and custody suite and between the police and CPS. In addition, the presence of an ADS arrest referral worker in the custody suite was also raised as a good point of communication between police and ADS, since police could take advantage of ADS advice on drinking problems when considering offenders for alcohol conditional caution. It was acknowledged, however, that such good communications between partner agencies had been achieved through identifying and overcoming problems at earlier stages of the pilot project. Confusion between the police and CPS over the District Prosecution Policy guidance and difficulties accessing CPS out of hours were also identified as communication problems.

All strategic staff responded positively when asked for their views on the steering group meetings. The meetings were regarded as a productive forum for interagency communication. It was acknowledged, however, that there had been some problems in the initial stages through a lack of representation from and communication with some partner agencies, but it was generally agreed that this had now been rectified. It was suggested that these meetings should continue on a regular basis to ensure the further development of the pilot project and that these meetings have formal minutes taken with action points. Operational staff generally felt that they were kept well informed of any changes to policy or procedure via global emails or intranet and through regular face-to face communication with their managers.

Respondents felt that feedback on the scheme's progress was needed to give them an idea of completion rates and to indicate whether the right offenders were being referred to alcohol treatment services. Staffs from the CPS and the Police were keen to have further information

about the alcohol awareness session run by ADS and to sit in on sessions in order to gain a clearer idea of what the sessions entailed. It was felt that this would facilitate their decision to implement the alcohol conditional caution and assist them in explaining the benefit of the session to offenders when administering the disposal.

3.7 Barriers to Implementation and Delivery

Interviewees were asked to identify barriers or 'blockages' to the scheme in the initial stages, as well as current barriers and potential barriers to the scheme's future development and sustainability. Barriers were identified around four main issues: staff attitudes, the provision of CPS advice, the requirement for admission via PACE interview and the capacity, administration and future funding of the alcohol awareness session.

(i) Staff Attitudes

Staff attitudes amongst both the police and the CPS were recognised as a barrier to the initial uptake of the pilot project and it was suggested that some persistent hard-line cultural attitudes within the police and CPS still needed to be overcome. These included the tendency to favour prosecution as a more robust disposal and reluctance to administer a conditional caution for repeat offenders. Interviewees indicated that this difficulty had been addressed through enlisting the prisoner handling team, the Crime Management Investigation Team (CMIT) to assist in administering the disposal and relieve the bureaucratic burden from custody staff. To consolidate the increasing staff familiarity with the scheme, respondents stressed the need for continued training. It was also suggested that the lack of clarity around when to implement an alcohol conditional caution over a fixed penalty notice could be addressed through a standardised system.

(ii) Provision of CPS Advice

The confusion between the CPS and Police around the DPP guidance was identified as a major barrier in the initial stages of the pilot project. The DPP guidance listed three offences as eligible for alcohol conditional caution: assault whilst under the influence of alcohol, criminal damage whilst under the influence of alcohol and stealing of alcohol due to an alcohol dependency. In the early stages of the pilot project, police found that the CPS rejected offenders put forward for an alcohol conditional caution because offences failed to conform to these strict guidelines. This was resolved through liaison with senior prosecutors in the CPS which served to clarify that the guidelines permitted broader interpretation. In particular, the theft criterion could be expanded to include any theft influenced by the consumption of alcohol.

It was also felt that there were still delays in CPS decision-making, particularly out of hours when offenders may then need to be bailed to return within office hours. Respondents recognised that the provision of CPS pre-charge advice had overcome initial problems and that difficulties encountered in seeking out-of-hours CPS advice had been addressed through piloting CPS availability at weekends. It was suggested, however, that this could be further enhanced by training CPS Direct to offer pre-charge phone advice on the alcohol conditional caution, thereby giving police 24-hour access to CPS advice. To overcome delays incurred by the need for CPS pre-charge advice, it was suggested that a checklist of criteria be drawn up for custody sergeants. If an offender matched all the criteria they could then be given an alcohol conditional caution without CPS advice and CPS would regularly review this system to ensure decisions were correct.

The implementation of such a system would, however, require a national agreement to modify the DPP guidance on conditional cautioning.

(iii) Custody Timing and Capacity Implications of PACE Interview

A major barrier identified by respondents was the requirement for admission in PACE interview. This involves detaining arrestees in cells for a longer period of time in order for interview rooms to become available. Once admission is obtained there is a further period of detainment whilst CPS advice is sought. Interviewees raised the issue of increased risks of self-harm associated with detaining offenders in cells for long periods of time. The need for admission in PACE interview was regarded as both time-consuming and impractical in the light of custody suite capacity. Alternatives to the admission through PACE interview were suggested in order to alleviate timing and capacity difficulties. These included substituting the interview for a written acceptance signed by the offender, integrating the alcohol awareness session into the fixed penalty notice disposal where no admission is required or accepting the police officer's witness account in place of an admission for public order or drunk and disorderly offences.

(iv) Funding, Capacity and Administration of the Alcohol Awareness Sessions

A number of ongoing barriers were raised regarding the alcohol awareness session, including issues surrounding the capacity and administrative elements and how ADS could be better funded to enhance the services they provide. Concerns were raised over whether the system of allowing offenders three opportunities to attend the alcohol awareness session created a backlog because of the limited capacity of the monthly sessions. It was also suggested that another barrier to the process lay in that offenders' only point of contact was the ADS session facilitator. This created delays when offenders had queries outside of the facilitator's knowledge relating to the criminal justice process of their alcohol conditional caution. Offender's inability to pay the alcohol awareness session fee of £30 was stressed as a major barrier to the process. It was noted that this resulted in offenders being turned away from sessions and raised safety issues for staff when offenders resented this. Concerns were raised over ADS' capacity to continue providing the alcohol awareness sessions, especially given that the sessions and alcohol conditional caution administration were duties carried out by ADS staff on top of their current caseload. Interviewees stressed the need for funding resources in order to appoint part-time workers dedicated solely to alcohol conditional cautioning.

3.8 Workload

The majority of operational staff felt that the scheme had increased their workload, though this was expressed to varying degrees. Some respondents acknowledged that although the scheme might be time-consuming and increase workload at the present time, it would hopefully reduce workload in the future through preventing re-offending. It emerged that ADS staff were the most affected in terms of increased workload which reinforced arguments for the appointment of workers dedicated to facilitating alcohol conditional caution administration and sessions.

3.9 Current and Potential Target Client Groups

In terms of clients accessing the scheme, interviewees reported that although the numbers of referrals had increased, attendance at the alcohol awareness sessions had remained low.

Respondents generally agreed that the alcohol conditional caution was being directed at the right offenders in terms of the offence committed, the nature of the alcohol problem and the targeted age group. However, interviewees felt that there were some offenders currently being missed who could either be included in the existing scheme or accommodated through an extended intervention. Suggestions included extending the alcohol conditional caution to include hate crime and domestic violence offenders, juveniles and chronic drinkers.

(i) Hate crime and domestic violence offences

Whilst it was acknowledged that serious incidences of these offences should be prosecuted in court, some respondents felt that where the offence was low level and motivated by drink and where the victim would be satisfied with a letter of apology, then the alcohol conditional caution would be appropriate. Some respondents maintained, however, that hate crime and domestic violence offences always warranted prosecution.

(ii) Juveniles

Over a third of interviewees suggested that the alcohol conditional caution scheme should be extended to youths in order to act as an early intervention into juvenile binge-drinking.

(iii) Chronic Drinkers

Whilst it was acknowledged that the alcohol awareness session was not aimed at offenders with serious and chronic drink problems, respondents did indicate a gap in service provision for repeat offenders who were serious drinkers. It was also suggested that the scheme currently targeted people on the basis of the offence rather than their drinking problem.

3.10 Improvements

In addition to the identified gaps, suggestions were made for improvement with regard to the sustainability of the scheme, the evaluation of it and the potential to raise the scheme's public profile.

(i) Sustainability

Resourcing and sustainability were identified as key areas for improvement in order to ensure the continuation of the scheme. It was also suggested that the alcohol awareness session could take referrals from a wider range of alcohol-related criminal justice interventions and not just alcohol conditional cautions. The alcohol awareness session might then be resourced from a pooled budget and allow for more flexible and tailor-made service provision for a range of offenders with alcohol problems. Another suggestion was to operate a shared funding system between the various alcohol conditional caution awareness schemes around Lancashire so that profit from one scheme could be used to subsidise schemes in deficit.

(ii) Evaluation

To provide evidence of the success of the scheme, the need for regular monitoring and self-evaluation was raised. This would aim to ensure that the alcohol conditional caution was being used appropriately and referring the right offenders to ADS. Routine self-evaluation of this kind would also generate evidence to prove success and allow breaches and re-offending to be monitored.

iii) Raising the Public Profile of the Scheme

In order to combat media perceptions of the scheme as a 'soft touch', it was suggested that raising the public profile and creating a positive image of the scheme would be an important area for future improvement. Suggested ways of achieving this were to market the scheme to communities, evaluate victim feedback and circulate good news stories.

4.0 Process Evaluation

4.1 Aims and Objectives

“The mainstay objectives of the scheme, as a whole, are to examine the impact of alcohol and offending, assess the impact of brief interventions on harmful drinking and ultimately to reduce rates of re-offending”.

Interviewees generally agreed that the scheme is aimed at reducing the harmful effects of binge, risky and antisocial drinking for community members by use of brief interventions. While such objectives remain constant between partner agencies there was an emphasis from representatives of the CJS and Lancashire PCT on identifying clients with alcohol problems that cause offending and diverting behaviours in order to prevent re-offending, while avoiding criminalisation. Respondents also identified the importance and benefit of keeping individuals out of court as a key objective, especially when a given offence may be dealt with more effectively with a conditional caution, which in turn could help to ‘free up police and court time’.

