

**Exploring ‘international-subnational’ crime
and justice policy transfer:
the case of MOPAC’s Alcohol Abstinence
Monitoring Requirement Pilot**

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Abstract

Take even a cursory glance at literature dedicated to discussing crime and justice policy and you are likely to stumble upon claims that policy innovations have travelled overseas and disembarked in the United Kingdom (UK). The significant problem with the majority of such claims, however, is that they are rarely substantiated by systematically conducted research. Instead, they are commonly based on hunches and assumptions that seemingly derive from an understanding that policy responses in the UK and elsewhere look rather similar. Moreover, the small number of empirical studies that have been published in this sphere primarily fix their gaze at the national level, thus neglecting to examine if, why, when, and how subnational agents seek to import crime control initiatives from subnational jurisdictions in a different country. Positioned firmly at the nexus between social policy, political science, and criminology, this thesis seeks to respond to this lacuna by examining the occurrence and realities of the phenomenon of ‘international-subnational’ crime and justice policy transfer with respect to the UK. Adopting a qualitative case study design that is exploratory in nature, it meticulously reconstructs the (in)formal events that led to the development and implementation of the Mayor’s Office for Policing and Crime’s (MOPAC) Alcohol Abstinence Monitoring Requirement (AAMR) Pilot by triangulating evidence obtained from three sources: elite interviews, documentary materials, and unstructured naturalistic observation. In addition to making a series of empirical, methodological, and theoretical contributions to existing academic knowledge, this thesis also bridges the gap between social scientific enquiry and public policy-making by identifying empirically grounded ‘lessons’ for policy practitioners and by forwarding a number of policy recommendations.

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Declaration

Material contained within this thesis was included in the following international conference presentations:

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An overview of this research was also presented at the Department of Social Policy and Social Work PhD Seminar Series at the University of York in 2014.

I declare that this thesis is a presentation of original work and I am the sole author. This work has not previously been presented for an award at this, or any other, university. All sources are acknowledged as references.

Chapter One

Introduction

1.1. Background and research deficit

Not too long ago, the author was flicking through a travel guide in anticipation for a trip to Amsterdam. Situated discretely, beneath an image of the stylish Mata Hari restaurant, was the following prose:

“Are you a loud obnoxious tourist, prone to trawling through the Red Light District in a drunken pack? If so, your time is running out. In 2008, a plan was launched to clean-up the infamous district. When he presented Project 1012, the Deputy Mayor Lodewijk Asscher cited his inspiration as the clean-up of New York City by Mayor Rudy Giuliani” (Time Out, 2013: 85).

Seemingly, most people would have brushed past this paragraph, moving swiftly on to read about the exhibitions in the Van Gogh Museum, the location of the Anne Frank House, or where to rent a bicycle. For the author, however, this was captivating information. The reason being is that statements like those made by Deputy Mayor Asscher are what this thesis is about. More precisely, this study is dedicated to exploring ‘policy transfer’ which is defined as:

“a process in which knowledge about institutions, policies or delivery systems at one level or sector of governance is used in the development of institutions, policies or delivery systems at another level of governance in a different country” (Evans & Barakat, 2012: 544).

It is actually rather astounding how frequently assertions of policy transfer are encountered once one is alert to their existence. Not only do they feature in academic literature, but they also loiter with intent to go unnoticed in television programmes, newspaper articles, and podcasts. They are woven into the landscape of the everyday. Furthermore, no policy area is immune, with labour market and welfare (Berridge, 2013;

Daguerre & Taylor-Gooby, 2004; Deacon, 2000; Dolowitz, 1997; 1998; 2000b; 2001; Dolowitz *et al.*, 1999; Dwyer & Ellison, 2009; Hulme, 2006; Pierson, 2003); education, social work, and childcare (Flores-Crespo, 2004; Harlow *et al.*, 2012; Phillips & Ochs, 2004; Welshman, 2010); health (Cairney, 2009; Ettelt *et al.*, 2012; Greener, 2002; Holden, 2009; O’Neill, 2000; Street, 2004), utilities regulation (Bulmer *et al.*, 2007; Padgett, 2003); and the environment (Ladi, 2004; O’Neil, 2016; Smith, 2004) all the subject of policy borrowing declarations.

Be that as it may, one sphere that is particularly laden with claims of policy transfer is that of crime and justice. Take for instance Neighbourhood Watch, Scared Straight, and Operation Ceasefire. These initiatives are just a handful of many that are held to have travelled from an overseas jurisdiction and disembarked in the United Kingdom (UK). Yet, a significant problem with the vast majority of such examples is that scholars who cite them frequently fail to include any reference to systematically collected research evidence that demonstrates that policy-makers possessed knowledge of non-indigenous innovations and that they utilised such knowledge when formulating policy (Bennett, 1997; Dolowitz *et al.*, 1999; Jones & Newburn, 2002a). Instead, hunches, assumptions, and intuition prevail. Indeed, very few empirical studies have been conducted that investigate (purported) UK crime control policy importation, and those that have been published primarily fix their gaze at the national level, thus neglecting the potential phenomenon of ‘international-subnational’ crime and justice policy transfer. That is:

“a process in which knowledge about crime and justice institutions, policies, or delivery systems in one subnational jurisdiction is used in the development of crime and justice institutions, policies, or delivery systems in another subnational jurisdiction in a different country” (definition adapted from Evans & Barakat, 2012: 544).

Such neglect is problematic for two reasons. Firstly, policy change can, and does, emerge in a ‘bottom-up’ rather than ‘top-down’ fashion, with subnational agents cultivating crime control ideas and interventions that are subsequently adopted by central government or that diffuse horizontally across localities (Edwards & Hughes, 2005; Gavens *et al.*, 2017; Jones & Newburn, 2007; Mawby, 2011; Stenson & Edwards, 2004; Wincup, 2013). Certainly, numerous policy transfer pathways exist, not all of which are dominated by actors who operate within a national remit (see Evans & Davies, 1999; Keating *et al.*,

2012). Secondly, and relatedly, the police accountability and governance reforms introduced by the Conservative-Liberal Democrat Coalition Government (2010–2015) have ostensibly created a new opportunity structure for crime and justice policy transfer to occur in England and Wales via the placing of directly elected Police and Crime Commissioners (PCCs) into a subnational strategic leadership position. Given that PCCs may prove to be key agents of policy emulation activity over time, questions pertaining to the existence and process of ‘international-subnational’ crime and justice policy transfer arguably require answers – answers that are theoretical and applied in nature, and answers that this thesis has been designed to provide.

1.2. Research aims and questions

This study aims to:

- a) Examine the ‘development puzzle’ (Mason, 2004) of what role, if any, the phenomenon of ‘international-subnational’ policy transfer plays in the development of crime and justice innovations in the UK.
- b) Offer an insight into the realities of the ‘international-subnational’ crime and justice policy transfer process should evidence confirm its existence.
- c) Identify lessons that are applicable to the ‘world of practice’.

To meet these aims, a series of research questions were formulated as follows:

RQ1. Is ‘international-subnational’ crime and justice policy transfer occurring in the UK?

If the answer to RQ1 is ‘yes’:

RQ2. Why, when, and how does ‘international-subnational’ crime and justice policy transfer transpire?

RQ3. Who are the key agents of ‘international-subnational’ crime and justice policy transfer? What motivates them to engage in the process?

RQ4. From where do UK subnational agents transfer crime and justice policy?

RQ5. What is the nature and degree of ‘international-subnational’ crime and justice policy transfer?

RQ6. What facilitates and/or constrains the ‘international-subnational’ crime and justice policy transfer process?

1.3. Empirical investigation

To address each of the above aims and to answer the study’s research questions, a methodological strategy that accords with ethical practice was constructed. This strategy was qualitative in nature and its design was that of an ‘exploratory case study’ (Yin, 2014). Following the execution of a case identification and screening procedure that entailed mining the strategic plans issued by the first cohort of PCCs, the Mayor of London, and the City of London Police, two alleged or *prima facie* instances of ‘international-subnational’ crime and justice policy transfer were selected for empirical investigation.

One case was the Mayor’s Office for Policing and Crime’s (MOPAC) Alcohol Abstinence Monitoring Requirement (AAMR) Pilot (also known as the ‘Compulsory Sobriety Pilot’). The AAMR was introduced in the *Legal Aid, Sentencing and Punishment of Offenders (LASPO) Act 2012* in response to a lobbying campaign launched in 2010 by Kit Malthouse, London’s Deputy Mayor for Policing (2008–2012) (Malthouse, 2010). The AAMR permits courts to impose a punitive requirement that an offender abstain from alcohol for a fixed period of time and be regularly tested to ensure compliance as part of a Community or Suspended Sentence Order where the consumption of alcohol is an element of the offence committed or a contributing factor in its commission (MOPAC, 2014a). MOPAC was granted ministerial permission to commence a 12-month ‘proof of concept’ AAMR Pilot in 2014 (Johnson, 2012; LASPO Act, 2012; SI 2014/1777 c.77). The pilot was to be delivered in the South London Local Justice Area and was intended to target specific offenders: those who commit alcohol-related crime in the night-time economy; those who repeatedly drink and drive; and those who engage in violence when intoxicated (MOPAC, n.d.(b); 2014a). Crucially, MOPAC’s AAMR Pilot was reportedly

modelled on the South Dakota 24/7 Sobriety Project (MOPAC, n.d.(b); 2014a; 2015b). The second case was the Street Pastors programme as initiated by the Ascension Trust in 2003 in Brixton, South London (Isaac, 2006; Isaac & Davies, 2009). Initially focused on reducing the youth-driven drug and gang-related violent crime that was severely scarring Caribbean communities, the development of the Street Pastors initiative was supposedly inspired by local Christian intervention projects being delivered in Kingston (Jamaica) and Boston (United States) (Isaac & Davies, 2009; 2015; Johns *et al.*, 2009).

To reconstruct the sequence of (in)formal events that gave rise to the emergence, development, adoption, and implementation of each of these initiatives so as to expose the role played by ‘international-subnational’ crime and justice policy transfer, three sources of evidence were combined to triangulate information. These sources were elite interviews, documentary materials, and unstructured naturalistic observation. Unfortunately, due to problems surrounding respondent recall and the availability of archived documents, the decision was made to discard the Street Pastors as a case at the analysis stage. Although certainly disappointing, proceeding in this manner was deemed judicious and non-detrimental to the contributions and arguments made by this thesis.

1.4. The importance of the study

This study makes a series of original contributions to existing knowledge.

With regard to the empirical domain, this is the first research project to investigate the dynamics of ‘international-subnational’ crime and justice policy transfer in relation to UK importation, and the first to trace and analyse the establishment of MOPAC’s AAMR Pilot generally, and within the policy transfer framework specifically. In addition, this thesis enhances understanding of the under-explored policy transfer issue area of violence reduction, illuminates the intentions, actions, and decisions of agents affiliated with a particular subnational organisation (i.e. the Greater London Authority), and provides a data-driven narrative of policy change as opposed to that which is theoretically and conceptually sophisticated yet lacks supporting empirical evidence. With respect to the methodological domain, this study not only advances scholarly knowledge concerning the practicalities of conducting policy transfer research, but also applies the visual and arts-based data collection tool of qualitative timeline interviewing to a new population (that is, elites directly involved in, or who have an informed opinion about, the process

of developing subnational crime control innovations) to explore a particular phenomenon ('international-subnational' policy transfer). Finally, within the theoretical domain, this study contributes to a scant crime and justice policy-making literature, answers 'if, when, why, how, who, and what' questions concerning the travel of subnational crime control innovations across international borders, proposes revisions to existing policy transfer frameworks, and outlines the key characteristics of a 'Policy Transfer Advocacy Coalition'.

1.5. Audience

Given the nature and topic of this thesis, its findings should be of interest to academics as well as (non)governmental actors who operate as 'insiders' or 'outsiders' in relation to the policy-making process (Hudson & Lowe, 2009; Wincup, 2013). Indeed, as illustrated by the study's third aim, the author was eager to evade a habitual criticism of research projects conducted by policy transfer analysts – that is, that they are abstract and fail to identify elements that are action-based and relevant to practitioners (see Evans, 2004d; 2006; 2009b; 2009c; 2010). Such flouting necessitated the self-conscious integration of theory and practice so as to build a bridge between social scientific enquiry and public policy development (Evans, 2006; 2009c; 2010). The author's ambition being to not only crack open the black-box of policy-making to learn about the intricacies of 'international-subnational' crime and justice policy transfer, but to also extricate lessons that have utility outside of academia (see Christie, 2004).

1.6. Thesis structure

Following this introduction this thesis is organised into two main parts.

Part One, which encompasses four chapters (Chapters Two–Five), presents an examination of the theoretical and political context of this study, and details its methodological approach:

Chapter Two explores the origins and evolution of policy transfer as an analytical and conceptual framework. Three 'waves' of academic literature are critically reviewed in a narrative format. *Chapter Three* examines the emergence of the new 'quadripartite' police governance and accountability arrangements in England and Wales, while *Chapter Four*

identifies current knowledge gaps with respect to the occurrence and process of crime and justice policy transfer in the UK at both the national and the subnational levels. *Chapter Five* forwards a comprehensive and reflexive account of this study's methodology, including its meta-theoretical underpinnings, multi-method data collection approach, analytical strategy, and ethical considerations.

Part Two of this thesis concentrates on the empirical components of this study and is comprised of five chapters (Chapters Six–Ten):

Chapter Six provides background information prior to the findings of the research being presented. In addition to describing the history and efficacy of the South Dakota 24/7 Sobriety Project, it outlines the 'major events' that unfolded and the 'key characters' that were involved in the formation and delivery of MOPAC's AAMR Pilot. *Chapters Seven, Eight, and Nine* apply Evans and Davies' (1999) twelve-stage voluntary policy transfer network analytical and organisational scheme to the case of MOPAC's AAMR Pilot, commencing with problem recognition and moving through to recent Conservative Party policy announcements. *Chapter Ten* concludes this thesis by discussing the findings of the study and their relevance to the existing body of academic literature. It also provides a more thorough account of the theoretical, methodological, and empirical contributions made by this thesis, as well as detailing lessons for practice, implications for policy, potential avenues for future research, and what the author would do differently with the benefit of hindsight.

PART ONE
Theory, Context & Method

Chapter Two

Policy Transfer Analysis

2.1. Introduction

As policy transfer is at the core of this thesis, this chapter forwards a narrative review of the origins and evolution of policy transfer analysis with respect to three ‘waves’ of literature. The chapter begins by briefly examining ‘diffusion’ studies. It then moves on to explore the ‘policy transfer framework’, with four key approaches being outlined and the multi-level models generated by Dolowitz and Marsh (1996; 2000) and Evans and Davies (1999) being discussed in greater detail. The third part of the chapter engages with arguments forwarded by scholars associated with the ‘policy assemblages, mobilities, and mutations’ approach.

2.2. First wave: diffusion studies

The contemporary study of policy transfer has its roots in comparative policy analysis (Bulmer *et al.*, 2007). As this field emerged in the 1960s, scholars such as Walker (1969; also see Eyestone, 1977; Gray, 1973) sought to identify patterns and trends in timing, geographic propinquity, and resource similarities in the sequential or successive adoption of innovations within and between federal states and cities in the United States (US) (Dolowitz & Marsh, 1996; Evans, 2004d). This research tradition was, however, criticised during the 1980s on the grounds that it exhibited a fascination with the conditions, processes, and mechanisms of diffusion rather than the content or substance of new policies (Bennett, 1997; Clark, 1985; Dolowitz & Marsh, 1996; Robertson, 1991; Rose, 1991b; Stone, 2012). Indeed, minimal attention was directed towards how policies alter during adoption processes – structural factors were privileged while agency and political decision-making dynamics internal to systems were largely neglected (Marsh & Sharman, 2009). Moreover, policy change was presumed to be the consequence of policy percolation, contagion, and osmosis as opposed to being deliberately and intentionally chosen (Marnoch & Boyd, 2014; Stone, 2004; 2012; 2016). In response to this critique, analysts subsequently began discussing lesson-drawing (see Rose, 1991a; 1991b; 1993)

and policy transfer, with research gaining momentum and growing exponentially during the 1990s and 2000s (Benson & Jordan, 2011; Dussauge-Laguna, 2012a).

2.3. Second wave: a policy transfer framework

2.3.1. A generic concept

Although definitions certainly vary, the orthodox and classic understanding of policy transfer analysis is that it is a theory of policy development that seeks to make sense of a process in which:

“knowledge about policies, administrative arrangements, institutions and ideas in one political system (past or present) is used in the development of policies, administrative arrangements, institutions and ideas in another political system”
(Dolowitz & Marsh, 2000: 5).

Numerous ‘forms’ of policy transfer are distinguishable within a burgeoning and largely non-synthesized multi-disciplinary literature. Such forms include, *inter alia*:

- Band-wagoning (see Ikenberry, 1990)
- Borrowing (see Robertson & Waltman, 1993; Studlar, 1991)
- Copying (see Waltman, 1980)
- Convergence (see Bennett, 1991b; Coleman, 1994; Seeliger, 1996)
- Diffusion (see Eyestone, 1977; Majone, 1991; Walker, 1969)
- Direct coercive transfer (see Dolowitz & Marsh, 1996)
- Emulation (see Bennett, 1991b; Hoberg, 1991; Howlett, 2000)
- External inducement (see Ikenberry, 1990)
- Harmonisation (see Bennett, 1991b)
- Lesson-drawing (see Rose, 1991a; 1991b; 1993; 2005)
- Penetration (see Bennett, 1991b)
- Systematically pinching ideas (see Schneider & Ingram, 1988)

Indeed, policy transfer is deployed by many analysts as a generic concept that encompasses different arguments concerning why, and when, actors engage in the process

(Evans, 2004d; 2006; 2009c; 2010; Evans & Davies, 1999; Pantazis & Pemberton, 2009; Stone, 1999). Generally however, three transfer processes are referred to by scholars: voluntary transfer/lesson-drawing, coercive transfer, or a mixture of the two (Hudson & Lowe, 2009). These processes are discussed in Section 2.3.3.

2.3.2. Key analytical approaches

As recognised by Evans (2010: 71), the policy transfer analysis literature encompasses two palpable schools: “*one which does not use the label ‘policy transfer’ directly but deals with different aspects of the process using different nomenclature, and one which uses the concept directly*”. Within this literature five main approaches employed by analysts can be detected. While there is undoubtedly some overlap between these approaches, each is fundamentally distinct with respect to its principal focus (Evans, 2010). Table 2.1 provides a concise overview of four of these approaches, while the fifth approach is discussed in greater detail in the following section due to its entrenched dominance.

Table 2.1. Key analytical approaches to the study of policy transfer

Process-centred	Comparative
<p>Influential applications: Bennett (1991a); Rose (1991b; 1993).</p> <p>Approach: Maintains that policy-orientated learning is fundamentally based on the interpersonal interaction between state and non-state agents within inter-organisational decision settings.</p>	<p>Influential applications: Peters (1997); Wolman (1992).</p> <p>Approach: Quantitative. Involves single comparative case study analysis and cross-national aggregate comparison.</p>
Ideational	Practice-based
<p>Influential applications/approach:</p> <ul style="list-style-type: none"> • Stone (1996; 1999; 2000a; 2000b) identifies think tanks as important transfer agents within ‘epistemic communities’¹. • Ladi (1999; 2000; 2002; 2005) highlights the influential role that discourses of globalisation and Europeanisation can play in processes of policy transfer. 	<p>Influential applications/approach:</p> <ul style="list-style-type: none"> • Common’s (2004a) study of the United Kingdom (UK) government’s effort to become a ‘learning organisation’ helps analysts to detect potential obstacles to policy transfer. • Rose (2005) provides a practical guide to ‘lesson-drawing’ by recommending that practitioners follow ten consecutive steps.

Source: Adapted from Evans (2004d: 13-22; 2009c: 247-254; 2010: 71-78); also see Huerta-Melchor (2006)

¹ Haas (1992: 3) defines an epistemic community as “... a network of professionals with recognized expertise and competence in a particular domain and an authoritative claim to policy-relevant knowledge within that domain or issue-area.” Although they may be aligned to a range of different disciplines, the professionals who belong to epistemic communities not only have a common policy enterprise but also share: a set of normative and principled beliefs (which provide a value-based rationale for social action); causal beliefs (that derive from their analysis of the practices leading to a set of problems); and notions of validity (criteria for weighing and validating knowledge) (Haas, 1992).

2.3.3. Multi-level accounts

Multi-level approaches to policy transfer analysis are dedicated to comprehending the outcomes of policy transfer by embracing macro and micro, or macro, meso, and micro levels of investigation (Evans, 2004d; 2009c; 2010). Though Common (2001; 2004b) systematically applied an integrated multi-level framework to analyse administrative change in three Southeast Asian countries, the most prominent and elaborate multi-level accounts have been generated by Dolowitz and Marsh (1996; 2000; also see Dolowitz, 1998; 2000a) and Evans and Davies (1999). Both of these policy transfer models are outlined and evaluated in the following sections.

The Dolowitz and Marsh Model

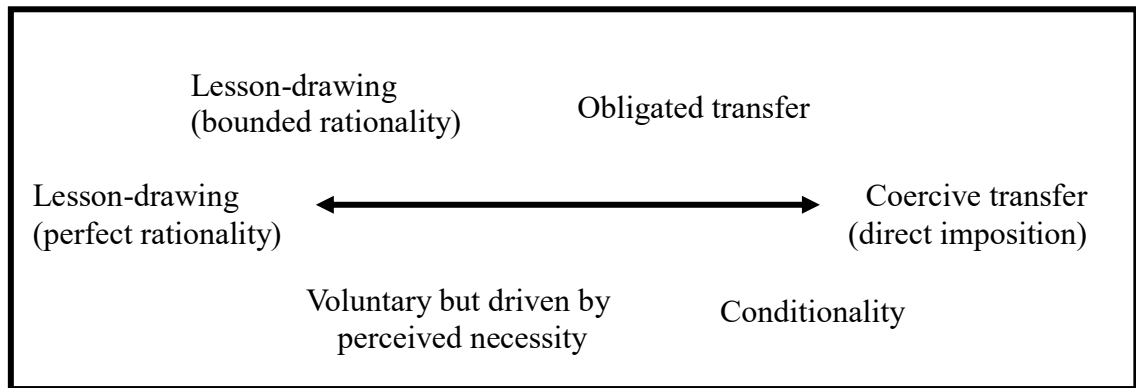
Originally published in 1996 and later revised in 2000, the Dolowitz and Marsh Model is arguably the most influential framework for analysing the process of policy transfer (Hudson & Lowe, 2009). Indeed, Dolowitz and Marsh advanced efforts within British political science to not only develop a broad conceptual model capable of being generalised across different intellectual disciplines, but also one that acts as a springboard for future theoretical development (Lightfoot, 2003). The seminal analytical framework developed by Dolowitz and Marsh is constructed upon a critical appreciation of earlier typologies of transfer as produced by Rose (1991a; 1993) and Bennett (1991a; 1991b), and draws heavily on the work of Robertson (1991), Wolman (1992), and Hoberg (1991). It is essentially built around six key questions and one supplementary question (raised explicitly or implicitly within preceding academic literature) that researchers can utilise to organise their empirical studies. These questions are posed and answered below in a concise and unavoidably truncated manner via reference to Dolowitz and Marsh's account, and the broader policy transfer literature where appropriate. An overview of the Dolowitz and Marsh Model can nevertheless be found in Appendix A.

Why do actors engage in policy transfer?

As illustrated in Figure 2.1 below, Dolowitz and Marsh (2000) seek to differentiate between voluntary and coercive transfer, regarding them as two ideal-type end points on a continuum. It is crucial to note that each of the categories that feature in Figure 2.1 are not deemed to be equidistant from one another, nor is it anticipated that instances of policy

transfer will fit neatly into an individual category (Dolowitz, 2000a). Rather, Dolowitz and Marsh designed this continuum as a heuristic device – that is, a device that not only acknowledges that many cases of policy transfer involve both voluntary drivers and coercive mechanisms, but that also allows researchers to systematically capture some of the subtleties and power relations involved in transfer activity (also see Legrand, 2012b; Sharman, 2008).

Figure 2.1. From lesson-drawing to coercive transfer (‘why transfer continuum’)



Source: Adapted from Dolowitz & Marsh (2000: 13)

At the voluntary end of the continuum lies lesson-drawing. This is based on the view that actors willingly engage in an active and comprehensive search for new ideas as a cheap means of addressing a perceived problem, an undesirable condition, uncertainty, or dissatisfaction with the status quo, as fuelled by, for instance, crisis or policy failure (Dolowitz & Marsh, 1996; 2000; also see Dolowitz, 2000a; Rose, 1991b). The process commences with the scanning of programmes in effect elsewhere, and concludes with the prospective evaluation of what would happen if a programme was transferred (Rose, 1991b). In its purest form, lesson-drawing and its associated search activity thus holds the potential to enhance the rationality of the policy-making process and act as “*a dynamic against insularity and incremental change*” (Stone, 1999: 53; also see Greener, 2002; Hudson & Lowe, 2009; Schneider & Ingram, 1988). Empirical evidence suggests, however, that policy-makers rarely operate as perfectly rational shoppers² (Page & Mark-

² Indeed, in recognising that policy ideas may not arise via the commissioning of a systematic search exercise, Dolowitz (2003; 2006) recently inserted ‘*stumbled across*’ into the ‘why transfer continuum’ (see Figure 2.1).

Lawson, 2007). Instead, they typically reach policy decisions via ‘satisficing’³ (i.e. selecting the first solution that meets a given need, or selecting the solution that appears to address most needs (Simon, 1957; Stone, 1999)). Indeed, the majority of policy-makers are subject to attention and memory limitations, act with incomplete or simplified information, are influenced by their inaccurate or biased perceptions of a decision-making situation, and are constrained by the institutional and structural environment in which they operate (Dolowitz, 2000a; Dolowitz & Marsh, 2000; Weyland, 2005). As such, Dolowitz and Marsh (2000; also see Dolowitz, 2000a) acknowledge that policy transfer can be driven within the confines of bounded rationality (Simon, 1957), or incrementalism or disjointed incrementalism (Lindblom, 1979).

Moving towards the right of the continuum, Dolowitz and Marsh (1996; 2000; also see Dolowitz, 2000a) maintain that policy transfer can also transpire as an upshot of actors believing that their policy-making system is falling or lagging behind its primary competitors thereby damaging its international prestige (‘comparative inadequacy’), or because they succumb to pressure to mimic a system that is internationally recognised or accepted (‘gaining legitimacy’). Similarly, actors can be pushed to replicate non-indigenous models as a result of the actions of competitive external actors or events. For example, a government may embrace flexible labour market policies in a bid to avoid economic disadvantage. Obligated, or negotiated, transfer arises when governments are required to harmonise policies with those of other countries as part of their membership of international regimes and structures, while conditionality involves cases whereby transnational corporations or international organisations such as the International Monetary Fund (IMF), the World Bank, or the United Nations compel governments to implement programmes or policies as a condition of their continuous presence or aid while denying them freedom of choice. Finally, Dolowitz and Marsh (1996) maintain that purely coercive transfer, or direct imposition, occurs when one government or political

³ Research evidence indicates that when engaging in policy-orientated learning, agents do apply a variety of efficient, non-analytical, cognitive-psychological heuristics to guide action. Such heuristics include: ‘availability’ (i.e. placing excessive weight on information that is immediate, vivid, and striking); ‘representativeness’ (i.e. drawing excessively confident inferences concerning the success or failure of a programme from a precarious body of evidence); ‘anchoring’ (i.e. seeking to preserve the basic nature or core of a ‘foreign’ model as based on initial exposure to information); and ‘trust’ (i.e. faced with a range of initiatives from which they can learn, policy-makers tend to look closely at those that they can directly observe or that are favoured by a source whose judgement they trust (Page & Mark-Lawson, 2007; Weyland, 2005; Wolman, 2009; Wolman & Page, 2002).

institution forces another to implement a programme, policy, or institutional reform against their will and the will of the people.

Who are the key actors involved in the transfer process?

Dolowitz and Marsh (2000: 10) identify nine non-mutually exclusive categories of political actor that engage in policy transfer:

“elected officials, political parties, bureaucrats/civil servants, pressure groups, policy entrepreneurs⁴ and experts, transnational corporations; think tanks, supra-national governmental institutions and nongovernmental institutions and consultants”.

Notably, as research into policy transfer has progressed efforts have been made to redress tendencies towards methodological nationalism inherent within prior work (Stone, 1999; 2004; 2012). As such, the above categories have been subject to further demarcation to reflect the participation of a plethora of transnational individuals (for example, academics/‘parachute professors’) and non-state entities (for instance, philanthropic foundations; scientific associations; university centres; professional societies; law firms; training institutes; transnational social movements; and the media) in the policy transfer process (Stone, 2000b; 2004; 2012; 2016).

What is transferred?

With regard to the substance of transfer, Dolowitz and Marsh (2000: 12; also see Dolowitz, 2003) argue that *“while almost anything can be transferred from one political system to another”*, it is possible to identify eight different categories: *“policy goals, policy content, policy instruments, policy programs, institutions, ideologies, ideas and attitudes and negative lessons”*. To elucidate, negative lesson-drawing involves actors explicitly rejecting a novel policy or consciously adjusting the design of a borrowed

⁴ Kingdon (2011: 122) defines policy entrepreneurs as (non)governmental agents who are *“willing to invest their resources – time, energy, reputation, and sometimes money – in the hope of a future return”*. This return can be *“policies of which they approve, satisfaction from participation, or even personal aggrandizement in the form of job security or career promotion”* (Kingdon, 2011: 123).

model in response to “*learn[ing] what not to do*” (Dolowitz, 1997: 37; also see Dolowitz *et al.*, 1999)⁵. It entails seeking to avoid ‘failure’ rather than imitating ‘success’ (Mulcahy, 2005). Although these objects of transfer continue to echo within published studies, a distinction is frequently made by analysts between the concrete or ‘hard’ transfer of tools, practices, programmes, and implementation, and the ‘soft’ transfer of ideas, goals, attitudes, concepts, norms, knowledge, and rhetoric that circulate freely under conditions of globalisation (see Common, 2004a; Evans & Davies, 1999; Jones & Newburn, 2002b; 2004; 2007; Stone, 2004; 2012).

Moreover, the notion of a ‘policy label’ – that is, a name that is applied to a general category of vaguely related policies that may communicate ‘referential’ symbols (representing generic ideas, explaining them, and reducing information requirements) and ‘condensation’ symbols (transmitting threatening or reassuring intentions and values in an emotive fashion) has been embraced by researchers including Mossberger (2000) when analysing the content of policy transfer.

What are the different degrees of transfer?

According to Dolowitz and Marsh (2000: 13) “[p]olicy transfer is not an all-or-nothing process”. Indeed, drawing on Rose’s (1993) categorisation of different types of learning they propound that there are four basic gradations, or degrees, of transfer. These are copying (direct and complete transfer), emulation (the transfer of ideas behind a policy or programme); combinations (mixtures of several different policies), and inspiration (where an innovation acts as inspiration, yet the formulated policy does not mimic it). Subsequent to the publication of the Dolowitz and Marsh Model, Rose (2005: 81) updated and expanded these categories to include:

⁵ Although relatively little is known about the logistics of transfer (Dussauge-Laguna, 2012a), it is interesting to note that Dolowitz (2000a) postulates that policies and programmes are often imported in ignorance of implementation issues due to civil servants presenting a sanitised version of reality to external agents. Similarly, Page *et al.* (2004) maintain that during policy study visits the mutual expectations and obligations that arise from hospitality (i.e. the norms of the ‘guest-host’ relationship) may result in hosts not only talking up the positive points about their policy and failing to correct guest misapprehensions, but also may prevent guests from asking penetrating or critical questions for fear of causing offence.

- **Photocopying⁶:** *Producing a pure photocopy of a programme with negligible changes being made (i.e. the names of institutions and dates)*
- **Copying:** *Duplicating almost all of the elements of a non-indigenous programme while allowing for minor differences in context and the preferences of those doing the copying*
- **Adaptation:** *Changing the details of the design of a programme elsewhere without removing key elements. This involves two governments in the one-to-one relationship of a 'leader' and 'follower'*
- **Hybrid:** *Merging compatible elements of programmes with the same objective in different jurisdictions*
- **Synthesis:** *Combining in an innovative way elements of programmes with the same objective, or combining 'foreign' examples with elements of existing domestic programmes. Synthesis is likely to emerge as the compromise outcome of a detailed programme of bargaining*
- **Disciplined inspiration:** *Drawing inspiration from an overseas model by creating a novel policy not inconsistent with overseas examples*
- **Selective imitation:** *Adopting attractive, but not necessarily vital parts of other programmes while leaving out 'awkward' but 'essential' elements. Policy-makers 'cherry-pick' a few features of a programme that are appealing and incorporate these into a programme that is designed independently of 'foreign' examples*

Case study evidence indicates that adaptation and hybridisation are common types of policy transfer that lead to locally sensitive policy transfer (Evans, 2004a; Marsh & Sharman, 2009). By contrast, (photo)copying is understood to be a rare or exceptional form of policy transfer that transpires due to policy-makers succumbing to the 'do something' reflex, limited search activity, or external agency intervention in developing countries (Evans, 2004a; Sharman, 2010; Stone, 2012). Analysts also hypothesise that (photo)copying is more likely to appeal to politicians looking for shortcuts or 'quick-fix' solutions; can perpetuate rather than guard against errors that render policies ineffective; is difficult to accomplish cross-nationally given the language, legal, institutional, and resource dissimilarities that are likely to exist between 'borrowing' and 'lending'

⁶ This category could be regarded as analogous to 'policy plagiarism' (staggering similarities) (see Bennett, 1991b).

jurisdictions; and provides less scope for learning (Dolowitz, 2006; Dolowitz & Marsh, 2000; Rose, 2005; Sharman, 2010; Stone, 2004). Certainly, it is important to recognise that policy transfer does not necessarily involve a process whereby the learner gains deep knowledge of the borrowed item, the exporting political jurisdiction, or even their own system (Dolowitz, 2006). Rather, instances of policy transfer may be linked to processes associated with “*unreflective mimicry*” (Marsh & Sharman, 2009: 272), dysfunctional “*cut-and-paste policy transfer*” (Sharman, 2010: 625) or “*herding, fear, and symbolic movement*” leading to under-analysis of information (Dolowitz, 2006: 264).

With regard to outputs from the process of policy transfer, Dolowitz (2009) more recently advocated that contemporary studies should seek to integrate Hall’s (1993) observation that the learning process can be disaggregated into three distinct types of policy change involving three central variables. These are:

- **First-order change:** *in which overall policy goals and instruments remain unaffected but the precise levels or settings of instruments are adjusted (for instance, increasing the amount paid to recipients of social security benefits)*
- **Second-order change:** *in which overall policy goals remain unaffected but new instruments or techniques are introduced to attain them (for example, granting operational independence to the Bank of England)*
- **Third-order change:** *in which the hierarchy of goals – or ‘paradigms’ – behind policy alter radically (such as the shift from Keynesianism to monetarist modes of macroeconomic regulation during the 1970s and 1980s)*

According to Hall (1993; also see Rose, 1991b), third-order change transpires relatively infrequently and involves policy disjuncture, whereas first and second-order change are more common occurrences that preserve the broad continuities found in patterns of policy.

From where are lessons drawn?

Dolowitz and Marsh (1996; 2000) hold that policy-makers can, in essence, look to three levels of governance for lessons: the international, the national, and the local. Within a country agents can draw lessons internally (e.g. from different branches or divisions within their own organisation), vertically (e.g. ideas move up and down a hierarchy of

authority ranging from national to local government), and horizontally (i.e. subnational institutions transfer learning among themselves). Alternatively, actors can engage in cross-national learning and in doing so have the option to borrow policies from various levels of government within a nation. Lessons can also be drawn from, or ‘pushed’ upon, political units by international organisations and institutions (see ‘*why do actors engage in policy transfer?*’ above). It is important to recognise that Dolowitz and Marsh (1996; also see Dolowitz, 2000a) further argue that agents can search for lessons within a political system’s own past or the global past – a strategy they deem to be precarious as it involves subjective interpretation and evaluation.

Despite academic acknowledgement of the assortment of transfer policy ‘pathways’, spatial scales, and potential sources of non-indigenous inspiration that could be accessed by agents of change, empirical case study research emanating from the West has tended to exhibit a selection bias towards the exploration of voluntary cross-national policy transfer between developed countries, with the states of Africa, the Middle East, and most of Asia generally being overlooked by analysts (Hudson & Kim, 2013; Hulme, 2005; Marsh & Sharman, 2009; Nedley, 2004). Indeed, in an early article, Stone (1999: 57) expressed concern that an inherent “*first world, second world and third world division*” was identifiable within the policy transfer literature. This concern arguably remains pertinent today given that Western scholars persist in being somewhat preoccupied with the transfer activity that occurs inside the North America-European axis (see Benson & Jordan, 2012; Legrand, 2016).

What restricts and/or facilitates the policy transfer process?

Table 2.2 illustrates the variety of factors that Dolowitz and Marsh (1996, also see Dolowitz, 2000a; Dolowitz *et al.*, 1999) propose can facilitate and/or constrain the policy transfer process. According to Dolowitz (2000a), these factors can not only help to explain why some policies are imported, but also shed light on why particular jurisdictions or political systems are more attractive to agents of transfer than others.