“The alcohol session is a rehabilitative condition, an out of court disposal suitable where alcohol is a catalyst for behaviour,”

“We address offending that runs in tandem with alcohol use, this objective has not changed. A one-off session may not, however, help those with serious alcohol problems.”

The majority of interviewees identified slight changes in the target client group, with certain offences, such as knife related offences, affray and section 47 assaults, being excluded from the original criteria.

“More direction has been given to the type of offending, the criteria has been clarified. We have been learning from previous issues about the types of behaviour that attract this disposal. It is easier to implement now, we can nip offending behaviour in the bud whether first time or relapse offenders. However it remains a low priority for individuals with more serious alcohol problems, who might incur difficulties in attending a session. There is also a better uptake by those who aren’t known as offenders and are committing low level offences, such as drunk and disorderly and criminal damage.”

Respondents also identified the importance of re-educating people about alcohol use by utilising alternate disposals that act primarily as a deterrent from future misconduct, whilst avoiding criminalisation. It was suggested that this method of disposal has been utilised in the past in Lancashire but without records being kept. Without formalisation of the caution an individual, committing low level offences, typically paying compensation rather than attending an

intervention, could continually receive these types of cautions with each being treated as an isolated incident but the current process has resolved this issue.

“We wanted to have the provision of conditions to deal with those involved in alcohol related crime, we have an intervention that deters them from continuing behaviour and presenting themselves to system again by making clients think twice about drinking habits and behaviour”.

Respondent views at follow up mirrored those given at the outset of the scheme though slight shifts in perception could be observed. Respondents placed less emphasis on community driven objectives and expressed a stronger emphasis on the efficacy of the intervention for the offender. While success for the offender would result in a positive change in the community and more specifically the health services, respondents at follow up identified the treatment process as the definitive factor in the schemes success. Similar to the interim report respondent views varied as to the ideal clients group, while some respondents maintained the conditional caution should, and was being, used as an early intervention for one-off incidents related to binge-drinking, others indicated that the alcohol conditional caution was not always relevant for one-off offences and was more suitable for offenders with a few previous convictions for alcohol-related offences. Unlike interviews at the evaluation outset, some respondents at follow up indicated that this type of intervention could be extended and adapted for dependent drinkers though most agreed it was not suitable in its current form.

4.2 Public Attitudes

There has been limited publicity about conditional cautioning that we know of, there was one event, where we held a stand aimed at this type of scheme but I am not aware of other media coverage. It is certainly a shared responsibility among partner agencies to raise profile.

Respondent views varied when considering the attitudes of the general public towards the scheme, though many professed to having received minimal feedback from members of the public. While some expressed views of positive public perception, others expressed that scepticism remained in the public eye and more work could be done to raise public awareness and the image of the scheme. Preston Police identified question and answer sessions as their main source of public feedback, while strategic staff and management reflected on more formal conferences as a source of feedback. Feedback was also reported from less formal sources, from the point of view of a community member.

"The scheme has not been promoted widely enough to provoke reaction; under restorative justice the public may view it more favourably as it is addressing problems. We use a combination of a fine and raising awareness to encourage change in behaviour, which would be seen positively by the public. There is room for the public to understand but we need to remain aware that this is in the criminal justice arena and there will be consequences of a caution, for one's employment for example, it is not purely a chat about drinking. There is a shared responsibility but CPS and police should lead through meetings, newsletters, websites, together with partnerships that enforce the message with session information."

Multiple respondents identified alcohol related offending as a 'hot issue with the general public' and anecdotally reported satisfaction among the general public with this method of disposal. Conversely some made comment that community members may still perceive this type of disposal as a 'cop out' but further that those who perceive this type of disposal as a 'mechanism to avoid justice' do so because they may be unaware of what the process entails.

"I have not seen anything negative...but if a client only had one intervention without further conditions attached, with the attitude 'anyone can sit there for two hours' public cynicism might be justified. If people were aware of the process they wouldn't be cynical...there is a movement towards understanding and tackling the root causes of behaviours."

Some interviewees commented that the potentially personal nature of attached conditions could go some way to appease the victims' or community members' desire for justice. Such measures, including letters of apology and payment of compensation, coupled with the comparatively quick resolution, have led to this scheme being thought of as 'extremely positive' by members of the general public. Despite evidence of positive feedback, taken largely from individuals who have had some contact with the scheme, most interviewees stressed a lack of media coverage and therefore a lack of public awareness. Increasing public awareness would undoubtedly improve the public attitude and, while some efforts have been taken to raise the awareness of restorative justice, there is much more that could be done and it is a shared responsibility not only of partner agencies but 'those issuing licenses to sell alcohol and the NHS', according to one respondent.

"There are many options for police officers but also a pressure to record crime and 'being seen to be doing something' amidst some negative press. How can the public know which is which...cautioning, reprimands, final warnings, charges or conditional cautions? If the press and media 'sold' a new tool, a new weapon, where on arrest, and with criteria met through CPS advice, we can create conditions and can throw anything into the mix. It could be a good way of building links with public and it wouldn't be a 'hard sell'."

It has been widely agreed that public perception is an important consideration in determining the success of this scheme. Emphasis was placed on consistency in terms of the criteria and

appropriate selection of clients for this type of output, as well as strict adherence to the conditions of the caution. For example, it was expressed that public acceptance could be jeopardised if consequences of non-compliance were not appropriately pursued, in most cases resulting in a charge. It was also suggested that a greater effort to publicise the scheme could have been taken locally especially since Preston has drawn media attention with high profile violent crimes and above average harmful drinking levels. It was suggested that the national interest from the Home Office, in one of the first conditional caution alcohol pilot projects, was not reflected at local level. The implication being that process knowledge arising from this pilot study may not be as powerful as it could have been in shaping outcomes of this type, potentially for a variety of offences.

“We have to raise the profile with a lot of media work such as press articles or press interviews, for example yesterday we facilitated a briefing with youth magistrates about important alcohol disposals. It remains a big job to sell this disposal. If we can explain the benefits from appropriate use people will come round to think its useful but conditional caution has the word caution in it which implies a caution, but it is much more specific and a diversion from prosecution, while consequences will be enforced on breach. It is an eminently sellable product but there has not been a huge effort to sell nationally, we have gone flat out to change the hearts and minds of operational cops, CPS, victims and general media but feel like we are fighting a lone battle. The scheme would be better with a more unified approach, available across the county, with a nationally standardized structure, making it easier to raise the profile and awareness, about long term change and not a short term slap on wrist.”

Respondents indicated that efforts were taken to present information about the scheme to the general public when the opportunity arose. Such efforts included information stands run by ADS, police question and answer sessions and presentations and conferences facilitated by the Lancashire Constabulary. While most partners reported positive feedback from the general public, representatives from the CPS commented that some community members will always seek ‘old fashioned’ courtroom justice as they feel the offender profile and charging should pass through the public eye. Respondents from the CPS stated however that, in terms of restorative justice, group work and discussion at the alcohol awareness session can bring an offender to public attention more effectively than ‘slipping’ through court.

4.3 Impact on victims

“The criminal justice process should be based around what the victim wants, offender may need it but criminalisation is not reparative.”

“If I were a victim, with the information I have at my disposal, I would rather someone got some help than run down by prosecution.”

It has been widely suggested that victim satisfaction hinges on an understanding of the process, especially that consequences follow non-compliance or breaching. It was suggested that victims would retain a desire to see some form of punishment and may see attendance at an alcohol awareness session as a 'soft touch', when employed as the only condition. Mixed opinions were reported regarding compensation, while most agreed it can be an effective measure for offenders and of some comfort to victims, others expressed concerns that sometimes compensation can be little more than a token or even an 'offensive sum in terms of the emotional damage caused'. Suggestions were made that unpaid work had the potential to address some of these issues and may work well as a symbol of remorse.

"Some victims may think disposal out of court is always a soft option but many victims on police contact have expressed support for this disposal, since it presents genuine rehabilitation and saves court time."

"Members of the public have said that early intervention for non prolific offenders, coupled with compensation for damage, is a good idea since it represents a quick out of court resolution."

Respondents generally agreed that the role of the victim and satisfaction of the outcome would depend on the level of crime, nature of the offence and the consequences of the conditions for that particular offender, such as time off work, compensation charges or, at least, the alcohol awareness session charge.

"Victims of low level offences would be happy with restorative justice but anything major would have to be processed through court... however relatively minor offences tend to be drunk and disorderly or public order offences where victim is not so much at the fore."

It was stressed that many alcohol related crimes are without direct victims and that often the police get very little information or feedback from the victims of low level offences. It was commented that the conditional cautioning pilot project is a more victim focussed disposal and that victim input and impact statements are really useful in considering and determining conditions. However, despite some suggestion that victims should dictate the outcomes, most expressed the opinion that a victim may lose objectivity, especially if the victim of a more serious offence and it must ultimately be the role the crown prosecution to determine conditions or charge.

"We survey people as part of our practice as a feedback mechanism, we generate lots of data about victim 'satisfaction'. We have done research, analysed the findings, and fed back into training...a lot depends on the outcome for the individual, if they don't pay or breach there will be low satisfaction, if they pay before time, for example, victims are happy to buy into the scheme. Court can leave victims disappointed, they may be more satisfied with conditional cautions but we must take each case on its merits."

“Conditional cautions must be used in appropriate cases and if used in inappropriate cases quite rightly should be criticised. In this case, simple and straight forward criteria should default to a conditional caution but sometimes victims still want to charge. In these cases victims wishes are taken into account but some are punishment hungry, or remain to be persuaded perhaps showing not full appreciation of the conditional cautioning process. We can achieve the same outcomes as traditional methods but without added bureaucracy and wasting time and money”.

Respondents from Preston ADS and the CPS indicated they received little feedback from victims but suggested that restorative justice techniques are gaining favour among victims of relatively low level crime. Respondents from Lancashire Constabulary, commenting on what feedback had been received, suggested that victim satisfaction was largely due to the quick resolution and outcomes of this disposal, with letters of apology and quick compensation working to appease victims. Representatives for the Lancashire Constabulary indicated that selling the scheme depends in part on success stories, in terms of positive outcomes for victims, and many examples such as these have been evidenced throughout and fed back to the general public. For victim confidence to increase in the process, opportunities must be taken to say ‘this is not just a let off but has x, y, z conditions attached’, if dissatisfaction remains further steps must be taken to understand why, eliminating the possibility that problems could simply be blocked channels of communication.

4.4 Impact on Offenders

This pilot project is a demonstration of the recognition that there is a need to address the root cause of low level but harmful alcohol related behaviour as opposed to simply punishing the symptoms, therefore the impact on the offender is crucial to the success of the process of conditional cautioning. The intervention process starts not at the session but with the arresting officer, therefore from the point of arrest client impression is shaped by interaction with police officers. It is clear that arresting officers and custody sergeants have a key role to play in delivering clients to the session with an understanding of the opportunity being presented and therefore ensuring the best possible chance of successful brief intervention. Assuming compliance and attendance, the session becomes a window of opportunity for offenders, a springboard from which new awareness could result in improved behaviour.

“Many measures in the CJS do not result in reduction of re-offending...it is often better to change the thinking of offenders than employing punitive measures.”

“This type of output has the potential to be both preventative and reparative with an underlying message to avoid future offending. Support will always follow more effective methods of disposal and even if change is brought about in only one of every ten attending clients that may be one more than being fined in court and remaining unaware of available services. Such an intervention may also sow the seeds for change in later life.”

One of the main aims of the outcome evaluation is to determine the scheme's success in terms of the client's alteration of drinking and offending behaviour. We must remain mindful that significant conclusions depend on robust data and while informally there are indications of the effectiveness of this intervention, caution must be taken in applying anecdotal evidence when determining the sustainability of the scheme.

"Anecdotal evidence has indicated clients have received the session in a positive way, one or two have voluntarily returned for subsequent treatment...the impact of one or two can be great for a given community."

"When faced with offending in a challenging group environment it may be better than a fairly anonymous and routine court appearance. A two hour group session might make offenders stop and think."

Multiple respondents expressed that they remained unaware of the effectiveness of the session and while suggestions were made for agency representatives to attend in an observational capacity, many had been blocked by time constraints. One representative was able to send a delegate to observe the session and while the delegate reflected that 'the session was very good', that delegate has since left the role in question. Interviewees from all agencies indicated that they understood that the content and delivery of session would depend on the nature and responsiveness of the engaging clients. The observation grids, detailed by researchers at the session, demonstrated a mixed reception of the session and its content. While some clients readily engaged, others gradually improved and some remained apathetic throughout the session. Clients in the most part did appear to respond to some of the statistics and facts about alcohol and drinking in Preston. The information regarding units, including the unit calculators, which are handed out, and information about driving and other health risks appeared to be new information for clients and was received well.

"Session has taken a standard format but maintains a degree of flexibility dependent on the particular audience. Client attitude has generally been good, at the beginning of the session there may have been an element of apathy, 'I shouldn't be here', but by the end one feels they (the clients) have left the session with something. Success may not be easily measured in terms of a change in peoples thinking but usually there is evidence of some learning regarding the impact of alcohol on themselves and the community. While success depends on personality and lifestyle, one feels the session plants a seed with many individuals voicing a new awareness and approach to behaviour regarding alcohol."

"I would estimate a very high success rate in terms of not re-offending and a very high percentage of clients that take something from each session, even if it is just knowing what a unit of alcohol is. Throughout this year very few clients stand out that didn't want to take anything from session, on the whole participation and questioning has been very good. Of those (clients that participated very little) one client seemed to refuse to accept responsibility while the other client wasn't interested in knowing the effects of alcohol, perhaps showing a lack of maturity."

The nature of the target client group is addressed in section 4.2.4 but the maturity of the client receiving the intervention may be a pivotal point in determining whether the scheme can be extended to juvenile offenders, as many suggest it should be. It has also been expressed that it can be very difficult to know who will engage in the session, since there are many factors that determine a client's state of mind, not simply the level of offence or offending history. Many respondents emphasised the need for data comparing re-offending rates taken by clients through out-of-court and in-court disposals, without such data this form of disposal may be difficult to promote. The efficacy and viability of such a comparison is yet to be determined but a meaningful study would have to compare the outcomes for low level offenders of a similar nature who are disposed of via the conditional caution and those by more conventional means.

It has been suggested by representatives of the Lancashire Constabulary that clients, on being presented this output as a disposal method, 'have been willing and enthusiastic'. Client attitude, it has been suggested, 'goes hand in hand with the conditional caution', meaning the administration of a caution, regardless of the necessity of client admission, will only occur when a client is seeking to make changes in their drinking behaviour and is open minded to using the session as platform to make this change. It has also been suggested by some representatives that the caution is effective in part because of the requirement of client payment upon session attendance: 'hitting people's pockets sharpens their minds'.

"Previous offending is a good indicator of behaviour, perhaps sometimes we have gone looking for wins, historically problem clients have more personal problems and should be targeted as well. Sometimes we think we wont impact so we wont try, assuming a certain disposal may not work. Chances are that lots of low level offenders wont re-offend while those with more personal problems might."

Respondents widely agreed that the efficacy of a brief intervention such as this depends largely on the attitude and state of mind of the client, in turn influenced by the role of alcohol in creating or catalysing related social problems. Interviewees agreed that successful practice depends on strict adherence to the criteria in administering conditional cautions to appropriate offenders; ensuring quality is not sacrificed for the sake of maintaining a desired quantity of offenders. However, it was also commonly agreed that a number of appropriate offenders had

not always been disposed of through the conditional caution route for one of several reasons discussed in section 4.8.

"We can't give cautions just to keep numbers up, we must catch appropriate cases. We may find that by observing the variation in success among different types of clients could help us to identify and refine our selection of appropriate offenders."

While multiple respondents felt that re-offending would occur, none were aware of any clients who had received a conditional caution and re-offended, in contrast to comments made at interim stage where respondents reported that some offenders previously given conditional cautions had re-offended. It was suggested that in such cases clients had some form of alcohol dependency and had been inappropriately referred but it seems the distinction may be subtle. At what point does chaotic binge drinking become a dependency and how could it be identified when behaviour cannot be observed over time? There were multiple reports at interim and follow up stage of positive feedback from clients who self-reported reduced drinking levels and improved drinking patterns.

4.5 Good Practice and Perceptions of Success

Success cannot easily be defined in a project such as this. Some suggest success is measured by the number of conditional cautions administered, some by the percentage of those clients who attend or engage with the session and some as long term change in an individual's drinking behaviour and offending rates. Some respondents also identified success as a measure of victim satisfaction, whether compensated or involved in the rehabilitative process.

"From a management point of view the ground work, partnership work, evaluation and feedback between service provider, police and crown prosecution about effective practice has been a real success story."

"From a project and partnership point of view it's a success, Preston piloting initiatives such as this is a success. Commitment from agencies, including the voluntary sector, in terms of extra work at management and operational level reflects successful commitment. There has also been success in getting some offenders on brief intervention and while numbers are low they are more than previously, though we always want higher numbers. Partners have been impressed with CPS direct for the willingness to set up such a mechanism; they really bought into scheme and have made it a simpler process."

Examples of good practice were identified by respondents for various aspects of the process. The main elements being the set up of the scheme as a whole, inter agency communication and cooperation and the streamlining of the process: including the advent of CPS Direct; the removal of the initially required PACE interview for these offences and the modification in the process

from a client being given three chances to attend a given session to one chance, before breaching.

CPS Direct was introduced in response to the identified blocker that arises when, during the weekend busy periods in the custody suite, CPS advice, required for every conditional caution administered, had not previously been immediately available. CPS Direct provides an 'out of hours' service, allowing immediate disposal without bail.

"When numbers were low, police liaised with CPS in streamlining the system, cut down waiting time, then moved to CPS Direct. I think this is better system but it may not be a long term solution."

"CPS Direct has helped. Previously clients would be bailed with a view to coming back, which created more work for police. Typically police will take the road of least resistance and streamlining the process in this way has been key in maintaining and improving the rate."

"There were problems when CPS couldn't give advice, police don't want to have to bring offenders back if there is an easier disposal available. For example, on a Saturday night, instead of conditionally cautioning one might look at a fixed penalty but extra cover in CPS, with well timed advice, has been really welcomed."