Table 2.2. Factors that facilitate and/or constrain the policy transfer process

Structural/institutional	Feasibility
<ul style="list-style-type: none"> • System of government (e.g. unitary or federal structure) • Hierarchies, reporting procedures, and ‘open’ cultures within government departments and agencies • Existing legislation and policies shape how policy-makers perceive problems and identify viable solutions 	<ul style="list-style-type: none"> • Political ideology • Societal values (cultural proximity) • Bureaucratic size and efficiency • Technological abilities/personnel possessing necessary skills • Economic constraints
Policy complexity	Language
<ul style="list-style-type: none"> • Number of goals being addressed by a policy • The policy’s dependence upon political, social, and economic factors • The policy’s association with – or reliance upon – other policies • Degree to which policy-makers can predict possible side effects 	<ul style="list-style-type: none"> • The ability to access/read documentation and discuss policies directly with individuals • Language similarities can mask cultural or political differences between ‘borrowing’ and ‘lending’ jurisdictions
Past policies	Relationships
<ul style="list-style-type: none"> • Past policies constrain what can be imported, what agents search for, and which agents engage in policy transfer 	<ul style="list-style-type: none"> • Past or existing antagonistic/harmonious relationships between two political systems can block or establish lines of communication

Sources: Extracted from Dolowitz & Marsh (1996: 353-354); Dolowitz (2000a: 25-29)

How is the process of policy transfer related to policy ‘success’ or policy ‘failure’?

Fuelled by an understanding that not all transfer is successful, Dolowitz and Marsh (2000; also see Dolowitz, 2001) maintain that at least three factors have a significant effect on policy failure. As they state:

“First, the borrowing country may have insufficient information about the policy/institution and how it operates in the country from which it is transferred: a process called uninformed transfer. Second, although transfer has occurred, crucial elements of what made the policy or institutional structure a success in the originating country may not be transferred, leading to failure: we call this incomplete transfer. Third, insufficient attention may be paid to the differences between the economic, social, political and ideological contexts in the transferring and borrowing country: we call this inappropriate transfer” (Dolowitz & Marsh, 2000: 17, emphasis added).

Evaluating the Dolowitz and Marsh Model

As acknowledged by Benson and Jordan (2011), Dolowitz and Marsh’s 1996 article is widely regarded as a landmark in the development of the concept of policy transfer. Indeed, Dolowitz and Marsh have received academic tribute for not only crafting a widely cited definition of policy transfer and “*organizing a fragmented literature into a coherent whole*”, but for also designing a framework that is “*extremely useful for organizing research questions and classifying the process of transfer under scrutiny*” (Evans, 2004d: 21). Moreover, they have been praised for espousing an approach that treats policy transfer as both a dependent and independent variable. That is, they advocate that if researchers wish to use policy transfer to explain policy outcomes then they also need to explain what causes transfer (Evans, 2010).

However, despite its many merits and recurrent utilisation within empirical studies, the Dolowitz and Marsh Model has attracted considerable scholarly criticism. For example, Evans (2004d: 21) maintains that the explanatory power of Dolowitz and Marsh’s framework is “*limited in terms of its articulation of the relationship between structure and agency and in its account of the role of actors in processes of agenda setting and transference*”, while Jones and Newburn (2007: 29) maintain that Dolowitz and Marsh’s

response to the ‘why transfer’ question is “*primarily concentrated on the rationales adopted by particular actors ... [thus ignoring] the broader organizational and structural imperatives that may be equally, if not more, important as an impetus to policy transfer*”.

In addition, having incorporated a vast domain of policy-making activity into their model – voluntary and coercive; temporal and spatial – scholars have accused Dolowitz and Marsh of stretching the concept of policy transfer to the point where it lacks distinctive analytical validity as it cannot be differentiated from normal forms of policy development (Evans, 2010). Indeed, in their recurrently cited article, James and Lodge (2003: 181) assert that the inclusiveness of Dolowitz and Marsh’s definition makes policy transfer “*difficult to disentangle not only from ‘rational’ but also from a wide range of other concepts of policy-making*”⁷. Such objections concerning the contribution made by the Dolowitz and Marsh Model seemingly stem from an understanding that its creators fail to categorise the phenomena of policy transfer by scope (Evans & Davies, 1999). Or, put more simply, Dolowitz and Marsh neglect to draw clear parameters or boundaries to the study of policy transfer (Hudson & Lowe, 2009; Stone, 1999).

The Evans and Davies Model

In an article published in 1999 in the journal *Public Administration*, Evans and Davies (see also Evans, 2004d; 2009c; 2010) seek to ensure the survival of policy transfer as a theory of policy-making by adapting it into a multi-level and multi-disciplinary perspective on policy change. In endeavouring to transcend some of the weaknesses identified with the Dolowitz and Marsh Model, they introduce their approach by defining policy transfer in Rose’s (1991a; 1991b; 1993) terms as “*action-orientated intentional learning – that which takes places consciously and results in policy action*” (Evans & Davies, 1999: 368). This definition thus not only differentiates policy transfer from policy convergence as the latter may occur non-deliberately (see Chapter Four, Section 4.2), but also places the purposive action of agents at the heart of voluntary and coercive transfer

⁷ Advancing this critique, James and Lodge (2003: 190) further slam proponents of policy transfer for placing “*a set of diverse and conflicting theories under a common framework*” as they believe that this “*obscures differences between theories and might lead researchers who follow it to neglect the variety of theories that are available*”. Indeed, they conclude that, as a concept, policy transfer “*is less than the sum of its parts*”.

processes. Indeed, they propound that a “*necessary, but insufficient criterion for identifying policy transfer is ... to identify the agent(s) of transfer, to specify the role played by agents(s) in the transfer and the nature of the transfer that the agent(s) is/are seeking to make*” (Evans & Davies, 1999: 369).

In venturing to strengthen the additionality of policy transfer analysis and to provide it with a distinctive domain of enquiry, Evans and Davies (1999) further argue that researchers should focus on identifying and classifying remarkable phenomena not otherwise explained by existing frameworks. Accordingly, they propose that rather than investigating the day-to-day diffusion of knowledge at the micro-level within organisations, policy transfer analysts should exclusively explore the extraordinary transfers that occur between distinct organisations at the inter/transnational levels. Policy transfer is therefore held to be:

*“a process in which knowledge about institutions, policies or delivery systems at one level or sector of governance is used in the development of institutions, policies or delivery systems at another level of governance **in a different country**”* (Evans & Barakat, 2012: 544, emphasis added).

Hence, with regard to political spatiality, Evans and Davies (1999) suggest that policy transfer can occur along at least 25 cross-national pathways (see Figure 2.2), and that empirical study of systemic context may expose whether transfer along a specific pathway is un/likely.

Figure 2.2. Cross-national policy transfer pathways

International → International	National → International
International → Transnational	National → Transnational
International → National	National → National
International → Regional	National → Regional
International → Local	National → Local
	Transnational → Transnational
	Transnational → International
	Transnational → National
	Transnational → Regional
	Transnational → Local
Regional → International	Local → International
Regional → Transnational	Local → Transnational
Regional → National	Local → National
Regional → Regional	Local → Regional
Regional → Local	Local → Local

Source: Evans & Davies (1999: 368)

Crucially however, Evans and Davies’ (1999) fundamental submission is that policy transfer analysis can provide a context for integrating the complementary research agendas of domestic, comparative, and international political scientists, and that transfer processes should be examined through a structure and agency approach with three dimensions: global, international, and transnational levels, the macro-level, and the inter-organisational level. In developing this three-dimensional model Evans and Davies (1999) assimilate five academic literatures – international structure and agency; the epistemic community approach; domestic structure and agency; policy network analysis; and process-centred policy transfer analysis – to produce a single analytical ensemble. Integral to their account is the notion of a ‘policy transfer network’. That is, a “*middle-range [meso] level of analysis which links a particular form of policy development (policy transfer), micro-decision making in organizations, macro-systems and global, transnational and international systems*” (Evans & Davies: 1999: 361). Although acknowledging some similarities between Rhodes and Marsh’s (1992) conception of a policy community and Adler and Haas’ (1992) conception of an epistemic community, Evans and Davies (1999: 376) argue that inter-organisational policy transfer networks differ in the sense that they are an ephemeral “*ad hoc, action-orientated phenomenon set up with the specific intention of engineering policy change*”, and as such “*exist only for the time that a transfer is occurring*”. By implication, these networks matter because

“without them other policies might be adopted” (Evans & Davies, 1999: 376). Figure 2.3 illustrates the key characteristics of a policy transfer network.

Figure 2.3. The characteristics of a policy transfer network

<p>Membership</p> <p><i>Number of participants</i></p> <p><i>Type of interest</i></p>	<p>Very limited, the system has a bias against certain inputs, emphasis on bureaucratic and technocratic elites.</p> <p>Agents of policy transfer, affected politicians, and bureaucrats.</p>
<p>Integration</p> <p><i>Frequency of interaction</i></p> <p><i>Continuity</i></p> <p><i>Consensus</i></p>	<p>Within set time scale, frequent, high-quality, interaction of all groups on all matters related to the policy transfer.</p> <p>Ad hoc – action-orientated networks set up with the specific intention of engineering policy change.</p> <p>All participants share basic values.</p>
<p>Resources</p> <p><i>Distribution of resources (within network)</i></p> <p><i>Distribution of resources (participating organisations)</i></p>	<p>All participants have resources; basic relationship is an exchange relationship.</p> <p>Policy-makers are dependent on the intelligence-gathering skills and knowledge resources of the agent of transfer and the donor organisation.</p>
<p>Power</p>	<p>The success of a policy transfer network rests on the ability of the agent of transfer to satisfy the objective policy problem of the client, there must be a positive-sum game if the network is to persist.</p>
<p>Reasons for participation</p>	<p>The need to satisfy objective policy problems. Gaining access to other organisational networks.</p> <p>Motivating values (e.g. regime-pull; discourse-pull; ideological factors). Providing essential skills and knowledge resources.</p>

Source: Adapted from Evans & Davies (1999: 375-376)

In developing their policy transfer network approach, Evans and Davies were reportedly fuelled by their belief that no satisfactory methodology had been presented within the existing literature to investigate policy transfer processes, the role of agents, knowledge-acquisition, and policy-orientated learning (Evans, 2004d).

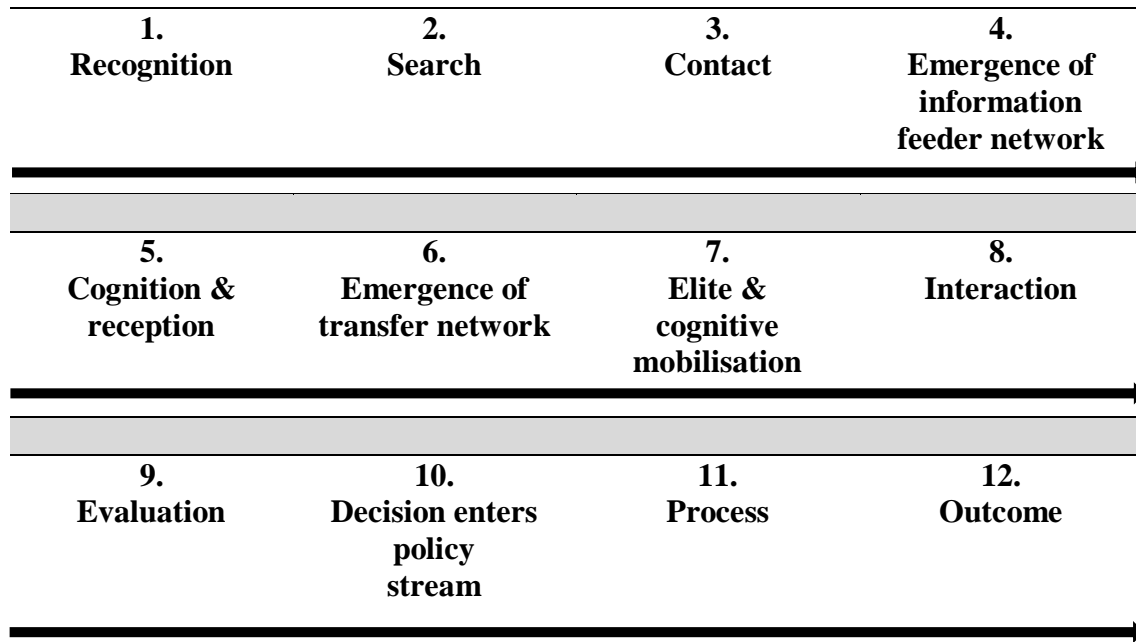
“Thus through its emphasis on structural (organizational rules and imperatives) and interpersonal relationships (information and communication exchange) within networks, together with accounting for structural factors exogenous to the network (for example, ideology, economy, technology and resource exchange) a method is provided for understanding forms of policy development within a multi-organizational setting” (Evans & Davies, 1999: 376).

Within their article, Evans and Davies (1999) also illustrate how the three broad putative phases of the voluntary policy transfer process⁸ (i.e. pre-decision, decision, and post-decision) can be broken down into twelve stages (see Figure 2.4). Stages one, two, and three entail the identification of a public policy problem and the search for policy ideas; stages four through to nine and stages 11 to 12 reflect periods of potential policy learning; while stage 10 represents the period in which the policy enters formal policy processes (Evans, 2005). The scheme Evans and Davies (1999) present is essentially an ‘ideal-type’ policy cycle designed to be applied to case study investigation (Evans, 2004d). It is important to clarify, however, that they do emphasise that their scheme has been designed purely for analytical purposes and that they make *“no claims about the rationality or otherwise of the policy transfer process”* as *“[t]he capacity of an issue to pass through these stages is contingent on environmental factors (for example, economic conditions, changes in government) and the type of agent of transfer”* (Evans & Davies, 1999: 376). Indeed, they do not suggest that the policy transfer process is lineal or unidirectional (Clifton & Diaz-Fuentes, 2014; Ladi, 2004), and they stress that *“the process of voluntary transfer can break off at any point past search and still result in a form of transfer (for example, the drawing of a lesson, symbolic or perceptual transfer)”* (Evans & Davies, 1999: 376-377). As such, Evans and Davies’ (1999) cycle is intended to act as a *“heuristic method for mapping processes of transfer through a combination of decision and delivery*

⁸ It is important to acknowledge that Evans and Davies (1999) do also illustrate how the ‘coercive’ policy transfer process can be broken down into ten stages.

analysis” – it is “wholly illustrative and provides a frame for organizing empirical research” (Evans, 2004d: 22; Evans, 2009c: 262). Further details pertaining to each of the policy transfer stages outlined by Evans and Davies are presented in Chapters Seven, Eight and Nine.

Figure 2.4. The emergence and development of a voluntary policy transfer network



Source: Adapted from Evans & Davies (1999: 377)

Evaluating the Evans and Davies Model

Notwithstanding claims that it is both conceptually sophisticated and forwards an astute solution to ‘the structure and agency problem’ (see Jones & Newburn, 2007; Ladi, 2005; Marsh & Sharman, 2009), a search of academic literature reveals that just 17 studies have adopted Evans and Davies’ (1999) analytical model⁹, with just 12 utilising their ‘voluntary policy transfer network’ framework (see Figure 2.4) when presenting research findings. With regard to the strengths of this framework, those scholars who have

⁹ A large proportion of these studies are (co)authored by Evans himself, feature within a 2004 book that he edited (i.e. *Policy Transfer in Global Perspective*), or are linked to doctoral research that he supervised. This suggests that Evans has acted as a key diffuser of his and Davies’ approach, and it would appear that he remains committed to its application given the publication date for his most recent, pertinent, paper is 2012. Research also confirms that adoption of the ‘policy transfer network’ approach by those not (discernibly) affiliated with Evans or Davies has not decayed over time, with articles that utilise elements of this approach being published in 2014 and 2017. Hence, the model has retained contemporary relevance within the field of policy transfer analysis.

employed it generally concur that it is a useful heuristic scheme for systemising qualitative case study evidence and for studying the process of policy transfer both in relation to a single instance and comparatively (Evans & McComb, 1999; Evans with McComb, 2004; Ladi, 1999; 2000; 2002; 2004; 2005; Mokhtar, 2001). Indeed, the scheme has been commended for permitting exploration of the ways in which decision-makers acquire knowledge; supporting the evaluation/mapping of the role played by agents, knowledge, and power within the policy transfer process; and improving comprehension of the countless factors that can potentially constrain transfer activity (Evans, 2004c; 2005; Evans & McComb, 1999; Evans with McComb, 2004; Ivanova & Evans, 2004; Ladi, 1999; 2000; 2004). The scheme is not, however, faultless. For instance, academics have acknowledged the significant methodological demands that the framework places on the researcher to enable them to fruitfully engage with each ‘stage’, and have criticised Evans and Davies (1999) for failing to include an inclusive account of the reasons why policy-makers may instigate policy change (see Chapter Seven, Box 7.1) (Huerta-Melchor, 2006; Ladi, 1999; 2000; 2002; 2005). Moreover, empirical evidence has highlighted a number of deficiencies with respect to the overall coherence of the model, as some agents can fulfil multiple roles in the process of policy transfer (such as information ‘sender’ and ‘receiver’), or may be paid for participating in policy transfer networks, thus challenging the notion that all members share basic values (Evans, 2004a; Evans & McComb, 1999; Evans with McComb, 2004; Ladi, 1999; 2000). In addition, scholars have noted that the scheme presents remnants of rationalist thinking, and that a perfect match was not achieved between their data and the logic and content of each of the stages outlined by Evans and Davies (1999) (Hudson & Kim, 2013). For instance, Ladi (2002) maintains that not all stages of the scheme were observable in the data that she collected, that the boundaries between some stages were indistinguishable, and that several stages warranted being divided into sub-stages.

2.4. A third wave?

2.4.1. Critique of the ‘orthodox’ policy transfer literature

In producing an account of the evolution of policy transfer literature, Benson and Jordan (2011: 368) recently questioned if the “*heat has started to go out of the debate*” and if academics “*more or less know what should be known*” about this aspect of modern policy-making. In response, a fiery discussion erupted in which the parameters and

powers of the concept of policy transfer were subjected to sustained discussion, thus confirming that intellectual harmony within this field is far from being attained (Legrand, 2012b). Highly prominent within this exchange were McCann and Ward – scholars associated with what is described as a budding ‘new wave’ (Hudson & Kim, 2013) of policy transfer literature. This social-constructivist body of work largely, although not exclusively, derives from disciplines including geography, sociology, anthropology, and urban studies, and is extremely critical of what is labelled the ‘political science’ approach to the study of policy transfer. Indeed, in discussing what they categorise as a nascent ‘policy assemblages, mobilities, and mutations’ approach that purportedly engages more thoroughly with the social, spatial, and political elements involved in policy movement, McCann and Ward (2012) advance four key critiques of what they identify to be the foundations and preoccupations of the ‘rationalist-formalist’ tradition. Each of these critiques is briefly summarised below, and is accompanied by retorts from prominent ‘orthodox’ policy transfer scholars.

Agents not agency

First, McCann and Ward (2012: 326, emphasis in original) propound that policy transfer analysts expend “*considerable effort on identifying and categorising those involved in the transferring of policy ... [yet this] focus on agents often comes at the expense of an attention to agency*”. In their view, actor typologies and excessively rigid models not only restrict rather than support analysis of the broader context that limits and shapes the actions of individuals, but also obscure the true character of policy-making. Indeed, they maintain that:

“the political science literature tends to downplay the fundamentally social – practical, interpersonal, institutionally embedded, yet fluid and processual – character of policy-making in general and the social practices of comparison, education, emulation, imitation and persuasion that characterise the transfer of policies ...” (McCann & Ward, 2012: 326).

Challenging this account, Marsh and Evans (2012) argue that although policy transfer scholars do focus on the role played by individual and collective agents in the process of policy transfer, it is inaccurate to claim that they devalue context. Rather, they suggest that those publishing work that is aligned to the ‘mainstream’ policy transfer approach

habitually analyse the complex context in which agents operate, and recognise that contributions made by different actors are neither straightforward nor unproblematic (Marsh & Evans, 2012). In addition, Dolowitz and Marsh (2012) defend heuristic models on the grounds that they volunteer guidance on how to approach a subject empirically (as opposed to reifying a ‘reality’), and stress that in privileging the role of agents, ideas, and narratives, social-constructivists themselves are prone to slighting the importance of structures and institutions.

The nation state

The second critique forwarded by McCann and Ward (2012) is that policy transfer analysts demonstrate a propensity to concentrate on national governments, thus eliding the numerous sites and scales in and through which policies are generated. Indeed, while conceding that the existence of local-to-local transfer within national systems has been acknowledged for some time, they argue that the conventional literature “*retains a problematic separation between the domestic and the international which does not acknowledge that urban policy actors can act globally in their own right, meaning that policy regimes of various sorts are relationally interconnected*” (McCann & Ward, 2012: 327). Moreover, drawing on the work of Allen and Cochrane (2007), they advocate that “*the sites from and to which policies are transferred need to be understood not as discrete territories but, rather, as unbounded, dynamic, relational assemblages*” (McCann & Ward, 2012: 327). Here, the concept of ‘assemblage’ assumes the significance of both materiality and practice to social formations (Prince, 2010). As Prince (2010: 172), maintains:

“[assemblages] are material because they are assembled out of a variety of heterogeneous elements, potentially including bodies, texts, discourses, buildings, and factories as well as ‘natural’ forms like trees, oil, and carbon. In an assemblage elements are made to cohere together enough to appear systematic, or at least, describable ...”

Hence, a nation-state can be an assemblage of cities, institutions, policies, local and central governments, and discourses of nationhood, while an implemented policy can be an assemblage of texts, actors, agencies, institutions, and networks that come together at

policy-making locales (Prince, 2010). Singular assemblages with their own spatiality and temporality can thus be components within larger assemblages, yet all remain ‘blurry’ at the edges and are continually fluctuating and (re)formulating due to the efforts of agents (Prince, 2010).

In seeking to enervate McCann and Ward’s (2012) criticism, Dolowitz and Marsh (2012) and Marsh and Evans (2012) stress that the activities of international organisations, supranational institutions, and non-state actors has, and continues to be, investigated by policy transfer researchers. Nevertheless, Dolowitz and Marsh (2012) do grant that less focus has been directed by political scientists towards the transfer activity that may be occurring between local sites. Yet, they caveat that this does not automatically entail the adoption of an assemblage’s approach that deemphasises the notion of fixed and closed geographical political territories.

Implicit literalism

McCann and Ward’s (2012) third critique is borrowed from Peck and Theodore (2001: 449) who argue that the term ‘transfer’ involves an *“implicit literalism ... which tends to suggest the importation of fully formed, off-the-shelf policies when in fact the nature of this process is much more complex, selective, and multilateral”*. In essence, McCann and Ward (2012; also see Peck & Theodore, 2010) hold that policies do not simply travel unaltered as complete parcels or units. Rather, their forms and effects are (re)interpreted and (re)moulded by various actors during their journey – a journey that itself serves to remake relational connections across a socio-institutional landscape. As such, before they even disembark from their flight policies are ultimately ‘already-in-transformation’ (Peck & Theodore, 2010). They are constantly mutating and morphing (McCann & Ward, 2012; Peck & Theodore, 2015). Explicitly emphasised here is the notion of ‘mobility’, a process understood by sociologists and geographers to be complex, socio-spatial, and power-laden as opposed to that which entails a straightforward A-to-B movement (McCann & Ward, 2012).

It is crucial to acknowledge that placing such weight on policy mobility and mutation has significant methodological implications. Indeed, McCann and Ward (2012; also see Temenos & McCann, 2013) propound that researchers should not only consider how to trace and ‘follow’ policies, people, and places, but also study banal ‘situations’ and

‘spaces’ of policy circulation and assemblage including those that are ‘fleeting’ such as conferences, seminars, workshops, guest-lectures, fact-findings visits, mega-events, and informal meetings via ethnographic techniques.

According to Dolowitz and Marsh (2012) such allegations of ‘literalism’ are entirely unfounded, and they accuse McCann and Ward of building a straw man to make their case. Although this is perhaps unduly harsh, it is somewhat difficult to defend McCann and Ward’s stance as ideas concerning policy alteration and instability reverberate heavily throughout the conventional policy transfer literature. Certainly, discussions concerning policy borrowing outcomes (i.e. ‘degrees’ of transfer); the importance of adapting single or multiple ‘foreign’ model(s) to an importers context; the coming to the fore by different actors during different stages of the policy transfer process; the potential for policy to be reshaped during implementation; and the fact that policy transfer may occur in ‘waves’ do feature within numerous studies. In short, the complexity, fluidity, and dynamism of the policy development process, along with the likelihood of policy reconfiguration, are not disputed by political scientists (Dolowitz & Marsh, 2012; Marsh & Evans, 2012). What is more, as noted by Marsh and Evans (2012), academics including Stone (2012; also see Stone, 2016) and Dussauge-Laguna (2012a) have begun to invoke some of the concepts favoured by social-constructivists, a key example being that of ‘translation’, which is understood to be a process in which “*a series of interesting, and sometimes even surprising, disturbances can occur in the spaces between the ‘creation’, the ‘transmission’ and the ‘interpretation’ or ‘reception’ of policy meanings*” (Lendvai & Stubbs, 2007: 175).

Rationality

In forwarding their fourth criticism, McCann and Ward (2012: 327) direct their attention towards the positivism identifiable within conventional papers – specifically the “*conceptualisation of transfer agents as optimising, rational actors, who know what they are after and scan ‘the market’ for possible solutions, making decisions and trade-offs over which policy products to adopt ...*”. They observe that policies do not hover in a cloud above knowledge-obtaining policy-makers, just waiting to be selected on the basis of ‘perfect information’ (also see Peck & Theodore, 2015). Rather, the political and economic environment in which individuals act is structured by conditioning fields, institutions, and path dependency.

Responding to this appraisal, Marsh and Evans (2012) note that although perfect rationality within policy-making is undoubtedly rare, this does not imply that the process is entirely irrational or that pursuing rationality has no advantages. Indeed, they maintain that elite transfer agents should not rely on anecdotal policy evidence, undertake cursory examinations of non-indigenous programmes, or allow bias to pervade decision-making.

2.4.2. Drawing some conclusions

Given the composition of the political science rebuke, it is apparent that some uncertainty surrounds the claim that the policy ‘assemblages, mobilities, and mutations’ approach has “*departed significantly*” from that deemed to be ‘orthodox’ (McCann & Ward, 2012: 326). Certainly, literature associated with the latter is large and heterogeneous – with different lines of inquiry being pursued (see Sections 2.3.2 and 2.3.3), and academics seeking to navigate their way through a labyrinth of theoretical, conceptual, and methodological decisions via reference to their own (multi)disciplinary compass. As such, a question that perhaps could be asked is whether proponents of the social-constructivist approach have embarked on a truly distinctive ‘post-transfer’ (McCann & Ward, 2012) trajectory, or if they have instead sketched an unflattering – and in places seemingly false – picture of an increasingly mature ‘second wave’ literature while simultaneously repackaging some of its content. In short, is the ‘third wave’ more about style (nomenclature) than substance (analytical originality)? And does this pose the risk that rather than engaging in genuine dialogue, scholars from different disciplines will, going forward, talk past one another due to employing different conceptual terms? (Benson & Jordan, 2012).

Moving away from abstraction, what is clear is that the social-constructivist literature is highly complex, rather ornate, and somewhat perplexing in places. Nevertheless, it is difficult to contest that scholars associated with this approach have shone a light on the residual effects of rationality that are identifiable in some policy transfer publications, and have highlighted the importance of researching previously under-addressed (as opposed to entirely overlooked) foci including the ‘situations’ of policy mobilisation and policy-making. Their contribution is certainly far from trivial. It is arguable however, that the most noteworthy insight proffered by those publishing work associated with this approach is that the ‘mainstream’ policy transfer literature has largely been preoccupied with examining transfer that occurs at the national level. Yet, it should be noted that calls

made for further ‘inter-local’ policy transfer studies to be undertaken are contentious for two key reasons. First, by incorporating transfer that occurs between locales located in the same country, the notion of ‘inter-local’ transfer entails exploration of what Evans and Davies (1999) deem to be unremarkable transfer. To reiterate, Evans and Davies (1999) maintain that in order to preserve its additionality policy transfer analysis must be restricted to investigation of extraordinary transfer that transpires between discrete bodies at the inter/transnational levels. In short, the spatial variable matters – we should be committed to examining those programmes that have travelled across state borders. The second reason as to why the notion of ‘inter-local’ transfer is arguably contentious is that it appears to be employed as a synonym for ‘inter-city’ transfer, thus excluding alternative subnational transfer pathways (see Figure 2.2). Fuelled by this assessment the author proposes that the term ‘international-subnational’ policy transfer be coined to describe:

“a process in which knowledge about institutions, policies, or delivery systems in one subnational jurisdiction is used in the development of institutions, policies, or delivery systems in another subnational jurisdiction in a different country”
(definition adapted from Evans & Barakat, 2012: 544).

Indeed, having consumed a generous portion of the policy transfer literature, the author contends that it is this specific pathway that has generally been disregarded by researchers to date (also see Walby & Lippert (2014) for a similar argument). Such disregard is both puzzling and undesirable with respect to the UK for a number of reasons. One reason is that policy change can, and does, occur in a ‘bottom-up’ rather than ‘top-down’ manner, with local or regional agents formulating and implementing innovations that are later endorsed by central government or that diffuse horizontally across subnational jurisdictions thus generating cumulative impact (Edwards & Hughes, 2005; Gavens *et al.*, 2017; Jones & Newburn, 2007; Mawby, 2011; Stenson & Edwards, 2004; Wincup, 2013). The second reason relates to the sphere of crime and justice in the UK in particular. More specifically, it is arguable that scholarly disregard of the ‘international-subnational’ policy transfer pathway is problematic due to the political landscape of policing and crime changing significantly in England and Wales in recent years – a change that may trigger an increase in the emulation of ‘foreign’ subnational crime control policies by subnational agents.

2.5. Chapter summary

This chapter has provided a narrative account of the genesis and development of policy transfer analysis with respect to three ‘waves’ of literature. Given the breadth and volume of publications associated with this field of study producing an encyclopaedic review would undeniably have been an impossible task (see Dussauge-Laguna, 2012a). Nevertheless, this chapter has sought to outline the structure of existing knowledge, map and critique analytical frameworks, capture the contributions made by key academics, and identify opportunities for further research. Indeed, the primary argument forwarded within this chapter is that neglect of the ‘international-subnational’ policy transfer pathway is problematic due to the ‘bottom-up’ nature of some policy change, and also because the political landscape of policing and crime has changed significantly in England and Wales in recent years. In the following chapter, this argument will be presented in greater detail.

Chapter Three

A New Policy Transfer Opportunity Structure

3.1. Introduction

In closing the previous chapter it was suggested that academic neglect of the ‘international-subnational’ policy transfer pathway is problematic due to the political landscape of policing and crime changing significantly in England and Wales. The objective of this chapter is to elaborate on this further by arguing that the police accountability reforms introduced by the Conservative-Liberal Democrat Coalition Government (2010–2015) have created a new ‘opportunity structure’ for ‘international-subnational’ crime and justice policy transfer to occur via the placing of directly elected Police and Crime Commissioners (PCCs) into a subnational strategic leadership position. To achieve this objective, this chapter will describe and contextualise the emergence of the new ‘quadripartite’ police governance arrangements in England and Wales. It will then move on to highlight the controversies that have surrounded PCCs, while at the same time acknowledging that they are likely to continue operating in the political arena for the foreseeable future. Finally, this chapter will outline why PCCs hold the potential to be agents of ‘international-subnational’ crime and justice policy transfer.

3.2. A ‘quadripartite’ model of police governance

Few would dispute that the *Police Reform and Social Responsibility (PRSR) Act 2011* provided for the most radical transformation and constitutional shake-up in the governance and accountability of the police in England and Wales for almost 50 years (Lister & Rowe, 2015; Mawby & Smith, 2013). The Act effectively disassembled the ‘tripartite’ model of police governance established by the *Police Act 1964* – a model that divided responsibility for, and oversight of, local police forces between Chief Constables,

the Home Secretary, and Police Authorities¹⁰ (Berman *et al.*, 2012; Lister, 2013; Rogers, 2013; Strickland, 2013; Wood, 2016b). In its place a ‘quadripartite’ structure with complex relational accountabilities was introduced (Raine & Keasey, 2012). Within this new structure, Chief Constables retain responsibility for the direction and control of their respective police forces (Reiner, 2013). Breaking with past arrangements, however, the *PRSR Act 2011* signalled that the Home Secretary was to retreat from interference in local police affairs (Lister, 2013; Newburn, 2012b). Indeed, while still possessing the authority to intervene in the event of force failure or when subnational decision-making poses a danger to national security, the Home Secretary’s ‘hands-off’ role now primarily entails sporadically issuing a Strategic Policing Requirement that sets out threats that require a national policing capability and for which Chief Constables are to pay due regard when exercising their duties (Chambers, 2014; Lister, 2013; Lister & Rowe, 2015; Loveday, 2013a). In addition to this change, many of the governance and executive functions that previously fell within the remit of Police Authorities have been assumed by 41 directly elected local PCCs, each of whom has a four-year term of office and can serve a maximum of two terms (Berman *et al.*, 2012; Lister, 2013; Lister & Rowe, 2015). Such functions include: setting the annual force budget; determining the police council tax precept; producing a Police and Crime Plan that details local policing priorities and strategic objectives; and holding the Chief Constable to account for force performance (Dempsey, 2016)¹¹. Coupled with the latter, PCCs have the power to appoint, suspend, dismiss, or call on the Chief Constable to retire or resign (Dempsey, 2016). Consistent with the ‘*and crime*’ component of their job title, PCCs are also charged with cooperating with specific local criminal justice bodies to provide an efficient and effective wider criminal justice

¹⁰ Outside of London, Police Authorities in England and Wales were composed of 17 or 19 members including local councillors and independent community members (at least one of whom had to be a magistrate) (Berman *et al.*, 2012; Rogers, 2013).

¹¹ N.B. Alternative arrangements exist for London. The City of London retained a Police Authority while in January 2012 the Mayor’s Office for Policing and Crime (MOPAC) replaced the Metropolitan Police Authority. MOPAC is a political office formally headed by the elected Mayor of London. It is held to public account by the Police and Crime Committee of the London Assembly (MOPAC, 2016a). MOPAC does not have the power to appoint or dismiss the Metropolitan Police Commissioner. Instead, this post continues to be a royal appointment on the advice of the Home Secretary (BBC News, 2016c).

system, and are expected to work closely with Community Safety Partnerships¹² to create joined-up strategies and practical interventions to prevent and tackle crime and disorder (Crawford & Evans, 2016). As part of this role, PCCs have been tasked with commissioning community safety services and the majority of support services for victims via awarding Crime and Disorder Reduction Grants to statutory, private, and/or third sector agencies (Lister & Rowe, 2015; Madoc-Jones *et al.*, 2015; Mawby & Smith, 2013). Hence, the direct and indirect funding that had formerly been distributed by central government has been placed into the hands of PCCs, thus setting them up to be, as Loader (2014: 41) maintains, “*powerful actors – even the most powerful actor – on the local policing and crime reduction scene*”. Although intended to be big hitters and pivotal players, however, the new police governance structure erected by the *PRSR Act 2011* does contain a ‘checks and balances’ component in the form of Police and Crime Panels (Bailey, 2015; Chambers, 2014). Composed of co-opted independent members as well as elected local councillors¹³ from the local authorities that are subsumed under each police force area, these panels are expected to review and scrutinise the actions and decisions of PCCs and possess the power to veto the PCCs’ planned precept level or proposed Chief Constable appointment should two-thirds of panel members concur (Berman *et al.*, 2012; Strickland, 2013).

3.3. Addressing a democratic deficit

Despite being hailed as the flagship policing and criminal justice policy of the Coalition Government, it is interesting to note that the basic idea for PCCs was first proposed back in 2002 in a pamphlet drafted by the (then) Conservative politician, Douglas Carswell

¹² Established under Sections 5–7 of the *Crime and Disorder Act 1998*, Crime and Disorder Reduction Partnerships – re-named Community Safety Partnerships (CSPs) in 2010 – typically work at district or unitary authority level and are composed of local representatives from ‘responsible authorities’ (i.e. police, probation, health, local authorities, and fire and rescue) and the private and third sector where appropriate (Crawford & Evans, 2016; Home Office, 2016). CSPs conduct an annual audit and consult with the public to formulate a rolling three-year plan to reduce adult and youth re-offending, crime, disorder, anti-social behaviour, alcohol and substance misuse, and any other behaviour that has a negative impact on the local environment (Home Office, 2016; Tilley, 2009).

¹³ As a consequence of the Welsh Assembly refusing to allow Parliament to legislate on Welsh local authority matters, members of Police and Crime Panels in Wales are nominated by the Home Secretary (Local Government Association, 2011).

(Brain, 2014; Lister, 2013). Writing for the centre-right think tank Cchange, Carswell (2002: 9) argued that local responsibility for policing and the prosecuting of criminals should be removed from unelected and unaccountable elites and placed into the hands of “*a directly elected Sheriff representing each county, city or large town*”. The following year, the notion of making the police accountable to elected representatives of local communities was also advocated in a report produced by Loveday and Reid (2003) on behalf of the newly established British centre-right think tank, Policy Exchange. Drawing inspiration from models of police governance in the United States (US), Loveday and Reid (2003) maintained that police accountability and the fostering of local innovation could be achieved in the United Kingdom (UK) in various ways including electing members or Chairmen (Sheriffs) to Police Authorities, or making the police accountable to elected mayors and council leaders who themselves would be overseen and scrutinised by a police committee – the latter ultimately being their suggested course of action.