However, some interviewees remained sceptical that the advent of CPS direct had been an effective solution to the original barrier of seeking CPS advice for all conditional cautions, as expressed by Police, since referrals had not increased since the advent of CPS Direct, in fact numbers continued to fall for the remainder of the data capture period. Police indicated that while they retain the right to charge or release they were not empowered to deal with the 'in between' offences, most suitably dealt with by conditional cautioning. Yet, while claiming that the time spent waiting for CPS decisions was a main barrier, since this barrier has been addressed the situation has not improved, indicating staff attitudes may be an underlying and persisting barrier. It was suggested that the barrier may persist since it is the concept of seeking CPS advice rather than the practical implications that police have been opposed to. Disappointment was also expressed by respondents regarding the change of legislation surrounding the PACE interview, where again numbers referred failed to increase after expressed barriers were negotiated and, in theory, overcome.

"CPS Direct has solved blockers arising at weekends and at night, without part 4 bailing. CPS Direct is the solution to a complained about barrier but seems the complaint was more an excuse, the use of CPS Direct has not mirrored the noise expressed by operating forces."

"CPS Direct overcame one of the hurdles, but the approach to CPS remains a hurdle."

"Owing to the change in PACE interview, we expected a significant increase in referred cases. Prior to this refinement a tape interview was required for all offences, now that is no longer the case since quicker interviews are sufficient for some offences. However we have been surprised that we have not seen an increase of cases."

Respondents also identified the enforcement of breach if a client fails to attend the given session, where previously three opportunities to attend were tolerated before reporting non compliance, as 'sending an important message' about the scheme. It was suggested that by scheduling one date with the client, with failure to attend resulting in a breach, not only streamlined the administration but also increased the confidence that consequences follow breaching and that clients are not allowed multiple opportunities to comply. Respondents agreed that administrative processes within CJS, Preston Police, Lancashire constabulary and ADS had been refined.

"We used to get tied up in knots with paper work...delivery has improved but it takes time to change the nature of police procedures. Paperwork can still be a little tricky and could be streamlined down further. We have ironed out aspects of it, such as the forms required, making it slicker."

"Success: using automated forms, not manually filling forms in. Forms have been computerised and streamlined, we have also moved some administrative duties to back offices and away from operational areas."

Key stakeholders felt there had been many successful aspects of the scheme despite the unavailability of re-offending data. Anecdotal evidence of compensation for victims and genuine remorse among offenders were volunteered as some of the most positive outcomes of the scheme. Efforts were taken within the LC to focus on these examples of successful outcomes and feedback to the public and those associated with alcohol conditional cautioning where possible.

"Scheme is a winner but it is undersold and needs pushing, I genuinely believe in the scheme. The scheme would benefit with investment of time and effort because when it is used appropriately it is the best outcome for victim and offender and saves resources by avoiding court time."

"I latch on to individual success stories, such as good numbers and victim feedback, from the press point of view and I have delivered presentations from the practitioner's point of view. Good marketing is the key to the way this scheme is perceived."

"We have to pick out the success stories, the 'golden nuggets'. We must choose the 'correct' cases to present but bear in mind that these things actually work. If we are not upbeat about it, who will be? Must focus on positives, create diversions and give options, as long as it is sold right to the offender i.e. take this chance without prosecution."

From a wider perspective stakeholder attitude, public perception and the identification of a client base optimally susceptible to brief intervention were identified by representatives as key issues in creating long term success. It was suggested that widening the scheme could iron out certain problems faced at the pilot level.

"Its all about attitude to drive forward, if we don't have 'buy in' or just receive instruction, it wont be worth that area doing it. The scheme may not have sold itself since it creates work for CPS and police but this is more victim / citizen / community focussed intervention and therefore yields better outcomes. When necessary we have held agencies (mostly operational offices) accountable and have made changes...'Why did you make x/y decision?'...'because it was easy.' It has been difficult to manage and coordinate but has been made main stream, although we cannot leave it unmanaged. The only way to expand is by expanding the client range but central authorities have failed in using us as flagship...it can work, there are successes and this is the market you need for it to work."

Perhaps one of the clearest success stories has been the choreography and delivery of the alcohol awareness session. Such an intervention to rehabilitate may be the starting point for an individual in therapy and in changing the direction of one's life and can have extremely positive benefits for those who desire to address and change their drinking behaviour. The method of delivery has been evaluated and modified to maximise impact for the client with subtle changes in delivery accompanying the fundamental structure. It was expressed by staff at ADS Preston that the delivery of the session had to be right, otherwise 'the whole process could be jeopardised'. It was mentioned that subtle techniques could be employed 'in making the client feel un-judged' and that developed interpersonal skills were required in 'maintaining the balance between stern and caring intervention'. This highlights a hugely important point that the effectiveness of this type of treatment depends on the knowledge and skill of the session facilitator as well as sound practice running through the structure of the session.

Previous successful practice identified at the interim stage included the presence of CMIT in the custody suite, to relieve the bureaucratic burden on the police. This was not re-emphasised at follow up and appears to not be a part of current practice. The identified blockers of seeking CPS advice and time consuming administration would surely have been less of a problem if the CMIT team continued to play a valuable role in the cells. Another point that wasn't re-emphasised at follow up was the use of targets in recruiting clients on to the scheme. Initially police set a target

of 10 clients per month, which became 20 as drive was applied to the scheme. The evaluators recommended at least 15 clients a month working on the basis that 10 would be recruited for the study from those. Unfortunately these targets in the most part have not been met; in fact there has not been one month where the target of 10 clients recruited on to the scheme was achieved. The questions remain: why were these targets not met and if proving unrealistic why were targets not revised and re-emphasised?

It was strongly emphasised by some respondents that good practice and success depend greatly on the attitudes of staff members involved in the scheme, since, even with innovative ideas and sound policy, without unified operational drive the scheme is unlikely to succeed. Formal minutes taken from the steering group meetings were identified as another area of continuing success. While some elements of good practice have been maintained and achieved some success, others have fallen from standard practice and, if utilised as intended, could have played a role in increasing numbers. Respondents commented that the effort of key stakeholders was not reflected in the numbers and that this must be accounted when considering success.

4.6 Inter and intra agency communication networks

Key stakeholders agreed that communication links have been strong both within and between agencies and that there had been good interagency cooperation and information exchange, with partners 'pulling in the same direction' for the most part. Day-to-day communication between agencies was regarded as very good. This was particularly the case for working relationships between the CJS and ADS, between the CJS and custody suite and between the police and CPS, as initially reported at the interim stage.

"Clear channels have been maintained...regular meetings between agencies, along with minutes and management guidance, have helped operationally."

"There has been lots of communication internally and externally (between ADS and the police especially). Few problems have occurred since personnel has been static, problems in past have arisen with staff turnover, creating a 'limbo of role'. Changes to the scheme in the future must be maintained through clear channels and defined roles."

"There has been good communication but often from the same individuals. The steering group and formal minutes have been useful in 'keeping an eye on the ball' and 'our foot on the pedal', especially with regularity of them, in maintaining input and keeping champions representing and fulfilling roles."

Mention was also made to constant in house training and updates, especially at operational level relating specifically to alcohol and drug awareness. It was also suggested that quick relay of information was vital to certain stages of the process, most notably in finding efficient outcomes

when breaching occurs. Undoubtedly, while information from meetings was disseminated quickly, with a consistent interagency understanding, questions were raised about varying level of belief in the scheme. It was felt that on occasions staff members may have expressed unified priorities but perhaps may have been divided as to the use of a conditional caution as a favourable disposal method. Many expressed frustrations of this nature have arisen in response to continuing low numbers, even after identified blockers had been removed. It was suggested that identified blockers were perhaps not entirely responsible for disappointing numbers accessing the scheme but that more convenient disposals were utilised, in certain cases for clients who could have been dealt with via conditional cautioning.

“There have been some genuine blockers but months ago the same blockers were in place and numbers on scheme were higher. Numbers have constantly fallen, which is frustrating for a short term evaluation. Often we would get a verbal commitment that hasn’t been reflected in the numbers.”

There was also reported to be a grey area in terms of the communication network arising with the changeover of responsibility from CJS to ADS and it was expressed that procedures could be helpfully refined. It was expressed that while clients have CJS as a first point of call, once the session has been arranged if the client gets into any difficulty would contact ADS. It was suggested in these cases there was ‘a cross over of roles’.

Interagency cooperation was highly praised by all respondents with interviewees citing day fairs, conferences, meetings and promotional materials to breed awareness and solidarity between partners. Respondents also indicated that when necessary senior staff have driven and led from the front, expressing and emphasising an intention to invest time and effort in making the scheme a success. It was suggested that certain individuals had made efforts to utilise their leverage to put pressure on particular partners or areas.

“ADS visit the suite constantly and communicate very well with us, we also have strong links with youth offending teams, social services, mental health and ad-action etc. Information cascades through the system but we also get input at relevant times, for example day to day briefings and reminders of conditional cautions.”

“There have been good channels between and within agencies. Training staff and meetings have been important to maintain those lines, which has been done well in Lancashire. As the project has gone along people have become more involved, through advertisement of the system but there is still a need to increase both positive and negative feedback.”

Many respondents also identified a knowledge of the whole process, ‘from arrest to ADS’, as an important factor when working for and with partner agencies towards joint goals. Interviewees indicated that for schemes that rely on inter-agency cooperation to succeed there would have

to be 'a level of understanding' between partners. Respondents indicated that the formal minutes with action points helped to achieve such understanding. Respondents also felt that feedback on the scheme's progress was needed to give them an idea of completion rates and to indicate whether the right offenders were being referred to alcohol treatment services but such evidence is as yet unavailable.