Significantly, both the Carswell and the Loveday and Reid recommendations were forwarded in a context whereby a cross-party political consensus had emerged that held that Police Authorities were failing to hold Chief Constables to account, were composed of individuals with no electoral mandate with respect to policing issues, and were largely impotent in the face of growing central government micro-management and control of the police as exercised by, for example, the implementation of performance target and measurement regimes (Chambers *et al.*, 2013; Joyce, 2011; Lister, 2013; Lister & Rowe, 2015; Rogers, 2013; Wincup, 2013). Moreover, the conclusion was reached that as an upshot of such government meddling, local police forces had become disempowered and were viewed by the public as remote, disconnected, and non-transparent bureaucracies that were more attuned to meeting the demands of government and Whitehall than local areas (Lister, 2013; Rogers, 2013). This problem definition was further reinforced by survey results that revealed that over two-thirds (67 percent) of respondents were uncertain about who they should approach if they were dissatisfied with local policing services – a finding that effectively hammered an additional nail into the Police Authority coffin with regard to their visibility and acceptability (Cabinet Office, 2008). Thus, it was against this ‘democratic deficit’ backdrop and the need to re-orientate the police towards the public that think tanks and political parties began contemplating police constitutional reform, with the Conservative Party pitching and working-up its ‘elected police commissioners’ policy remedy over a number of years and later successfully securing its

survival during Coalition negotiations¹⁴ (Newburn, 2012b). Ultimately, at the heart of this policy vision was the desire to shift and devolve power downwards from central government and to build a bond and trust between local citizens and their police force. A force that under the watch of an elected representative would have the freedom to reduce crime and improve safety in a manner that was grounded in an understanding of the priorities of local people. People who, in turn, would feel empowered to unite, mobilise, and actively share responsibility for crime prevention within their neighbourhoods (Home Office, 2010a). As such, the advent of PCCs and associated police governance reform should arguably be understood as being key expressions of the Coalition Government's 'localism' and 'Big Society' agendas (Home Office, 2010a; Strickland, 2013).

3.4. Controversy surrounding Police and Crime Commissioners

As recognised by Lister and Rowe (2015), controversy surrounding PCCs emerged even before the first public elections were held. A major concern vocalised by critics was that given the large deposit required to stand for election candidates were likely to be financed by, and aligned to, political parties, thus potentially leading to the politicisation of the police (Chambers, 2014; Joyce, 2011; Loader & Muir, 2016; Sampson, 2012). Relatedly, fears were expressed about the prospect of police operational independence being trampled on due to Chief Constables being pressured¹⁵ to approve Police and Crime Plans via the coercive levers that would be available to PCCs – that is, their power to dismiss the Chief Constable and to set the force budget (Innes, 2011; Joyce, 2011; Loader & Muir, 2016; Strickland, 2013). The possibility of PCCs failing to resist the temptation to 'play to the gallery' was also voiced as an issue, with commentators remarking that PCCs could divert resources away from crimes that are difficult to measure, 'hidden' from view, and/or that do not resonate with the public (Innes, 2011; Newburn, 2012a). Moreover, the

¹⁴ When proceeding to form a government in 2010, the Conservative Party and the Liberal Democrats entered into negotiations with very different views regarding how to render police forces democratically accountable, with the Conservative Party advocating for PCCs and the Liberal Democrats favouring the direct election of the majority of Police Authority members (Lister, 2014). According to Gibbs (2010), Police and Crime Panels were a concession made by the Conservative Party to the Liberal Democrats to allay concerns about PCCs possessing too much power and responsibility over large constituencies.

¹⁵ Such fears were aggravated by the fact that under provisions contained in the *PRSR Act 2011*, Chief Constables would no longer have the option of appealing to the Home Secretary if they believed that their operational independence was at risk (Chambers, 2014; Loveday, 2013b).

potential for minority groups to be subjected to discrimination by means of populist crackdowns on crime was noted, as was the risk of police governance being ‘hijacked’ by individuals or parties with extremist or sinister agendas (Chambers, 2014; Joyce, 2011; HL Deb 27 April 2011, v.727. c139; Loader & Muir, 2016; Muir & Loader, 2011). In addition, apprehension was further expressed about, *inter alia*: the knowledge and calibre of the candidates who might stand; disqualification of contenders on the grounds of them having committed minor offences in their youth; the capacity of one PCC to act on behalf of police force areas with vast electorates; negligence of inter-force collaboration and national security issues in favour of local priorities; and the anticipated costs of PCC arrangements and elections, with some suggesting that this money should have been spent on increasing front-line policing (Brain, 2014; Gilmore, 2012b; HL Deb 27 April 2011, v.727. c139; Innes, 2011; Joyce, 2011; Lister & Rowe, 2015; Loveday, 2013b; Mawby & Smith, 2013; Surrey Police Authority, 2011).

Notably, controversy surrounding the Coalition Government’s police constitutional reforms did not subside following the inaugural PCC elections held on 15 November 2012 which resulted in 16 Conservative, 13 Labour and, rather unexpectedly, 12 Independent candidates being elected under a supplementary vote system (Berman *et al.*, 2012; Strickland, 2013). Although unease was expressed with regard to the demographic profiles of the successful candidates (the majority of the first PCC cohort were white males), their elite political or crime-related professional backgrounds (many had previously been elected politicians, Police Authority members, police officers, or magistrates), and the high number of spoilt ballots (2.8 percent), it was the low turnout¹⁶ that hit the headlines (Berman *et al.*, 2012; Kirkland, 2015; Strickland, 2013). Indeed, with turnout averaging just 14.7 percent¹⁷ for valid votes across all 41 police areas it was

¹⁶ In participating in a poll conducted by Populus, just under half (45 percent) of those who did not vote reported that they had insufficient information about the candidates to make a decision; 19 percent maintained that they did not agree with ‘electing police officials in this way’; and 18 percent said that they were just not interested (Berman *et al.*, 2012). Notably, this state of affairs had in fact been forecast prior to the election due to ministers and the media failing to forward a convincing narrative concerning the necessity for police constitutional change; the Home Office declining to fund a mail-out of campaign materials; and the election being held in November rather than May hence increasing the likelihood of poorer weather (Kirkland, 2015; Lister & Rowe, 2015; Mawby & Smith, 2013).

¹⁷ This figure does veil some variation in turnout. For example, Staffordshire had a turnout of 11.6 percent while Northamptonshire’s turnout was 19.2 percent (Berman *et al.*, 2012).

the “*lowest recorded level of participation at a peacetime non-local government election in the UK*”, with one polling station in Newport, Gwent, visited by no voters at all (Kirkland, 2015: 407; also see BBC News, 2016c; Berman *et al.*, 2012; Mawby & Smith, 2013; Strickland, 2013). As a consequence, questions were raised not only about the desirability of the Coalition Government’s policing reforms in the eyes of the public, but also about the strength of the legitimacy of PCCs. The latter of which had added teeth given that the average mandate of those elected was just seven percent (Brain, 2014; Kirkland, 2015; Loveday, 2013a; Wells, 2016).

It would be fair to say that PCCs did not shake off the scepticism and negativity that surrounded them during their first term in office, with the media reporting clashes between PCCs and Chief Constables, cronyism with respect to the hiring of staff/advisors, and scandals pertaining to expenses (Bailey, 2015; BBC News, 2016c; Brain, 2014; Chambers, 2014; Lister, 2014; Loveday, 2013a; Strickland, 2013). As acknowledged by Lister (2014), this context triggered the announcement in May 2013 of a Home Affairs Committee (HAC) inquiry into PCCs – an announcement that was hot on the tail of a report published by the HAC that criticised Police and Crime Panel oversight of PCCs and that was launched with a warning from the Chair that such panels needed to guard against ‘maverick’ decision-making (Vaz, 2013). With turnout falling marginally at the 2015 PCC by-elections held in the West Midlands and South Yorkshire, the electoral fortunes of PCCs did not improve dramatically and lessons were seemingly not learnt by the Coalition Government concerning the need to promote and defend their new mechanism for holding the police to account (Kirkland, 2015). In fact, it was during this period that the Deputy Prime Minister (2010–2015) and Leader of the Liberal Democrats (2007–2015), Nick Clegg, branded PCCs a “*failed experiment*” (BBC News, 2014). This pessimistic analysis, however, was not echoed unanimously. For instance, Crowhurst (2016) reports that PCCs were not only commended by the National Audit Office for improving value for money, but were also praised by the HAC and Her Majesty’s Inspectorate of Constabulary for encouraging collaboration. Moreover, in her capacity as Home Secretary (2010–2016), Theresa May underscored the fact that PCCs had increased public engagement in policing debates (as evidenced by the volume of correspondence they were receiving) and that their public profile was considerably higher than that of Police Authorities (BBC News, 2016c; Strickland, 2013).

The second cycle of PCC elections were held on 5 May 2016 in 40 police force areas. Greater Manchester did not hold an election as the functions of the PCC were set to be assumed by a directly elected mayor in 2017 as part of the region's devolution agreement (see below). Ultimately, 20 Conservative, 15 Labour, two Plaid Cymru, and three Independent candidates were elected – 18 of whom were incumbents (Dempsey, 2016). Turnout increased by 11.5 percentage points when compared to 2012, averaging 26.6 percent for valid votes (Dempsey, 2016). Whether this increase was linked to the 2016 PCC elections coinciding with other local elections being held on the same day, and/or because normalisation surrounding electing PCCs had transpired as predicted by leading figures within the Conservative Party is unclear (Kirkland, 2015). What is clear, however, is that with the Conservative Party forming a minority government in 2017 and the Labour Party u-turning on its proposal to abolish them, PCCs look set to remain part of the political landscape for the foreseeable future (BBC News, 2016a; Davies & Johnson, 2016; Kirkland, 2015; Loader & Muir, 2016). Moreover, it is likely that they will obtain more powers over time with respect to public safety and the wider criminal justice system (Conservative Party, 2017; Loader & Muir, 2016). Indeed, in March 2016 the second Cameron government agreed to grant the Greater Manchester Combined Authority (GMCA)¹⁸ further freedom and flexibility with regard to criminal justice services,¹⁹ while the *Policing and Crime Act 2017* enabled PCCs to take on responsibility for fire and rescue services where a local case is made.

3.5. Agents of policy transfer

Although granted that the remit and powers of PCCs may change and stretch going forward, it remains the author's conviction that PCCs – whether in their current form or in the form of elected mayors – ultimately hold the potential to be new agents of

¹⁸ Established in April 2011, the GMCA is comprised of the Mayor of Greater Manchester and 10 councillors nominated by each of Greater Manchester's constituent authorities.

¹⁹ This 'justice devolution' will be driven by a multi-agency Justice and Rehabilitation Executive Board, led by the Mayor, who will work alongside the government and a range of bodies including the National Offender Management Service; the Youth Justice Board, and Her Majesty's Courts and Tribunal Service to consider, *inter alia*: the creation of a new resettlement prison, linking education and training that is available in the community to provision provided within the secure estate, and the piloting of Global Positioning System (GPS) and alcohol tags (see Chapter Six, Section 6.2.1) (GMCA, n.d.; Lloyd, 2016).

‘international-subnational’ crime and justice policy transfer as their role beds in. To justify this stance, it is necessary to draw on Evans’ (2004c; 2009c; 2010) conceptualisation of policy transfer ‘opportunity structures’. At the core of Evans’ (2009: 255) contribution is an understanding that while citizens have habitually drawn positive and negative policy lessons from different jurisdictions since the dawn of civilisation,²⁰ analysts typically explain the perceived upsurge and acceleration of policy transfer activity²¹ in modern polities via reference to one or more of the following sources of policy change: “*global, international and/or transnational forces; state-centred forces; the role of policy transfer networks in mediating policy change; and micro-level processes of policy orientated learning*”. Given that an account of the characteristics and intent of meso-level ‘policy transfer networks’ has been forwarded in Chapter Two (Section 2.3.3), a synopsis of the three remaining sources of policy change compiled by Evans (2004c: 28-37; 2009c: 255-260; 2010: 80-85) is provided below.

Global, international, and transnational sources²²

- *Globalisation*: Patterns of increased internationalisation have transpired and the closer integration of national economies has arisen due to reduced transportation and communication costs as well as the removal of barriers to the flow of goods, services, capital, and knowledge across borders.
- *Global communication technologies*: The Internet permits policy-makers to engage in policy tourism and enables policy entrepreneurs, knowledge institutions, and think tanks to market their ideas and expertise to governments across the globe (also see Legrand, 2012a; 2012b).

²⁰ N.B. Analogous arguments have been forwarded by Hulme (2005); Legrand (2012a); Nelken (2010); Peck & Theodore (2015); Pierson (2003); Randma-Liiv & Kruusenberg (2012); and Siegel & Weinberg (1977).

²¹ As no robust quantitative baseline data exists that permits historical comparisons to be undertaken concerning the frequency of policy transfer activity, determining if this alleged trend can be proven or invalidated remains a gap yet to be plugged by analysts (Page, 2000; also see Evans, 2009b).

²² For clarification, Evans (2004c; 2009c; 2010) recognises as ‘international’ the structures and processes that inform state-to-state relations (for instance, the United Nations) and as ‘transnational’ the role played by non-state actors (for example, multi-national corporations) in policy-making at all levels of governance.

- *Processes of 'global governance'*:
 (Formal) – The activities of ‘predatory’ agents of economic policy transfer such as the Bretton Woods Institutions have amplified in recent decades, while at the same time intergovernmental economic organisations and ‘ideological artists’ (Pal, 2012) including the Organisation for Economic Co-operation and Development (OECD) have proactively pushed their agendas in the international arena (also see Legrand & Vas, 2014).
 (Informal) – Ideational policy discourses such as neoliberalism have been promulgated by networks of actors.

State-centred forces

- *Changes in government*: The ascent of a new government to power provides an opportunity for policy transfer to materialise during periods of ‘third-order’ policy change (see Hall, 1993, also see Chapter Two, Section 2.3.3). For instance, the relationship that developed between the Blair government and the Clinton administration and its associated forging of an international agenda for the centre-left purportedly resulted in a plethora of policy transfer occurring between Britain and the US post-1997 (also see Dolowitz *et al.*, 1999; Muncie, 2001). Similarly, policy transfer that entails paradigmatic change is common in countries that are pursuing state transformation via modernisation, democratisation, or market reform (also see Barrows, 2014; Canton & McFarlane, 2014; Randma-Liiv & Kruusenberg, 2012; Robertson, 2005).
- *'Hollowing-out'*: Additional windows for policy transfer have opened up in Britain due to the political powers of the state being eroded or eaten away as evidenced by five interrelated processes: devolution and regionalisation; privatisation of public services; the loss of functions by central and local government departments to specialised delivery agencies and implementation bodies; the loss of functions by the British government to European Union (EU) institutions; and the limiting of the discretion of public servants through New Public Management (also see Rhodes, 1994: 138-139).

Micro-level processes of policy-orientated learning

- *Public or professional dissatisfaction*: Monitoring systems or broader policy evaluation frameworks identify poor policy performance. Lacking expertise,

‘reactive’ policy-makers look outside of their organisations for solutions (also see Stone, 1999).

- *Rational learning organisations:* Some administrations are encouraging governmental bodies to engage in an enduring process of evidence-based learning, with policy transfer becoming a rational choice for most developed countries (also see Common, 2004a; Davies *et al.*, 2000; Legrand, 2012a; Pawson, 2002).
- *Leadership:* Ministerial change or adjustment to the management of a public agency can facilitate the occurrence of policy transfer.
- *Political strategy:* Policy transfer may be utilised to legitimate conclusions already reached by an organisation (also see Canton & McFarlane, 2014; Robertson, 1991)²³.
- *Momentum:* Processes of policy transfer can trigger additional transfer activity (also see Dolowitz, 2000a).

Drawing on these sources of policy change, not only is it apparent that the Coalition Government’s police accountability reforms provide a contemporary illustration of ‘hollowing out’ processes with political power shifting away from the central apparatus, but it is also arguable that such reforms have generated a new ‘opportunity structure’ for ‘international-subnational’ crime and justice policy transfer activity to materialise in England and Wales via the placing of PCCs into a subnational strategic leadership role. Academics have, of course, identified a series of voluntary and coercive mechanisms in response to the ‘*why do agents engage in policy transfer*’ question (see Chapter Two). Nevertheless, it is conceivable that the introduction of PCCs may give rise to policy borrowing from subnational jurisdictions in different countries for the following three reasons.

First, in light of their access to performance data and their engagement with the public through, for instance, surveys, attendance at community meetings, and the receiving of tweets, emails, and letters, PCCs are likely to be hyperaware of perceived problems or micro-level dissatisfaction with existing arrangements. Alternatively, they may be

²³ Also espousing this perspective, Bennett (1991a) maintains that evidence of ‘foreign’ programmes can be utilised by elites to reinforce entrenched positions and to legitimate/rationalise decisions already taken that owe little to cross-national policy learning. Where this scenario transpires, sources of evidence cited by elites are likely to be highly selective, glib, incomplete, and anecdotal with little regard to canons of methodological validity and reliability: ‘*Country X has shown that Programme X works (or not)*’ (Bennett, 1991a).

conscious that performance within their force area is poor in comparison to others as identified by, for example, the availability of online street-level crime maps, results from the Crime Survey for England and Wales, and government statistics pertaining to the timeliness of criminal court cases. Hence, in reacting to these scenarios and seeking to drive forward the fight against crime, disorder, inefficiency, and service inadequacies, PCCs could potentially use their ‘soft powers’ (Crowhurst, 2016) to champion the importation of subnational policy innovations pioneered overseas to Chief Constables and/or relevant (non)statutory agencies tangled in the crime and justice web. Certainly, the acquisition of knowledge regarding such innovations could derive from any number of channels, be it:

- Research conducted by staff working in the PCC’s office
- Engagement with policy communities
- Reports compiled and conferences held by European institutions and professional evidence-led bodies such as the European Crime Prevention Network, the College of Policing, and the What Works Centre for Crime Reduction, or
- Publications issued by think tanks, policy entrepreneurs, or corporations.

Indeed, the manifestation of PCCs may provide those who strive to influence public policy agendas with a more accessible and receptive group of elected officials to target. Just as the ‘open’ and federalised US crime control system offers more points of access (Jones & Newburn, 2007; 2013), so too might the current system of police governance in England and Wales. For sure, it is not unreasonable to assume that lobbyists may venture to secure policy change at the subnational level, with the hope that their policy will swiftly diffuse horizontally and vertically should it be ‘successful’. As Handy (1994: 271) maintains: “*change comes from small initiatives which work, initiatives which, imitated, become the fashion*”.

The second reason as to why PCCs may trigger ‘international-subnational’ crime and justice policy transfer is that, just like Members of Parliament and local councillors, they operate in the political realm and are ultimately held to account at the ballot box (Austen, 2015; Chambers, 2014; Gilmore, 2012a; 2012b). Re-election may thus be at the back or perhaps even at the forefront of their minds (Wells, 2016). As such, it may be the case that PCCs will strive to increase their public profile and defend their tenure from challenge by endeavouring to leave a deep policy footprint in the sand (Lister & Rowe,

2015; Strickland, 2013). One way that PCCs could work to achieve this is by adopting a ‘facilitative’ role in transferring novel practices from subnational jurisdictions abroad. For example, they could use their ‘hard powers’ (Crowhurst, 2016) to bestow Crime and Disorder Reduction Grants onto organisations that are intent on emulating ‘foreign’ models locally, or they could actively endorse force submissions to the Police Innovation Fund that propose to implement non-indigenous ideas in a proof-of-concept fashion. Alternatively, PCCs may attempt to bolster their re-election chances and improve civic cognisance of their efforts by fanning insecurity about crime issues, discursively framing existing approaches as failing, and ‘flexing their muscles’ in both public and private arenas to place pressure on Chief Constables and collaborative partners to ‘get on board’ with an overseas method (Shaw, 2009; Wells, 2016). Unquestionably, the story of a PCC’s resolve to copy a scheme pioneered abroad is much more likely to grab headlines than that of a story of a PCC who is pressing for the adoption of a programme with roots in Britain – Sydney and South Carolina are more ‘glamorous’ than Scunthorpe and South Yorkshire.

Naturally, PCCs may encounter resistance to their tactic of drawing policy lessons from a different country, with an ‘*it wasn’t grown on my patch*’ culture and attitude known to exist in some police forces (Crowhurst, 2016). A card that PCCs could potentially play, however, is their mandate – whether derived from public participation or through legal rules and procedure – to pursue reform that reflects the demands and needs of the communities that they represent (Lister & Rowe, 2015). Indeed, the notion of a PCC’s mandate links smoothly to a further reason as to why they may prove to be agents of ‘international-subnational’ crime and justice policy transfer. In contrast to the reasons cited above which are highly speculative in nature, this third reason is founded upon empirical evidence concerning the ‘bottom-up’ policy change that has been secured by PCCs in recent years – change that had entailed local variation and the unlocking of innovation across a range of crime control matters (Crowhurst, 2016). For instance, in a bid to prevent Violence Against Women and Girls, the PCC for Northumbria, Vera Baird, led from the front to develop vulnerability awareness training for grassroots workers involved in the night-time economy; while in Northamptonshire, PCC Adam Simmonds (2012–2016) sought to increase Special Constable numbers via taking forward a recruitment drive and collaborating with his force to streamline enlistment processes (Loader & Muir, 2016; Office of Northamptonshire Police and Crime Commissioner, 2016). Moreover, having previously expressed support for the utilisation of drug

consumption rooms, the PCC for Durham, Ron Hogg, announced in July 2015 that cannabis users in his force area would be offered the chance to avoid prosecution by attending the CheckPoint programme, thus, in effect, taking bold strides towards de facto decriminalisation (Austen, 2015). If Ron Hogg hurdled the boundaries of his role in a ‘rogue-like’ fashion to make the law rather than ensure its enforcement is a moot point (Cusick, 2015). Nevertheless, what these examples illustrate is that PCCs are in fact taking forward new approaches both within police forces and beyond. Given the increasing reliance that modern policy-makers are assumed to have on policy transfer (Dolowitz & Marsh, 2000; Dolowitz *et al.*, 1999; Garrett, 2008; Muncie, 2001; 2006), it is therefore possible and probable that in acting as catalysts for change PCCs will seek to utilise knowledge of subnational initiatives from a different country to cut crime and challenge the criminal justice status quo in their locality.

3.6. Chapter summary

This chapter has sought to argue that the police governance reforms introduced by the Coalition Government have created a new ‘opportunity structure’ for ‘international-subnational’ crime and justice policy transfer to materialise. In constructing and justifying this argument, details concerning the new ‘quadripartite’ police accountability arrangements in England and Wales have been forwarded, together with an account of the political rationale behind the introduction of PCCs. In addition, the controversies that have surrounded PCCs have been outlined, while at the same time it has been suggested that PCCs look set to remain part of the policing and crime landscape going forward. Finally, this chapter has highlighted several reasons as to why PCCs hold the potential to be agents of ‘international-subnational’ crime and justice policy transfer. The following chapter will explore the extent, range, and nature of the existing academic literature that addresses crime and justice policy transfer with respect to the UK.

Chapter Four

Policy Transfer in the Sphere of Crime and Justice

4.1. Introduction

Having speculated that Police and Crime Commissioners (PCCs) may prove to be active agents of ‘international-subnational’ crime and justice policy transfer over time, a question that thus arises is: *what do we know at present about the role that has been played by policy transfer in the development of crime and justice policies in the United Kingdom (UK) at the national level generally, and at the subnational level specifically?* In response, this chapter will seek to examine the extent, range, and nature of academic work situated within this field of study. Subsequent to maintaining that claims of conscious policy borrowing are rarely substantiated by systematically obtained research evidence, a critical review of five empirical studies that have examined (alleged) UK crime and justice policy importation is presented, along with an overview of the ‘divergence and convergence in crime control’ debate. The chapter concludes by outlining gaps in the existing research base and by presenting this study’s core aims.

4.2. Assumptions and hunches

With regard to what is known about policy transfer in the context of the UK, the author’s engagement with relevant literature exposed several key findings. One such finding is that *claims* that policy-makers have transferred crime control innovations are readily identifiable within, and generously sprinkled across, criminological books and journal articles. Indeed, scholars have cited a series of programmes, models, practices, institutions, technologies, strategies, ideas, and rhetoric(s) that they maintain have travelled or ‘flowed’ (Newburn & Jones, 2007b; Newburn & Sparks, 2004a; Newburn *et al.*, 2017) across the globe and disembarked in the UK. A small number of examples are provided in Figure 4.1. A more comprehensive, although not exhaustive, list can be found in Appendix B.

Figure 4.1. Innovations that have purportedly travelled to the UK

- | | |
|--|---|
| <ul style="list-style-type: none">• Anti-social behaviour orders• Bail interviewing• Boot camps• Child curfew schemes• Civil gang injunctions• Community courts• Communities that Care• Day fines• Drug courts• Drug Czar• Intelligence-led policing• John Schools• Neighbourhood Watch• Operation Ceasefire• Pre-trial detention as a ‘short, sharp, shock’• Problem-orientated policing | <ul style="list-style-type: none">• Privatisation of criminal justice agencies (including prisons)• Quasi-compulsory drug treatment for offenders• Restorative justice and family group conferences• Scared Straight• Sentencing guidelines• Sex offender notification/registration• Supermax prisons• Three-strikes-and-you’re-out• Time banking within criminal justice• Titan prisons• Ugly Mugs• Unit beat policing• Victim impact statements• Zero tolerance policing |
|--|---|

Sources: See Appendix B

A further finding, however, is that a significant proportion of these claims are seemingly based on recurrently echoed assumptions and hunches that ostensibly derive from an understanding that policy responses in the UK look remarkably similar to those that have originated in another jurisdiction. Certainly, claims made by scholars pertaining to the non-indigenous geneses of crime control policies in the UK are seldom accompanied by carefully collected data. Intuition and casual observation generally prevail. No mention is made of the specific agents who have intentionally sought to push or pull knowledge of policy alternatives into the UK. Moreover, those forwarding such claims habitually fail to demonstrate that UK policy-makers possessed knowledge of ‘foreign’ innovations, and that they consciously utilised such knowledge when formulating policy (Bennett, 1997; Dolowitz *et al.*, 1999; Jones & Newburn, 2002a). As such, it is possible that the policies that feature in Figure 4.1 and Appendix B emerged in the UK not because of cross-national policy transfer, but because of idiosyncratic domestic factors or shared macro-

level social, economic, and cultural characteristics (Bennett, 1991a; 1997). In short, any policy resemblance could be attributed to chance, or structural-led convergence as defined as the “*tendency of societies to grow more alike, to develop similarities in structures, processes and performances*” (Bennett, 1991b: 215; also see Bennett, 1991a; 1997; Deacon, 2000).

4.3. A dearth of empirical studies

Entwined with the above finding, the author’s immersion in this academic sphere revealed that few empirical studies have been published that directly explore the process of crime and justice policy transfer with respect to the UK. Indeed, the execution of a comprehensive search procedure that followed the principles of a ‘scoping study’ methodology (see Arksey & O’Malley, 2007; Levac *et al.*, 2010) resulted in just five studies being located that: a) are written in English, b) judiciously reconstruct the policy development process and the contribution made by policy transfer within this, c) forward primary empirical evidence, and d) engage with the policy transfer analysis literature.

A summary of these studies is provided in Table 4.1 below, and further information is presented in Appendix C.

Table 4.1. Empirical studies – crime and justice policy transfer

<i>Author(s)</i>	<i>Year</i>	<i>Type</i>	<i>Title</i>
<i>Schachter</i>	1991	Journal article	<i>Bail interviewing: a case study of cross-national policy transfer</i>
<i>Nellis</i>	2000	Book chapter	<i>Law and order: the electronic monitoring of offenders</i>
<i>Jones & Newburn</i>	2007	Book	<i>Policy transfer and criminal justice</i> Three case studies: <ul style="list-style-type: none"> - zero tolerance policing; - privatising punishment (including electronic monitoring); and - three strikes and mandatory sentencing.
<i>Newburn</i>	2012	Journal article	<i>Police and crime commissioners: the Americanisation of policing or a very British reform?</i>
<i>Jones & Newburn</i>	2013	Journal article	<i>Policy convergence, politics and comparative penal reform: sex offender notification schemes in the UK and the USA</i>

Source: Author's own

Arguably, the small number of studies identified indicates that crime and justice policy transfer research is still very much in its infancy. Given that the earliest study located was published in 1991, however, it would appear that this field of inquiry has remained in its early stages for quite some time, largely due to academic neglect. The reason(s) for this are open to speculation. Perhaps political scientists have habitually overlooked crime as an issue area (Jones & Newburn, 2004; 2007). Perhaps methodological ‘costs’ in terms of time and materials are too high (Newburn *et al.*, 2017). Perhaps criminologists have shown more interest in the outcomes/impact of policy rather than its origins, or have consciously avoided researching and analysing the policy process to prevent their discipline becoming a ‘political critique’ rather than an ‘objective’ science (Jones & Newburn, 2004, 2007; Newburn *et al.*, 2017; Simon, 2008). Whatever the cause(s) of this neglect, it would appear that crime and justice policy transfer is a rather niche area of academic focus, and that relatively little is known, at present, about the importance and influence of international examples with regard to the UK crime control policy-making process.

4.4. Review of existing empirical studies

This section critically reviews the five empirical studies outlined in Table 4.1 above using a cross-sectional approach. It begins by surveying the design of the studies in terms of the data collection methods, ostensible audience, analytical lens, policy transfer pathway, and orientation embraced and targeted by the studies' authors. Having recognised that the two leading scholars in this field – Jones and Newburn – habitually situate their research within literature that investigates the impact of 'Americanisation' and globalisation with respect to the penal policies introduced in liberal democracies, a succinct overview of work that contributes to the 'divergence and convergence in crime control debate' is subsequently provided. The remainder of this section is dedicated to discussing the key findings that emerged from the empirical studies. In light of the complexity of the seven instances of crime and justice policy transfer examined across the five studies, Appendix D features tables that summarise the policy development journeys that unfolded with regard to each case. Readers are gently encouraged to consult these tables before proceeding. To chart the key findings a common framework was created and applied to each case as appropriate. This framework incorporates many of the questions that are addressed explicitly or in a periphrastic fashion by policy transfer analysts (see Chapter Two).

4.4.1. Design

Methods

All five of the studies located adopt either a single or multiple qualitative case study design. Evidence of policy transfer is primarily derived from the collation of documentary materials including, *inter alia*: government reports and evaluations; transcripts from parliamentary debates and committee meetings; political party publications; think tank and professional association reports; newspaper and magazine articles; books written by senior practitioners; and lectures and conference presentations. Just two studies – Schachter (1991) and Jones and Newburn (2007) – present verbatim quotations captured via semi-structured elite interviewing. Although these methods do gather data that permit policy transfer research questions to be answered in a convincing and credible fashion,

there is clearly considerable scope for the piloting of innovative data collection techniques within this field of study.

Audience

The content of the studies identified is academic in nature and evidently intended to be read by a scholarly audience. Indeed, the studies' authors do not distinguish findings that are directly applicable to policy-makers, nor do they extricate and convert the experiences encountered by agents of policy transfer into constructive 'lessons' for others. As such, all five of the studies are vulnerable to a criticism made of policy transfer research more generally – that is, that it is not action-based or relevant to practice (see Evans, 2004d; 2006; 2009b; 2009c; 2010).

Analytical lens

Reference to the policy transfer analysis literature varies markedly across the studies located. If placed on a 'minimal–extensive' engagement continuum, Nellis' (2000) book chapter would appear on the far left as it lightly engages with concepts such as 'voluntary transfer'. By contrast, Jones and Newburn's (2007) book would be positioned much farther to the right as it not only reviews policy transfer literature, but also addresses distinct yet related concepts (i.e. diffusion, convergence, lesson-drawing, and learning). Interestingly, none of the studies that were published post-1999 employ Evans and Davies' (1999) twelve-stage 'policy transfer network' analytical and organisational scheme (see Chapter Two, Section 2.3.3).

Policy transfer pathways

With regard to policy transfer pathways, scholarly gaze has remained fixed at the national level. Indeed, while several of the studies identified (i.e. Nellis, 2000; Newburn, 2012b; Schachter, 1991) remark on the launch of government-triggered subnational pilot projects in the UK, and Jones and Newburn (2007) briefly discuss three localised and short-term initiatives associated with zero tolerance policing (see Section 4.4.3 below), tracing the perceptions, motivations, strategies, and actions of those operating within the national policy-making arena is at the core of the studies' analyses. Hence, the role played by

‘international-subnational’ policy transfer in the development of crime and justice innovations in the UK has yet to be robustly investigated.

Orientation

All five of the studies located explore associations and similarities between crime and justice policy in the United States (US) and the UK. Despite the US focus of this body of work, however, it would arguably be unwise to presume that ‘foreign’ influence on UK crime control policy must be one directional or one dimensional (Karstedt, 2001; Muncie, 2005) and that America and the UK are in an exclusive ‘lender-borrower’ relationship (Nellis, 2000). To be sure, even a rapid examination of the supposedly mobile examples outlined in Figure 4.1 and Appendix B indicates that Ugly Mugs schemes²⁴ originated in Australia (Cook, n.d.), while the roots of restorative justice can be traced back to Maori communities in New Zealand (Barrows, 2014; Wincup, 2013). Instead, such focus on the US should be understood as being inextricably linked to the broader objectives of the studies identified, with Nellis’ (2000) chapter featuring within a book dedicated to exploring if changes in British public policy are an upshot of policy-makers learning from the US, and Jones and Newburn (2007; 2013; also see Newburn, 2012b) purposefully selecting cases that permit them to engage with heightened criminological interest in the ‘Americanisation’ of British policy-making and the associated ‘divergence and convergence in crime control debate’ – that is, a debate that concerns the extent, causes, and implications of globalisation with regard to criminal justice and penal policy (Jones & Newburn, 2013). It is to this debate that we now turn.

4.4.2. The divergence and convergence in crime control debate

‘Divergence’

Although placing different scholars into opposing camps is somewhat crude, researchers associated with the ‘divergence’ perspective broadly argue that seeking to explain emerging similarities in penal systems via reference to globalisation tends towards

²⁴ Ugly Mugs schemes encourage sex workers to report incidents of violence and other crimes committed by those presenting as clients. Perpetrator descriptions are subsequently circulated to other sex workers to warn them of the dangers that these individuals pose (Cook, n.d.).

overgeneralisation and fails to distinguish that global international pressures are neither uniform, consistent, or unmediated (Muncie, 2005). Instead, criminal justice policy is understood to be ‘glocal’ (the assimilation of the global and the local) (Hobbs & Hamerton, 2014). Indeed, while recognising the influence of globalising forces, those writing from a divergence perspective maintain that penal policy continues to be strongly shaped by political institutions, cultures, and historical traditions at both the national and subnational levels (Jones & Newburn, 2007; Muncie, 2005; Tonry, 2015). As Melossi (2004: 407) states: “*punishment is deeply embedded in the national/cultural specificity of the environment which produces it*”.

Or, as propounded by Tonry (2001: 518):

“The world increasingly may be a global community, have a global economy and be moving towards the adoption of English as a global language, but explanations of penal policy remain curiously local.”

In substantiating this argument, academics have sought to highlight the striking variation and discontinuities in penal policies in different nation states. For instance, in developing a typology of late-modern capitalist societies as based on the work of Esping-Anderson (1990), Cavadino and Dignan (2006) have identified a general pattern between different types of political economy and penalty. More specifically, they have found that ‘families’ of countries that share the same type of social and economic organisation resemble each other in the penal realm, and that neoliberal states including the UK, the US, Australia, New Zealand, and South Africa have harsher penal policies and higher imprisonment rates than ‘conservative corporatist’ states (Germany, France, Italy, the Netherlands), ‘social democratic corporatist’ states (Sweden, Finland), and the ‘oriental corporatist’ state (Japan). According to Cavadino and Dignan (2006), two factors may partly account for this apparent relationship between neoliberalism and severe punishment: the balance between different methods of social control, and cultural attitudes towards deviant and marginalised citizens. With regard to the former, they not only suggest that the policies pursued by neoliberal governments have disrupted communities, thus undermining the informal social controls once exercised by family, friends, colleagues, and neighbours, but also that the exclusionary nature of such policies has failed to sufficiently protect those who are negatively affected by the whims of ‘the market’ and stigmatises those in receipt of the welfare payments that are available. The consequence being that citizens

have pursued material rewards that they cannot access legally via resorting to crime, which in turn, has led to amplified levels of formal punishment imposed by the state. With respect to the latter factor, Cavadino and Dignan (2006) maintain that neoliberalism has fostered a highly individualistic social ethos in which citizens are understood to be solely responsible for themselves. In short, the failure to succeed financially and engagement in criminal behaviour are both believed to be the product of free will. Such beliefs have, Cavadino and Dignan (2006) assert, been to some extent fuelled by corporate-owned media and by populist political elites who seek to exploit and/or aggravate ‘hard-line’ and emotive views that are held by the electorate. Indeed, they argue that public intolerance towards crime combined with competitive party politics has permitted a punitive law and order politics to flourish in neoliberal countries such as the US and the UK, with hyperbolic crime control rhetoric and policies ‘toughening’ over time, and incarceration rates ballooning in response.

Notably, in providing an analysis of English and American penal cultures, Tonry (2004) also draws on the notion of electioneering to explain why, despite previously being comparable to other large Western countries, the criminal justice measures formulated by UK political parties since the early 1990s have emulated those from the US that are inherently harsh in nature. For Tonry (2004), this shift towards ‘toughness’ can be linked to New Labour’s decision to imitate Bill Clinton’s New Democrats successful anti-crime position, strategies, and symbolism prior – and subsequent to – its election victory in 1997. Being ‘soft on crime’ was not a portrayal that New Labour politicians were content to accept²⁵. Crucially however, Tonry (2004) maintains that while the Blair

²⁵ According to Newburn and Jones (2005: 74), a “*populist punitive bipartisan consensus*” has emerged in the US and the UK that holds that a failure to talk tough on crime is analogous to political suicide. Indeed, they argue that in reading the results of the 1988 US Presidential Election, influential modernisers within the Democratic Party construed that being depicted as liberal, untrustworthy, and weak on crime contributed to Michael Dukakis’ defeat – a reading that was reinforced following Bill Clinton’s successful 1992 campaign in which he employed deeply symbolic and expressive penal rhetoric and terminology. Crucially, Newburn and Jones (2005) maintain that this ‘reading’ was in fact imported into the UK by the architects of New Labour who, in applying electoral campaign lessons learnt by their Democrat counterparts, came to believe that rapidly rebuffing ‘soft on crime’ accusations was essential if the party was to avoid replicating Michael Dukakis’ political fumbling in relation to the ‘Willie Horton affair’. Seemingly, the outcome of such learning from the US was that the criminal justice policy landscape was transformed in the UK from the early 1990s onwards, with the Conservative Party seeking to grab headlines back from their ‘*tough on crime and tough on the causes of crime*’ political opponents via showcasing their own penal testosterone (Newburn & Jones, 2005; also see Newburn, 2002; 2017).

administration's mimicking of US-style punitiveness was ultimately agent-led and a product of political self-interest, English societal acquiescence towards New Labour's law and order agenda can perhaps be attributed to specific cultural characteristics that are not discernible in other European jurisdictions. First, he suggests that the English are more receptive to harsh penal policies as they are more risk-averse and fearful of crime, a condition that he conjectures has actually been irritated by government investment and emphasis on crime prevention initiatives. As he states: "[p]eople who are reminded constantly that they should be fearful and protect themselves from criminals become fearful" (Tonry, 2004: 56, emphasis in original). Secondly, he speculates that English culture features a deep strain of punitiveness towards deviance, and that members of the judiciary in particular have a taste for punishment and a penchant for incarceration. Finally, he argues that English and American people are more tolerant towards the debasement, suffering, and disrespect of offenders. In accounting for this public attitude, Tonry (2004) draws heavily on Whitman's (2003) historical analysis concerning why France and Germany have not mirrored the US with respect to escalating penal harshness. In doing so, he advocates that in reaction to seventeenth and eighteenth century hierarchical differentiation concerning the punishment of criminals, France and Germany gradually 'levelled up' (i.e. sought to treat all offenders with civility and sympathy regardless of their socio-economic circumstances), while the US and England 'levelled down' (i.e. pursued degrading and uncompassionate punishment in line with that formerly inflicted on low-status individuals).

'Convergence'

In contrast to the 'divergence' literature that a) places significant weight on the cultural embeddedness and path-dependent trajectory of contemporary penal systems, b) stresses 'difference', and c) downplays globalising tendencies with respect to policy change, a number of writers have instead drawn attention to the ostensible 'convergence' of crime control policy in various nation-states, with focus primarily being directed towards the emergence and proliferation of harsh 'Made in the USA' (Wacquant, 1999; 2009) justice interventions in other Western democracies (Jones & Newburn, 2007). Interestingly, this apparent convergence has been explained in two different ways, with some academics favouring the integration of both contributions (see Hobbs & Hamerton, 2014; Jones & Newburn, 2002b; 2004; 2007).

Focused on the micro-level, the first explanation emphasises the actions of political agents and typically points to the direct influence of America over the UK via reference to the deliberate importation of US penal innovations by policy-makers. In brief, political decision-making and intentional policy transfer are held to be the causes of cross-national similarities. As Jones and Newburn (2002b: 177) maintain:

“There is a view, not always framed explicitly, that the field of British social policy in general (including crime control policy) has become increasingly ‘Americanised’ in recent years. Such arguments often suggest a rather straightforward exertion of American influence, which manifests itself via deliberate policy transfer from the USA, and the conscious emulation of US policy innovations by UK policy-makers.”

Indeed, despite being a country that has retained the death penalty and that has the highest rate of incarceration in the world (Newburn, 2017), scholars argue that American crime control measures have a seductive appeal to UK elected officials. Given the palpable deficiencies of the US criminal justice system, the question as to why it is an attractive source of inspiration is thus an incredibly perplexing and intriguing one for scholars. In seeking to provide an answer, Newburn (2002) identifies a handful of ways in which – or reasons why – US crime control interventions may have enticed UK politicians. Several of these reasons have been discussed above (e.g. the sharing of a neoliberal ideological agenda by US and UK governments, electoral lesson-drawing, and the ‘punitive turn’ (see Downes, 2011; Jacobson, 2006)). Notably however, a series of alternative explanations as to why UK policy-makers look westwards across the Atlantic when engaging in policy transfer activity have also been forwarded by others. These include:

- *Common language:* As the UK and the US are both English-speaking countries, verbal communication and the exploration of documentary materials is (relatively) straightforward (Dolowitz *et al.*, 1999; Evans, 2010; Nellis, 2000; Rose, 1974; Stone, 1999).
- *Multiple systems:* The federal structure of the US abets experimentation with different criminal justice models – essentially, each state is a ‘policy laboratory’ (Dolowitz *et al.*, 1999; Hulme, 2005; 2006, Makse & Volden, 2011; Rose, 1991b).

Indeed, America has been described as the “*penal workshop of the world*” (Downes, 1996: 4).

- *Longstanding ties*: A ‘special relationship’ has existed between the US and the UK since the Second World War (Dolowitz, 2000a; Evans, 2010; Nellis, 2000; Pantazis & Pemberton, 2009; Rose, 2005; Stone, 1999).
- *Crime rates*: The apparent fall in crime in many US cities is alluring (Muncie, 2006).

Contrary to this agent-led approach, some criminologists have instead embraced a macro-level ‘structural-cultural approach’ that de-emphasises (but does not entirely overlook) the role of individuals and proposes that shifts in economic and social structures and cultural change have directed political elites to adopt highly politicised and punitive criminal justice policies (Jones & Newburn, 2002a; 2004). For example, in examining rising imprisonment rates in modern industrialised countries towards the end of the twentieth century, Christie (2004) suggests that a critical driver behind such expansionism has been the ‘commodification of crime control’ and the interaction between criminal justice systems and market conditions in the delivery of pain. More specifically, he maintains that the boom in incarceration levels in capitalist societies has been partially influenced by the ‘prison-industrial complex’²⁶ – a constellation of transnational corporations that profit economically from enlargement of the secure estate by supplying goods and services to governments (Christie, 2004).

Also analysing developments in capitalist jurisdictions, Wacquant (1999; 2009) traces how a new ‘punitive common sense’ has surfaced which aims to criminalise poverty and to normalise precarious wage labour and social insecurity experienced by those positioned at the bottom of the class structure. Indeed, he suggests that governmental

²⁶ Forwarding a similar argument, Lilly and Knepper (1993) maintain that punitive policies in the UK, US, and Australia are created and delivered within a ‘corrections-commercial complex’ – that is, a subgovernment arrangement of national proportion between three key participants. These participants are private corporations (that profit from incarceration), government agencies (that are eager to maintain their existence), and corrections professional organisations (that tie together diverse groups). In short, Lilly and Knepper (1993) argue that an alliance has been forged between government and private enterprise, and that the interrelationships between these entities fuels the growth of imprisonment and corrections services.

actors in developed nations are surrendering to the temptation to rely on the police and carceral apparatus to stem the disorders created by neoliberal economic and social policies. As the welfare sector has decayed in the post-Keynesian age, the penal sector has expanded. In effect, capitalist production is being aided by severe criminal justice systems that have been bolstered and geared to regulate and warehouse useless, undesirable, or threatening (sub)proletarians. According to Wacquant (1999; 2009), the transition from the social state to an ‘iron fist’ penal state first transpired in the US, with a ‘neoliberal punitive doxa’ being forged during the Reagan-era by a network of neoconservative think tanks that, in seeking to disassemble the welfare state, incubated a package of theses (‘broken windows theory’), measures (‘zero tolerance policing’), and slogans (‘prison works’), and were abetted in this enterprise not only by their bureaucratic and journalistic allies, but also by academics²⁷ and political and professional elites. Wacquant (1999; 2009) argues that the transatlantic diffusion of this economic and penal ideology was facilitated by the close ties that exist between US and UK pro-market think tanks, operationalised by Conservative and Labour Party leaders, and then later assumed in a culturally adulterated fashion by political actors peppered throughout Europe and beyond. As he states:

“As in matters of employment and social welfare, London has served as the Trojan horse and acclimation chamber for neoliberal penality with a view towards its propagation across the European continent” (Wacquant, 2009: 2).

Also focusing on the underlying patterns of structural transformation and their impact on penal policy developments, Garland (2002) argues that a ‘culture of control’ is emerging in the US and the UK, and that over the past thirty years or so there have been strong similarities in relation to the crime control problems, risks, and insecurities experienced by these countries and the policies and practices that have been adopted by governments in response. Although acknowledging that political agency and political emulation have played a minor role in generating such similarities, Garland (2002) suggests that social, political, economic, and cultural changes (i.e. the coming of ‘late modernity’) are driving convergence between the US and the UK – changes that have not only coincided with the

²⁷ Such academics include Charles Murray, Lawrence Mead, James Q. Wilson, and George Kelling.

dislodging of the ‘penal-welfare’ rehabilitative framework from its central position, but that have also altered group relations, social attitudes, and cultural sensibilities in relation to crime, welfare, and social order. According to Garland (2002), these changes (which include, *inter alia*, the unfolding dynamic of capitalist production and exchange, the advent of electronic mass media, and the restructuring of the family and the household) caused a rapid and sustained rise in recorded crime levels during the 1960s and 1970s due to society’s increased susceptibility to crime²⁸. The consequence of this state of affairs was that high crime rates came to be perceived as a normal social fact, and that the limitations of the criminal justice system and its propensity for failure came to be widely recognised by both the public and professionals. The upshot was that one of the foundational myths of modern society was corroded – that is, that the sovereign state can deliver law and order and prevent crime. As Garland (2002: 110) argues:

“The predicament for government authorities today, then, is that they see the need to withdraw their claim to be the primary and effective provider of security and crime control, but they also see, just as clearly, that the political costs of such withdrawal are likely to be disastrous.”

Notably, Garland (2002) propounds that in response to this new predicament, state actors, first in the US and later in the UK, have pursued two deeply conflicting yet co-existing strategies. The first is a highly creative and pragmatic administrative strategy that involves the implementation of ‘adaptive’ measures such as focusing on the consequences (victims; fear) rather than the causes of crime, instilling a managerialist ethos into criminal justice agencies, contracting out functions to commercial companies, and spreading responsibility for crime control to non-state organisations and individuals. By contrast, the second entails politicians habitually indulging in a form of evasion in a bid to restore public confidence concerning the state’s capacity to keep its law-abiding citizens safe. Indeed, Garland (2002) maintains that following the intensification of the politicisation of penal policy during the 1980s and 1990s, political agents have not only endeavoured to establish their tough-on-crime credentials and ‘deny’ the limits of state power via advocating for increased punitiveness and state intervention, but have also

²⁸ Garland (2002) holds that the mechanisms that link late modernity’s impact upon vulnerability to crime include: augmented opportunities for crime; reduced situational controls; an increase in the population ‘at risk’; and a decrease in the efficacy of spontaneous social and self-controls.

engaged in ‘acting out’ behaviour that is impulsive and populist in nature, and symbolic, authoritative, and expressive in intent. In brief, he suggests that a contemporary politician’s primary objective is not to implement effective crime control interventions that address underlying problems, but rather, to be heard denouncing crime and be seen to be ‘doing something’ decisive. Retaliatory gestures that accord with common sense and allay public anger and outrage are the norm.

4.4.3. Key findings

Why does policy transfer occur?

Returning to the findings of the empirical studies identified, as illustrated in Table 4.2, evidence suggests that the drivers underpinning the crime and justice policy transfer that has transpired in the UK are positioned towards the voluntary end of Dolowitz and Marsh’s (2000) continuum (see Chapter Two, Section 2.3.3). Certainly, while policy implementation may have been viewed as imposed from above by some practitioners (see ‘*what facilitates and/or constrains policy transfer?*’ below), findings indicate that at a governmental level the impetus for policy change has largely stemmed from political, professional, media and/or public dissatisfaction as fuelled by tragic events, perceived policy failure, political and ideological agendas, and/or ministerial fear of being ‘out-toughed’ within the sphere of law and order.

Table 4.2. Policy transfer drivers – existing empirical studies

<i>Case</i>	<i>Driver(s)</i>	<i>Contextual details</i>
Bail interviewing	<ul style="list-style-type: none"> • Policy failure. 	<ul style="list-style-type: none"> • Prison overcrowding; professional critique concerning the excessive use of pre-trial detention; perception that the <i>Bail Act 1976</i> had not solved the ‘remand problem’.
Electronic monitoring	<ul style="list-style-type: none"> • Ideological agenda. • Event/punitive public mood. 	<ul style="list-style-type: none"> • <i>First attempt</i>: prison overcrowding; governmental commitment to reduced use of incarceration and greater use of ‘tough’ community sentences. <i>Second attempt</i>: the murder of Jamie Bulger; governmental adoption of ‘harsher’ criminal justice strategies.
Prison privatisation	<ul style="list-style-type: none"> • Political agenda(s). • Humane concerns. 	<ul style="list-style-type: none"> • Governmental intent to extend privatisation to the penal sphere; Prime Ministerial desire to appear ‘radical’ (symbolism); expanding prison population; ambition to improve prison standards and efficiency; political disgruntlement concerning the power of trade unions.
‘Three strikes’ and mandatory sentences	<ul style="list-style-type: none"> • Ministerial agenda. • Public/media discontent. 	<ul style="list-style-type: none"> • Determination of Michel Howard (Home Secretary, 1993–1997) to challenge entrenched sentencing and imprisonment practices; growing public concern about crime; political and media perceptions of judicial leniency; political symbolism in relation to law and order.
Zero tolerance Policing	<ul style="list-style-type: none"> • Political expediency. • Public discontent. 	<ul style="list-style-type: none"> • New Labour’s attempt to shed its ‘soft on crime’ image; local police forces striving to address fear of crime and to reduce its incidence.
Sex offender notification schemes	<ul style="list-style-type: none"> • Pressure. • Tragic event. 	<ul style="list-style-type: none"> • Growing anxiety about the issue of child sex abuse; the murder of Sarah Payne; campaign(s) for the introduction of public rights of access to the sex offenders register.
Police and Crime Commissioners	<ul style="list-style-type: none"> • Policy failure. 	<ul style="list-style-type: none"> • Cross-party consensus concerning the effectiveness of local arrangements for police governance.

Sources: Information extracted from Jones & Newburn (2007; 2013); Nellis (2000); Newburn (2012b); Schachter (1991)

Who is involved in crime and justice policy transfer?

The findings of the five studies reviewed reveal that a wide range of actors have operated as agents of (attempted) crime and justice policy transfer, and in doing so have assumed the roles of international policy ‘borrower’, ‘lender’, or ‘intermediary’. A contextualised account of the actions taken by key agents of transfer, along with an explanation of their motivations, is provided below. A more comprehensive overview of all of the actors that were referenced in each of the studies located is provided in Appendix E.

Policy entrepreneurs and pressure groups

Arguably the most vivid example of policy entrepreneurship distinguishable in the studies identified derives from Nellis’ (2000) and Jones and Newburn’s (2007) narratives concerning how electronic monitoring was introduced as a practice in England. A key figure in this story is Tom Stacey, a novelist, ‘conservative humanitarian’²⁹, and former Sunday Times foreign correspondent who had been jailed whilst working in Kashmir (Jones & Newburn, 2007; Nellis, 2000). Having cultivated a deep hatred towards incarceration, Tom Stacey arrived independently at the idea of ‘tagging’ in 1981³⁰, while in 1982 he founded a small politically-unaligned pressure group, the Offender Tag Association (OTA), to petition for its introduction (Jones & Newburn, 2007; Nellis, 2000). In campaigning doggedly during the mid-1980s, Tom Stacey and the OTA heavily publicised US tagging experience and exemplars (Nellis, 2000). Indeed, Nellis (2000: 103, emphasis in original) maintains that “*without the prior lessons of American practice to draw on Stacey would have found it very difficult, perhaps impossible, to promote the idea at the Home Office*”. Lobbying activity bore little fruit however until the House of Commons Home Affairs Committee (HAC) considered an OTA-produced report (Nellis, 2000). Such consideration was seemingly fuelled by the problem of prison overcrowding,

²⁹ According to Nellis (2000), ‘conservative humanitarianism’ expresses a particular penal standpoint that entails a commitment to low rates of incarceration and alternatives to custody. This standpoint is distinct from that held by liberals with regards to civil liberty matters and the moral acceptability of harsh community punishments.

³⁰ Interestingly, the idea of electronic monitoring also emerged around the same time in the US as in 1982 Judge Jack Love of Albuquerque was inspired by a Spiderman comic and began an experiment that involved tagging offenders who had been placed under house arrest (Nellis, 2000). As such, accurately identifying the genesis of this policy idea is somewhat complicated.

which resulted in members of the HAC and the Home Office minister Lord Caithness (1986–1988), embarking on fact-finding tours of the US, with positive reports being submitted upon their return (Nellis, 2000). October 1987 also saw the first British conference on electronic monitoring being held at Leicester Polytechnic’s School of Law – a conference that was initiated by an academic, facilitated by the OTA, and attended by US electronic monitoring manufacturing companies, correctional staff, and researchers who were involved in evaluating US schemes (Jones & Newburn, 2007; Nellis, 2000). Although the reason as to why remains vague,³¹ the 1988 Green Paper, *Punishment, Custody and the Community*, proposed that electronic monitoring be piloted at the pre-trial stage of the criminal justice process as a means of enforcing a bail curfew (Jones & Newburn, 2007; Nellis, 2000). New legislation was not required (Nellis, 2000). Trials began in 1989 in Nottingham, Newcastle, and Tower Bridge Court (South London) (Jones & Newburn, 2007; Nellis, 2000). Due to low numbers of taggees, equipment failures, and a large number of violations, the trials were branded an expensive fiasco by the liberal-left press and were terminated in January 1990 (Jones & Newburn, 2007; Nellis, 2000). Despite senior Home Office officials remaining optimistic about the potential of tagging, four years would pass before the policy was revived (see *‘politicians and civil servants’* below) (Jones & Newburn, 2007; Nellis, 2000).

Politicians and civil servants

In addition to findings suggesting that a) the Home Secretary, Roy Jenkins (1974–1976) requested that the Vera Institute of Justice (see *‘think tanks and non-profit organisations’* below) adapt its Manhattan Bail Project to the British context in 1974 (Schachter, 1991), and b) that the Conservative Party embraced the US notion of increasing police accountability via introducing directly elected Sheriffs in 2003 (Newburn, 2012b, also see Chapter Three, Section 3.3), Jones and Newburn (2007: 53) maintain that with regard to the introduction of commercially contracted prisons, Conservative HAC members, in particular the chairmen at the time Sir Edward Gardner and his successor Sir John Wheeler, not only actively promoted prison privatisation but had also been “*immensely influenced*” by US experience. Indeed, although the purported driver for their advocacy

³¹ Nellis (2000) speculates that Lord Caithness’ endorsement, commercial lobbying, and the personal interest of the Home Secretary, Douglas Hurd (1985–1989), may all have contributed to this decision.

of prison reform derived from an ideological commitment to enhancing public services via competition and a humane desire to improve prison conditions, evidence indicates that these politicians were extremely impressed by the privately run correctional facilities that they viewed during a study visit to the US in the mid-1980s³² – a visit that seemingly confirmed and informed their thinking on policy development in this area. It is important to acknowledge, however, that during this period privatisation of the penal system was not a central plank of the Thatcher administration’s neoliberal reform programme and the idea encountered scepticism from Home Office officials, senior Conservative politicians, and the Prime Minister, Margaret Thatcher (1979–1990). This suspicious response seemingly stemmed from a pragmatic fear about aggravating an industrial dispute with the powerful Prison Officers Association and the belief that while state intervention should be ‘rolled back’ in relation to other strands of public policy, the sphere of law and order should ultimately remain firmly under the state umbrella. Even when faced with positive petitioning from some Home Office ministers and lobbying from commercial consortia, the government remained disinclined to engage in prison privatisation. The policy effectively remained on the margins. What subsequently happened is thus rather interesting. Quite suddenly and unexpectedly, Margaret Thatcher instructed the Number 10 Policy Unit to incorporate a clause into the *Criminal Justice Bill* that would permit experimentation with a commercially contracted-out remand centre. According to Windlesham (1993) and Jenkins (1987), Margaret Thatcher’s u-turn was fuelled by her ideological conviction for the need for state reform and her wish to appear radical, independent, and determined at a symbolic level (see Jones & Newburn, 2007). Essentially, Margaret Thatcher’s afterthought and intervention opened a window of opportunity as once the Bill reached the Committee stages Conservative backbench Members of Parliament (MPs) worked hard to orchestrate amendments that would easily allow the remit of privatisation to be extended from remand centres to prisons. In 1991 contract details were announced for two privately contracted penal institutions. They opened in 1992.

³² This study visit was undertaken as part of the broader HAC inquiry into the problems being encountered by the prison system in England and Wales (see ‘*policy entrepreneurs and pressure groups*’ above). Notably, visits to observe privately managed US prisons and electronic monitoring schemes were arranged by the British Embassy in Washington DC (Jones & Newburn, 2007). Evidence suggests that this Embassy also provided ministers with comprehensive information on ‘Megan’s Law’ in 2000 (Jones & Newburn, 2013).

Notably, the resolve of an individual politician is also present within the tale concerning how electronic monitoring came to be (re)implemented in England during the 1990s. According to Nellis (2000) and Jones and Newburn (2007), the Home Secretary, Michael Howard, was immensely intrigued by the potential of tagging to act as a stand-alone punishment without links to probation. So keen was Michael Howard in the idea of home confinement that he dismissed the predominantly negative US research concerning the effectiveness of electronic monitoring, bulldozed through resistance presented by some Home Office civil servants, and appointed Hugh Marriage (Deputy Head of the Probation Unit) to take forward and champion his vision, which he allegedly did with “*a missionary zeal*” (Jones & Newburn, 2007: 59). Evidence points to a number of possible explanations for Michael Howard’s actions. First, given that he took a close personal interest in “*all things American*” (Nellis, 2000: 106) he may have been inclined to view developments across the Atlantic as constructive lessons to be learned for the UK (Jones & Newburn, 2007). Second, it is possible that Michael Howard wished to convey a symbolic message to the British public: he was not ‘soft on crime’ and community sentences were not a feeble option (Jones & Newburn, 2007). Third, he may have been eager to increase commercial sector involvement in the provision of community penalties and in doing so undermine the power of the National Association of Probation Officers (NAPO), thus smoothing the path to modernising what he perceived as an ineffective probation service (Jones & Newburn, 2007). Michael Howard ultimately got his way. His flagship legislation, the *Criminal Justice and Public Order Act 1994*, introduced the electronic monitoring curfew order as a sentence in its own right (Jones & Newburn, 2007; Nellis, 2000). Trials commenced in July 1995 in Norfolk, Manchester, and Reading and were extended on several occasions by the Home Office (Jones & Newburn, 2007; Nellis, 2000).

Practitioners

Although the theme of professional influence and power reverberates throughout all of the studies, it is arguably zero tolerance policing that best illustrates the role played by a specific practitioner with respect to crime control policy exportation. This practitioner is William (Bill) Bratton, Commissioner of the New York Police Department (NYPD) under Mayor Rudy Giuliani (1994–2001) between 1994 and 1996. Indeed, Jones and Newburn (2007; also see Jones & Newburn, 2002a; Newburn, 2002) maintain that following his departure from the NYPD Bill Bratton campaigned energetically and

vigorously on behalf of the ‘New York Miracle’ – that is, the steep and remarkable drop in crime rates (particularly those pertaining to violence and homicide) that occurred in the city during the early 1990s as associated with a fresh enforcement policing style that involved, amongst other things, ‘cracking down’ on minor infractions, disorder, and violations such as ‘squeegeeing’ and public urination. In endeavouring to spread his message and transfer lessons concerning the NYPD’s approach to a global audience, data indicate that Bill Bratton produced a high-profile autobiography, spoke at events across the globe which were publicised under the banner of zero tolerance policing, and later established his own consultancy. Moreover, evidence suggests that he undertook numerous international visits, including a trip to Hartlepool to visit Ray Mallon in summer 1995 as organised by a US television company (see ‘*what transfers? what is the degree of transfer?*’ below). In short, Bill Bratton acted as a self-promoter and the key global proselytiser of what is recurrently labelled zero tolerance policing (Jones & Newburn, 2007; also see Mitchell, 2010; Wacquant, 1999; 2009).

Think tanks and non-profit organisations

While findings suggest that the US Vera Institute of Justice sent staff to the UK to assist with the design and implementation of a bail interviewing pilot on two separate occasions (Schachter, 1991), it is think tanks that have seemingly played a crucial role in moving policies across borders. Indeed, according to Jones and Newburn (2007; also see Wacquant, 1999; 2009), close ties between major UK and US think tanks have facilitated transnational ‘elite networking’ (Bennett, 1991b) and the exchange of crime control initiatives. To be sure, while they were unable to obtain data that confirmed the direct influence of these organisations with regard to the policy-making process (also see Stone, 2000b), their research findings do indicate that the initial idea of commercially contracted prisons was first promoted in the UK in 1984 and later in 1987 by the Adam Smith Institute – a pro-market think tank that not only drew upon US experience, but also referred to research conducted by similar-minded US policy institutes³³ when producing reports intended for UK governmental consumption. In addition, evidence presented in the other cases reviewed suggests that the right-of-centre think tank, Policy Exchange,

³³ Such institutes included the Heritage Foundation, the Cato Institute, and the Reason Foundation (Jones & Newburn, 2007).

recommended the introduction of American-style elected officials to oversee policing in the UK (Newburn, 2012b; also see Chapter Three, Section 3.3), while the Manhattan Institute in the US and the Institute of Economic Affairs in the UK actively promulgated the idea of zero tolerance and generated extensive publicity for this brand of policing (Jones & Newburn, 2007; also see Wacquant, 1999; 2009).

The media

Of all of the cases identified, Jones and Newburn's (2013) account of how the controlled disclosure of information pertaining to sex offenders came to be enacted in the UK undoubtedly forwards the most engaging example of the role played by the media in the process of crime and justice policy transfer. In 2000, following the murder of eight-year-old Sarah Payne by a man who had recently served a prison sentence for child abduction, the News of the World – a former Sunday tabloid newspaper with a circulation of over 3.3 million – spearheaded a highly charged, emotive, and sensationalist campaign for full public rights of access to the sex offender register, or what swiftly became known as 'Sarah's Law'. Supported by the co-victims (i.e. Sarah's bereaved parents), the News of the World seemingly borrowed the aims, nomenclature, rhetoric, and strategies of successful US notification campaigns such as that fashioned for 'Megan's Law' to bolster public backing and went so far as to print pictures of convicted sex offenders for two weeks. The momentum of the campaign grew rapidly, with the blazing issue of public notification quickly being catapulted into UK policy-makers' in-trays (Jones & Newburn, 2013).

Corporations

Notably, Jones and Newburn's (2007) research findings do confirm that corporations were involved in the development of prison privatisation and tagging in the UK. Nevertheless, these scholars do acknowledge that determining the exact nature, extent, and significance³⁴ of such involvement is difficult due to issues surrounding commercial

³⁴ Interestingly, Jones and Newburn's (2007) findings do not support Christie's (2004) argument that a 'prison-industrial complex' has emerged in the UK as the data that they collected does not overtly suggest that commercial companies attempted to steer sentencing policies via, for instance, providing monetary donations to the campaigns of sympathetic politicians and/or political parties (also see Newburn & Jones, 2005 and Section 4.4.2 above).

confidentiality and concerns pertaining to undue sway over political decision-making. What is apparent is that the HAC study visit to the US (see '*politicians and civil servants*' above) entailed the Corrections Corporation of America flying British policy-makers across the country on a private jet to view privately managed facilities. Moreover, US firms reportedly lobbied in a low level and unaggressive manner for the introduction of electronic monitoring in the UK, formed consortia with British companies to promote the privatisation of punishment, and eventually secured contracts to manage prisons and remand centres. Arguably, such participation in transfer activity by American correctional organisations was largely to be expected given that the US was the only country implementing a penal 'contracting out' model in the late 1990s. In effect, US-based companies looked eastwards across the Atlantic to expand financial opportunities, while UK policy-makers were limited to looking west for cross-national policy lessons (Jones & Newburn, 2007; Nellis, 2000). Nonetheless, the close personal links between HAC members such as Sir Edward Gardner³⁵ (see '*politicians and civil servants*' above) and the security/corrections industry is an area of controversy. Indeed, while Jones and Newburn (2007) collected no data to support the notion that instrumental personal motivations played a role in driving policy change with respect to the commercialisation of corrections, a faint question mark seemingly still lingers around the precise role played by business and profit-making agents.

What transfers? What is the degree of transfer?

The findings of the studies located suggest that 'soft' crime and justice policy transfer is a more prevalent phenomenon in the UK than 'hard' transfer (see Chapter Two, Section 2.3.3), and that even when the latter has transpired the implemented innovation has had a decidedly British accent owing to elite resistance and policy adaptation.

Indeed, empirical evidence indicates that the timing of policy change with respect to each of the cases identified was consistent with policy transfer (with the US leading and the UK following), and that broad similarities are identifiable with regard to policy terminology, content, and instruments (hence supporting the hypothesis that cross-

³⁵ In the late 1980s, the consortia Contract Prisons was established with the former HAC chairman Sir Edward Gardner operating as its Chief Executive (Jones & Newburn, 2007).

national learning did contribute to UK policy formation). Yet, Schachter (1991) found that while the idea and practice of bail interviewing was consciously borrowed from Manhattan, New York City, by the British government during the mid-1970s and the mid-1980s, the emulation that occurred was rather loose in nature, with the interviewers, interviewees, and information recipients differing in the US and the UK contexts. In a similar vein, Jones and Newburn (2007) located little evidence of straightforward and wholesale crime control policy importation. Imitation, they argue, has generally occurred at the level of ideas, symbols, rhetoric, and labels rather than that of concrete policy manifestations. For instance, with regard to mandatory minimum sentencing and policy proposals surrounding honesty in sentencing, Jones and Newburn (2007) sourced no data that confirmed that UK policy-makers directly drew upon US exemplars when framing reforms contained in the *Crime (Sentences) Act 1997*. Fact-finding visits were not undertaken, US-style sentencing was not promoted by lobbying groups, and the primary architect of UK ‘strikes’ and ‘truth in sentencing’ policies, Michael Howard, upheld when interviewed that he came to support such ideas largely independently of US developments. According to Jones and Newburn (2007), although political symbolism, posturing, opportunism, and competition may have influenced Michael Howard’s political decision-making, evidence does suggest that he was in fact genuinely committed to his ‘populist punitive’ (Bottoms, 1995) sentencing reforms as he believed in the deterrent and incapacitating functions of imprisonment as a crime-reduction tool. That is, a belief that was stimulated by the writings of US neo-conservative intellectuals such as Charles Murray. Indeed, Jones and Newburn (2007) maintain that what sailed across the pond was generalised, indirect, and soft. Michael Howard was inspired by the US ‘prison works’ movement, and intended his reforms to have both electoral and operational consequences³⁶ (Jones & Newburn, 2007; also see Jones & Newburn, 2006). Notably, although Michael Howard’s ‘emasculated’ (see Ashworth, 2001) mandatory minimum sentencing policy had little substantive effect on prison numbers and his truth-in-sentencing law was never implemented, Jones and Newburn (2007) do caution that the longer-term influence of his ‘talk’ should not be downplayed as his broader goal does appear to have been fulfilled insofar as there has been a stubborn trend towards harsher punishment and incarceration in England and Wales in recent decades. Furthermore, they

³⁶ Or, put another way, Michael Howard anticipated that his reforms would both bark (sound sufficiently harsh to attract votes) and bite (have resource implications in the form of building new prisons) (Jones & Newburn, 2007).

advocate that Michael Howard's reforms may also have triggered a rare form of delayed soft transfer, as while there is no record of Michael Howard himself deploying the terminology of '*three-strikes-and-you're-out*', Tony Blair did in fact adopt this US rhetoric in Parliament when he became Prime Minister in 1997.

Markedly, in contrast to the above, Jones and Newburn (2007) found that the case of zero tolerance policing exemplified extensive transatlantic contact between potential agents of transfer, with Rudy Giuliani, Bill Bratton, and other key NYPD figures visiting the UK to speak about New York's 'success story', and numerous trips to New York City being embarked on during the 1990s by British policy tourists including, *inter alia*, representatives from Her Majesty's Inspectorate of Constabulary, sceptical senior Metropolitan police officers,³⁷ and politicians such as Tony Blair and Jack Straw (both of whom regularly deployed Rudy Giuliani's tough terminology and rhetoric when landing back on UK soil). Nevertheless, despite such 'elite networking' (see Bennett, 1991b), curiosity, and 'soft' emulation activity, Jones and Newburn (2007) argue that there appears to have been little substantive impact on day-to-day British policing which has remained largely inoculated from the global zero tolerance policing virus. In fact, the data that they collected suggest that just three small-scale, short-term, and isolated local experiments were conducted in the UK during the 1990s that were labelled zero tolerance policing initiatives. One experiment involved the Metropolitan Police Service embarking on a campaign to 'clean up' Kings Cross, while a second entailed Strathclyde Police increasing uniformed patrols and arrests to reduce late-night disorder problems and fear of crime in Glasgow. The third and most famous experiment was that conducted by the Hartlepool division of Cleveland Police from April 1994. Crucially however, the central figure in this initiative, Detective Superintendent Ray Mallon, reported when interviewed that his approach to 'reclaiming the streets' emerged contemporaneously with developments in New York City, and Jones and Newburn (2007) found little evidence of hard policy transfer with respect to this initiative. For example, although Ray Mallon's initiative concentrated on low-level incivilities/disorder, incorporated enhanced uniform patrol, and involved heightened use of 'stop and search', no massive increase in staffing occurred, civil law approaches were not employed in the same manner, and delivery was not driven by a performance management system at the level of COMPSTAT. Thus,

³⁷ Such agents reportedly engaged in 'drilling down' and 'lifting stones' scenarios in a bid to locate the 'smoke and mirrors' (Jones & Newburn, 2007; also see Griffiths, 1997).

according to Jones and Newburn (2007), the policing style that emerged within the NYPD was not directly imported lock, stock, and barrel by British agents during the 1990s. Rather, what did transfer from the US was the language and symbol of ‘quality of life’ and ‘low-level incivility’ policing, and perhaps more significantly, the broader set of ideas underpinning such practices as derived from elements of Wilson and Kelling’s (1982) ‘broken windows’ thesis. More precisely, Jones and Newburn (2007) suggest that New Labour’s criminal justice and social policy vision was in fact profoundly infused, shaped, and influenced by the notion that to have an impact on serious crime, minor forms of misconduct must be prioritised and addressed – a notion eventually converted into policy as exemplified by the Party’s anti-social behaviour agenda.

Notably, the attraction of the 1990s ‘crime drop’ in New York City is also apparent in the case of policy proposals surrounding the introduction of PCCs. With regard to this development, Newburn (2012b) found that despite the media alluding to policy borrowing from the US, no hard transfer actually occurred. Instead, the New York City police governance model was repeatedly called upon by Conservative Party politicians during a prolonged policy idea gestation period – partially as inspiration, partly as justification – for the Party’s favoured reforms to police accountability arrangements in England and Wales (also see Chapter Three, Section 3.3). Indeed, Newburn (2012b: 39) suggests that members of the Conservative Party drew on the story of the ‘New York Miracle’, a policy narrative comprised of three fundamental messages:

“crime was reduced dramatically in New York City in the 1990s; the decrease was due in large part to the strategies employed by the police; and if it worked there, it can work here.”

According to Newburn (2012b), it was the character of the constitutional position of the two men credited for the successful implementation of these policing strategies – Rudy Giuliani and Bill Bratton – that attracted the policy imagination of the Conservative Party. Specifically, that of a directly elected official who was not only charged with satisfying the policing needs of their constituents, but who also possessed the power to dismiss the individual responsible for directing local police force activity (Newburn, 2012b).