4.7 Role of police

"Police should be more empowered with straight forward lower end offences... 'no brainers', for example 'we all agree that you have to pay for that window'. We could even take cases to a CPS clinic after the event. Its about creating stepping stones at first and bringing in the 'no brainers'. Perhaps CPS advice would still be required for certain grey areas but it depends how much we 'trust the cops' in these matters. Racially aggravated / domestic violence cases etc need a bit more 'you can' rather than 'you can't'. Time has been taken with changing attitudes amongst police but it's the same with any new process. However, domestic violence and hate crime are difficult because they can't be prescriptive or black or white."

"Lancashire are allegedly the best force in the country, we certainly are ahead of the game and have been very forward thinking; perhaps 18 months or 2 years ahead of other provincial forces. We have spent money on improving our technology and systems, our bosses have thought ahead so that we can hit the ground running."

Despite the emphasis of this scheme on the method of disposal and intervention, the arrest and initial reception of clients are of paramount importance in the efficacy of the project as a whole. If police attitudes are not reflective of the potentially hugely beneficial out of court disposal, presented here in the form of a conditional caution, this pilot project will face constant difficulties maintaining numbers, as indicated in the interim report. It was commonly agreed that a gradual acceptance had grown among police as the scheme had progressed but that it had been a potential blocker at times. Perhaps the main reason for reluctance or scepticism among police is found in the decreased empowerment that the scheme brings custody officers. While police have the power to charge or release, they do not have the capacity to issue a conditional caution under any circumstances without CPS advice.

"There has been a gradual acceptance of conditional cautions amongst police along with other novel interventions, such as driving courses. Sergeants are told the benefits and conditional cautions have been pushed through. Perhaps it was not entirely positive from the start since it was something new and unknown but now there is understanding and acceptance. The conditional caution is just another disposal outcome, police are quite happy to use whatever outcome if it is appropriate."

"CPS charging was brought in without warning, previously sergeants could make decisions on everything, but now it's not possible, even on some really basic things. Let's relieve burden of seeking advice on common sense issues that are best dealt with conditional cautions. Because of time wasted in court we have decided to run everything by CPS, now we're tying solicitors up when we have a clear route of best practice. Police could reduce their (CPS) workload by retaking responsibility perhaps with inspector authorisation."

It was suggested that initially officers may have been inclined to charge and bail or give a fixed penalty notice as they are easier disposals, especially during busy periods of the week, but that once officers had learnt more they became inclined to support the scheme. Respondents added that such a change in attitude was perhaps not reflected in the numbers of clients accessing the scheme. Respondents also indicated that police, in circumstances of relatively low level offences, can be more effective than the courts in facilitating compensation or damage costs to victims. Respondents from Preston Police commented that there were aspects of police officers' roles that had changed in recent years. It was suggested that less time was spent talking to offenders and members of the public and that as a consequence, the formalisation of certain processes, had removed some of an officer's freedom to apply common sense.

"With demand on police sometimes it is easy to give a simple caution or a penalty notice; a conditional caution is a more involved complex process, which we tried to mainstream into common practice. There are difficulties with the criteria in limiting who can be referred, but they (police) are on board and not resistant to culture change from charging to alternate disposals."

"Officers have so much to remember in terms of methods of disposal...this creates more work for the custody sergeant and arresting officer. Sometimes we find specific roles for police but it's about addressing each officer individually."

"Police no longer have time to stand in street and talk to people, better custody sergeants tend to have had these experiences, now it's job to job to job and we are losing people skills and flexibility."

Respondents indicated that the scheme had been embraced at senior level and through management and training had filtered down, over time, to be at the forefront of officers' minds. It was suggested that management thought of the scheme as a good option and information transfer over time had ironed out inappropriate referrals. Respondents commented that police involvement is particularly important in terms of offender perception. There are many ways the dynamics of relationship in the custody suite can be altered and any kind of subtle interplay could dictate the journey the disposal and intervention may take. Under certain circumstances a rehabilitative process can be won and lost at the point of arrest or in the custody suite. Respondents commented on the idea of specialist training for officers or the presence of an alcohol worker in the suite but both were ultimately considered unrealistic. The point was also

made that police, as non-interacting observers to the session, may inhibit client participation and potentially jeopardise the effectiveness of the treatment.

"The role being played by alcohol (in a given client) might not be caught by operational officers, while an alcohol worker might give better information, although there is a resource issue (of putting an alcohol worker in the cells)."

"It would have been hard work logistically to observe the session, it would have been helpful to have some inside information as to the content...then we would have been in a better position to select people relating directly to the treatment."

"Police observation could have helped but might also have inhibited the session, with a more negative impact on clients. We want to help (client) understanding and police could put a barrier up."

4.8 Overcoming Barriers

Past, ongoing and potential blockers were identified by interviewees and are broadly comprised of barriers relating to the PACE interview, CPS direct, staff attitudes, staff turnover, the criteria for the caution, fee payment, resources and public attitudes.

"PACE and CPS Direct (out of hours) are the main areas that have been clarified and refined, with numbers up as result."

Interviewees indicated that the change in requirement to carry out a PACE interview for relevant offences had 'simplified the process' and created a 'much better system' but other partners expressed that 'the interviews don't take much time' and 'have not created a big practical change'. Respondents also contradicted previous comments by indicating that the removal of this apparent blocker has not been reflected in client numbers.

"With the change in pace interview, we expected a significant increase in cases referred but we have not seen such an increase, which is a surprise."

"Initially there was a designated CPS advisor, who worked, for example, on Saturday mornings. Such an arrangement was identified as a barrier to implementation since often Friday night offenders are not fit to be dealt with until the (following) evening. CPS direct evolved naturally and overcame this hurdle."

"In terms of numbers we are only dipping a toe in the water, we should be getting 4/5 times what we are...but that is not easily accomplished in this environment."

Police attitudes were also identified as a past blocker to implementation, with the biggest reason for this being that the conditional caution takes longer and involves more work than alternate disposals. Respondents commented that ultimately police quantify lost time or resources as a reduction of officers on the street and for this reason it was suggested that efforts should be taken to 'streamline the process, if it has been made more complicated than before'. Comments also indicate that efforts to 'get minds focussed' in custody coincided with the removal of an amount of officer discretion and may have not had the desired effect.

"From police perspective it would be nice to remove CPS advice since it would make life easier for police, who are able to charge, with lots of people coming through the system. Why not create bullet points with CPS pre-okaying criteria and reviewing retrospectively? If simple and straight forward it can be done without CPS, if not they could say yes the next day...this has been a real frustration."

"We need an identifiable target, in terms of a model of an appropriate client, as opposed to a (number) target that has to be met. There are times when you have to charge but an individual can get a record, that would always affect them...avoiding that would be great and would draw down from scepticism."

Staff turnover was also suggested to be a blocker but further it was suggested that mechanisms were put in place, in some cases, to ensure overlap of personnel and smooth transition between individuals in particular roles. It was suggested that staff turnover was more of a problem for some agencies than others; Lancashire PCT for example expressed successful transitory processes.

"Staff turnover potentially can be an ongoing blocker. As this is not a constabulary wide option, awareness isn't as widespread as say a penalty notice. The scheme is perceived differently across divisions, which utilise different models of local practice, which makes consistency harder. It (the scheme) needs time to embed over practice that has been in place for 20yrs in some cases, it's similar to when the new drug service provision came into practice."

"It has been frustrating that within the PCT there has been major reorganization among staff and within the remit but we have still shown a big commitment to conditional cautions in Preston. There has been an on going organisational commitment to address issues at 'grass roots' level."

The current and potential criteria from appropriate clients will be examined in more detail in section 4.10 but it is worth comment that respondents cited the appropriate criteria of the conditional caution as a potential blocker, especially in driving towards higher numbers of clients accessing the scheme. Suggestion was made that the scheme would be ideal for youth offenders and certain domestic violence cases but many agreed that such issues can be

considered contentious and may be difficult to implement. Respondents also commented on the difficulties faced by police and prosecutors in acquiring accurate information on offenders' drinking habits. It was felt by those interviewees that offenders were less open with police about the extent of their drinking problems than with arrest referral workers.

"We must identify the nature of offending and patterns of behaviour that may be appropriate but currently are not appropriate for alcohol referral...for many such cases referral may be the best outcome."

"Police feel that not including youths is a big barrier but perhaps, generally speaking, only a few domestic violence cases would be appropriate for this type of disposal."

Respondents also identified the payment fee of £30 as a potential blocker, with most concurring that inconsistencies occur in the treatment of alcohol related offenders as compared to drug related offenders. Session observations also recorded problems incurred if a client was unable to pay the £30, in one instance resulting in a client being asked to leave ADS Preston. It was also suggested that if we consider the bigger picture, the costs saved from an out of court disposal could go a long way in compensating costs incurred at ADS. This point may be especially important since respondents agree that funding of the scheme is the biggest blocker to long term sustainability and success. Some also point out that the efficiency of the scheme would improve with higher numbers accessing the intervention but the lack of resources can be a blocker in widening the scheme, creating a 'vicious circle'.

'Ethically does this stand up?'. Drugs sessions are free, why are alcohol sessions not? Availability or capacity of alcohol service is blocker by lack of resources and yet we are not producing numbers that would produce sustainable revenue. However we don't want to put through wrong people for the sake of numbers, this may be a reason for non-compliance.'

"Payment amounts to a factor in failure (of clients) to attend. Payment should not be required; community penalties are not paid in court. We need to make sessions more viable, perhaps if we re-organise supervision so it's more efficient. Sessions could be grouped together; a joint session for south west Lancashire for example."

"We need to make a judgment about how we can save fee payments. If utilised we save a lot more from court costs, let alone the consequences of further offences."