Of all three of their 2007 case studies, Jones and Newburn maintain that the ‘commercialisation of corrections’ provides the strongest example of crime control policy

transfer, with their data confirming that US fact-finding missions were undertaken by UK policy-makers and that those campaigning for commercial involvement in the English and Welsh penal system sought to inspire change via drawing on US ideas and experience. For example, in terms of tangible policy similarities between the US and the UK they found that the legality of ‘contracting out’ prisons had to be confirmed by means of passing new legislation, that policy instruments were alike in the sense that governments issued contracts to corporations to manage correctional facilities, and that frontline delivery was presumably somewhat akin given that the consortia initially selected to run private prisons in the UK were part-owned by American companies. Although the case of electronic monitoring is a little more difficult to analyse given its simultaneous conception on both sides of the Atlantic (see ‘*who is involved in crime and justice policy transfer?*’ above) and the fact that numerous schemes are operational in the US, evidence obtained by Jones & Newburn (2007) also reveals that the general notion and principles of this technology have successfully travelled into the UK, with tagging having been utilised as a condition of bail, sentence of court, and as a method of securing early custodial release (also see Nellis, 2000). Such transfer activity should not be mistaken for straightforward cut-and-paste replication, however, as Jones and Newburn (2007) note that the commercialised corrections policies that have been implemented have had a decidedly British flavour. Or, in other words, they were reshaped once they disembarked from their flight (see Chapter Two, Section 2.4). Certainly, Hugh Marriage’s objective (see ‘*who is involved in crime and justice policy transfer?*’ above) was to develop a hybrid tagging model that drew on positive components from different US states and to ensure that the UK technical specification was tailored appropriately. Hence, amongst other things he strived to introduce a smaller device that could be hidden from public view as it was felt that the bulky US tags were too punitive and stigmatising for the British setting. Likewise, in relation to prison privatisation Jones and Newburn (2007: 67) state that:

“ ... [the] commercially contracted prisons sector in the UK has developed in a distinctive British way. Important contrasts with the USA include the integration of the commercial sector within the broader prison system, a more stringent approach to contract specification and the subsequent monitoring of contracts, and a considerable degree of accountability and external control over commercially run prisons”.

In short, ‘negative lessons’ were learned from US exemplars, which, when combined with other domestic interventions, worked to fine-tune the penal programmes that emerged during this period to the point whereby they were tangibly divergent from their US forebears (Jones & Newburn, 2007).

Interestingly, the finding of policy variance as driven by learning ‘what not to do’ is also identifiable with regard to the case of sex offender notification schemes. Indeed, Jones and Newburn (2013) found that following a second wave of campaigning by the News of the World, the Home Secretary, John Reid (2006–2007), announced a policy review in 2006 (also see Lipscombe, 2012). This review commenced with an official ministerial study visit to examine US notification schemes and ended with the publication of a report in 2007 that appraised ‘*Megan’s Law*’ arrangements. Crucially, the report highlighted various deficiencies with US open public access schemes, including the reality that offenders go underground, fail to attend community treatment programmes, and disappear from the surveillance of authorities. Such rational and concerted policy-orientated learning ultimately led to a situation whereby the Home Office justified its controlled disclosure³⁸ recommendations via drawing directly on negative lessons extracted from US research evidence and experience. The transfer that occurred was thus one of inspiration rather than copying, with US policy ideas being moulded into a British form (Jones & Newburn, 2013).

What facilitates and/or constrains the crime and justice policy transfer process?

With regard to the factors that have inhibited policy transfer, evidence presented in the five studies identified strongly suggests that UK political and legal institutions not only structure the policy formation process, but also grant sufficient space and resource to elites operating within the crime control arena (see Jones & Newburn, 2007). To be sure, research findings indicate that due to the ‘centralised’ and ‘closed’ nature of the British policy-making system, powerful stakeholder groups that operate within crime and justice policy networks have exerted considerable influence and acted as buffers against

³⁸ These recommendations were a) disclosure by Multi-Agency Public Protection Arrangements (MAPPA) to relevant parties in high risk cases, and b) the launching of a pilot scheme that would permit concerned members of the public to request information about a specific individual (Jones & Newburn, 2013).

populism, policy transfer, and radical change (Jones & Newburn, 2007). For instance, Home Office civil servants,³⁹ the judiciary, a cross-party coalition of backbench MPs, and Peers in the House of Lords were among those who resisted and later succeeded in ‘watering-down’ Michael Howard’s mandatory minimum sentencing proposals, and Conservative ministers aligned with those who opposed the privatisation of corrections in the UK (Jones & Newburn, 2007). In addition, the hostility and/or scepticism of senior civil servants, liberal penal reform organisations, the Association of Chief Officers of Probation and NAPO seemingly impeded the development of electronic monitoring in England during the 1980s, with the latter also constraining the rollout of bail interviewing during the 1970s (Jones & Newburn, 2007; Nellis, 2000; Schachter, 1991). Indeed, Schachter (1991) maintains that NAPO opposed the introduction of US-style bail interviewing for political, cultural, and moral reasons. That is, fuelled by their organisational vision of how the criminal justice system ought to operate, they argued that bail work is fundamentally misguided as defendants should be presumed innocent until proven otherwise. Moreover, she hypothesises that the American origins of bail interviewing may have exacerbated NAPO’s resistance⁴⁰:

“Because bail interviewing came from America, it may have been almost automatically labelled as punitive and tarred with the same brush [as supervised pretrial release and electronic monitoring]. It is conceivable that NAPO’s opposition might have been more muted if the innovation has come from another country” (Schachter, 1991: 33).

³⁹ To expand, when interviewed Michael Howard reported that when he was Home Secretary he faced considerable opposition and a “*tirade of abuse*” from Home Office officials as his policies were breaking with the “*criminological, penal establishment view*” (Michael Howard, quoted in Jones & Newburn, 2007: 100).

⁴⁰ Although Nellis (2000) concurs with Mair and Mortimer (1996) that no Probation-orchestrated conspiracy transpired to discredit electronic monitoring, Tom Stacey (see ‘*policy entrepreneurs and pressure groups*’ above) did maintain that the ‘Anti-American Left’ (e.g. the Probation Service and penal reform groups) poisoned the media against tagging. As he stated:

“Those familiar with the nuances of British politics will be aware that in certain contexts the Left will use the term ‘American’ in a pejorative sense. Regrettably, this has already happened in the context of tagging in Britain. Such opponents of electronic monitoring who belong to the Left like to categorise it as an American idea to give it a meretricious and gimmicky reputation” (Tom Stacey, 1989: 59-60, quoted in Nellis, 2000: 105).

In addition to these inhibiting factors, a series of additional policy transfer facilitating and/or constraining factors were identifiable in the empirical studies obtained for review. These factors are summarised in Table 4.3 below. A more comprehensive account with accompanying examples is provided in Appendix F.

Table 4.3. Constraining and/or facilitating factors – existing empirical studies

Constraints	Facilitators
Political culture	Emergence of a new institution
Policy ‘harmonisation’	Domestic legislation (not required)
Mandate to govern	Elite agent intervention
Unintended consequences	Favourable public opinion
Constitutional doctrines	Ineffective professional opposition
← Ideological compatibility →	
← Lobbying →	
← Events (historical or contemporary) →	
← Timing →	

Sources: Information extracted from Jones & Newburn (2007; 2013); Nellis (2000); Newburn (2012b); Schachter (1991)

4.5. Chapter summary

This chapter has argued that knowledge concerning crime control policy transfer in the UK owes much to *a priori* assumption and speculation. Indeed, despite the existence of a voluminous policy transfer literature, just five empirical studies that examine (purported) UK policy importation have been published to date. Crucially, all of these studies focus almost exclusively on the borrowing of overseas innovations by national-level actors, thus overlooking ‘international-subnational’ crime and justice policy transfer. In addition, none of these studies extract lessons that are relevant to practitioners. To address these lacunae and to provide a fresh perspective, this study consequently seeks to:

- a) Examine the ‘development puzzle’ (Mason, 2004) of what role, if any, the phenomenon of ‘international-subnational’ policy transfer plays in the development of crime and justice innovations in the UK.

- b) Offer an insight into the realities of the 'international-subnational' crime and justice policy transfer process should evidence confirm its existence.

- c) Identify lessons that are applicable to the 'world of practice'.

To meet these aims, a series of research questions and a methodological strategy were formulated. Further details are provided in the following chapter.

Chapter Five Methodology

5.1. Introduction

To address the aims of this study, a series of research questions were framed and a methodological strategy that adheres to the canons of good practice was followed to answer them. This strategy was qualitative in nature and its design was that of an ‘exploratory case study’ (Yin, 2014). Having secured ethical clearance from the Social Policy and Social Work Departmental Ethics Committee at the University of York, two alleged or *prima facie* instances of ‘international-subnational’ crime and justice policy transfer were systematically identified and selected for investigation via Police and Crime Commissioner (PCC) Police and Crime Plans. The first case was the Mayor’s Office for Policing and Crime’s (MOPAC) Alcohol Abstinence Monitoring Requirement (AAMR) Pilot and the second was the Street Pastors programme as launched by the Ascension Trust. To empirically reconstruct and trace the series of (in)formal events (actions, decisions, meetings, and so on) that led to the emergence, development, adoption, and implementation of each of these violence reduction initiatives, three complementary sources of evidence were combined to corroborate information: elite interviews, documentary materials, and unstructured non-participant observation. As recognised by Ogg (2015), policy transfer analysts who utilise similar techniques, in particular that of elite interviewing, rarely reflect on their experience nor do they discuss the methodological issues that they encountered. By contrast, this chapter forwards a reflexive and transparent account of the data gathering processes utilised and in doing so addresses the operational minutiae of what occurred in the field to enable future researchers to repeat the work should they so wish. In addition, an explanation is provided as to why the case of the Street Pastors was ultimately discarded, and a detailed account of the data analysis procedures employed by the author is presented.

5.2. Research questions

In order to meet the aims of this study a series of research questions were posed as follows:

RQ1. Is ‘international-subnational’ crime and justice policy transfer occurring in the United Kingdom (UK)?

If the answer to RQ1 is ‘yes’:

RQ2. Why, when, and how does ‘international-subnational’ crime and justice policy transfer transpire?

RQ3. Who are the key agents of ‘international-subnational’ crime and justice policy transfer? What motivates them to engage in the process?

RQ4. From where do UK subnational agents transfer crime and justice policy?

RQ5. What is the nature and degree of ‘international-subnational’ crime and justice policy transfer?

RQ6. What facilitates and/or constrains the ‘international-subnational’ crime and justice policy transfer process?

Each of these questions emerged from the literature reviewed in Chapters Two, Three, and Four and were deliberately formulated to make an original contribution to existing academic knowledge and produce intellectually interesting arguments (Mason, 2004). In addition, these questions were deemed sufficiently open to permit a degree of discovery and inductive⁴¹ enquiry (Gillham, 2000; Mason, 2004).

⁴¹ Although a broadly inductive strategy was adopted for this study, the author does recognise that the research process typically involves the interplay between ideas and evidence, thus challenging the simplistic inductive-deductive dichotomy (Grix, 2010).

5.3. Research design

With respect to the meta-theoretical underpinnings of this research, the author embraced what Marsh and Furlong (2002; also see Furlong & Marsh, 2010) classify as a foundationalist ontology and a contemporary realist epistemology. This position holds that there is a ‘real’ world ‘out there’ that exists independently of our knowledge of it, and that social phenomena (for instance, language, decisions, conflicts, hierarchies) and structures (for example, institutions, practices, conventions) do have causal powers, thus allowing accounts concerning the causal forces at work behind an event to be forwarded where appropriate (Bryman, 2012; Marsh & Furlong, 2002; Miles *et al.*, 2014). In departing from positivism, however, the realist approach does not privilege direct observation on the grounds that there are deep structural relationships between social phenomena/structures that are unobservable, yet possibly essential, to any explanation of behaviour (Grix, 2010; Marsh & Furlong, 2002). In brief, realists maintain that reliance on what is observable may paint a false picture of social phenomena/structures and their effects – that is, there may be a dichotomy between appearance and reality (Marsh & Furlong, 2002). In addition to recognising that social science cannot neatly separate empirical questions from those of a normative nature and that objectivity is a goal rather than a given, researchers operating within the modern realist paradigm also acknowledge that there is an interactive relationship between external reality and the social construction of reality, and that the latter does have real effects. For example, a realist is likely to maintain that a government’s response to global pressures will be shaped by external reality (such as globalising processes) as well as how globalisation is perceived, interpreted, understood, and discursively constructed by human actors, with discourses themselves being constrained by their resonance and compatibility with external reality (Marsh & Furlong, 2002). Hence, realists argue that structures facilitate or constrain rather than determine, and that reflexive agents can interpret and transform structures based on their behaviour (Marsh & Furlong, 2002).

Although a realist epistemology can accommodate both qualitative and quantitative research (Furlong & Marsh, 2010), the overall design of this project is that of a qualitative case study. In contrast with quantitative research which is fairly methodologically unidimensional despite internal technical disputes, qualitative research is a diverse and contested field in which practitioners engage in pluralistic activity and to some extent speak different languages (Flick, 2014; Silverman, 2013). Indeed, far from being a unified

conceptual entity, qualitative research has its roots in a range of disciplinary traditions and is an umbrella term that encompasses considerable variety with respect to paradigms, design, approaches to data gathering, and analytic methods (Mason, 2004; Punch, 2014). Despite such heterogeneity, however, there are a number of recurrent features that can be identified in most species of qualitative research that are largely ‘naturalistic’ – i.e. those that study people, things, and events in their natural settings as opposed to artificially contrived situations such as laboratory experiments (Miles & Huberman, 1994; Punch, 2014; Wolcott, 2009). Such features were deemed highly attractive and fitting for the purposes of this study. For instance, qualitative research habitually entails the deployment of data collection techniques that not only utilise relatively non-standardised flexible instrumentation, but that also enable data to be assembled that are detailed, nuanced, sensitive to the social setting of production, and provide scope for pursuing interesting yet unanticipated avenues (Mason, 2004; Miles & Huberman, 1994; Silverman, 2013; Yin, 2014). Furthermore, as opposed to applying statistical procedures and charting surface trends, qualitative research tends to place more weight on rounded styles of analysis and argument construction that require appreciation of complexity and, crucially, context (Mason, 2004). Comprehensive accounts and rationales concerning the qualitative data collection methods and analytical tools employed by the author are located in Section 5.5 and Section 5.6, respectively. It is nevertheless important to emphasise at this stage that a key driver for the adoption of a qualitative approach with respect to this study was the opportunity to produce holistic understandings concerning the (potential) occurrence and process of policy transfer with respect to the development of subnational crime and justice policy on the basis of rich data (Mason, 2004; Punch, 2014).

The common threads of depth and a commitment to preserve ‘wholeness’ or ‘unity’ that run through different forms of qualitative research also dovetail rather neatly with the operational characterisation of a case study as outlined by Punch (2014: 120):

“The basic idea is that one case (or perhaps a small number of cases) will be studied in detail, using whatever methods and data seem appropriate. While there will be specific purposes and research questions, the general objective is to develop as full an understanding of this case as possible.”

A case study is of course a highly challenging endeavour and just one of several research designs available to the social scientist. Other major types being experimental, cross-sectional, longitudinal, and comparative (Bryman, 2008; Matthews & Ross, 2010; Yin, 2014). In contrast to these alternatives, however, a case study method was judged to be advantageous as the ambition of this research was not to describe the prevalence of policy transfer, nor to predict particular outcomes (Yin, 2014). Rather, the goal was to empirically recreate and trace the process in which a crime control innovation was developed in order to specifically investigate the role played by, and potentially the realities of, the complex social and political phenomenon of ‘international-subnational’ policy transfer within its real-world context. ‘How’, ‘why’, and ‘what’ questions were thus at the core of this investigation, and it is these questions that a case study is distinctly attuned to answering (Yin, 2014). Additional reasons as to why a case study design was favoured include its unique capacity to handle a full array of research evidence with data converging in a triangulated fashion, and the fact that this project intentionally focused on contemporary events thus eliminating a historical mode of inquiry from consideration (Yin, 2014). Indeed, as discussed in Section 5.4, an issue of significant methodological and epistemological importance with respect to the case identification and selection process was the ability to access relevant persons who could provide first-hand accounts of the official and informal ‘events’ involved in the process of subnational policy formation and delivery.

At the outset of this study the decision was made to adopt a multiple-case design⁴² (Yin, 2014). This decision was fuelled by an understanding that this design permits focus both within and across cases and that evidence from multiple cases is routinely regarded as more convincing, thus strengthening the robustness of the overall research (Herriott & Firestone, 1983; Peck & Theodore, 2015; Punch, 2014; Yin, 2014). Indeed, by pursuing more than one instrumental⁴³ case (Stake, 2000; 2005) the possibility of replication is available, with analytic conclusions emerging from several cases deemed more powerful than those arising from just one (Yin, 2014). The issue of exactly how many cases to

⁴² A multiple-case study can also be referred to as a collective case study (see Stake, 2000; 2005) or a comparative case study (see Eckstein, 1975; Lijphart, 1975).

⁴³ According to Stake (2000; 2005), an ‘instrumental’ case is one that is examined to provide insight into a phenomenon, yet the case itself is of secondary interest. In effect, it plays a ‘supportive role’ in that it facilitates our understanding of something else.

pursue is one that every case study researcher encounters and requires a high level of discretionary judgement. Given the author's aspiration to gather extensive rather than superficial data for each case, and mindfulness of cost, time, and word limitations, the decision was made to investigate two rather than three or more cases.

5.4. Identifying and selecting cases

As a precisely defined population list is simply not available of all potential instances in which 'international-subnational' crime and justice policy transfer may have transpired,⁴⁴ two cases were identified and selected for enquiry via the execution of a systematic search and screening strategy. In line with the qualitative approach of this study, this strategy was guided by theoretical considerations as opposed to the logic of random statistical sampling (Silverman, 2013; Stake, 2000; 2005; Yin, 2014).

The initial phase of this process involved seeking to identify alleged or *prima facie* instances of 'international-subnational' crime and justice policy transfer in a consistent manner. Consistency was ultimately achieved via recourse to 42 Police and Crime Plans as produced by PCCs and MOPAC. The City of London Policing Plan (2015–2018) was also consulted. With the exception of Gwent's Police and Crime Plan which was revised to incorporate the delivery of first year aims and changes to the policing and crime context for 2014/15, all of the Police and Crime Plans read covered the time period 2013–2017/18 and were published shortly after the first cohort of PCCs were elected in England and Wales in 2012 (see Chapter Three, Section 3.4). As core localised planning tools, Police and Crime Plans are a statutory requirement and communicate PCC priorities and expectations during their period of office (APACE, n.d.; Police Reform and Social Responsibility Act, 2011). The Police and Crime Plans were thus attractive for case identification purposes as they detail an array of activity intended to tackle local crime problems and enhance community safety in a manner that is not only effective and efficient, but also partnership-based (APACE, n.d.; also see Chapter Three, Section 3.3). Indeed, with regard to the latter, recognition of the significant contribution that statutory and third sector organisations make in supporting victims and preventing crime is

⁴⁴ A full list would also of course include occurrences whereby policy-orientated learning did not lead to policy adoption – for instance, the drawing of negative lessons.

embedded within Police and Crime Plans, with the enterprises of these collaborative agencies also captured throughout.

All 42 Police and Crime Plans and the City of London Policing Plan were initially mined for explicit claims of ‘international-subnational’ crime and justice policy transfer. For example, *‘[policy X] in [subnational jurisdiction] is modelled on [policy Y] which was pioneered in [overseas subnational jurisdiction]’*. To ensure that potential cases were not overlooked, however, efforts were also made to locate information concerning the ostensible origins of other initiatives referenced within the Police and Crime Plans – initiatives that potentially emerged outside of individual PCCs’ jurisdictions and had subsequently diffused within the UK. This enterprise necessitated an intensive period of desk research in which webpages, press releases, news articles, and so forth were audited for proclamations of conscious emulation activity. Again, the objective of this research was to identify innovations that have allegedly travelled via the ‘international-subnational’ policy transfer pathway. In line with other scholars publishing work that pertains to the movement of crime and justice ideas and practices between different countries (see for example Newburn & Sparks, 2004a), attention was not restricted to ‘policy’ as conceptualised as a broad statement of intent. Rather, policy was understood to be *“a course of action or inaction pursued under the authority of government”* (Hecl, 1974: 4), with programmes, strategies, pilot schemes, and techniques all falling within the broad domain of interest. This search perimeter thus tilted immediate focus away from some ‘softer’ objects of transfer such as vocabulary and rhetoric and slanted it towards potentially ‘harder’ or more concrete policy manifestations. The choice to proceed in this manner was predominately driven by an understanding that tracing the genesis of words or terminology is fundamentally an etymological endeavour that falls outside of the methodological scope and core intellectual interest of this study.

Completion of this search procedure eventually led to 65 innovations that featured within the Police and Crime Plans being eliminated from consideration as no suggestion of ‘international-subnational’ crime control policy transfer was exposed. Appendix G features a thematic table containing each of the discarded policies. It is crucial to acknowledge that despite being rejected during this search exercise it is of course possible that several of the initiatives contained within Appendix G do in reality have roots abroad. Four innovations were nevertheless recognised as qualified ‘case candidates’ and the

characteristics of each was mapped using a typology approach as recommended by Stake (2000; 2005) (see Table 5.1).

Table 5.1. Case candidates matrix

Initiative	Ostensible Primary Agent(s) Of Transfer	Year of Launch	Subnational Jurisdiction (Borrower)	Subnational Jurisdiction (Lender)	Targeted Crime
Alcohol Abstinence Monitoring Requirement Pilot	MOPAC	2014	London	South Dakota	‘Alcohol-related’ → - violence; repeat drink-driving; night-time economy
HOPE Probation Programme Pilot*	MOPAC	N/A	London	Hawaii	‘Drug-related’ → - acquisitive; drug dealing and cultivation; organised - prostitution
Street Pastors	Ascension Trust	2003	London	Kingston (Jamaica) Boston	‘Violence’ → - guns; gangs; drug-related
Home Watch*	Mollington Residents Association and Cheshire Constabulary	1982	Mollington (Cheshire)	Chicago Possibly New York	Acquisitive

** See Appendix H for further information concerning these initiatives*

Source: Author’s own

Once this case matrix had been populated a screening procedure commenced (Yin, 2014). This involved making contact with an individual who held specialised knowledge about each case candidate in order to establish likely levels of accessibility to both prospective elite interviewees and relevant documentary evidence. During the screening process practical issues were also gauged including anticipated fieldwork expenses and if any further ethical clearance would need to be sought (see Section 5.7). A key outcome of this exercise was that MOPAC's 'HOPE Probation Programme Pilot' (see Appendix H), which was announced in 2013, was found to be discordant with the intent of this research project as not only were no pertinent written materials located about this initiative but the relevant MOPAC Programme Manager was also unable to cooperate due to other pressing priorities. Hence, the opportunity to acquire in-depth learning with respect to this case was deemed highly dubious (see Stake, 2005). In addition, the ability of 'Home Watch' (see Appendix H) to illuminate the study's research questions was felt to be frail as the scheme was initiated in 1982 in the village of Mollington, Cheshire, thus positioning it on the borderline between a contemporary and an historical case. The capacity to access first-hand testimonies was therefore a matter of significant concern in relation to this innovation. Indeed, communication with an informant confirmed that a number of central figures who feature within the Home Watch development story have passed away in recent years including Harold Cooper (Chairman – Mollington Residents Association) and George Fenn (Chief Constable – Cheshire Constabulary).

Given their methodological and analytical superiority, the two cases that were ultimately selected for investigation were consequently MOPAC's AAMR Pilot and the Ascension Trust's Street Pastors scheme. A brief overview of each of these initiatives is provided below.

5.4.1. MOPAC's AAMR Pilot

MOPAC's first Police and Crime Plan was published in March 2013 and set out how the Mayor of London, Boris Johnson (2008–2016), and his Deputy Mayor for Policing and Crime, Stephen Greenhalgh (2012–2016), intended to make London safer over a four-year period (MOPAC, 2013a). Within a section dedicated to outlining MOPAC's priorities with respect to justice and resettlement the following extract was identified as warranting further desk-based investigation:

“The Mayor successfully lobbied for legislation to allow for the introduction of a new sentencing power, the Alcohol Abstinence Monitoring Requirement (AAMR), to tackle the significant problem of alcohol-related violence. MOPAC has led negotiations with central and local government, HM Courts and Tribunals Service, The Crown Prosecution Service, London Probation Trust and London boroughs to develop a pilot for the AAMR” (MOPAC, 2013a: 62).

The collation of a small number of documentary materials prior to the data collection phase of this study led the author to understand that the AAMR was introduced in section 76 and 77 of the *Legal Aid, Sentencing and Punishment of Offenders (LASPO) Act 2012* following a campaign launched in 2010 by London’s Deputy Mayor for Policing, Kit Malthouse (2008–2012) (Malthouse, 2010). The AAMR permits courts to impose a punitive requirement that an offender abstain from alcohol for a fixed period (not exceeding 120 days) and be regularly tested to ensure compliance as part of a Community or Suspended Sentence Order where the consumption of alcohol is an element of the offence committed or a contributing factor in its commission (MOPAC, 2014a). MOPAC was granted ministerial permission to commence a proof-of-concept AAMR pilot in summer 2014 (Johnson, 2012; LASPO Act, 2012; SI 2014/1777 c.77). The pilot was planned to last for 12 months, be delivered in the South London Local Justice Area, and target a specific cohort of offenders (i.e. those convicted of alcohol-related offences stemming from the night-time economy; repeat drink-driving offenders; and those convicted of alcohol-related violent offences) (MOPAC, n.d.(b); 2014a). MOPAC acknowledged, however, that just as it would ultimately be a judicial decision as to whether the AAMR should stand alone or be combined with other requirements (the exception being an Alcohol Treatment Requirement (ATR)),⁴⁵ so too would it be left to the judiciary to determine who should receive an AAMR (MOPAC, n.d.(b)). Exemptions to this principle were those who committed domestic violence-related offences, those with specific medical conditions (for example, Type 1 diabetes), and those who were dependent on alcohol as determined by their Alcohol Use Disorder Identification Test score – all of whom were to be categorically excluded from the pilot (MOPAC, 2014a).

⁴⁵ An ATR can be dispensed as part of a Community or Suspended Sentence Order for offenders who are assessed as alcohol dependent and who express a willingness to comply with its requirements (NOMS, 2014). As such, it can be considered a consent-based rather than compulsory requirement (MOPAC, 2014a).

While undoubtedly an intriguing crime and justice intervention in and of itself, for the purposes of this study the most important pieces of information located about MOPAC's AAMR Pilot was that it was purportedly "*based on the South Dakota model*" – that is, the South Dakota 24/7 Sobriety Project (see Chapter Six, Section 6.2) (MOPAC, 2015b: 1; also see MOPAC, n.d.(b): 3; 2014a: 6).

5.4.2. Street Pastors

The Street Pastors initiative was co-created by Reverend Les Isaac, Reverend David Shosanya, and Detective Constable Ian Crichlow (Isaac & Davies, 2009). It was launched by the Ascension Trust (see below) in Brixton, South London, in January 2003 (Isaac, 2006; Isaac & Davies, 2009). Street pastors are adult volunteers from local churches who are trained to care for, listen to, and help people who are out on the streets on Friday and Saturday evenings (Isaac, 2006; Isaac & Davies, 2015). They wear reflective jackets and baseball caps branded with the Street Pastors' logo to ensure that they are visible and identifiable (Isaac, 2006; Isaac & Davies, 2009). Their objective is not to proactively preach or evangelise, but to engage in secular 'hands on' outreach activity that prevents crime, defuses volatile situations, and diverts those 'at risk' to mainstream services and meaningful pursuits (Isaac, 2006; Isaac & Davies, 2015; Johns *et al.*, 2009). Early street pastor activity was focused on confronting drug and gang-related violent crime being committed by young people – crime that was understood to be predominantly, although not exclusively, blighting Caribbean communities (Isaac & Davies, 2009; 2015; Johns *et al.*, 2009). The first street pastor patrols took place in the London boroughs of Lambeth and Hackney, with a Lewisham scheme commencing in 2004 (Isaac & Davies, 2009; 2015; Street Pastors, n.d.). As the Street Pastors network has expanded rapidly outside of London its remit has shifted towards responding to binge-drinking and anti-social behaviour within the night-time economy, with practical and tangible interventions being provided in the form of first aid, removal of (broken) glass bottles and other potential weapons, escorting vulnerable individuals to places of safety, and the distribution of water, 'spikeys', flip-flops, food, and blankets (Isaac, 2006; Isaac & Davies, 2009; 2015; Johns *et al.*, 2009). Street Pastors teams are currently active in more than 300 towns and cities across the UK (Street Pastors, n.d.). In addition, teams have also been established abroad, including in, for instance, Nigeria, Australia, the United States (US), and the West Indies (Street Pastors, n.d.).

Although Reverend Isaac had reportedly been inspired by work undertaken in Wolverhampton in 1992 by a vicar who had re-orientated his ministry to look outwards to his community and by a group of nuns who had relocated from their convent onto a deprived council estate, two international information gathering visits to subnational sites allegedly stimulated the development of the Street Pastors model (Isaac, 2006; Isaac & Davies, 2009; Wilson, 2010). The first was a visit undertaken in 2001 to Kingston, the capital city of Jamaica. During this visit Reverend Isaac and an Ascension Trust trustee (Jimi Adeleye) purportedly learned about how pastors from local churches had set aside their traditions and theological differences to unite and tackle prolific gun crime via befriending young gang members/drug lords and acting as intermediaries for the police (Isaac, 2006). The second visit was undertaken in 2002 by Reverend Shosanya (also an Ascension Trust trustee) who flew to Boston (US) to acquire knowledge about the work of the TenPoint Coalition – a group of Christian clergy and lay leaders who made themselves available to talk to young violent gang members in a bid to reintegrate them into the community (Isaac & Davies, 2009; 2015).

5.4.3. Case selection rationale

The rationale behind the decision to explore the introduction of each of these innovations was manifold. A dominant factor being that neither case had received noteworthy attention within the academic community, thus buttressing the originality of this study. A further strength of this final case combination rested on the observation that both policy innovations had passed into an implementation phase, although admittedly this argument flirts with controversy. To elaborate, many papers have called for more ‘blocked’ or ‘abandoned’ accounts of policy transfer to be published in order to provide respite from ‘perfect fit’ transfer narratives (see Evans, 2004d; Manwaring, 2016; Marsh & Sharman, 2009; Peck & Theodore, 2010; Street, 2004). Despite being sympathetic to such calls, the author nonetheless recognised that determining the content of a purported transfer and producing a comprehensive and empirically grounded explanation of policy change rests on combining policy transfer analysis with complementary theories of policy development, including that of implementation analysis (Evans, 2010; Evans & Barakat, 2012; Evans & Davies, 1999; Mokhtar, 2001). As such, the ‘in process’ case of the AAMR Pilot and the fairly recently ‘completed’ case of the Street Pastors intervention were considered attractive as they not only permitted an implementation perspective to

be adopted but also held the potential to mitigate to some extent against problems surrounding the accurate recall of interviewees.

While the AAMR Pilot is a crime and justice scheme and the Street Pastors initiative falls within the realm of crime prevention, they do nevertheless exhibit several homogenous features as identified during the case screening process. For instance, both were supposedly introduced to reduce violence; both materialised in the subnational jurisdiction of London; and both had the criminal justice system of England and Wales as their broad and common context of development. In addition, both of these enterprises were allegedly inspired to some extent by schemes operating in the US, with learning from Kingston, Jamaica, also underpinning the rise of the Street Pastors programme (see above). Notably, the exploration of suspected policy imitation from a jurisdiction within the modern Caribbean Basin is rather uncommon, as policy transfer research emanating from the West has largely been preoccupied with emulation activity that occurs between developed countries (see Chapter Two, Section 2.3.3). Selecting Street Pastors as a case to be investigated thus presented an opportunity to address scholarly neglect of this region as a source of ideas for innovators and to introduce a distinctive empirical dimension to the study. A further aspect of heterogeneity that was conspicuous with respect to these two cases concerns the agent credited with their implementation. The AAMR Pilot was established by MOPAC – a functional body of the Greater London Authority (GLA)⁴⁶ that is responsible for setting the direction and scrutinising the performance of the Metropolitan Police Service, improving the efficiency and effectiveness of the criminal justice system, and commissioning crime reduction schemes and victim support provision (MOPAC, 2015a). It is a political office formally headed by the elected Mayor of London (who can delegate the vast majority of their powers and duties to an unelected Deputy Mayor who assumes a role analogous to that of a PCC – see Chapter Three, Section 3.2), and is held to public account by the Police and Crime Committee of the London Assembly (MOPAC, 2016a). By contrast, Street Pastors was initiated by the Ascension Trust which

⁴⁶ Formed in 2000, the GLA is a regional administrative authority headquartered in City Hall. It is comprised of non-political bureaucrats, a directly elected Mayor of London, and an elected London Assembly (25 members) that acts as a watchdog on Mayoral activity and that of his/her advisors (GLA, 2016). The GLA was created to enhance co-ordination between local authorities within Greater London, with the Mayor formulating policies and exercising power over a range of domains including transport, policing, economic development, and fire and emergency planning (GLA, 2016).

is a Christian inter-denominational organisation founded by Reverend Isaac in 1993. As a potential agent of transfer the Ascension Trust is undeniably intriguing as little has been published about the role played by charities with respect to policy transfer. However, given that the Ascension Trust is a non-governmental entity it could be questioned whether the Street Pastors initiative itself is in fact a ‘policy’ and thus capable of being examined through the lens of policy transfer without any conceptual over-stretching occurring. Preliminary research conducted as part of the screening process did reveal, however, that the concept of ‘urban trinity’ (i.e. the collaboration between local government, the police, and the church (see Isaac, 2006; Isaac & Davies, 2015) was at the heart of the development of the Street Pastors intervention, and that the Home Office provided the Ascension Trust with funding to develop their training manual and does allow the Ascension Trust to use its logo on materials (Isaac & Davies, 2009). As such, Street Pastors meets the eligibility criteria for a ‘policy’ as it is a course of action that was initially pursued under the authority of local government and later endorsed by central government (see Section 5.4 above).

5.5. Multi-method data collection

In recognising that policy transfer analysts habitually encounter criticism for forwarding vague or fragile evidence to support their claims, considerable effort was directed towards gathering a preponderance of data to produce comprehensive narratives of the policy development and implementation process with respect to the crime and justice innovations selected for investigation (Evans, 2004a; Hudson & Lowe, 2009; Jones & Newburn, 2007; Pierson, 2003). Indeed, two primary and highly complementary sources of evidence were combined to augment and triangulate information, thus not only increasing the trustworthiness and credibility of this study but also producing a powerful research package (Guba, 1981; Richards, 1996; Tracy, 2010). These sources were elite interviews and documentary materials. Although discussed in separate sub-sections below, it is important to highlight that the methods of interviewing and document collation were employed in a mutually dependent and highly interactive way (Ogg, 2015). For example, preliminary examination of available documentation supported prospective interviewee identification, while the practice of interviewing led to copies of non-published and archived documents being obtained. Notably, during the data collection phase of this research project unstructured observation was also undertaken as a supplementary method in a bid to add an illustrative dimension to the study’s findings.

5.5.1. Elite interviews

In total, 40 semi-structured qualitative interviews were conducted with political, professional, business, or administrative elites who were directly involved in, or who were knowledgeable about, the introduction of the AAMR Pilot or the Street Pastors initiative. Although there is no definitive answer to the question of what constitutes an ‘elite’ within the social science literature (Harvey, 2011), this study embraced a loose and relational definition of elites as individuals currently or previously in close proximity to power or policy-making who are likely to have, or have had, more influence on political outcomes than general ‘rank and file’ members of the public (adapted from Dexter, 1970; Lilleker, 2003; Richards, 1996). The primary objective of the in-depth interviews was to capture rich and distinctive first-hand insider perspectives concerning the complex process of policy emergence, development, adoption, and implementation from those believed to be ‘witnesses’ or ‘vital experts’ (Koemans, 2010; Leech, 2002), thus permitting the role played by the phenomenon of policy transfer within this to be exposed and stitched together via various testimonies (Cachia, 2015; Tansey, 2007). Indeed, a major advantage of adopting elite interviewing as a data collection technique was that it not only enabled the author to infiltrate ‘secretive’ spheres and learn more about the machinations between influential agents, but it also permitted light to be shed on how individuals experienced, viewed, and responded to sequences of events – many of which were shielded from media gaze and unrecorded as they occurred ‘off-stage’ (Lilleker, 2003; Richards, 1996; Xenakis & Ivanoc, 2016).

Sampling

With regard to the sampling of interviewees a multistage approach was adopted. The first stage involved examining documentary materials associated with each case to detect central players (also see Section 5.5.2 below). It was recognised, however, that the list of potential research participants identified via this technique could be inherently biased towards those who had authored institutional reports or who were willing, and perhaps even media trained, to answer questions about the AAMR Pilot or the Street Pastors scheme. Indeed, in recognising that those who have learned to be interviewed may strive to give a researcher what they anticipate to be the ‘right answers’ or may seek to present the activities of their organisation in a ‘good light’ due to a process of adult socialisation (Dean & Whyte, 1958; Dexter, 1970), this preliminary list of informants was

supplemented with reputational recommendations elicited from individuals who were knowledgeable about each case (see Section 5.4 above) and also from initial interviewees – several of whom later acted as ‘known project advocates’ or ‘sponsors’ by charitably introducing the author to their internal and external colleagues (see below) (Gillham, 2005; Harvey, 2011; Monahan & Fisher, 2014; Odendahl & Shaw, 2002). Evading excessive skew with respect to such recommendations was deemed vital to ensuring that analytical outputs from the study were not inherently journalistic due to the author relying on accounts forwarded by a limited number of persons with deftly corresponding perspectives (Berry, 2002). Accordingly, interviewees were encouraged to think carefully about the range of people who were involved in the introduction of each initiative so as to increase the diversity of participant characteristics and to obtain the views of those placed at different vantage points who were perhaps less visible yet influential (Arksey & Knight, 1999; Goldstein, 2002; Nellis, 2000; Tansey, 2007).

Following the completion of a first wave of interviews a non-probability snowball sampling stage commenced. This involved interviewees nominating individuals to participate in the study who they believed could provide pertinent data. The names of those mentioned during interviews were also added to the list of prospective informants. It is important to note that reliance on second-hand accounts was intentionally avoided. All agents of interest were approached for interview, regardless of their level of seniority or professional status (Adriansen, 2012). The interviewing process was terminated once the list of potential interviewees was exhausted as opposed to being a conscious reaction to hearing nothing new (Arksey & Knight, 1999).

Gaining access

As recognised by Hertz and Imber (1995: viii), “*few social researchers study elites because elites are by their very nature difficult to infiltrate ... [they establish] barriers that set their members apart from the rest of society*”. Certainly, the scarce availability of methodological literature published in this sphere provides tangible evidence of scholarly reluctance to engage with this group (Burnham *et al.*, 2008; Harvey, 2011; Richards, 1996). Issues pertaining to participation can of course thwart any empirical project, regardless of the social phenomenon of interest or the type and quantity of exploitable resources available to the researcher. Nevertheless, the ramifications of failing to connect with relevant persons who operate within ‘closed access groups’ (Hornsby-Smith, 1992)

were understood to be particularly serious with respect to this study as robustly tracing the development of innovations and demonstrating the occurrence of policy transfer undeniably demands excellent access to informants who possess knowledge of discrete processes (Evans, 2004a; Evans & Barakat, 2012; Lana & Evans, 2004). The perennially articulated warning that achieving this is often beyond the reach of some researchers was thus a significant begetter of methodological apprehension (Evans, 2004a; Evans & Barakat, 2012; James & Lodge, 2003). Indeed, in contrast to Jones and Newburn's (2007) research team who were fortunate enough to have well-developed links with elite actors, the author was acutely aware that they were entering the field 'cold' and somewhat uncertain about whether they would be successful in relation to accessing the views of key individuals.

Having been primed to expect a series of barriers to elite cooperation, effort was consequently directed towards tapping into an arsenal of strategies that have proven successful when previously utilised by academics who have endeavoured to 'study up' (Hornsby-Smith, 1992). For instance, while sycophancy was actively side-stepped, the importance of an individual's input was stressed within interview request correspondence and associated Information Sheets (see Appendix I) (Lilleker, 2003; Odendahl & Shaw, 2002; Richards, 1996). As a tactical measure, Information Sheets were also branded with the University of York logo and highlighted the study's external funding source and the independent status of the author as a Doctoral Researcher to add credence and legitimacy (Hornsby-Smith, 1992; Monahan & Fisher, 2014; Shenton, 2004). The benefits of participation and the low threat of the research were also emphasised, and guidance concerning how to engage specific personalities was sought where appropriate (Burnham *et al.*, 2008; Gillham, 2005; Harvey, 2011; Lilleker, 2003; Monahan & Fisher, 2014; Richards, 1996; Yeager & Kram, 1995). A further strategy that was employed in a bid to secure support for the study, and to reduce the likelihood of undesirable intercept by gatekeepers, was to contact individuals of interest directly by email rather than sending a letter. Email addresses were predominantly obtained using webpages, dialling Police 101, and via introductions from accommodating interviewees. Where email addresses were unavailable, private messages were sent using the business and professional social networking service LinkedIn. Having internalised a polite yet determined mantra, a maximum of two reminder emails were sent to prospective interviewees and unarranged telephone calls were made where necessary (Harvey, 2009; Monahan & Fisher, 2014).

The chief reason cited by those who declined to participate in the study was that they could not spare the time due to diary commitments. A small number of those contacted did however state that they were not involved in the development of the cases selected for investigation (despite evidence to the contrary), or they claimed that they were unwilling to be interviewed as they would simply repeat what had already been disclosed by their colleagues (regardless of the author underscoring the importance of data substantiation).

Altogether, 26 people who were directly involved in, or who had an informed opinion about, the history and delivery of MOPAC’s AAMR Pilot agreed to participate in the study. Table 5.2 below details the names and job titles of those who were content for their contribution to be made known. In addition to the individuals that feature in Table 5.2, two ‘MOPAC Representatives’ were interviewed as were nine further elites who wished for their identity to remain anonymous.

Table 5.2. List of interviewees – MOPAC’s AAMR Pilot (alphabetical by forename)

<i>Interviewee</i>	<i>Job title at date of interview</i>
Amit Sethi	AAMR Project Manager MOPAC
Anne Jenkin	The Baroness Jenkin of Kennington House of Lords
Charlotte McLeod	Policy Development Manager Office of the Northamptonshire PCC
David Burrowes	Member of Parliament Enfield Southgate
Gordon Wasserman	Lord Wasserman House of Lords
Ilora Finlay	Baroness Finlay of Llandaff House of Lords
Joe Mitton	Special Adviser for Business and Science Mayor’s Office, GLA
John Graham	Consultant The Police Foundation

Jonathan Caulkins	Steve Professor of Operations Research Carnegie Mellon University – Heinz College
Karyn McCluskey	Director Scottish Violence Reduction Unit
Keith Humphreys	Professor of Psychiatry and Behavioral Sciences Stanford University
Kit Malthouse	Member of Parliament North West Hampshire
Matthew Mitchell	UK Country Manager Alcohol Monitoring Systems Limited
Thirza Mullins	Head of Civil, Family and Tribunals (London) HM Courts & Tribunals Service
Vicki Ross	Head of Prevention and Community Impact Office of the Northamptonshire PCC

Despite initially wishing to participate, one political elite unfortunately withdrew from the study following receipt of a verbatim transcription of their interview due to concerns surrounding their anonymity (see Section 5.7 below). Although not interviewed face-to-face or via telephone, it is important to acknowledge that Boris Johnson and Roger Howard (see Chapter Seven, Section 7.3.2) did engage with this study via email.

With regard to the Street Pastors initiative, 14 individuals agreed to participate in this research project. Twelve were happy to waive their right to anonymity (see Table 5.3 below).

Table 5.3. List of interviewees – Street Pastors (alphabetical by forename)

<i>Interviewee</i>	<i>Job title at date of interview</i>
Alister Palmer	Retired Vicar Filwood Park
Bobby Wilmot	Pastor Covenant Community Church (Kingston, Jamaica)
Bruce Fletcher	Pastor Christian Life Fellowship (Kingston, Jamaica)

Eustace Constance	Operations Director Ascension Trust
Ian Crichlow	Detective Sergeant Lewisham CID, Metropolitan Police Service
Jimi Adeleye	Trustee Ascension Trust
Leroy Logan	Chairman Black Police Association Charitable Trust
Les Isaac	Chief Executive Officer Ascension Trust
Nick Cornish	Development Manager Ascension Trust
Paul Keeble	Founder Urban Presence
Roger Forster	Leader Ichthus Christian Fellowship
Steve Bullock	Mayor of Lewisham Lewisham Council

Face-to-face interviewing

Eleven elite interviews were conducted face-to-face in a range of locations including The Palace of Westminster, the Scottish Violence Reduction Unit, and the GLA (City Hall). For personal safety reasons, no interviews took place in private spaces such as homes. In endeavouring to strike a suitable balance between securing elite engagement and obtaining high quality data the author typically requested one hour of an interviewee's time (see Harvey, 2011). In reality, the face-to-face interviews lasted slightly longer on average (i.e. 66 minutes). All interviews were digitally audio recorded with participants' permission. Although some disagreement exists within the academic literature about whether taking comprehensive notes is actually preferable to recording when interviewing elites (see Aberbach & Rockman, 2002; Beamer, 2002; Byron, 1993), the presence of the recording device did not appear to impact on participants' levels of ease, with most losing their inhibitions relatively quickly.

Given that elites are unlikely to comply tamely to a sequence of prepared questions (Adriansen, 2012; Gillham, 2005), a semi-structured conversational guide was employed as a scaffold and an *aide memoire* during each interview (Richards, 1996; Rubin & Rubin, 1995) (see Appendix J). In recognising that different individuals may have played different roles within the (alleged) policy transfer process – e.g. ‘lender’, ‘borrower’, and ‘intermediary’ – three similar yet customised guides were produced that featured a base list of eight main questions along with a timeline activity (see below). The guides were structured to follow the three main stages of an interview: opening, core, and closure (Gillham, 2000). In seeking to generate situated knowledge, prevent time wasting, and to increase interviewee confidence, respect, and trust, all of the prompts and follow-up questions utilised during each interview were tailored to accommodate the experience of each informant as appropriate and evolved during the fieldwork phase as the author sought sufficient coverage of new items to improve the triangulation of data points (Mason, 2004; Rubin & Rubin, 1995; Tansey, 2007). The latter was deemed crucial given the potential pitfalls associated with collecting information from elite agents. Indeed, while engaged in the field the author was conscious of the forewarnings littered throughout the academic literature concerning: elites having axes to grind; embroidering or embellishing episodes; slanting or misrepresenting their account in order to avoid being portrayed negatively; exaggerating or minimising their involvement or importance in the policy development process; confusing memories with written accounts; and inflating or underplaying events for reasons of expediency (Berry, 2002; Burnham *et al.*, 2008; Lilleker, 2003; Peck & Theodore, 2015; Nutley *et al.*, 2012; Richards, 1996; Tansey, 2007).

Creating timelines

As argued in Chapter Four (Section 4.4.1), there is clearly considerable scope for originality within the field of policy transfer analysis with regard to the deployment of data collection techniques. In seeking to operate beyond the methodological status quo, a promising method that was incorporated into this study was that of qualitative timeline interviewing. Located within a broader framework of graphic elicitation approaches, timelines are a visual and arts-based tool typically created via depicting a sequence of events as outlined by participants in a chronological arrangement (Kolar *et al.*, 2015). Timelines have been fruitfully employed in tandem with in-depth interviews to extract rich data concerning the lived experience and trajectories of marginalised groups such as

those who are homeless (Patterson *et al.*, 2012) or those who misuse substances (Berends, 2011). They have also been used to investigate sensitive topics such as weight loss (Sheridan *et al.*, 2011) and how financial incentives affect clinical practice (Umoquit *et al.*, 2008). Despite growing interest in this method in recent years within the qualitative research community it has, however, remained remarkably under-utilised, with calls made to apply this tool to more varied populations going unheeded (Berends, 2011; Kolar *et al.*, 2015). Indeed, the question of whether creating timelines with elites to explore (alleged) policy transfer is both feasible and profitable due to the sharing (or perhaps surrendering) of ownership and power that occurs during the process has, to the best of the author's knowledge, received no empirical response. This study therefore acted in a trailblazing capacity by employing a timeline activity during the 'central core phase' of eight of the face-to-face elite interviews conducted⁴⁷. The decision to do so was fuelled not only by an understanding that this highly exploratory technique is perfectly compatible with studies that fall outside of the domain of 'life history' and can – and ideally should – be combined with other data sources such as documentary materials (Adriansen, 2012), but also by an appreciation that the numerous advantages associated with this method could be harnessed. These advantages are interwoven into the discussion below that details how timeline interviewing was undertaken in practice with respect to this study.

The production of the timeline was a collaborative effort between the author and the elite research participant. Although seemingly relaxed about the integration of a visual activity into their interview, informants ultimately refrained from physically writing on the large piece of paper on which the timeline was to be generated; instead preferring to verbally walk the author through events which were mapped out in parallel to the conversation using marker pens. The malleable timelines were thus author-created yet 'co-constructed' (Kolar *et al.*, 2015; Sheridan *et al.*, 2011), with interviewees closely observing their development, remaining focused on the task at hand, and requesting additions and amendments as appropriate. Notably, the visual element often triggered recollection and produced a situation in which episodes of time or missing fragments which could have been glossed over by an interviewee were elaborated on, and in which contradictions or suspiciously 'neat' segments could swiftly be identified and queried by the author

⁴⁷ The author elected not to use the timeline activity on three occasions due to the interviewing environment being unsuitable (for example, concerns about leaving ink stains on an antique table; wind blowing the paper from an outdoor table).

(Adriansen, 2012; Gramling & Carr, 2004; Sheridan *et al.*, 2011). Indeed, sketching the timelines often entailed jumping backwards and forwards through time to ensure that the activities that punctuated the diagram were recorded accurately in line with the reflection and contemplation of an interviewee.

Producing the timelines also demanded that the author and the interviewee sit in close proximity to one another which permitted a 'safe' space to be created (Adriansen, 2012; Sheridan *et al.*, 2011). It was hoped that the presence of such intimacy would engender an atmosphere of trust and rapport, which would reduce the likelihood of an interviewee uttering clichés or ready-made answers and increase the prospect of establishing participants' own experiences and beliefs (Bagnoli, 2009; Sheridan *et al.*, 2011; Tansey, 2007). While it is difficult to judge if this occurred, a mutual confidence did appear to develop as each interview progressed which seemingly worked to overcome elite reticence about divulging details typically concealed within the 'black box' of policy-making, including off-the-record interactions and exchanges between agents that took place in backstage settings or 'fleeting situations' of policy-making (see Hunter, 2005; Legrand, 2012b; McCann & Ward, 2012). In addition, it was apparent that the bespoke nature of the timeline did inspire psychological separation of the individual from their institution, thus decreasing the author's need to overwork personalisation techniques such as 'why do *you* think? ... in *your* experience ...' (Odendahl & Shaw, 2002; Thomas, 1995).

In line with other studies that have utilised timelines the author asked the interviewee to decide where their account should begin and discussion of the future (including projections and expectations) was embarked on (Adriansen, 2012; Bagnoli, 2009). As such, the dilemma persistently faced by policy transfer analysts concerning what the appropriate timeframe for their research should be was intentionally passed from the researcher to participants. In adopting this approach no assumption was therefore made that policy borrowing is based on a single or rapid act (for example, a study tour). Rather, the author remained receptive to the possibility that if policy-orientated learning and/or transfer did occur it may have done so over extended time periods or in an iterative manner, with different actors taking part or playing varying roles in the process at different points (see Dussauge-Laguna, 2012b; Fawcett & Marsh, 2012; Hudson & Kim, 2013; Page, 2000). In a similar vein, rationality was not imposed nor was it presumed (Adriansen, 2012). The timeline activity was treated as an organisational device to

untangle events and support the interviewee in recounting their journey through the policy process in a chronological fashion (Adriansen, 2012). The notion of chronology is significant here, as allowing an elite informant to tell a chronological story is believed to be a far more effective engagement strategy than relying on an interview guide featuring disjointed questions (Richards, 1996). Although a heavily structured format was thus intentionally bypassed, a series of attention, elaboration, clarification, evidence, and continuation probes were employed during the construction of the timeline to ensure that pertinent areas were discussed while still permitting previously unconsidered or unanticipated topics to be explored (Rubin & Rubin, 1995). The aim was to avoid dominance via striking a balance between covering necessary ground and permitting exploratory tangents or branching as initiated by the interviewee (Berry, 2002; Burnham *et al.*, 2008). Or, put another way, the author provided participants with a licence to roam and piggy-backed on the elite tendency to ‘just talk’ while occasionally corralling them back to happenings of interest when undesirable digression occurred (Berry, 2002; Morrissey, 1970; Ostrander, 1995).

Finally, the timeline method offered the opportunity to integrate a research participant’s ‘meso-level’ account with the broader macro- and micro- social, economic, political, cultural, and environmental context during the interview itself (Adriansen, 2012; Bagnoli, 2009; Vanderstaay, 1994). To clarify, informants were encouraged to reflect on how wider world events and/or processes at different levels of spatiality impacted on the strategies, intentions, and actions of agents and facilitated or constrained any transfer activity⁴⁸. These events and/or processes – as structures external to the inter-organisational politics and relationships that developed during the introduction of the AAMR Pilot and the Street Pastors initiative – were sketched above and below the primary timeline as appropriate (see Figure 5.1). As readers of Chapter Two will recognise, this multi-level conceptualisation was inspired by Evans and Davies’ (1999) ‘policy transfer network’ approach to policy transfer analysis. It is important to stress, however, that in embracing this multi-level methodological strategy the author did not enter the field presuming that ad hoc crime and justice policy transfer networks would be found to be responsible for engineering policy change. Indeed, this study was intended to

⁴⁸ For example, the introduction of legislation; the release of inter/transnational publications; the emergence of new technology; political and electoral climate; funding availability; ideological shifts, and so on.

fall within an exploratory sphere, and its data gathering procedure was unwaveringly designed to reflect this.

Figure 5.1. Multi-level timeline interviewing



Source: Author's own

Telephone interviewing

Although efforts were made to consult with elite research participants in-person, 29 semi-structured interviews were ultimately undertaken via telephone in a private room equipped with a good quality telephone connection and recording facilities within the Research Centre for the Social Sciences at the University of York. There are a number of reasons as to why this vehicle of data gathering was adopted, including timeslots becoming available in interviewees' diaries at incredibly short notice and attempts to conserve the author's limited time and financial resources (see Sturges & Hanrahan, 2004). Immersion in a participant's environment was also deemed unimportant to the study, and potential complications including language, access to a telephone, and sensory impairments did not arise (see Irvine, 2012; Shuy, 2002). The primary reason as to why telephone interviewing was employed, however, was to acquiesce with the preferences of the interviewees themselves, as many commented that speaking on the telephone was more convenient for them given their busy and demanding schedules.

To ensure consistency and to orchestrate a smooth interaction, a semi-structured guide was utilised during each telephone interview in line with the face-to-face interviews conducted. However, as a physical co-created timeline could not be generated during the 'central core' phase, interviewees were instead encouraged to describe the journey that led to the introduction of the AAMR Pilot or the Street Pastors initiative which the author sketched out alone.

Although academics have traditionally argued that telephone interviewing is somewhat inferior or ‘second-best’ to face-to-face engagement (Holt, 2010; Irvine, 2012), employing this method did have a number of benefits⁴⁹. For example, it permitted the inclusion of geographically dispersed individuals (including those who reside in Jamaica and the US) and allowed interviews to be timetabled in a flexible manner that was empathetic to the working patterns and personal commitments of informants (see Gillham, 2005; Irvine, 2011; 2012). Requests from participants for interviews to be rearranged just minutes before they were due to take place could also be easily accommodated, with only minor disruption and resource forfeiture encountered by the author (Stephens, 2007).

Post-interview dialogue

In accordance with good research practice, shortly after each interview was undertaken the author sent an email to each interviewee thanking them for their time and contribution to the study. A written verbatim transcript⁵⁰ of the recipient’s interview was attached to this email for respondent validation (‘member checking’) or editing for accuracy where required (Guba, 1981; Shenton, 2004). Transcripts were generated in line with guidance produced by the UK Data Archive (see Van den Eynden *et al.*, 2011). Promises that had been made regarding the transfer of documentary evidence from the participant to the researcher (or vice versa) were also recapped (or kept). Any questions that had been omitted during the interview itself due to time constraints or simple oversight were inserted into the main body of the email, as were requests for clarification or factual information such as dates. In effect, this led to a second wave of data collection occurring following each interview that permitted some uncertainties in the information provided by participants to be addressed.

⁴⁹ Synchronous online interviewing using free videoconferencing software such as Skype could, of course, have been employed when conducting the elite interviews. However, given that real-time internet-based interviewing demands strong digital literacy, access to a high-speed internet connection in order to avoid time lags or ‘drop outs’, and engagement with individuals who feel at ease seeing themselves on screen the decision was made to instead utilise the telephone mode (Deakin & Wakefield, 2013; Hamilton & Bowers, 2006; Janghorban *et al.*, 2014).

⁵⁰ Although transcribing 40 interviews was certainly a laborious and time-consuming exercise it did facilitate hyper-familiarity (immersion) with the data.

5.5.2. Documentary materials

Following the completion of the case screening and selection process a comprehensive search for unsolicited textual documents was conducted. The objective of this search was threefold: to construct a corpus of documents that could be excavated to support the identification of potential elite interviewees (see Section 5.5.1 above); to locate documentary sources that could be used as data in their own right (i.e. as static snapshots of how events were constructed at a particular time and as sources of basic factual information); and to corroborate, contextualise, or clarify elite recollections concerning the policy process (Mason, 2004; Matthews & Ross, 2010; May, 1997; Ogg, 2015; Tansey, 2007). To meet this objective a range of primary, secondary, and tertiary documentary materials were retrieved (Lichtman & French, 1978). This system of classification and categorisation is typically employed by historians and political researchers, with primary sources consisting of evidence that was part of or produced during an event of interest, secondary sources comprising of documents relating to and generated shortly after this event, and tertiary sources encompassing written resources that reconstruct the event following its occurrence (Burnham *et al.*, 2008; Lichtman & French, 1978). The documentary evidence collated included:

- Political manifestos
- Speeches, statements, and announcements
- Acts of Parliament, Bills, Statutory Instruments, explanatory notes, briefing papers, amendment papers, written evidence, and impact assessments
- A verbatim report of proceedings and divisions within Parliament (Hansard)
- Green Papers and White Papers
- Strategy and guidance documents
- Pilot documents (for example, process maps)
- Research and evaluation reports
- Meeting agendas, minutes, and transcripts
- Annual and monthly reports
- Organisational outputs (for example, newsletters and press releases)
- Letters
- Opinion pieces, newspaper/magazine articles
- Transcripts of radio programmes

- Conference papers, posters, and programmes
- Academic articles
- Books
- Websites
- Biographies and curriculum vitae
- Blogs and tweets

While a significant number of relevant documents were publically available on the Internet, an approach to circumvent irretrievability issues was nevertheless adopted. That is, internal non-published or archived documents were requested from elite informants during or following their interview (Thomas, 1995). Documents received included: ‘snippets’ from emails; PowerPoint presentations; unpublished research papers; and AAMR Pilot performance updates, briefing papers, and confidential specifications.

Although documentary sources can undoubtedly inform, enlighten, and act as an instructive and meaningful addition to a qualitative study (Flick, 2014), the challenges associated with utilising such materials are well-rehearsed within the methodological literature, with Scott’s (1990) four criteria for assessing the quality of documentary evidence continuing to hold weight. With respect to this study, Scott’s (1990) criteria of ‘representativeness’ was not applicable as the sources collated were inherently unique and sampled purposefully as opposed to representatively due to the totality of all relevant documents that could assist with case construction being ultimately unknowable. The documents listed above do, however, meet Scott’s criteria of ‘meaning’ and ‘authenticity’ as they are clear and comprehensible, original as opposed to corrupted copies, and their origins are not in dispute if we allow that some materials may have been authored by ghost-writers yet attributed to a particular person or organisation via the presence of their signature or branding. Yet, it is Scott’s (1990) fourth criteria of ‘credibility’ that arguably illuminates the most significant risk of utilising this method of data generation to trace the policy development process: (un)intentional distortion. More specifically, the researcher was mindful that the information forwarded within documents can be incomplete, inaccurate, or biased, thus presenting a misleading or selective account (Tansey, 2007). This is because documents are authored by individuals with a particular perspective or stance, for a purpose and envisioned audience, and within a social, political, historical, economic, cultural, and administrative context that could influence what is recorded (Flick, 2014; Harrison, 2001; Mason, 2004; Matthews & Ross, 2010;

Punch, 2014). For example, documents may be drafted to convey a favourable impression, to self-protect, or to imply consensus when disagreement was substantial (Tansey, 2007). Alternatively, documents may be written in the context of – or in direct response to – other texts, thus drawing attention to their inter-textuality and possible persuasive intent (Atkinson & Coffey, 2004; Bryman, 2008). The upshot of this state of affairs is that documentary materials should not be considered neutral or objective sources, nor should they be treated as literal representations of a definitive ‘reality’ (Atkinson & Coffey, 2004; Flick, 2014). Rather, they are communicative devices that form a separate reality, a ‘documentary reality’ (Atkinson & Coffey, 2004; Bryman, 2008). As such, they should not only be subjected to critical scrutiny and a degree of scepticism, but should also be bolstered with other sources of data (Atkinson & Coffey, 2004; Bryman, 2008; Lilleker, 2003; Mason, 2004; Prior, 2007). Indeed, this reinforces the importance of the author electing to combine elite interviewing with the collation of documentary materials to provide a cumulative and parallax view on the introduction of the AAMR Pilot and the Street Pastors programme.

5.5.3. Unstructured observation

The third and final component of this study’s qualitative methodology was unstructured naturalistic observation (Gillham, 2000; Punch, 2014; Yin, 2014). This entailed the overt shadowing of a group of experienced Street Pastors between the hours of 10pm and 4am as they gently navigated their way across an energetic night-time economy environment to offer support to the homeless and those who had consumed an excessive amount of alcohol. Having made contact with several teams within the UK Street Pastors network, official permission to observe this particular shift was provided by the Area Coordinator. However, for ethical reasons the date and location of this shift will deliberately remain undisclosed (see Section 5.7).

In addition to following a Street Pastors patrol, observation was also undertaken at the eighteenth Oxford Policing Policy Forum (OPPF)⁵¹. As discussed more protractedly in

⁵¹ A summary report featuring a guest list for this event is publicly available on the Police Foundation website and includes the name of the author (see www.police-foundation.org.uk/events/oxford-policing-policy-forum). As such, successfully anonymising all identifying information with respect to this observational site was not achievable.

Chapter Seven (Section 7.3.2), the OPPF played a crucial role in the genesis of the AAMR Pilot and is a joint initiative of the Police Foundation and the Centre for Criminology at the University of Oxford. As participation is via personal invitation only, the recommendation to attend an OPPF was presented by John Graham (see Table 5.2 above) and permission to observe a session was confirmed by Rick Muir, Director of the Police Foundation. Given the ‘closed’ nature of this meeting it was apparent that having a Doctoral Researcher present was rather unusual, with several elite attendees not unkindly remarking that the author was ‘privileged’ to be granted access.

With reference to the prominent typology of research roles constructed by Gold (1958) in which he cross-classifies participant and observer, the fieldwork conducted was arguably closest to that of ‘observer-as-participant’. Adoption of this peripheral stance permitted the observation to be inherently unobtrusive, with the behaviour of subjects not being intentionally stimulated or contrived for research purposes (Punch, 2014). Indeed, the objective was to follow the flow of events as they unfolded to gain a ‘superficial’ picture and generate multidimensional data concerning social interaction and behaviour in specific contexts as they occurred (Mason, 2004; Punch, 2014). For example, the author gathered information about how a Street Pastors patrol operates and how the OPPF functions via watching proceedings and occasionally seeking clarification (Adler & Adler, 1998; Gillham, 2000; Punch 2014). Moreover, the observation undertaken was not limited to the visual as a number of human facilities were utilised to gather impressions of the surrounding world including hearing (verbal interactions), smelling (vomit), and touching (objects within the setting) (Adler & Adler, 1998; Flick, 2014).

As encouraged by Lofland and Lofland (1984), raw field notes were written up contemporaneously whenever lulls occurred and were elaborated upon immediately after each field contact to ensure that selective and polished post-hoc reconstructions were not produced due to memory failure or the blurring of fact and fancy (also see Strauss *et al.*, 1964). These records reconstituted the world in a preserved form and featured running descriptions of the setting, people, and activities as well as personal impressions, feelings, and analytical ideas that could be reviewed as many times as required (Mason, 2004; Gillham, 2000). The adoption of this data collection method did not therefore entail the author actively witnessing the phenomenon of ‘international-subnational’ crime and justice policy transfer ‘in situ’ with respect to the two cases selected for investigation (see Jones & Newburn, 2007). Rather, this practice was employed to introduce an illustrative

dimension to the study and to increase understanding, with the author intending to weave extracts and excerpts from the data set into analytical narratives as appropriate (Gillham, 2000; Mason, 2004).

5.6. Analytical strategy

Although data preparation tasks and data analysis were intentionally entwined into the fieldwork phase of this study to act as a corrective for any blind spots/missing data and to revisit the author's emerging bullet-point assertions concerning the findings of the research (see Miles *et al.*, 2014), an intensive analytical strategy was executed once all data had been gathered and processed. Unlike quantitative data analysis, there are no 'cook book' recipes or widely accepted rules concerning how qualitative case study evidence should be analysed (Bryman, 2012; Yin, 2014). Moreover, the published policy transfer literature offers little in the way of guidance as to best practice, with the vast majority of scholars declining to provide even a brief account of the techniques that they employed. As such, the author opted to draw on traditional qualitative data analysis methods – methods that met the needs of the study and complemented its meta-theoretical orientation. More specifically, having uploaded all of the case study evidence collected to the Computer Assisted Qualitative Data Analysis software, NVivo, the author heeded Yin's (2014) advice and began manipulating the data by generating visual analytical displays that were intermediate in nature and ordered data temporally. The initial displays created were extremely detailed chronological timelines that reconstructed the events that transpired during the process in which the AAMR Pilot and the Street Pastors initiative were formulated and implemented (Miles *et al.*, 2014). These timelines were assembled via knitting together dates, direct quotes, paraphrases, extracts, and summaries from the interview transcripts, paper timelines, pre- and post- interview correspondence, and the documentary materials. Carefully interlacing such diverse data into a meaningful and coherent format was intended to guard against partial, biased, or inexact case chronicles being formulated due to different sources of evidence being unconsolidated, poorly managed, and absent or contradictory information not being successfully identified (Miles *et al.*, 2014). It was at this point that the decision was made not to take forward the Street Pastors as a case study. This decision was based on an understanding that insufficient evidence had been gathered to support the production of an empirically grounded account of the development and implementation of this initiative. To expand, while the author was generally pleased with the level of access that they secured to the

agents involved in designing and delivering the Street Pastors programme, several issues with the quality and quantity of the data collected were identified. One issue concerned lapses in memory. For example, some individuals were unable to recall in depth and detail the policy formation process, thus resulting in hazy stories being forwarded. A further issue concerned the lack of documentary materials that were available to assist with case construction. Indeed, despite requests made by the author to view copies of outputs produced by the Ascension Trust and attempts made by staff to co-operate, survival and archival problems meant that these documents were not obtained. In addition, given that the emergence of the Street Pastors idea predominantly occurred ‘behind closed doors’ few documents were located in the public sphere that could be utilised to corroborate interviewees’ memories. The upshot of this situation was that the author would have had little option but to rely very heavily on two books co-authored by Reverend Isaac (see Section 5.4.2. above) and Davies (2009; 2015) to plug data gaps in information – a scenario that was deemed far from satisfactory given that it would involve the habitual flouting of triangulation. It is important to note that although discarding Street Pastors as a case was certainly a difficult choice and one which triggered feelings of deep disappointment, proceeding with a single instrumental case study was judged to be a sensible course of action, and one that would not blemish the original contribution(s) made by this piece of research given the weight and strength of the evidence collected with respect to the AAMR Pilot.

Subsequent to discarding the Street Pastors as a case, two further transitional analytical displays were produced that used time as an organisational framework. The first display crafted was an AAMR Pilot ‘event listing’. This graphic illustration presented a more condensed and focused chronology that plotted the flow of ‘major’ events that unfolded during the time period in which the AAMR was introduced, with major events being empirically derived and dates being cited as appropriate (Miles *et al.*, 2014). This display is presented in Chapter Six (see Figure 6.1) and was designed to anchor the author’s comprehension of the complex policy-making activity that occurred over a number of years (Miles *et al.*, 2014). A second display fashioned was a ‘stage listing’. This flowchart, as shown in Figure 5.2 below, depicted broader AAMR formation and delivery stages that were also identified using a grounded and organic approach as opposed to one driven by an arbitrary structure (for instance, Year 1, Year 2, Year 3) (Miles *et al.*, 2014; Patterson *et al.*, 2012).

Figure 5.2. ‘Stage listing’ – the AAMR Pilot

1 Problem Recognition	2 Policy Idea	3 Research Conducted	4 Decision (Internal)	5 Campaign Launch
6 Humphreys Makes Contact	7 Engagement: Coalition Government	8 Consultation & Lobbying	9 LASPO Bill Amendment	10 VAWG Sector Feedback
11 Mayoral Election & Stalling	12 AAMR Pilot Requirements Outlined	13 Pilot Planning	14 Launch & Implementation	15 Conservative Party Policy Developments

Source: Author’s own

This stage listing supported subsequent analysis which entailed overlaying and nesting the process in which the AAMR Pilot emerged and was implemented onto to a pre-constructed organisational and analytical framework. That is, Evans and Davies’ (1999) twelve-stage voluntary policy transfer network heuristic scheme (see Chapter Two, Section 2.3.3). Proceeding in this manner was fuelled by an understanding that utilising a framework to structure a case study is a legitimate analytical approach, particularly when the overall pattern of intricacy within a case is not amenable to thematic or cross-sectional illumination due to the ‘slicing’ and decontextualisation that such approaches entail (see Mason, 2011; Yin, 2014). Indeed, a key driver for the deployment of Evans and Davies’ (1999) model is that it adopts a ‘narrative’ format – a format that permits findings pertaining to the study’s research questions to be presented in a way that retains the fullness, fluency, and flow of the AAMR Pilot ‘story’ when presented across several chapters (for a similar argument see Dussauge-Laguna, 2013).

Notably, a further reason as to why Evans and Davies’ (1999) scheme was considered attractive was that despite the publication of thousands of policy transfer papers, a search conducted by the author confirmed that just 12 studies have engaged with this model when outlining research findings, and that no studies have rigorously applied it to an (alleged) case of ‘international-subnational’ policy transfer (see Chapter Two, Section 2.3.3). Hence, the author believed that marshalling this specific framework would present several opportunities. First, it would offer the opportunity to utilise Evans and Davies’ (1999) scheme as a critical lens through which to analyse the GLA’s policy borrowing journey, and in doing so draw on the concepts and the wider policy transfer / policy

process literature embedded within it where appropriate (for example, Easton, 1965, Kingdon, 2011, Lukes, 1974). Secondly, and relatedly, applying Evans and Davies' (1999) framework to the case of MOPAC's AAMR Pilot would permit a reflexive and reflective account of its accuracy to be produced, not only with regards to the relevance of each putative 'stage' in light of the data that were collected, but also in relation to the sequencing of each of the stages and the rationality that this model (implicitly) assumes. Thirdly, and finally, it was understood that applying Evans and Davies' (1999) scheme to an alternative pathway would add an original component to this study, thus, in turn, bolstering the theoretical contributions made by this research project.

Having adopted an organisational framework, the author proceeded to assign 'first cycle' codes to the AAMR Pilot's comprehensive chronological timeline of events (see above) to permit deep reflection about the data's meanings (Mason, 2011; Miles *et al.*, 2014). These codes were derived both deductively and inductively, and were revised or deleted where required to ensure that they were empirically grounded and part of a web-like conceptual structure (Miles *et al.*, 2014). With regard to the deductive strand, a list of provisional codes and sub-codes was created by referring to, for example, the study's research questions, interview guides, and the content of Evans and Davies' (1999) framework. A key set of codes within this schema was that concerned with 'non-transfer' – i.e. aspects of the South Dakota 24/7 Sobriety Project that were discarded or filtered out, and/or components of the AAMR Pilot that were innovative or borrowed from domestic antecedents (Evans & Davies, 1999). Inclusion of such codes ensured that plausible 'rival explanations' to that of 'international-subnational' crime and justice policy transfer were identified (Yin, 2014; also see Ogg, 2015). With respect to the inductive codes and subcodes that emerged progressively, a 'mix and match' approach as recommended by Miles *et al.*, (2014) was adopted, with the following methods of coding employed:

- Elemental → descriptive, in vivo, and process coding
- Exploratory → holistic and chronological coding (both official and subterranean)
- Grammatical → simultaneous coding
- Procedural → causation coding
- Affective → emotions, values, and evaluation coding
- Literary and language → dramaturgical coding (which included objectives, conflicts, tactics, and subtexts)

Having summarised segments of data, ‘second cycle’ coding was undertaken. This involved patterning or clustering groups of codes interpretively to create ‘meta-codes’ (Miles *et al.*, 2014). Throughout the coding process, analytical annotations were made that captured the author’s ephemeral thoughts, commentary, or observations about data content. In addition, memos were produced that recorded the author’s musings within a range of domains, including, *inter alia*: the (in)compatibility of research findings to Evans and Davies’ (1999) framework, answers to the study’s research questions, emergent or existing concepts, and promising avenues for future research (Miles *et al.*, 2014). These memos served as the basis for the extended policy development and implementation narrative, and the concluding discussion, presented in Part Two of this thesis. With regard to the analytical narrative itself, the author embraced an evidence-led approach and made every effort to report findings sensitively and fairly (Mason, 2011; Yin, 2014). Indeed, uncertainties have been highlighted, discrepant or conflicting points of view have been acknowledged, and pertinent verbatim quotations have been indented or embedded within the prose to support the author’s analytical interpretation, offer readers depth of understanding, ensure participants’ voices were not lost, and to enhance readability via providing colour and vividness (Berends, 2011; Corden & Sainsbury, 2006; 2012; Mason, 2011; Yin, 2014).