As mentioned previously the issue of wider reaching resources has been identified as the main blocker to the long term sustainability and success of the conditional caution scheme. While this type of scheme could highlight major issues that the government should address it was felt that a change in attitude and structure may first need to be addressed in order to create an effective working model.

"The scheme has potential not just for the current criteria but for many categories of alcohol offenders. I don't think it can be extended without funding, as it is not self sustainable. Funding would have to be central. What it costs to operate cannot be funded by the fine, additional costs are found in the extra demands on the administration, staff, session evaluation, management, meetings and promotions."

Interestingly there were no blockers identified in terms of the session and its delivery. In terms of longer term blockers public perception and attitude towards the scheme were identified by multiple respondents as 'stumbling blocks'. Despite the successful efforts of partner agencies to resolve identified blockers and barriers, none of the implemented measures has the desired effect of increasing numbers on the scheme. In fact, despite a three month extension to the study period, numbers continued to drop throughout the pilot project.

"If we could identify a client group, demonstrate success among that group and work out a way to avoid incurring costs, we could ask the public 'what do you think?'. Public perception is one of the biggest barriers to success."

4.9 Breaching

Client breach is a natural blocker to the scheme and represents a real frustration of 'falling at the last hurdle'. Respondents did not concur on identified reasons for breaching, in some cases with direct contradiction expressed regarding the change in policy from giving clients three chances to attend a session to just one. However respondents agreed that this adjustment in appointment fixing policy was an important positive change in making conditions more immediate and personal. Comments that a lesser percentage of breaching occurred after the change were supported from interim findings, which stated that often when a client did not attend the first session rarely did they attend the second or third before breaching.

"(3-1 impact) has led to less breaches than with the opportunity for several options, it seems more immediate and forceful and sends out a stronger message."

"There has been an upturn in breaches relating to the alcohol conditional cautioning, which is worrying since we like to think it's successful in providing a quick disposal. The choice of 3 to 1 sessions coincides with the slip."

Interviewees largely commented that charge for the original offence should automatically follow breach, as is the case. Despite variation in views regarding tolerance to extenuating circumstances, most respondents agreed that circumstances would have to be relatively extreme to avoid a charge. It was suggested that a percentage of breaches were to be expected in a scheme such as this but that the likelihood of breach can be greatly reduced by selection of

individuals who are ideally suited to the intervention. Clients represent themselves in contrasting manners from the point of arrest to the point of intervention and it may be inevitable that such variation in states of mind lead to variation in perceived potential for treatment. The police receive an offender while ADS potentially receive an individual who is enthusiastic to change their life. Respondents also stated that while the alcohol Conditional Caution must be presented to clients as a really positive opportunity to avoid court, some clients simply would not want or be willing to take advantage of the opportunity presented by the alcohol brief intervention.

Discussion also focussed on the issue of non-engagement in the session. While it would be beneficial to enforce client participation in the session, a likely indicator of reception of the information given, breaching consequences could not be enforced as it would involve a judgement call as to the intentions of a client. Even if a session facilitator were comfortable in making such a judgement, which respondents indicate they may not be, how could we be sure that a non-engaging client is taking less from the session than one participating, there could be other factors involved.

4.10 Current and Potential Target Client Groups

Respondents identified a difficulty in selecting target clients from groups of drinkers, who may differ subtly in their behaviour and therefore treatment requirements, but agreed that evaluation and refinement of the criteria was the best way to 'capture the right clients'. It was recognised by representatives of Lancashire Constabulary that difficulties may arise in identifying the distinctions between alcohol fuelled and alcohol driven behaviours. In any individual there may not be a clear distinction, with alcohol fuelled behaviour on occasions leading to alcohol driven behaviour. While this type of brief intervention has the potential to rehabilitate a spectrum of clients, respondents felt the Conditional Caution would act most effectively for non-chronic drinkers, as currently designed, for whom alcohol is the main cause of offending behaviour. These distinctions can create problems when the 'wrong' type of client can be put forward for a Conditional Caution while an ideal candidate is overlooked as they fall outside the criteria.

While a certain level of offender and a certain level of offence is sought, in order to make this process efficacious, we must also try to identify a certain mindset or attitude among clients that indicates a willingness to accept their actions and create change in their lives. It was suggested that this scheme is perhaps most effective in preventing and redirecting patterns of behaviour that could lead to more serious drinking and offending. For this reason, in addition to a frustration about a lack of disposal options for juvenile offenders, it has been widely suggested that this type of scheme would be ideal in preventing young offenders developing into more serious anti-social offenders. Considered here, along with juvenile offenders, are student

drinkers, binge drinkers, dependent drinkers, domestic violence and hate crime offences that involve alcohol.

“Getting the right kind of client is more important than numbers. Ideal are people who have some low level record, who continually offend, eg public order, and have a lack of awareness of drinking behaviour. These clients will not get picked up owing to prior history but are people who may be ideal, perpetual low level offenders. A charge will not address behaviour. Students who are career minded could benefit greatly from the scheme, since there are serious implications or blockers in areas of work or travel, for example, that may stem from a subsequent charge.”

Students and binge drinkers make up the majority of offenders accessing the scheme. Many interviewees suggested that this brief intervention can act as a ‘wake up call’ to these types of offenders, presenting an opportunity to avoid criminalisation. However, respondents agreed that the scheme cannot be widened past a certain seriousness of offence and that clients with chronic drinking problems require longer term intervention, though some argued that this brief intervention could be a useful ‘jumping off point’ for further treatment. Respondents discussed the possible extension of the scheme to juvenile offenders, dependent drinkers, cases of domestic violence involving alcohol and cases of hate crime involving alcohol. These were the same suggested areas for expansion as in the interim process evaluation report and many are not possible under current national guidance and legislation.

Juvenile offenders were the most commonly suggested client group that respondents felt would benefit from this type of disposal and many stated they would like to see the scheme incorporated into other juvenile disposal options. Most concurred that it is of huge importance to address these issues at grass roots level, ‘targeting juveniles as our main audience, while they are young and impressionable’, though some respondents argued that it may be unfeasible to include juveniles in a scheme such as this as they may not be sufficiently mature to benefit from the intervention. It was also suggested that intervention could be expanded to incorporate a role for the family in the treatment process.

“Juveniles and younger people could be made more aware of legalities. Brief intervention may not be suitable for more prolific offenders but could be starting point for identification of the causes of alcohol related offending.”

“The main problems for drinking and crime are under 18 year olds. We need to broaden the conditional caution to these clients, where the type of offence is suitable for this penalty. Something needs to be done that goes deeper than a simple caution.”

“We could widen to 16 and 17’s and to domestic violence cases where drink has been a factor. I would get rid of guidance that there has to have been some previous caution. We should be getting in earlier...there has been confusion in this area with differing views from CPS.”

There has been much discussion as to the suitability of the scheme for dependent drinkers. It is supposed that dependent drinkers are likely to lead more chaotic lives and may demonstrate the more serious effects of longer term drinking with a more deep seated problem at the root of offending behaviour than presented by binge drinkers. While some argue that any case where alcohol is a factor could be included in the criteria, others maintain that dependent drinkers need longer term, more considered intervention. It was also pointed out that the distinction between the two is not easily identified and that perhaps those in transit between binge drinking and dependency might benefit from this type of brief intervention more than clients who are perennial binge drinkers. These issues support the idea that additional support and expertise may be required in the custody suite, in identifying the causes of behaviour.

“Dependent drinkers could be suitable, where alcohol is an aggravated feature. There must be a method of expansion, could be anything where alcohol has been a feature or is driving behaviour.”

“Some would like to see the scheme extended to more dependent drinkers as part of a more intense course but we would need to utilise individual work, assessments and a structured care plan.”

“Alcohol problems are quite individual and it is hard to identify types of clients, whether physically dependent or binge drinkers. Probably this scheme is ideally suited and effective for binge and pre dependent drinkers.”

The issue of domestic violence was approached with caution, with respondents recognising that more serious offending of this nature may be driven by a combination of forces. Discerning how much of a driving force alcohol has been in an offender would require some expertise. Respondents stressed that each case would have to be taken on its own merits but that the area is also difficult to approach as victims are unlikely to report incidents if they have been numerous and have built up over time, before drawing the attention of police and the CJS. It would be problematic to incorporate such cases, not only because of difficulties in identifying the causes of behaviour but also because in only a few small percentage of domestic violence cases are charges pursued by the victim. This scheme relies on admission of the offence, which, anecdotally is reported as being high for domestic violence cases, charges may not need to be pressed by the victim. The frustration remains that many domestic violence cases are often fuelled by alcohol and an alcohol intervention, perhaps as incorporated into a more holistic care plan, would surely act in a reparative and potentially rehabilitative manner. Respondents concluded that despite the potential benefits of an intervention, most cases of domestic violence would be serious enough to warrant a charge.

“Domestic violence could work, as so many domestic offenders are drunk and we could look after the victim better by rehabilitating offender’s behaviour. Admission is needed but quite often we get it but the emphasis to get them (domestic violence offenders) to court, has never worked. We could create generic sessions for those groups with a view to continuing with subsequent treatment.”

As with domestic violence cases, alcohol fuelled hate crime is a complex issue without simple solution. Respondents generally agreed that in most cases alcohol is probably not the driving force of these behaviours.

“Conditional cautions could be appropriate for other occasions, depending on the attached conditions. Potentially we could create a rehabilitative diversion from court that addresses behaviour but it would have to be appropriately managed. Domestic violence and hate crime are difficult issues, maybe applicable for minor behaviours before escalation, usually domestic violence cases are the results of an escalation, plus there are lots of retractions, so it could be a good option.”