5.7. Ethical considerations

An application for ethical approval was submitted to the Social Policy and Social Work (SPSW) Departmental Ethics Committee at the University of York and was approved in 2015. This application now features as an example of good practice for other Doctoral Researchers on the SPSW Virtual Learning Environment.

Although energy was naturally directed towards curtailing any physical risks or psychological trauma posed to both the author and participants (SRA, n.d.), the chief ethical concern encountered by this study centred around professional harm. More precisely, whilst preserving the anonymity of the observed Street Pastors patrol was achieved in a relatively straightforward manner by concealing the date and location of the shift, the question of how to mitigate the possibility of reputational injury to elite interviewees required further consideration. Indeed, two matters intensified the need to find an appropriate response to this issue before fieldwork commenced. Firstly, the

decision was made not to camouflage the identity of the AAMR Pilot (and the Street Pastors scheme) due to the substantial change of meaning that would unavoidably occur during the process (Kvale & Brinkmann, 2009). Secondly, it was recognised that readers of freely available (i.e. ‘Open Access’) research outputs could possibly identify informants who requested that their contribution be disguised because of their known association with the development or implementation of each innovation or because of their distinctive insight (see Butler, 2013). In light of these realities the decision was made to provide interviewees with two options concerning how they preferred their words to be quoted in publications – that is, Option A) you may use my name and my job title, or, Option B) you may not use my name or my job title. These options were clearly explained within bespoke Information Sheets that were drafted specifically for this study and provided to all prospective participants (see Appendix I and K). Option A and Option B were also inserted into carefully constructed Consent Forms that were signed by all interviewees (see Appendix L). It is important to note that informants were made aware that even if they selected Option B and were allocated a pseudonym their absolute anonymity could not be guaranteed as a cascade of interviewee identification could potentially occur due to the cases selected for investigation being explicitly named. In total, 27 out of 40 participants were happy to waive their right to anonymity⁵².

A further measure that was taken to curb professional risks involved forwarding all participants a verbatim interview transcript to enable them to edit their comments and check the content for accuracy (see Section 5.5.1 above). Informants were further advised that with their permission their interview transcription would be archived in the UK Data Archive three months following the completion of this study and would thus be available to other genuine researchers in line with current data sharing practices (see Van den Eynden *et al.*, 2011). The Information Sheets drafted for this study also outlined the purpose of the research, its source of funding, the benefits of participating, and notified interviewees that their participation was entirely voluntary and that they could withdraw

⁵² Rather interestingly, despite stating that they wished to remain anonymous it became evident that several elite interviewees had confirmed to their colleagues that they had engaged with this study, thus perhaps suggesting that they were content for their involvement to be known but were cautious with respect to having their account of the policy process linked directly to themselves. Alternatively, it may be that some interviewees simply asked not to be named in a ‘knee-jerk’ manner as they are accustomed to other research studies, particularly surveys, stressing the importance of individual responses being unidentifiable.

at any time without giving a reason. What would happen in the event that they disclosed that they or someone else was at risk of harm was also detailed as recommended by Wiles (2013). Finally, a plethora of steps were taken to protect the confidentiality of all research data collected and ensure that it was handled in a way that conformed to the *Data Protection Act 1998*. For example, electronic data were held in password protected files which were exclusively stored on the University of York server, and completed consent forms and a data key were locked in a different filing cabinet from that which contained hard copies of data which were allocated identifier codes.

5.8. Limitations

There are a small number of methodological limitations that must be acknowledged with respect to this research project. One limitation concerns the decision to utilise PCC Police and Crime Plans to locate potential cases of ‘international-subnational’ crime and justice policy transfer. Indeed, while efforts were made to locate information pertaining to the origins of the plethora of initiatives mentioned within these documents – including those that had emerged in one jurisdiction in the UK and spread internally to others – it is possible that some bias in case study identification may have occurred given that plans produced by bodies located in Scotland and Northern Ireland were not directly examined.

A further limitation relates to the perspectives that were captured via interviewing those involved in the emergence and implementation of the AAMR Pilot, and the analytical warping that may have transpired due to particular voices not being heard. To expand, even though the author was fortunate to secure interviews with a greater number of elites than other policy transfer analysts⁵³, the study would undoubtedly have benefited from the insights of several agents who declined to participate – agents for whom reliance on second-hand accounts of their role was ultimately required. In addition, some murkiness and ambiguity was distinguishable with respect to the interview data that was collected, with some knowledge gaps in the AAMR Pilot journey remaining unplugged despite efforts being made to clarify or augment information by means of post-interview correspondence. Ideally, in a bid to remedy this shortcoming second interviews would

⁵³ See for example Butler, 2013; Dwyer & Ellison, 2009; Hudson & Kim, 2013; and Legrand, 2012b – all of whom interviewed six or fewer individuals.

have been arranged where appropriate. However, given that informants could have felt pressured or irritated by being asked contribute more than they had initially agreed to, this strategy was not pursued in order to maintain high ethical standards and to prevent ‘the field’ being spoiled for other researchers (Bryman, 2008). It is also important to note that while interviewees did donate a range of AAMR-related documentary materials to this study, the majority of the documents collated were publicly available and hence may have presented a polished or partial explanation of individual or organisational action (see Section 5.5.2 above). This series of limitations should perhaps be linked to the broader question of whether the analytical narrative of policy development and change presented in subsequent chapters is ‘The Truth’. In response, and in line with the epistemological currents of this research, the author holds that although providing a definitive account of the policy process remains just out of reach of all researchers, an authoritative account has been produced as constructed via careful utilisation and interpretation of multiple sources of evidence (see Burnham *et al.*, 2008).

Although arguably not a limitation of the study, readers may recognise that one sphere that was omitted from the list of research questions detailed in Section 5.2 concerns that of policy outcomes. Or more specifically, how the process of ‘international-subnational’ crime and justice policy transfer relates to policy ‘success’ or ‘failure’ (see Dolowitz & Marsh, 2000). Slighting of this query was done so deliberately in response to not only its insinuation of an overly rational trajectory of policy-making in which actors identify a problem, search for a solution, and subsequently implement a new policy, but also because of the difficulty and subjectivity involved in defining success (see Ellison & O’Reilly, 2008; Jones & Newburn, 2007). Indeed, while Marsh and Sharman (2009) actively encourage policy transfer scholars to adopt a framework in which three different indicators of success can be evaluated – i.e. process, programmatic, and political – it remains the case that judgements pertaining to policy effectiveness are inherently subjective and may mirror existing power dynamics (Bovens *et al.*, 2006). The issue of ‘success for whom’ thus casts a shadow over the pursuit of objectivity as different individuals or groups are likely to have conflicting perceptions of the value or intended impact of the same policy (Marsh & Sharman, 2009). The upshot of this state of affairs is that engagement with the ‘success question’ seemingly would have demanded the incorporation of a robust evaluation component into this study’s methodology, along with extensive consultation with a vast assortment of policy stakeholders including service-users or clients. This scenario was ultimately judged to be both unfeasible and undesirable

due to resource constraints and the strong probability that introducing an evaluation strand would lead to the production of a disjointed ‘dual’ thesis as opposed to a single coherent ensemble.

5.9. Chapter summary

This chapter has outlined the methodology of this study, drawing attention to its meta-theoretical underpinnings and its qualitative case study design. In addition, an account of the search, screening, and selection strategy that was executed to identify alleged or *prima facie* instances of ‘international-subnational’ crime and justice policy transfer has been provided. Having acknowledged that policy transfer analysts have been criticised for citing weak or insufficient sources to justify their arguments, rich detail has been provided concerning the multi-method data collection approach that was employed to accrue a variety of evidence to support the narrative presented in subsequent chapters. In particular, the use of a timeline activity as incorporated into the elite interviews that were conducted has been described and justified, with the author highlighting that this technique has not previously been employed within existing studies of policy transfer. Following an explanation of the strategy that was forged to analyse the data that were gathered, this chapter highlighted, and reflected on, a series of ethical considerations and methodological limitations associated with this research project. In the following chapter, descriptive background information will be provided prior to the study’s findings being presented.

PART TWO
Findings

Chapter Six

Introduction to the Findings

6.1. Introduction

In order to ensure that the reader has an understanding of key background information prior to the findings of this study being presented, this brief chapter begins by forwarding a descriptive as opposed to analytical account of the history and efficacy of the South Dakota 24/7 Sobriety Project. Following this, an overview of the major ‘events’ that unfolded during the emergence, development, adoption, and implementation of the Mayor’s Office for Policing and Crime’s (MOPAC) Alcohol Abstinence Monitoring Requirement (AAMR) Pilot is presented; as is a list of the main ‘characters’ who make an appearance during the AAMR story. In the final section of this chapter, details pertaining to the structure of Chapters Seven, Eight, and Nine are provided.

6.2. The South Dakota 24/7 Sobriety Project

This section outlines the origins of the South Dakota 24/7 Sobriety Project and summarises descriptive, anecdotal, and quasi-experimental evidence relating to the effectiveness of the programme. Providing this information is essential as subsequent chapters will explain how, why, and to what extent the Greater London Authority’s (GLA) attempts to replicate core components of the South Dakota model were resisted during the policy development process.

6.2.1. Brief history

The impetus for the South Dakota 24/7 Sobriety Project (hereinafter 24/7 Sobriety) emerged in the mid-1980s in Bennett County, a rural jurisdiction in South Dakota with a population of approximately 3,000 people (NPAMC, 2009). The county was bordered by two Native American reservations on three sides, and its high rates of unemployment and poverty were matched only by its epidemic levels of alcohol consumption (Long, 2009; NPAMC, 2009). Indeed, Bennett County’s then prosecutor, Larry Long, identified that

almost every crime committed in his county was linked to alcohol, as defendants were either drunk, endeavouring to steal alcohol, or attempting to secure money to purchase alcohol at the time of their arrest (Long, 2009). He also recognised that the same people were being sentenced and released from jail over and over again (Alcohol Monitoring Systems Inc., n.d.; Long, 2009). In seeking to alleviate this situation, Larry Long devised a somewhat radical approach to address alcohol-related crime and recidivism, in particular Driving Under the Influence (DUI) and domestic violence (NPAMC, 2009). The concept was simple. Those defendants who had demonstrated that their alcohol intake was a threat to public safety would have their 'licence to drink' suspended in the same way that those who fail to operate a vehicle responsibly have their driving licence revoked (Kilmer & Humphreys, 2013). With cooperation from his local judge, Larry Long's project launched in 1985. As a condition of bond and until their cases were resolved, defendants were required to present themselves twice daily, seven days a week, to the sheriff's office and undertake a breath test for a reading of their blood-alcohol concentration levels (Alcohol Monitoring Systems Inc., n.d.). Those who tested positive (i.e. 'blew hot') or who failed to show up for a scheduled test (i.e. 'no shows') would be escorted across the hall in the sheriff's office and be flash incarcerated in the county jail for a brief period of time, typically a few days (Alcohol Monitoring Systems Inc., n.d.; Fisher *et al.*, 2013; Long, 2009). The refrain '*if you skip or fail, you go to jail*' summarises this process neatly (Mabry, n.d.). The design of this sentencing mechanism was intended to mimic the electric fence scenario. That is, Larry Long believed that in the same way that those who receive an instant short sharp shock upon touching an electric fence actively avoid repeating the same behaviour for a second time, defendants would choose to remain sober to evade the immediate, definite, yet moderate penalty of a brief stint in jail (Long, 2009).

Notably, the tenets of Larry Long's deterrence tactic stood in stark contrast to existing community supervision programmes in the United States (US) that were considered sluggish, unpredictable, and occasionally draconian by detractors (DuPont & Humphreys, 2011; Kleiman *et al.*, 2014). For example, courts often required individuals who were arrested for alcohol-related offences to stop engaging in specific activities such as drinking, frequenting bars, and driving (Kilmer *et al.*, 2013). Yet, due to resource and personnel constraints, limited contact occurred between offenders and probation officers (Kilmer *et al.*, 2013). The outcome was that supervision was generally lax; re-arrest occurred in a sporadic fashion (typically after a major violation or a series of minor

violations); and any sanctions that were imposed were often delayed, variable, and sometimes entailed sustained and expensive incarceration (Kilmer *et al.*, 2013; Kleiman *et al.*, 2014; Talpins *et al.*, 2010). In short, the system adopted what Kleiman (2010) calls a ‘brute-force’ approach. An approach that increasingly employed imprisonment as a crime control measure yet was unable to alter the behaviour of individuals who were present-orientated, impulsive, risk-acceptant, and irrational in economic terms.

Although perceived as a novel alternative to conventional practice and unusual in its application, it is important to acknowledge that the logic behind Larry Long’s ‘common sense’ sanctioning paradigm did, nevertheless, have a firm theoretical basis that can be traced back to the eighteenth century in the work of Cesare Beccaria and Jeremy Bentham (see Kleiman *et al.*, 2014). Such scholars maintained that close monitoring combined with ‘*swift and certain*’ punishment outperforms random severity in the management of offenders (see Hawken & Kleiman, 2009; Kleiman *et al.*, 2014)⁵⁴. This criminological theory has also been corroborated by empirical evidence from effective instantiations of ‘*swift, certain, and fair*’ principles within drug-testing programmes (see, for instance, Operation Tripwire, Washington, DC (DuPont & Wish, 1992); Project Sentry, Lansing, Michigan (Gallegher, 1997); Project SWIFT, Texas (Snell, 2007); HOPE Probation, Hawaii (Appendix H) and Physician Health Programs⁵⁵ (DuPont & Humphreys, 2011))⁵⁶. A red thread running through each of these initiatives is that a transparent behavioural contract is laid down to offenders along with a clear message about personal accountability and the definite consequences of non-compliance, thus allegedly

⁵⁴ N.B. Whether these scholars directly inspired Larry Long’s approach is unclear. Indeed, it is possible that a “*thin scholarly whitewash*” (Wacquant, 2001: 406) was applied to his strategy post-implementation.

⁵⁵ Physician Health Programmes (PHPs) are long-term care management programmes for physicians whose careers are at risk due to substance misuse disorders (DuPont & Humphreys, 2011). PHPs entail individuals adhering to a series of contractual stipulations (e.g. treatment; abstinence; intensive monitoring) for a number of years, with non-compliance resulting in the physician being removed from medical practice and placed into extended treatment (DuPont & Humphreys, 2011).

⁵⁶ A number of unsuccessful attempts to implement ‘*swift, certain, and fair*’ sanctions have also emerged in recent decades in the US. For instance, programmes in Multnomah County (Portland, Oregon) and the state of Maryland produced unsatisfactory results – the former purportedly because warnings were issued in response to an individual’s first five violations, and the latter seemingly because sanctions were inconsistently enforced due to a lack of judicial ‘buy-in’ (Hawken, 2007; Kleiman, 2010; Kleiman *et al.*, 2014).

provoking a shift in the psychological locus of control from external (the criminal justice system) to internal (individual action) (Hawken & Kleiman, 2009).

Ultimately, the results of Larry Long's non-traditional method were considered encouraging. Not only did individuals show up as required but a high proportion blew negative tests, including those considered 'hard-core' alcoholics⁵⁷ (NPAMC, 2009). Moreover, the jail population decreased and DUI and domestic violence rates declined across Bennett County (Alcohol Monitoring Systems Inc., n.d.).

Larry Long relocated to Pierre (the capital of South Dakota) in 1991 and was elected Attorney General in November 2003 (Long, 2009). In 2003/4, he was appointed by the Governor of South Dakota to a task force charged with reducing the swelling population of the state prison (Alcohol Monitoring Systems Inc., n.d.; Long, 2009). At the time, felony DUI, vehicular homicide, and domestic violence cases accounted for approximately 35 percent of all felony convictions in South Dakota, while felony DUI and felony drug offences combined accounted for approximately 60 percent of the States' total felony convictions between 1996 and 2007 (Loudenburg *et al.*, 2011; NPAMC, 2009). A significant proportion of prison inmates in South Dakota suffered from alcohol and/or illegal drug dependency (Alcohol Monitoring Systems Inc., n.d.). Having grasped that substance misuse continued to rule the criminal justice system, Larry Long suggested that an initiative similar to his Bennett County project be implemented as an alternative to incarceration and existing sentencing sanctions (Long, 2009). He eventually convinced Circuit Court judges to humour his proposal (Long, 2009).

Upon receipt of funding from the National Highway Traffic Safety Administration for administrator salaries and breathalyser equipment, the 24/7 Sobriety Project began in February 2005 in three counties: Minnehaha, Pennington, and Tripp (Alcohol Monitoring Systems Inc., n.d.; Kilmer & Humphreys, 2013). The pilot initially targeted DUI defendants with at least one prior DUI conviction within the previous ten years (Long, 2009). As in Bennett County, defendants were court ordered to completely abstain from the consumption of alcohol and participate in twice-daily breath tests at 12-hour intervals

⁵⁷ Although alcohol abstinence was the desired goal of the programme, defendants could drink minimally while engaging in twice-daily breath testing due to the speed in which the body metabolises alcohol (Fisher *et al.*, 2013).

– typically 7am to 9am and 7pm to 9pm at the sheriff’s office – from the time they posted bond until their case was resolved (Alcohol Monitoring Systems Inc., n.d.; Fisher *et al.*, 2013; Long, 2016; Mabry, n.d.). Software was developed to track the results of each defendant’s test data and participants helped to support the cost of the initiative by paying \$1 per test (\$2 per day)⁵⁸ (Alcohol Monitoring Systems Inc., n.d.; Kilmer & Humphreys, 2013). Those who tested positive were immediately jailed for violating their bond condition and bench warrants were issued for defendants who failed to report to the test site (Long, 2009). Non-compliant individuals were incarcerated for 24–48 hours before reappearing in court where the same conditions were imposed (Long, 2009; 2016). The message was thus crystal clear – “*if you don’t quit drinking and driving, we will make you quit drinking*” (Long, 2009: 3). Judges in the pilot jurisdictions quickly witnessed the success of the initiative and, via word of mouth, the programme began diffusing into other areas (Alcohol Monitoring Systems Inc., n.d.; Kilmer & Humphreys, 2013). By early 2007, 24/7 Sobriety was live in 12 South Dakota counties and results looked promising in the eyes of its proponents. Two-thirds of approximately 1,000 DUI defendants who participated in the scheme for an average of 111 days were fully compliant with the programme’s conditions, i.e. they appeared for their test at the scheduled time and passed (Long, 2009). Seventeen percent of defendants failed once; less than 10 percent failed twice; and just six percent failed three or more times (Long, 2009).

Expansion of the project did, however, expose a number of design challenges. One issue was that some defendants had no option but to drive up to 50 miles to be tested because the county in which they resided or worked was highly rural and did not have a local jail or sufficient law enforcement personnel to administer the breathalysers⁵⁹ (Long, 2009; 2016). In addition, some defendants worked unusual hours or had transport difficulties which made it burdensome for them to report to the test site on time (Long, 2009). As a way to resolve these impediments, those defendants for whom breath testing was unfeasible were issued with transdermal alcohol monitoring devices manufactured by Alcohol Monitoring Systems Inc. Branded SCRAM (Secure Continuous Remote Alcohol Monitoring) and known colloquially as ‘sobriety bracelets’, ‘booze bracelets’, ‘sobriety

⁵⁸ The breathalyser tubes used with the preliminary breath-test devices cost the sheriff’s office approximately three cents each to purchase (Fisher *et al.*, 2013).

⁵⁹ The two largest and two smallest counties in South Dakota have trained civilians to help administer the twice-daily breath testing programme (see Fisher *et al.*, 2013).

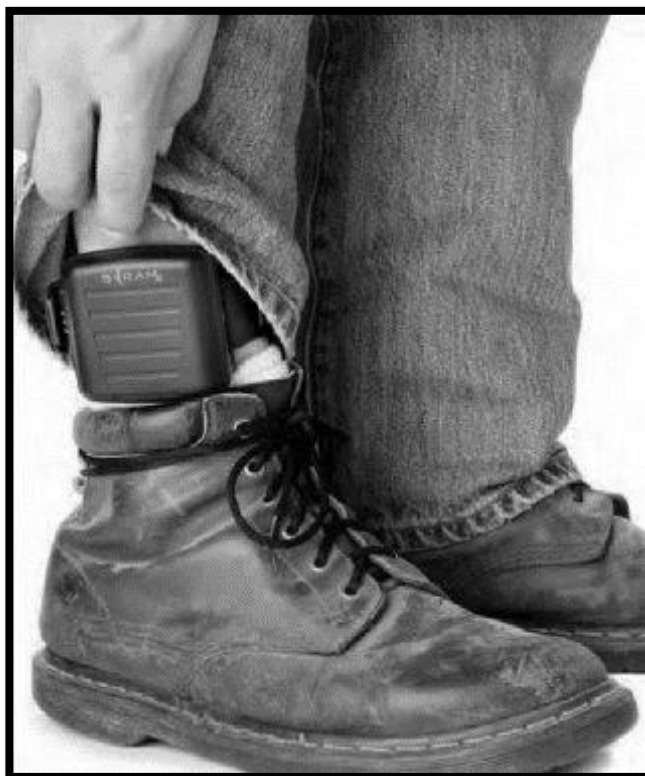
tags’, ‘alcohol tags’, ‘alky tags’, ‘alcohol anklets’, ‘anti-alcohol ankle tags’, and ‘ankle sniffers’, these devices became commercially available in 2003, have had several iterations, and provide round-the-clock non-invasive measurement of both the frequency and the quantity of alcohol intake⁶⁰ (Dougherty *et al.*, 2012; Flango & Cheesman, 2007; Leffingwell *et al.*, 2013). The bracelet is locked to a person’s ankle, can be worn for several months, and contains three sensors: an electrochemical alcohol sensor that samples the insensible perspiration that is close to the surface of the skin once every 30 minutes⁶¹, and two anti-circumvention detection sensors that confirm proximity to the skin and skin temperature (Leffingwell *et al.*, 2013; Marques & McKnight, 2009). A special tamper clip also features on the device (Flango & Cheesman, 2007). Data is uploaded from the alcohol tag to a Base Station installed at the wearer’s address via a wireless radio frequency signal. The Base Station then transmits the information to a secure remote server administered by Alcohol Monitoring Systems Inc. at two pre-determined times per day for subsequent inspection via a web-based platform (Leffingwell *et al.*, 2013; Long, 2009; Tison *et al.*, 2015). Blips caused by household chemicals that contain alcohol are readily identifiable by those employed to scrutinise Transdermal Alcohol Concentration data and are therefore not flagged as drinking episodes (Loudenburg *et al.*, 2013)⁶². In South Dakota, wearers paid an activation and deactivation fee (approximately \$40), plus a daily rental cost and participation fee (approximately \$6) (Mabry, n.d.). An image of an alcohol tag is provided below.

⁶⁰ In 2009 the South Dakota Supreme Court confirmed that the SCRAM methodology met the evidentiary standard for the admissibility of scientific evidence (Loudenburg *et al.*, 2013).

⁶¹ Approximately one percent of ingested alcohol is excreted through the skin via sweat glands and diffusion (Leffingwell *et al.*, 2013: also see Swift, 2003).

⁶² The device cannot, however, be submerged in water. Hence, bathing, sitting in hot tubs, and swimming are not permitted. Wearers are also encouraged to actively avoid personal grooming products such as spray tans, hair dyes, and skin lotions that contain alcohol.

Illustration 6.1. Alcohol tag



Source: Midwest Monitoring & Surveillance (2014)

An additional complication encountered by 24/7 Sobriety was that while intensive monitoring was keeping DUI defendants sober, some were opting to use drugs as an alcohol substitute (Long, 2009; The National 24/7 Sobriety Advisory Council, 2016). This situation incited the inclusion of random urinal testing for a range of illegal and prescription drugs into the initiative for those ordered to undertake regular breath tests (Long, 2009). A ‘safe window’ for undetected drug use was thus eliminated (see Hawken, 2007). Sweat patches with anti-tamper features were adopted as an alternative for defendants wearing alcohol tags (Long, 2009; Voas *et al.*, 2011). These patches resemble small adhesive plasters and can be worn on a defendant’s back or upper arm for seven to 10 days before being sent to a laboratory where traces of controlled substances are identified (Long, 2009; Mabry, n.d.).

Over time, the apparent effectiveness of the project led to judges wishing to inflate its remit beyond repeat DUI defendants, and they began placing those arrested for crimes with a nexus to substance misuse including domestic violence, theft, burglary, and assault into the programme (Long, 2009). Those awaiting trial for drug-related offences were

mandated to undertake twice-weekly urinal testing and were also randomly checked for alcohol consumption in a bid to prevent substance replacement (Long, 2009).

In 2007 the South Dakota legislature unanimously approved the formal creation of a statewide 24/7 Sobriety programme as administered by the Attorney General's Office (see *House Bill 1072*) (South Dakota Attorney General, 2015). The legislation appropriated \$345,000 in funding; permitted the use of 24/7 Sobriety conditions for all crimes in which alcohol and/or drugs played a role in their commission; and widened eligibility to incorporate probationers and parolees as part of their supervision (Alcohol Monitoring Systems Inc., n.d.; Long, 2016; Nicosia *et al.*, 2016). Those enrolled on the programme signed agreements confirming that they would not consume alcohol or drugs and that they would not enter establishments where alcohol is sold (Fisher *et al.*, 2013). In line with standard probation practice, DUI offenders were also required to access treatment upon conviction (DuPont & Humphreys, 2011; Nicosia *et al.*, 2016; Talpins *et al.*, 2010). Notably, this had not been the case for previous 24/7 Sobriety clients whom, as pre-trial defendants, had been free to seek treatment but had not been obliged to do so (Caulkins & DuPont, 2010; Long *et al.*, n.d.). The 2007 legislation likewise modified state law to permit juvenile court judges involved in abuse or neglect cases to enrol caregivers into the 24/7 Sobriety testing regime as a condition of returning children to their home (Long, 2009).

A further \$400,000 of funding was allocated to the project in 2008 with the passing of *House Bill 1067*, and alcohol companies also contributed \$38,000 to establish a fund to help those who could not afford to pay for their testing or who were delinquent in payment (Alcohol Monitoring Systems Inc., n.d.). In 2010, the South Dakota Attorney General's Office transitioned out taxpayer programme contributions in favour of a cost-neutral/self-sufficient 'offender pays' model,⁶³ while in 2012 the initiative was broadened to require the use of an ignition interlock device for some participants facing financial hardship (Long *et al.*, n.d.; South Dakota Attorney General, 2015; The National 24/7 Sobriety Advisory Council, 2016). This portable device, complete with a camera, not only allows individuals to submit twice daily breath test samples, but also disables their vehicle in the

⁶³ Although it has been reported that an indigent fund does subsidise costs for offenders where necessary (SCRAM Systems, n.d.), Fisher *et al.* (2013) maintain that those who cannot afford the testing are generally deemed ineligible for the programme.

event that they are alcohol-impaired (Long, 2016; National Institute of Justice, n.d.). Results, images, and other relevant information are delivered in real-time to a testing site, thus allowing authorities to respond in a prompt manner to any infringements (The National 24/7 Sobriety Advisory Council, 2016). The majority of programme participants, however, continue to travel to a test site, with some being driven by friends and/or family, and others with a DUI conviction utilising a permit (or restricted licence) that only allows them to drive to work, school, or a breathalyser venue (Fisher *et al.*, 2013).

Since its inception, 24/7 Sobriety has continued to spread across South Dakota. By 2013, 61 out of a possible 66 counties were participating in the project, equating to 90 percent coverage of the State's population (Loudenburg *et al.*, 2013). The innovation has also travelled across borders in the US and disembarked in a number of jurisdictions. Indeed, as summarised by The National 24/7 Sobriety Advisory Council (2016: 1):

“As of March, 2016, North Dakota, Montana, Washington, Idaho, Wyoming and Alaska have all authorized statewide 24/7 Programs; Florida, Nebraska, Iowa, and Wisconsin have implemented or authorized 24/7 pilots; and Arizona, Arkansas, Colorado, Delaware, Georgia, Hawaii, Illinois, Indiana, Kansas, Louisiana, Maine Minnesota, Nevada, New Mexico, Oklahoma, South Carolina, Tennessee, Texas Utah, and West Virginia are all considering 24/7 Programs.”

Such transfer activity was seemingly propelled by the support and recognition of 24/7 Sobriety that occurred when Congress passed, and President Obama signed, the *Fixing America's Surface Transportation (FAST) Act* in December 2015 (The National 24/7 Sobriety Advisory Council, 2016). This Act provided federal funding to states wishing to establish, enlarge, or enhance their DUI 24/7 Sobriety pilot programmes (The National 24/7 Sobriety Advisory Council, 2016; SCRAM Systems, n.d.).

6.2.2. Evidence of efficacy

In 2008 the South Dakota 24/7 Sobriety Project won a Council of State Government Innovations Award, and in 2009 it secured the prestigious John P. McGovern Award for Innovation in Drug Abuse Prevention from the Institute for Behavior and Health. Despite such recognition in the US, however, evidence of the programme's effectiveness had

remained predominantly descriptive and anecdotal since its inception (Kilmer *et al.*, 2013). For instance, a series of statistical reports produced by researchers at Mountain Plain Evaluation LLC outlined, *inter alia*: the lower DUI recidivism rate of second, third, and fourth DUI offenders three years following exit from 24/7 Sobriety breathalyser monitoring when compared to control groups, and the fact that the DUI recidivism rates of those who had worn SCRAM devices began to approach or exceed the recidivism rates of control groups three and four years post-arrest⁶⁴ (see Loudenburg *et al.*, 2011; Loudenburg, Drube, Leonardson & Bathe, 2012; Loudenburg, Bathke & Drube, 2012; Loudenburg *et al.*, 2013).

Simple trend data also suggested that traffic fatalities relating to alcohol consumption had dropped from 71 in 2004 to 34 in 2008, while South Dakota's prison inmate population decreased by 50 in 2007 and 34 in 2008, hence reducing state incarceration expenditure by millions of dollars (Caulkins & DuPont, 2010; Long, 2009; Long *et al.*, n.d.). Although they did concede that it would be impossible to ascribe such changes to any one intervention,⁶⁵ commentators argued that 24/7 Sobriety had undoubtedly made a contribution (see Long *et al.*, n.d.; Talpins *et al.*, 2010). Additional benefits that seemingly flowed from 24/7 Sobriety were also highlighted by its champions, including the fact that participants could remain in employment and continue living with their families and in communities that were much safer as an upshot of their sobriety (Alcohol Monitoring Systems Inc., n.d.; Long, 2009; NPAMC, 2009).

It was not until 2013 that the first independent peer-reviewed evaluation of 24/7 Sobriety was published. This quasi-experimental evaluation was funded by the National Institute of Health and was conducted by Kilmer and his colleagues at the RAND Corporation. Data provided by the South Dakota Attorney General's Office revealed that between 2005

⁶⁴ This finding is likely to capture the attention of programme critics such as Tonry (2013) who has argued that '*swift, certain, and fair*' probation initiatives are 'pernicious' as they offer legal threats rather than seeking to improve the future lives and prospects of offenders by addressing the underlying causes of their criminal activity.

⁶⁵ For example, prior to the passing of *House Bill 1067*, South Dakota increased the number of DUI checkpoints in operation; overhauled its mandatory classes for first time offenders; launched additional media campaigns; and repealed its consent law (meaning that an individual arrested for a suspected DUI offence must provide a sample of their blood, breath, or urine to law enforcement for testing) (Fisher *et al.*, 2013; Long *et al.*, n.d.).

and 2010 more than 17,000 of the State's 825,000 residents had engaged with the programme (Kilmer *et al.*, 2013). Over a period of five years, these participants had undertaken approximately 3.7 million breathalyser tests with a 'blow clean' rate of 99.3 percent (Kilmer *et al.*, 2013). With the inclusion of the sobriety bracelets worn by around 15 percent of offenders, approximately 2.25 million days without an identified alcohol violation were recorded (Kilmer *et al.*, 2013). In comparing changes in drinking-related public health outcomes from January 2001 to December 2010, the RAND team found that 24/7 Sobriety had reduced repeat DUI arrests at the county level by 12 percent and decreased arrests for domestic violence by nine percent (Kilmer *et al.*, 2013). The latter was somewhat surprising given that just five percent of new participants entered the programme for domestic violence offences (Kilmer *et al.*, 2013; Kilmer & Humphreys, 2013). Analysis further suggested that although it appeared to have had no impact on traffic crashes overall, implementation of 24/7 Sobriety may have led to a modest fall in crashes among males aged 18–40 at a county level (Kilmer *et al.*, 2013). The researchers concluded that although their evaluation validates the view that frequent monitoring together with 'swift, certain, and fair' penalties can act as a deterrent to problem drinking, further research is required to confirm whether the 24/7 Sobriety model works equally as well in rural and urban jurisdictions outside of South Dakota, and how positive incentives and treatment services (the carrot) can be successfully integrated into the intervention⁶⁶ (Kilmer *et al.*, 2013). Notably, the results of the RAND study led to the National Institute of Justice designating 24/7 Sobriety as a 'promising' evidence-based programme (National Institute of Justice, n.d.).

Further retrospective research conducted by the RAND Corporation was published in *Lancet Psychiatry* in 2016. Using monthly, county-level aggregate data from 2000 to 2011, Nicosia *et al.* (2016) found that implementation of 24/7 Sobriety was associated with a 4.2 percent reduction in South Dakota's all-cause adult mortality, with the association being most evident with respect to circulatory conditions, females, and individuals aged 40 years or over. This reduction was larger than expected given 24/7 Sobriety participant numbers, perhaps indicating that the initiative had spill-over effects

⁶⁶ In 2008, Larry Long began working with the National Partnership on Alcohol Misuse so as to incorporate formal screening, assessment, brief intervention, and addiction treatment protocols as used in Drug/Driving While Intoxicated courts into 24/7 Sobriety to support offenders (Long *et al.*, n.d.; NPAMC, 2009). No further information was located by the author concerning the progress of this planned adaptation.

that affected non-participants. Indeed, Nicosia *et al.* (2016) hypothesise that publicity surrounding the intervention may have increased the perceived risks of drinking alcohol, thus deterring its consumption within the population as a whole. They also hypothesise that women may have altered their drinking behaviour to reflect their husbands' cessation, and/or that domestic violence incidents resulting in the death of a female partner may have declined due to male enrolment in the programme. They conclude that randomised controlled trials and analysis of individual-level data are required to reassess the size of the associations found, and to refine understanding of the pathways and mechanisms through which 24/7 Sobriety may affect mortality and public health more broadly.

6.3. MOPAC's AAMR Pilot – major 'events' and main 'characters'

This section begins by presenting a chronological 'event listing' that depicts the most significant or 'major' events that unfolded during the process in which MOPAC's AAMR Pilot emerged and was implemented (Miles *et al.*, 2014; also see Chapter Five, Section 5.6 for further details concerning how this display was created). Although originally produced as an intermediate analytical device to visually ground the author's understanding of the complex flow of policy-making activity that transpired over a number of years, it is included here as a qualitative data display to provide readers with an initial 'at-a-glance' or 'eyeball' review of the AAMR journey, which of course can be returned to as required (Miles *et al.*, 2014). In addition, given the intricacy of the narrative that is presented in Chapters Seven, Eight, and Nine, a table listing the 'cast of main characters' (Peck & Theodore, 2015) involved in developing the AAMR is provided so as to support the reader's command of the roles played by different key agents. Again, it is envisaged that this table will be referred to by readers where necessary.

Figure 6.1. 'Major event listing' – the AAMR Pilot

2008	<p>May 2008: Kit Malthouse is appointed by the new Mayor of London, Boris Johnson, to be London's Deputy Mayor for Policing.</p> <p>Tackling interpersonal violence is at the top of Kit Malthouse's agenda – he is 'casting around' for policy ideas.</p>
2010	<p>February 2010: Kit Malthouse attends the eighth Oxford Policing Policy Forum and learns of the South Dakota model during a presentation delivered by Professor Jonathan Caulkins.</p>

	<p>Kit Malthouse instructs his team at the GLA to conduct research into 24/7 Sobriety.</p> <p>Kit Malthouse decides that London should pilot a compulsory sobriety scheme that replicates elements of the South Dakota model. He is backed by Boris Johnson.</p> <p>August 2010: Kit Malthouse launches the GLA's compulsory sobriety campaign by writing an article in The Times newspaper.</p> <ul style="list-style-type: none"> • Third sector organisations (hostile); the media (some negativity). • Professor Keith Humphreys makes contact with Kit Malthouse. • The Home Office and the Ministry of Justice (MoJ) withhold support.
2011	<p>GLA officials seek to obtain the legal powers that they require to launch a compulsory sobriety trial via introducing a bill amendment in Parliament.</p> <p>First amendment attempt: <i>Police Reform and Social Responsibility Bill</i>.</p>
2012	<p>January 2012: The Metropolitan Police Authority is abolished and MOPAC is created.</p> <p>Second amendment attempt: <i>Legal Aid, Sentencing and Punishment of Offenders (LASPO) Bill</i>.</p> <p>March 2012: Baroness Northover moves an AAMR amendment on behalf of the Coalition Government.</p> <p>March 2012: A joint statement is issued by Violence Against Women and Girls organisations that makes it clear that they do not support the use of an AAMR as a perpetrator intervention.</p> <p>May 2012: <i>The LASPO Act 2012:</i> Royal Assent</p> <ul style="list-style-type: none"> • London mayoral election: Boris Johnson secures a second term; Kit Malthouse is replaced by Stephen Greenhalgh; MOPAC restructures. • September 2012: The Prime Minister re-shuffles his cabinet (new ministers require briefing). • The MoJ sits AAMR pilot planning on ice.
2013	<p>February 2013: Chris Grayling, the Lord Chancellor and Secretary of State for Justice (2012–2015), confirms that he and the Home Secretary are prepared to let Boris Johnson fund and mobilise a London AAMR pilot and</p>

	outlines a series of requirements that must be met by MOPAC prior to a Piloting Commencement Order being signed.
	MOPAC work to meet AAMR piloting requirements.
2014	July 2014: Jeremy Wright, Parliamentary Undersecretary of State (MoJ, 2012–2014), signs an AAMR Piloting Commencement Order. The Order comes into force on 31 July 2014 . Location: South London Local Justice Area.
2015	May 2015: The Conservative Party secure an outright majority in the UK General Election. Within their manifesto, they pledge to roll-out the AAMR and alcohol tags across England and Wales. Flash incarceration is also mooted.
	July 2015: MOPAC’s AAMR Pilot is extended for six months.
2016	April 2016: MOPAC’s AAMR Pilot is rolled out in phases across all nine London local justice areas.