“Problems surrounding hate crime and domestic violence are so deep rooted, conditional cautioning route could be overwhelmed. There could be deep seated attitude problems and years of misconduct despite only one incident being reported. A session could be tailored towards the issues of hate crime but, as with domestic violence, you can’t just talk about alcohol use as there are other factors at play. Why not have violence awareness courses?”

While it has been suggested that lower level offences relating to domestic violence and hate crime might be suitable for this type of intervention, treatment would still have to be ‘incorporated on many levels’ and ‘brief intervention may not always be suitable’. While attempts are made to disentangle the effects of alcohol from ‘underlying abuse of power issues’ and ‘racial intolerance’, for now there appear to be too many confounding factors that may prevent effective intervention in these cases.

“How far do we intervene without judicial intervention in certain cases? In these cases there is often a mixture of behaviours induced by variety of factors, one of which might be alcohol.”

“Delivery must be tailored; if you have multiple ailments you only need one trip to the doctor. Conditional cautions are perfect for that kind of delivery. A non-specific basic course could be a starting point for treatment before outcomes are customised. A brief intervention might not solve all their (a client’s) problems but we could refer to group work for assessment and then pick up individual needs at a later time. There can only be one session but there is scope for subsequent voluntary sessions. Practically speaking it would be unfeasible to make the process more complex since breaching becomes an increasingly grey area.”

Alcohol intervention treatment efficacy may hinge on the role played by alcohol and while this type of intervention can be a 'jumping off point' for longer term treatment, effectiveness in this case is considered in the short term. The suggestion has been made that the likelihood of significant numbers of clients completing the course of treatment, if evidenced by this study, would be too low or inconsistent to sell such a scheme as an effective disposal. The option for subsequent voluntary sessions is currently available and utilized but could benefit from an increased marketing effort. It has been reported by ADS Preston that four or five clients have referred and returned in follow up to the session, since it has been run from ADS premises.

While respondents agreed that it was imperative for the scheme to identify a model for identifying clients susceptible to change, the mechanism for change has been discussed and disputed. It is supposed that this type of intervention can act not only as a rehabilitative measure but as a deterrent from committing further crime. While some respondents claimed that group work with offenders acted as a stronger deterrent than a relatively 'anonymous' court case others maintain that a charge and court appearance acts as a strong deterrent. A concern remains among such partners that should this measure focus predominantly on addressing drinking behaviour, we may incur a risk that the aspect of 'punishment' is removed from this type of disposal. In the view of most respondents, considering the level of offence, as long as genuine rehabilitation occurs, such a disposal can be considered a success.

If the scheme were expanded it would struggle, more than currently, to be self sustaining. As the scheme currently operates with generic intervention sessions, a more tailored holistic approach would place even greater strains on time and resources. The solution may be found in making the scheme more widespread in order to iron out the inefficiencies. Specific sessions could be set up in different areas and staggered to maintain a level of attendees in each session. However, the intervention could prove less significant as the number of attendees grows past the ideal capacity of a session. Without changes in policy and procedure, which may prove untenable, such cases will have to remain outside the realms of the conditional caution despite the optimism of some respondents for its incorporation.

4.11 Workload

Respondents concurred that their workload had increased either at certain times, with the initial implementation of the scheme or had been maintained at a constantly higher level. Most indicated they thought their workload could be sustained long term but also expressed concerns that the progress of the scheme may decelerate when priorities for key individuals change. Many respondents also indicated that they have embraced extra work at certain times because they believe in the Conditional Cautioning scheme as the most effective output for certain offenders and were happy to invest in it.

"We are busy all the time, there has been the same number of offenders to deal with and the way we deal with them doesn't massively affect our workload, but presents a better way of dealing with people."

"Workload has increased since the beginning, with cases coming through that weren't previously; cases that may have previously been police decisions. Ultimately if we can save court costs for CPS and other agencies, we are happy to do it."

Respondents indicated that aspects of the process have been made more efficient and have helped to reduce staff workload. However, interviewees also expressed that other aspects of the process, especially the paperwork, could be further streamlined, making some of the administrative process less time consuming. Multiple operational staff expressed that there should be no reason why, in the long term, workload should increase since the number of offenders hadn't changed, only the method of dispersal. It was suggested that ultimately the scheme could reduce workloads by reducing offending after an initial investment of time and resources, especially from ADS.

Respondents commented that for the scheme to be a widespread success the responsibility would inevitably fall on certain individuals to push the scheme. Most respondents commented that overseeing such an effort may require a specialist employee as it could not be managed as it is long term. Multiple respondents expressed extra time and investment had gone in the scheme that ordinarily would not be expendable.

"After initial outlay workload has settled down to manageable level and ADS is coping well. There was a point last year when the conditional caution was impacting on workload quite a lot but it has since settled down. Peaks and troughs certainly exist in terms of our workload and it hasn't been a simple case of getting through the initial outlay."

"We don't spend as much time on this project now since other priorities have arisen, it probably requires more time to make it work more effectively and make it sustainable across the country. Workload is a continuing resource that requires attention and it has gone up with changes to guidance and procedure."

4.12 Sustainability, Expansion and the Future

We will acquire a better understanding of the efficacy of this brief intervention by analysing the outcome data for this study but in terms of the process, discussion between partners has given good indications of the sustainability and practicality of the scheme. The expansion of the scheme to a wider array of offences has the potential to be very successful but the issue must be cautiously approached. Care must first be taken to establish a route through intervention,

with acceptable and consistent success rates, before extending similar practice to wider and potentially riskier target groups.

“Pushing numbers may not be an effective technique for disposal efficiency; targeting types of offending and groups can be more useful. To improve the image of the scheme we should combine the caution with a punishment element such as unpaid work. Public perception is really important.”

The nature of the target offender group has remained a major discussion point, with interviewees pointing out that any expansion would require a more holistic treatment package, which would place further strains on available resources and have repercussions on the sustainability of the project. Interviewees also commented on the possibilities of more than one compulsory brief intervention and/or subsequent voluntary sessions. The majority of interviewees indicated such treatment expansion would be largely impractical since conditions would be harder to adhere to and breaches would inevitably increase, reducing numbers accessing the scheme below sustainable levels.

“Clients may meet certain criteria but they may still not be suitable for a conditional caution, while some may fall outside (the criteria) and be ideal. There is an issue surrounding the target client group that re-offenders may not be suitable and targeted clients may not re-offend anyway. Effectiveness may depend on how specific treatment could be; we could have a maximum ‘seriousness’ of offence supplemented with a questionnaire to determine whether brief intervention would be useful condition for the client in question.”

“Scheme can be expanded to look at variety of offenders and dependent drinkers. Utilising a triage to establish the level of offending, interventions could be designed to reflect that level. A condition could state that dependent drinkers must accept 2 brief intervention sessions then move on voluntarily to more specific sessions, such as detox, rehabilitation or residential treatment if necessary. The whole package of intervention treatment could be based on offending and consumption. Realistically stand-alone voluntary treatment might not work but could work well in addition to a brief intervention.”

Respondents emphasised the shift in attitude regarding care of offenders, with police especially expressing that just as they have become more aware of issues surrounding drug related offenders, so now they are becoming more aware of the early signs and root causes of alcohol related offending. Respondents concurred, in the most part, that the session should be free, consistent with the management of drug awareness sessions.

“Our care of people in custody office has changed over last 5/6 years, we are conscious of drug users but recently there has been more emphasis on dangers associated with alcoholism ...alcohol treatment, like drug treatment, should be free.”

Respondents felt generally this scheme could work in diverting offenders away from the Criminal Justice System and be sustained long term, as long as Conditional Cautions are administered in appropriate circumstances. It was also suggested that a caution of this type could be imposed in court by a magistrate in addition to a decided outcome, an option currently unavailable but discussed in more detail in the conclusions and recommendations. Respondents largely agreed that viewing the conditional caution in a more flexible and adaptable way may be the key to the long term sustainability of this project and future schemes of a similar nature.

“Can it be something that magistrates can impose as part of penalty in court as well in addition to x and y? It could be a simple add on (some provision would be required since the law does not provide for it), stand alone or as part of range of penalties. Could we also cluster divisions together, again making conditional caution more sustainable?”

“ADS need finances to keep this going; they can answer if this scheme is self sustaining. We would benefit from easier decision making, less constraints, we are always hearing ‘you cannot’. There are always varying degrees within domestic violence cases, assault, ABH, burglary in dwelling, knife crime, any summary or either way offence, which may be appropriate up to a point. Without changes in criteria and alcohol service resource, I am not hopeful of the scheme being sustained. We must seek funding or develop a strategy to implement this type of caution force wide.”

Respondents agreed that funding would have to be sought and secured for ADS to maintain the Conditional Cautioning scheme. However, respondents expressed concerns that for permanent funding to be secured there would need to be greater up take of clients onto the scheme and evidence of successful outcomes for a viable percentage of those clients.

“We need to develop alcohol intervention option from CJS sense, we need confidence that organisations have bought into ideas. We are told of the big impact alcohol is having then we put significant effort into the scheme, that aims to reduce that harm, and therefore need to look at funding but first we need to know that there is client base. There is an apparent need yet the number of referrals put us in difficult position to secure permanent funding.”

5.0 Conclusions and Recommendations

5.1 Conclusions and Recommendations

Interview feedback suggests that whilst there is a feeling that Conditional Cautioning has the potential to be a great success, the scheme in its current form has substantial limitations. Given here with the conclusions are stakeholder and evaluator recommendations, as deduced from the qualitative evidence, which may aid in overcoming these limitations. It was commonly suggested that victims are appeased by the personal nature of attached conditions; compensation and letters of apology in appropriate cases have been well received. It was also recognised that despite this being a 'more victim focussed disposal' victims may not always be able to maintain objectivity, especially in more damaging cases, and some will always desire to see a form of punishment incorporated into an output. While it was suggested that this type of caution is utilised for certain 'victimless' crimes, often offences involving alcohol directly or indirectly affect the community in some way.

- Set up victim feedback mechanism and make information available regarding the alcohol awareness session.
- Sell the scheme by feeding information regarding re-offending rates, numbers accessing the scheme, and positive client impressions back to local businesses, shop owners, public transport and alcohol licensees.
- Continue to record and evaluate the session feedback forms from clients, including LJMU produced follow-up questionnaires, where appropriate.

The impact on the offender was anecdotally reported to be mostly positive, despite some stakeholders commenting that re-offending had occurred. Respondents identified the mind set and maturity of the clients, within the criteria, as determining factors in treatment effectiveness but it was recognised that without a specialist alcohol worker employed in the custody suite such differences could be difficult to discern. Respondents generally felt this scheme could work in diverting offenders away from the Criminal Justice System and in providing genuine rehabilitation. The outcome evaluation will provide some information regarding the effectiveness of this treatment but, despite good follow up rates, below target numbers may not yield significant data or dependable conclusions. The chances are very good that this is type of disposal could be of long term benefit to offenders, potentially changing lives and positively impacting the community, but for now the evidence remains anecdotal. While overall numbers have been disappointing good percentages have followed up, which is encouraging for further work. If this scheme cannot be implemented in Preston, with high levels of drinking and offending, can it be successfully implemented anywhere?

- Other areas employ a custody worker with specialist knowledge to discern appropriate clients and, in some cases to deliver interventions. While the effectiveness of this has not been evidenced such practice could be used for screening or intervention.

Stakeholders commonly agreed that the scheme would benefit by increasing public awareness and improving public perceptions, since uncertainty and scepticism, it was suggested, stemmed from a lack of understanding of the process and more specifically the nature of the intervention. There were some reports of positive feedback but generally there did not appear to be many opportunities for the public to learn about the scheme or feedback their perceptions. If we are to enjoy continued success, steering group members must be open and frank as to their position and the direction the scheme is moving in.

- Increase information transfer between partners and the general public.
- Push the scheme at a more senior level, especially in the Police, in an effort to identify champions of the scheme to continue cooperative work.
- Continue to pick out success stories and use them as a positive link between the public and partner agencies.

It was commonly suggested that Lancashire Constabulary have been very forward thinking with many new initiatives, including the alcohol conditional caution pilot project. Custody staff expressed a desire to be more empowered in administering straight forward alcohol conditional cautions. However representatives from CPS felt that often these cases are not simple and straight forward, since they are administered not only on the type of offence but also on patterns of offending history. Police made comment that there has been a cultural shift among police in recognising the root causes of offending behaviour, which has resulted in a different attitude in the custody suite towards offenders. It was also suggested, however, that with the current climate of meeting targets, there is now less necessity for arresting or custody officers to utilise interpersonal skills or apply common sense to a particular problem and that such restriction in practice could be detrimental to officers and offenders. It was suggested that while treatment is becoming more holistic, the role of the police is becoming more narrow. Despite identified barriers being addressed and overcome throughout the duration of the scheme, numbers did not increase but fell substantially from the outset. It appears that failure to capture the targeted number of offenders has not been caused by the identified barriers to the process but by unidentified or unaddressed practical or cultural barriers.

- Continue to train and educate custody staff about this type of disposal.
- Provide custody officers with information that will enable this disposal to be 'sold' to clients on the basis of an out of court disposal and an effective treatment.

Stakeholders identified many areas of successful practice both from the outset and in response to identified blockers. The process of conditional cautioning as a whole, interagency cooperation

and communication, the individuals who became the driving force behind the scheme and the delivery of the alcohol awareness session were the mainstay success stories. The changes in legislation regarding the PACE interview, the modification to allowing clients one chance to attend a session before breaching and the advent of CPS Direct were the biggest and most noticeable changes made in response to identified barriers from the interim interviews. While communication between partners was identified in the most part as extremely successful, respondents noted that at times verbal commitments were not necessarily reinforced with similarly committed actions. Stakeholders commonly identified the steering group meetings as important in developing a joint understanding and maintaining cohesion between partner agencies. Ultimately if any number of clients are rehabilitated the scheme can be considered a success in this context. In terms of achieving targeted numbers the scheme cannot be considered as successful.

- Develop a successful practices protocol stemming from this scheme, to be used here and elsewhere. This document should be relatively simple and describe not only good practice but also the main barriers to implementation.
- Investigate why target numbers of referrals could not be met. Representatives from CPS and the police to, over a selected time period, ascertain the numbers of offenders who could have been given an alcohol conditional caution but were given an alternative disposal and the reasons why this occurred. This process will help to determine the population of appropriate clients.
- Set realistic targets (based on these appraisals) for alcohol conditional cautions for the next six months.
- Communicate nationwide successes and problems with similar schemes in development.
- Since there is no longer a formal medium for exchanging news, consider setting up a permanent forum, accessible by partner agencies and the public.

While solutions have been devised for specific blockers, with varying success, it was broadly suggested that blockers remain within the identified areas of staff attitudes, staff turnover, the criteria for the caution, fee payment and long term resources. Client breach was also identified as a natural blocker to the scheme and represents a frustration of 'falling at the last hurdle'. Delegates suggested that charge should automatically follow breach, as is the case, but variation was expressed regarding tolerance to extenuating circumstances. Breaching has been shown to be quite high from the observation sessions and may be due to the nature of the client group or the 'selling' of this disposal to clients in the custody suite.

- Make a request to the national group for the empowerment of police to administer cautions for straight forward cases; although this may be unlikely since such a modification would involve a change in DPP guidelines and legislation. It was also commented that magistrates would be unlikely to support such a modification.

- Investigate and break down cultural barriers and change staff attitudes by feeding back successful outcomes.
- Continue to refine the criteria based on role played by alcohol for the offender.

Stakeholders suggested that the expansion of the scheme to a wider array of offences has the potential to be very successful but care must be taken to first establish a successful route through intervention for this type of offender. It was generally considered that this scheme could be successfully adapted to incorporate juvenile offenders, given appropriate changes in legislative procedures, but that the role of alcohol in cases of domestic violence and hate crime are less easily discerned and for this reason such offence types could not be included in a similar scheme without specific changes to the recruitment procedure and intervention content. Students, binge drinkers and pre-dependent drinkers remain the ideal groups of low level offenders appropriate for this disposal. Partners agreed that the best way to 'capture the right clients' was through constant evaluation and refinement of the criteria. If the scheme is to be expanded consideration must be given as to the factors that build to create effective treatment. The nature and attitude of the client, the content of the session and the delivery of the intervention are interdependent and must all be adequately accomplished or risk negating the efficiency of the process. It has been proposed that an adaptation of the scheme for juvenile offenders is being considered and will hopefully be in operation by spring 2009.

- Consider a scheme, perhaps voluntary or custody based, for domestic violence and hate crime offences that are driven by alcohol.
- Evaluate the available financial resources but also the individual investment required to maintain the scheme in its current form.
- Consider how this scheme will be extended to juveniles in terms of the criteria and session content.

It should also be noted that some of these recommendations require a change in policy at a national level which, whilst not unfeasible (the change in the requirement for a PACE interview is evidence of this), will probably be slow even if the political will to implement changes exists.

While changes in workload varied between agency representatives, delegates agreed that they have been happy to work harder if either they believed in this disposal as the most effective outcome for a given client or if future workload would be reduced as a result; the conditional caution has the potential to achieve both. Perhaps the biggest and least well received change in workload has been observed at ADS Preston where the benefits of decreased future workload would not apply; in fact workload could continue to increase if the pilot was maintained. For these reasons respondents agreed that funding would have to be sought for ADS to maintain the Conditional Cautioning scheme but there would need to be greater up take of clients onto the scheme and evidence of successful outcomes in order to secure such funding. Respondents largely agreed that viewing the conditional caution in a more flexible and adaptable way may be

the key to the long term sustainability of this pilot project. Funding must be secured to continue this scheme; the £30 does not cover the administration, is not consistent with other services and does not facilitate long term sustainability. Without funding the schemes continuation and expansion may be unrealistic.

- Secure centralised or longer term funding for ADS to continue the scheme. Without this funding there would not appear to be a good chance of the scheme's continuation. This is particularly the case if, as in line with other services, the £30 payment is abolished.

5.2 Application of the Evaluation

The application of this evaluation will be determined by our ability to answer some key questions surrounding the alcohol conditional caution. Does it work to rehabilitate, does it work to reduce re-offending and can it operate as an economical long term disposal option? If so, assuming partner agencies maintain shared targets and priorities, can this scheme then be applied to different demographics or to a wider variety of offenders? While qualitatively the alcohol conditional caution has been reported by stakeholders in the scheme to be effective, it should be borne in mind that low numbers have accessed the scheme and that it has taken a significant effort to achieve those numbers. We are beginning to gain insight into a disposal option that has now been rolled out nationally on the premise that it has the potential to change the behaviour of offenders. What is required is empirical evidence to support and justify the implementation of schemes such as this.

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