Source: Author’s own

Table 6.1. ‘Cast of main characters’ (alphabetical by surname)

Name	Job title during the policy process	Main role
Browning, Angela	Baroness Browning. Minister for Crime Prevention and Anti-Social Behaviour Reduction (2010–2011)	Rejected the inclusion of compulsory sobriety clauses in the <i>Police Reform and Social Responsibility Bill</i> .
Burrowes, David	Parliamentary Private Secretary to Oliver Letwin (2010–2015). Member of Parliament (Enfield Southgate)	Forwarded an email drafted by Professor Humphreys to Oliver Letwin, thus triggering significant policy developments.
Caulkins, Jonathan	H. Guyford Stever Professor of Operations Research Carnegie Mellon University	Alerted Kit Malthouse to the existence of the South Dakota 24/7 Sobriety Project.
Chambers, Max	Research Director Policy Exchange	Participated in a fact-finding tour of the US with Martin Tunstall in 2013.
Clarke, Kenneth	Lord Chancellor and Secretary of State for Justice (2010–2012). Member of Parliament (Rushcliffe)	Initially resisted the idea of compulsory sobriety. Later entered into bill amendment negotiations.
Finlay, Ilora	Baroness Finlay of Llandaff Doctor and Professor of Palliative Medicine	Championed the introduction of compulsory sobriety. Laid bill amendments on several occasions.
Graham, John	Director The Police Foundation	Invited Professor Caulkins to present at the eighth Oxford Policing Policy Forum.

Grayling, Chris	Lord Chancellor and Secretary of State for Justice. Member of Parliament (Epsom and Ewell)	Permitted MOPAC to fund and mobilise a London AAMR Pilot.
Greenhalgh, Stephen	London's Deputy Mayor for Policing and Crime (2012–2016).	Lobbied for, and oversaw the implementation of, MOPAC's AAMR Pilot.
Greenhalgh, Leigh	Government Relations Officer GLA	Worked to secure compulsory sobriety legislation.
Hadwen, Roger	Policy and Delivery Officer MOPAC	Participated in the GLA's compulsory sobriety campaign and developed early AAMR Pilot implementation plans.
Herbert, Nick	Minister of State for Policing and Criminal Justice (2010–2012)	Championed compulsory sobriety 'behind the scenes'.
Hilton, Steve	Director of Strategy for David Cameron (2010–2012)	Signalled that 10 Downing Street supported the idea of compulsory sobriety.
Howard, Roger	Chief Executive UK Drug Policy Commission	Recommended that Professor Caulkins should present at the Oxford Policing Policy Forum.
Humphreys, Keith	Research/Tenured Professor – Stanford University Honorary Professor – King's College	Critical friend and ally to the GLA.

Jenkin, Anne	Baroness Jenkin of Kennington Public Relations Consultant	Championed the introduction of compulsory sobriety. Entered into AAMR negotiations with Kenneth Clarke.
Johnson, Boris	Mayor of London (2008–2016)	Lobbied for legislation that would permit London to undertake a compulsory sobriety pilot.
Letwin, Oliver	Minister of State for Government Policy (2010–2015)	Encouraged Kenneth Clarke to reach an agreement with compulsory sobriety advocates.
Malthouse, Kit	London’s Deputy Mayor for Policing (2008–2012) Member of the London Assembly (2008–2016)	Decided that London should pilot a scheme that emulated elements of the South Dakota model.
May, Theresa	Home Secretary (2010–2016). Minister for Women and Equalities (2010–2012). Member of Parliament (Maidenhead)	Declined to include compulsory sobriety clauses within the <i>Police Reform and Social Responsibility Bill</i> . Later granted permission for a London pilot to be planned.
McCluskey, Karyn	Director Scottish Violence Reduction Unit	Conducted alcohol tag trials in Scotland. Shared learning with the GLA.
Mitton, Joe	Special Adviser, Office of the Mayor of London (2010–2012: Policing and Crime)	Spearheaded the GLA’s compulsory sobriety campaign.
Northover, Lindsay	Baroness Northover Government Whip and Spokesperson	Moved the Government’s AAMR amendment in the House of Lords.

Offord, Matthew	Member of Parliament (Hendon)	Championed the introduction of compulsory sobriety. Laid bill amendments on several occasions.
Tunstall, Martin	Special Adviser MOPAC	Participated in a fact-finding tour of the US. Recommended that MOPAC's AAMR Pilot should utilise alcohol tags.
Wasserman, Gordon	Lord Wasserman Government Adviser on Policing and Criminal Justice	Championed the introduction of compulsory sobriety. Entered into AAMR negotiations with Kenneth Clarke.

Source: Author's own

6.4. Structure of the findings

The following three chapters apply an organisational and analytical framework formulated by Evans and Davies (1999) to the case of MOPAC's AAMR Pilot (see Chapter Two, Section 2.3.3 for an overview of this model, and Chapter Five, Section 5.6 for an explanation of the rationale behind its utilisation within this study). The text that features within the boxes provides information about the putative activities that Evans and Davies (1999) suggest may transpire during each stage of the voluntary policy transfer process. The accompanying analytical narrative is assembled from interview data provided by 25 elite agents who were involved in the AAMR journey, as well as from almost 200 primary, secondary, and tertiary documents. Where appropriate, this narrative is also supported by an analysis of raw field notes produced during and immediately after the author observed the eighteenth Oxford Policing Policy Forum. Further information about how each of these sources of evidence were collected and analysed can be found in Chapter Five.

Chapter Seven

From Problem Recognition to the Floating of an Imported Policy Solution

7.1. Introduction

This chapter applies Stages One through to Four of Evans and Davies' (1999) voluntary 'policy transfer network' analytical and organisational scheme to the case of the Mayor's Office for Policing and Crime's (MOPAC) Alcohol Abstinence Monitoring Requirement (AAMR) Pilot. These stages pertain to the first broad phase of the policy transfer process that Evans and Davies (1999) outline; that which entails the identification of a public policy problem, the search for ideas, and potential policy-orientated learning via an 'information feeder network'.

7.2. Recognition of the problem of interpersonal violence

Outline: In line with Evans and Davies' (1999) framework, analysis of case study evidence does indicate that it was recognition of a problem by a decision-making elite that instigated voluntary policy transfer activity (see Box 7.1 below). This elite was the Conservative politician and subnational governmental actor, Kit Malthouse, and the problem that he was facing was that of interpersonal violence.

Box 7.1. Problem recognition

Stage One – Recognition

“The potential for voluntary policy transfer exists at any spatiality of government as long as enough dissatisfaction or necessity exists and providing that an entrepreneurial elite is ready to manipulate these grievances and establish a transfer network. However, the emergence of a policy transfer network begins with the recognition by a decision-making elite, politicians or bureaucrats, of the existence of a decision problem which requires, due to contextual factors, pressing attention. The

political motivation for policy-makers to engage in policy transfer have been well documented elsewhere ...”

Source: Evans & Davies (1999: 377)

Kit Malthouse was elected to the London Assembly in 2008 and, despite having very limited experience within the domain of crime control, was swiftly appointed by the new Mayor of London, Boris Johnson, to be his Deputy Mayor for Policing and the Vice Chair of the Metropolitan Police Authority (MPA) (Interviewee: Kit Malthouse; MPA, 2012). Kit Malthouse later succeeded Boris Johnson as Chair of the MPA in January 2010 (MPA, 2012).

Data suggest that around this time tackling violence in a broad sense was at the top of Kit Malthouse’s professional agenda, yet two strands of interpersonal violence in particular were metaphorically smouldering in his in-tray: violence that was occurring within the night-time economy, and domestic violence (Interviewee: Joe Mitton; Interviewee: Kit Malthouse). Indeed, in monitoring Greater London crime statistics on a daily basis, routinely meeting with the Metropolitan Police Service (MPS) Commissioner, and liaising with agents operating in London’s numerous boroughs, Kit Malthouse was cognisant of the fact that these two forms of violence were tenaciously bucking crime trends by not declining across England’s capital (Interviewee: Joe Mitton; MPA, 2010). In effect, an undesirable condition had materialised as evidenced by monitoring systems and systematic indicators, and it was this condition that Kit Malthouse seemingly chose to define and elevate to the status of a public problem that required a resolution as opposed to a private or non-issue (Dolowitz, 2000a; Evans, 2010; Kingdon, 2011).

If viewed from a somewhat uncritical angle, Kit Malthouse’s motivation to ‘do something’ and be seen to be ‘doing something’ (Lynch, 2012) could simply be explained as a rational response to apparent policy failure as fuelled by his duty and/or desire to meet the demands of his various roles (Dolowitz, 2000a; 2006). Or, put another way, it could be proposed that in wearing his various hats, Kit Malthouse was purely striving to do his job and make London safer (Dolowitz, 2006). If analysed through the lens of policy transfer, however, a more nuanced and complex picture emerges of the additional contextual factors that may have played a role in Kit Malthouse’s inclination to counter political ‘dissatisfaction with the status quo’ – factors that are not explicitly outlined by Evans and Davies (1999) (Dolowitz 2000a; Dolowitz & Marsh, 1996; 2000; Rose,

1991b). For example, if we look to Dolowitz and Marsh's (2000) 'why transfer continuum' (see Chapter Two, Figure 2.1), a mixture of case-relevant voluntary and semi-coercive elements are identifiable, with Kit Malthouse's appetite to act arguably best understood as falling closest to the '*voluntary but driven by perceived necessity*' category. To elucidate, data do indicate that Kit Malthouse may have been encountering political pressure and – given his 'limited contract' – conceivably electoral pressure to engage with night-time economy violence and domestic violence. The former due to his own West Central constituency experiencing after dark crime, and the latter partially because his boss, Boris Johnson, was reportedly 'feeling the heat' (Interviewee: Joe Mitton; Interviewee: Kit Malthouse).

"There was quite a bit of pressure on the Mayor when he focused on which [crime types] were not declining, and domestic violence was one of those that was not declining" (Interviewee: Joe Mitton).

To be sure, although the concept of 'perceptual transfer' is typically employed by scholars to describe scenarios in which policy-makers seek to emulate 'foreign' innovations due to the belief that they are falling behind their competitors or because they anticipate that imitation will lead to international acceptance, it could be stretched in this instance to accommodate the finding that Kit Malthouse may have felt impelled to 'fix' domestic violence so as to mute claims that the first Johnson administration's performance within this and related spheres was inadequate, especially when compared to its predecessor. Corroborating this interpretation, data does reveal that while London would soon become the first city in the world to launch a Violence Against Women and Girls (VAWG) strategy (see GLA, 2010), in early 2010 the final version of this document had not yet been released. Moreover, Boris Johnson had frustrated some factions of the population by backtracking on his election manifesto pledge to fully fund four Rape Crisis Centres (see BBC News, 2009a; Boris Keep Your Promise, n.d.; Mulholland, 2009) and, as propounded by one interviewee, the positive legacy of London's previous Mayor was fast being eroded:

"[Ken Livingstone's] domestic violence strategy was cancelled almost within days of [Boris Johnson] being elected [...] it took the [Greater London Authority (GLA)] six to eight months to commission the writing of the [VAWG] strategy, then it took another eight months to a year to be consulted on, written, published, launched, et

cetera. So [Boris Johnson] is half way through his first mayoralty and everything is unravelling really badly on the progress that had been made on domestic violence” (Interviewee – Anon: 26).

Thus, although evidence does not point to ‘externalities’, ‘obligations’, ‘conditionality’ or ‘direct imposition’ as factors influencing or dictating Kit Malthouse’s policy priorities (see Dolowitz & Marsh, 2000), analysis does suggest that he was operating within a subnational environment that was littered with policy transfer ‘opportunity structures’ (e.g. the ascent of a new Mayor; policy discontent; performance anxiety) and that was ripe for fast and dirty policy copying (Evans, 2004c; 2009c; 2010). Nevertheless, despite how magnetic this form of particular policy development may appear when viewed externally and retrospectively, it would seem that at this stage of the AAMR story Kit Malthouse retained his autonomy concerning the strategy that City Hall would adopt to combat night-time economy and domestic violence. Borrowing from abroad was not a done deal.

7.3. Identifying ‘compulsory sobriety’ as a policy solution

Outline: As detailed in Box 7.2 below, Stages Two through to Four of Evans and Davies’ (1999) framework entail elite agents seeking to locate potential policy solutions, and in doing so encountering an agent of transfer who seeks to lure them into a dependency relationship. With respect to the case of MOPAC’s AAMR Pilot, however, analysis suggests that engaging with each of these three stages discretely would be inappropriate as data do not fit them comfortably due to a) two American agents of transfer entering the policy-making process at different times, b) an initial process of policy evaluation seemingly occurring (see Chapter Eight, Box 8.1), and c) Kit Malthouse electing to float his idea of transferring South Dakota’s 24/7 Sobriety Project (hereinafter 24/7 Sobriety) to Greater London without the input of an inter-organisational information feeder network or policy transfer network. As such, the subsequent discussion will amalgamate Stages Two through to Four and draw on its content and concepts to explore the following: City Hall’s rejection of existing policy responses; the search that was conducted for new ideas; how Kit Malthouse acquired knowledge of Larry Long’s innovative approach, professional and media receptivity to the notion of importing of 24/7 Sobriety; and the appearance of Professor Keith Humphreys.

Box 7.2. Search, contact, and the emergence of an information feeder network

Stage Two – Search

“The absence of acceptable alternative responses or solutions may lead an agent to engage in a search for policy ideas. This is quite often an ad hoc process characterised by trial and error.”

Stage Three – Contact

“During the search process an organization may come across a potential agent of transfer with specialist ‘cognitive’ and ‘elite’ mobilization skills (for example an epistemic community residing within an international organisation). In this context, ‘cognitive’ mobilization refers to the ability of the agent of transfer to develop the necessary political and knowledge resources necessary to satisfy successful policy development. ‘Elite’ mobilization refers to the ability of the agent of transfer to gain access to knowledge elites and bring their expertise into the transfer network. At this juncture the potential agent of transfer will only be interested in disseminating basic information to the potential client with the aim of seducing them into a dependency relationship. It must be noted that for some agents, policy transfer is a lucrative business. Hence a significant deal of strategic calculation will go into closing a lead. The nature of the contact which takes place is ultimately dependent on whether the agent is independent of both client and donor organisation. It is conceivable, for instance, that the agent might be part of the search organisation itself.”

Stage Four – The emergence of an information feeder network

“If the curiosity of the client is aroused through preliminary contact the agent will act as an information feeder network increasing both the volume and the detail of information. At this stage, the agent will be intent on demonstrating the quality of their access to communication and knowledge networks and further opportunity structures for transfer.”

Source: Evans & Davies (1999: 377-378)

7.3.1. Casting around for policy ideas

With respect to existing indigenous policy responses, evidence collected suggests that Kit Malthouse and his team were tentatively exploring a range of process issues to address violence arising within the night-time economy, including alcohol licensing and enforcement, policing levels, and transport provision (i.e. a 24-hour London Underground service; night buses; and taxi ranks and marshals) (Interviewee: Joe Mitton; Interviewee: Kit Malthouse). Securing financial support to establish additional women's refuges for fleeing domestic violence survivors also appears to have been an area of focus (Interviewee: Joe Mitton). In reminiscing about this pre-compulsory sobriety policy phase, Kit Malthouse's (then) Special Adviser, Joe Mitton, recalled that a consciousness was slowly emerging within the GLA that downstream interventions that entailed pure policing or that provided an exit strategy for victims were not directly tackling crimes in which alcohol consumption was deemed to be a major factor or driver. Upstream preventative measures were required.

"The more we looked into it we realised that tackling the alcohol problem was a big part of it ..." (Interviewee: Joe Mitton).

Or, as Kit Malthouse maintains:

"We weren't really looking at anything to do with psychology [...] and removing the bit of the cocktail that makes the behaviour happen in the first place, which is alcohol" (Interviewee: Kit Malthouse).

In effect, an intellectual and policy shift occurred within the GLA – a shift that not only led to existing solutions to alcohol-related violence within London being perceived as 'unacceptable' (i.e. partial and inadequate), but that was also intertwined with an ad hoc search for policy ideas as envisaged by Evans and Davies (1999) (see Box 7.2 above).

"... from a policy point of view, we have been doing things the same way in London around alcohol for quite a long time yet the problem continues to grow" (Kit Malthouse, quoted in MPA, 2010: 8).

Where this search falls on a spectrum that moves from, say, haphazard through to methodical is, however, rather difficult to discern. For instance, when interviewed for this study Kit Malthouse reported that he had been “*casting around for policy ideas*”, whereas when appearing on BBC Radio 5 Live he remarked that he and his staff had “*put [their] thinking caps on and scoured the world for a scheme that might help us*” (Kit Malthouse, quoted in Mulholland, 2010; also see Belfast Telegraph, 2010; Express, 2010; Funk, 2010). A 2010 MPA meeting transcript also records Kit Malthouse as having stated:

“We do think that there is a significant problem with alcohol in this city. London has something like 12.5 crimes per 1,000 related to alcohol compared to the rest of the country which has 8. Time after time, when we have had [Joint Engagement Meetings], alcohol related crime, domestic violence, has been an issue. So we felt it incumbent on us to look elsewhere in the world for where this has been an issue and where there may be an innovative solution” (Kit Malthouse, quoted in MPA, 2010: 7).

While such oratorical accounts unfortunately shed little light on the mechanics of the search that purportedly transpired within City Hall, the second and third quote do nonetheless indicate that political and bureaucratic curiosity was not confined to crime control programmes operating at various levels of governance within the UK but was instead focused on ‘foreign’ examples. A window of receptiveness to international policy transfer was thus seemingly open – novel solutions to a subnational problem were potentially out there, in new arenas, beyond the national horizon. Whether ‘out there’ was actually circumscribed to those jurisdictions that were proximate to Greater London (be this in terms of language, geography, politics, culture, ideology, and societal values) ultimately remains unknown (see Dolowitz, 2000a; Dolowitz *et al.*, 1999; Pierson, 2003). What is also uncertain is whether this window had actually remained open for some time given that Boris Johnson’s 2008 Crime Policy Manifesto praised and drew inspiration from a number of subnational crime reduction innovations operating in cities in the United States (US) and Australian states – for instance, neighbourhood level crime mapping (New York; Washington DC; Chicago) and techniques employed to confront lower order offences such as fare evasion (New York; Queensland; Victoria; New South Wales) (Johnson, 2008). Nevertheless, what is clear is that when in pursuit of some form of policy-orientated learning Kit Malthouse eventually found himself in a space where, by virtue of his position and power, he was told of an interesting criminal justice

intervention being implemented in South Dakota. Indeed, although interviewees forwarded divergent narratives concerning how Kit Malthouse first acquired knowledge of 24/7 Sobriety – ranging from him having read an article in a newspaper or magazine to him having holidayed in North(!) Dakota – Kit Malthouse himself maintains that he first became conscious of the programme when he attended the eighth Oxford Policing Policy Forum (OPPF) on 8 February 2010 (Interviewee: Joe Mitton; Interviewee: Kit Malthouse; Interviewee – Anon: 26).

7.3.2. The lightbulb moment

The OPPF was established in 2006 as a joint initiative of the Centre for Criminology at the University of Oxford (i.e. Professor Ian Loader and Professor David Faulkner) and the independent think tank The Police Foundation⁶⁷ (i.e. John Graham) (Interviewee: John Graham; The Police Foundation, 2016b). The purpose of the OPPF is to provide a safe space for senior stakeholders to network and to have an informal and energetic ‘warts and all’ debate under the Chatham House Rule about policing issues that are not necessarily on the government’s radar (Interviewee: John Graham; Longstaff, 2010). OPPF meetings are typically held biannually and take place around an elongated rectangular table in the Old Library, an opulent room with a scholarly aura, beautiful windows, and an ornate plaster ceiling that is housed within All Souls College (Author observation; The Police Foundation, 2016b). Attendance at the OPPF is via direct invitation only (Interviewee: John Graham; Longstaff, 2010). The list of approximately 25 invitees is tailored to the particular OPPF policing theme selected by the forum hosts, but typically includes experts from Parliament, academic institutions, private companies, third sector organisations, the criminal justice system, and the media, as well as civil servants working within the domains of health, education, and social services to encourage cross-sectoral learning with respect to issues such as governance and accountability (Interviewee: John Graham).

In light of the increase in drug and alcohol-related crime in the UK and the reactive publication of a drug law enforcement strategy developed by the now disbanded UK Drug

⁶⁷ The Police Foundation was established by Lord Harris of Greenwich in 1979 and is dedicated to developing knowledge of policing and crime reduction, as well as improving practice via research, consultancy, and training (The Police Foundation, 2016a).

Policy Commission (UKDPC) (see UKDPC, 2009), the theme of the OPPF attended by Kit Malthouse was *'Policing drugs and alcohol: is harm reduction the way forward?'* (Longstaff, 2010). It was during this event that Kit Malthouse encountered an academic agent of policy transfer; Jonathan P. Caulkins, the H. Guyford Stever Professor of Operations Research at Heinz College, Carnegie Mellon University, Pittsburgh, Pennsylvania. Indeed, in delivering a presentation at the outset of the OPPF that was designed to highlight key issues and to stimulate and animate discussion, Professor Caulkins included a succinct section that was dedicated to outlining 24/7 Sobriety, along with a series of descriptive statistics pertaining to the efficacy of this coerced alcohol abstinence strategy (Caulkins, 2010; Interviewee: Jonathan Caulkins; Interviewee: Kit Malthouse; Longstaff, 2010). Data suggest that Professor Caulkins also briefly mentioned the HOPE Probation initiative and the academic contribution made to the *'swift, certain, and fair'* justice paradigm by Angela Hawken and Mark Kleiman, the latter of whom was one of Professor Caulkins' doctoral thesis advisors (Caulkins, 2010; also see Appendix G). According to Professor Caulkins, the key message that he sought to communicate to his audience in relation to this content was that substance-abusing individuals, including those typically assessed to be candidates for health interventions, are able to alter their behaviour dramatically via a non-treatment approach – an outcome scenario that he understood to be incompatible with the 'addiction is a brain disease' philosophy as propagated by, for example, the National Institute of Drug Abuse (Interviewee: Jonathan Caulkins; also see Humphreys & Caulkins, 2012).

When engaging with this study, Kit Malthouse reported that his *"ears pricked up a bit"* when he heard about the South Dakota programme, and that its application beyond drink-driving to domestic violence offences captured his attention and imagination in particular (Interviewee: Kit Malthouse).

"That beautiful lightbulb comes on in your head and you just see clearly what a solution this could be" (Interviewee: Kit Malthouse).

A dynamic conversation purportedly followed Professor Caulkins' presentation, during which Kit Malthouse was highly engaged and vocal when participants mused over the complexities of introducing 24/7 Sobriety in the UK (Interviewee: Jonathan Caulkins; Longstaff, 2010). An OPPF report released subsequent to the event notes that transferability concerns were raised by attendees concerning the differences between UK

and US politics and policing structures, as well as the resources that would be required to not only test large numbers of offenders in a more urban and populous criminal justice system on a daily basis but also to locate individuals who missed their tests (Longstaff, 2010). From Professor Caulkins' perspective, such discussion and associated scepticism by intelligent individuals within a serious setting was entirely expected as he had pitched an approach that confronted existing world views about the constructive and therapeutic contribution that 'sticks' can make in relation to drug addiction: "*hard questioning*" was natural (Interviewee: Jonathan Caulkins). From an analytical standpoint, however, what is interesting is that this conversation ultimately transpired at all given the significant role played by serendipity in enabling this 'elite networking' (see Bennett, 1991b). To elucidate, evidence indicates that Professor Caulkins was not the first specialist approached to speak at the eighth OPPF. Rather, having understood that John Graham was interested in exploring overseas approaches to tackling drug-related crime, Roger Howard (Chief Executive of the UKDPC) initially recommended that he should approach the US Deputy Drugs Czar Professor A. Thomas McLellan⁶⁸ and invite him to discuss some of the Drug Market Initiative projects (see Hipple *et al.*, 2012) being funded by the US Bureau of Justice Assistance (Correspondence: Roger Howard). Professor McLellan, however, was unable to attend (Correspondence: Roger Howard). In response, Roger Howard⁶⁹ subsequently suggested that Professor Caulkins would be a suitable alternative. As such, Professor Caulkins' attendance at the OPPF was seemingly interconnected with Professor McLellan's absence, and was ostensibly an upshot of his existing affiliation with Roger Howard. In addition, interview data further suggest that the scheduling of the OPPF was critical in terms of bringing Kit Malthouse (i.e. problem carrier) and Professor Caulkins (i.e. potential solution bearer) into contact. This is because the OPPF "*fit neatly in a gap*" in Professor Caulkins' already rather demanding travel itinerary, being sandwiched between a visit to Ghent and Vienna (Correspondence: Jonathan Caulkins). Relatedly, it is clear that the location of the OPPF was attractive to Professor Caulkins and worked to abet his attendance:

⁶⁸ Professor McLellan was Deputy Director of the White House Office of National Drug Control Policy (ONDCP) under the Obama administration between 2009 and 2012.

⁶⁹ When interviewed, John Graham noted that Charlie Lloyd (University of York) may also have recommended that Professor Caulkins present at the OPPF. However, due to recall issues this scenario could not be substantiated empirically.

“... [E]ven though I knew next to nothing about the forum I said ‘yes’ [...] why did I go? Because it was Oxford” (Interviewee: Jonathan Caulkins).

Aside from transnational relationships, a fortuitous date, and an appealing setting, the timing of the OPPF also appears to have been important in terms of catapulting the South Dakota model into Kit Malthouse’s yard. Indeed, although he was collaborating and communicating frequently with members of what could be characterised as a ‘*swift, certain, and fair*’ epistemic community (Haas, 1992) and had long been convinced that the basic concept of mandatory alcohol abstinence was promising, Professor Caulkins was not, and does not, consider himself to be a key hands-on scholar within this domain (Correspondence: Jonathan Caulkins). Yet, when he visited Oxford in February 2010, 24/7 Sobriety was on his mind (Correspondence: Jonathan Caulkins). The reason being that in summer 2009 he had accepted Robert DuPont’s invitation to attend the event in which Larry Long and his colleague received the John P. McGovern Award for Innovation in Drug Abuse Prevention (see Chapter Six, Section 6.2.2), while in autumn 2009 he had co-authored a short commentary about the programme with Robert DuPont at the request of the Commissioning Editor of the journal *Addiction* (see Caulkins & DuPont, 2010) (Correspondence: Jonathan Caulkins). Injection of information about the scheme into his OPPF presentation thus seemingly derived from Professor Caulkins’ relatively recent acquisition of knowledge about South Dakota’s novel approach, as well as his (enduring) willingness to act as a “*cheerleader*” for the programme by inserting it into drug policy conversations where appropriate (Interviewee: Jonathan Caulkins). In summary, had Professor Caulkins and Kit Malthouse met just a few months earlier the former would not have alerted the latter to the existence of the South Dakota model as news of its advent had hitherto failed to reach him.

“... when I am in a public forum I would certainly bring it to people’s attention [...] I try to think about what are the ten most important ideas or programmes that have been implemented in their capacity to change how people think about things. It is definitely top ten” (Interviewee: Jonathan Caulkins).

7.3.3. Activating an in-house information feeder network

Of course, all of this is not to say that Professor McLellan would not have mentioned the South Dakota scheme had he presented at the OPPF, or that Kit Malthouse would not

have learned about the project via an alternative source or indeed arrived at the notion of compulsory sobriety independently. Nevertheless, in terms of events that did unfold, the OPPF and Professor Caulkins' input were arguably pivotal, as upon returning to London Kit Malthouse was sufficiently curious and excited about Larry Long's "*massive success story*" (Interviewee: Kit Malthouse) so as to instruct his team to conduct research into the South Dakota model, therefore activating an 'in-house' rather than an inter-organisational 'information feeder network' (see Box 7.2 above).

"[Kit Malthouse] was particularly taken with [Professor Caulkins'] account of the impact of the South Dakota initiative, especially as I recall on domestic violence so he left the event enthused by the programme" (Correspondence: Roger Howard).

Data are somewhat scant with respect to the nature and magnitude of the 'international-subnational' policy-orientated learning that was undertaken and achieved during this period. In relation to the intelligence-gathering strategy adopted, Kit Malthouse reported when interviewed that he and his staff "*found a website and had a look, all this kind of stuff*" while Joe Mitton recollected that "*a bit*" of research was conducted for "*... a month, possibly a bit more*". Although it is apparent that the availability of the Internet as a global communication technology thus facilitated policy tourism within City Hall, the question of whether Professor Caulkins directly contributed to the attainment of policy knowledge subsequent to the OPPF cannot be answered decisively. This is because at the time of his interview he could not recall receiving any requests to provide Kit Malthouse or his staff with additional materials connected to the South Dakota programme, yet felt unable to deny that this scenario may possibly have unfolded. What is known is that Professor Caulkins did not fly back to the UK to discuss enforced alcohol abstinence with Kit Malthouse (Interviewee: Jonathan Caulkins), nor did he 'seduce' him into a 'dependency relationship' by intentionally withholding information about '*swift, certain, and fair*' initiatives or by emphasising his 'cognitive and elite mobilisation skills' (see Box 7.2 above). Indeed, even if Professor Caulkins did in fact forward a number of documents to Kit Malthouse post-OPPF it is difficult to view their interaction as anything more than highly ephemeral and casual. In essence, Professor Caulkins seemingly turned on a policy switch and promptly departed from the policy process. As such, he was not the entrepreneurial agent of transfer that Evans and Davies (1999) envisage; he did not trigger the development of, nor was he a key node within, a policy transfer network.

With respect to tapping into alternative sources of US knowledge and experience, data collected does not indicate that direct contact was made with Larry Long or others personally involved in the introduction of 24/7 Sobriety. Moreover, Kit Malthouse confirmed when interviewed that a fact-finding visit to South Dakota was not embarked on due to GLA travel budgets being circumscribed and there being some scepticism about the idea internally (Interviewee: Kit Malthouse). For instance, findings suggest that prior to the AAMR Pilot becoming a reality, the GLA's Health Team advised against importing 24/7 Sobriety on the grounds that:

- a) the approach had not previously been trialled on UK soil, nor had anything similar,
- b) evidence emerging from the US was perceived to be fairly limited and based on relatively small project participant numbers, and
- c) it was deemed to be a simplistic ('stop or you will get told off'), short-term, resource-draining, and highly political response to deeply entrenched and very complex problems (Interviewee – Anon: 16).

Such concerns expressed about the prospect of 'international-subnational' policy transfer were however, "*ignored*" (Interviewee: Data Intentionally Unattributed). Indeed, Kit Malthouse ultimately decided that compulsory sobriety should be a City Hall policy initiative and that a London trial should be arranged (Interviewee: Kit Malthouse). He was "*strongly supported*" by Boris Johnson (Correspondence: Boris Johnson).

Now, an intriguing area of inquiry here that unfortunately the data gathered cannot shed light on is whether the hunt for crime policy solutions purportedly undertaken by Kit Malthouse's staff had endured following the OPPF thus leading to some form of (in)formal policy filtering or narrowing taking place (see Chapter Eight, Box 8.1), or if Kit Malthouse actually employed the cognitive-psychological heuristic of 'availability' to guide action (Kingdon, 2011; Weyland, 2005). That is, as opposed to having 'cherry-picked' a solution from a range of viable and well-defined policy options as identified via a laborious multi-jurisdictional scan for lessons, he instead fixated on one exemplar that was immediate and striking and convinced his colleagues as to its merits (Bennett, 1991a; Page & Mark-Lawson, 2007; Weyland, 2005).

Nonetheless, while Kit Malthouse's decision-making process remains clouded in this particular instance, evidence does indicate that context-specific receptiveness to 24/7

Sobriety occurred at a time when the remit of his office was being re-imagined. Such re-imagination purportedly entailed a modification in institutional outlook and culture, with law enforcement being regarded as just one piece of the crime reduction jigsaw, and criminal justice being viewed as a policy area in which the Mayor of London could exercise some influence (Interviewee: Joe Mitton). Given the highly centralised nature of penal policy-making in England and Wales in 2010 the significance of this regional-level ideational adjustment arguably should not be downplayed. To be sure, the notion of drawing justice into the GLA's policy portfolio was rather avant-garde, and this did not go unnoticed by Joe Mitton:

“So that mind-set changed, from saying we are not just looking at the pure policing side of things, if the Mayor's Office is to be involved our role is to start to think about wider questions of is sentencing appropriate, what more can we do on that side of things. That was quite new I think, because traditionally justice and the Ministry of Justice and justice-related issues had been very much focused on central government and no one really up until that point had thought that there was a huge role for regional authorities like the Greater London Authority” (Interviewee: Joe Mitton).

7.3.4. Floating the compulsory sobriety balloon

Kit Malthouse officially launched City Hall's compulsory sobriety campaign on 2 August 2010 by publishing an article in The Times newspaper titled: *'The South Dakota Cure For Our Drink Problem'* (see Malthouse, 2010). In late October, he appeared on BBC Radio 5 Live as well as on the BBC Radio 4 Today programme to float his proposed London pilot. That same month he also brought up the idea during an MPA meeting when delivering an oral report (MPA, 2010). While the content of Kit Malthouse's article and the radio/MPA transcripts should be treated with caution as sources of evidence as they are inherently political, when analysed alongside interview and other documentary data they do offer an interesting insight into a very early phase of policy formation and an initial 'process of evaluation' (see Chapter Eight, Box 8.1) that ostensibly occurred within City Hall concerning the anticipated objects, degree, and prerequisites of transfer from South Dakota as well as the predicted timescale for pilot delivery (see Figure 7.1 below).

Figure 7.1. London ‘Compulsory Sobriety’ Pilot (initial evaluation)

<p>Criminal Justice Sentence</p> <ul style="list-style-type: none"> • Community Order or post-release licence condition. • Duration: possibly one-to-two years, depending on compliance.
<p>Alcohol Monitoring</p> <ul style="list-style-type: none"> • Twice-daily breathalyser regime. <p>Rationale:</p> <ul style="list-style-type: none"> • The lack of anonymity and discipline of face-to-face testing imbues an immediate sense of obligation, reminds an individual that they are being punished, and entails them looking another human being in the eye and accounting for their behaviour. • Compliance rates in the US were understood to be marginally lower for those wearing sobriety tags. • Given London’s infrastructure, offenders would not have to travel far to a testing centre. • Testing venues: possibly police stations. • Testers: safer neighbourhood policing teams (i.e. officers undertaking offender management duties) or civilians (i.e. university students or those seeking part-time work). • Funding: offender to pay for each breathalyser test.
<p>Breach</p> <ul style="list-style-type: none"> • Police to escort the offender to a custody suite or prison. • Flash incarceration (24 hours). • Prompt appearance before a judge/magistrate who decides on a punishment (including prison).
<p>Target Offenders</p> <ul style="list-style-type: none"> • Anyone convicted of an alcohol-related crime, but in particular: Friday/Saturday night ‘yobs’; domestic violence perpetrators; multiple drink-driving offenders.
<p>Anticipated Launch</p> <ul style="list-style-type: none"> • 2011.
<p>Pre-requisites</p> <ul style="list-style-type: none"> • Primary legislation.

Sources: BBC News (2010); BBC Radio 4 (2010); Express (2010); Interviewee: Joe Mitton; Interviewee: Kit Malthouse; Malthouse (2010); MPA (2010); Mulholland (2010); Roberts (2010)

In addition to providing a snapshot in time of the skeleton of City Hall's proposed compulsory sobriety scheme, Kit Malthouse's newspaper article and the radio/MPA transcripts likewise expose the public-facing rationale that he articulated to justify his call for policy change and the arguments that he forwarded as to why an innovation that emerged within a sprawling and scarcely populated US state could hold the key to combatting alcohol-fuelled crime in London. Indeed, in contrast to other politicians who have assumed a coy or evasive manner when discussing the offshore roots of their policies (see Dixon, 2007; Dixon & Maher, 2005; Dolowitz, 1998; Legrand, 2012b; Rose, 1974), Kit Malthouse explicitly and recurrently referred to South Dakota's programme within his early pilot pitches.

Notably, Kit Malthouse's sales patter also pulled heavily on a number of neoliberal levers, thus perhaps suggesting that:

- a) a conscious discursive effort may have been made by Kit Malthouse to position enforced alcohol abstinence as compatible with the political orientation of the Mayoral team and its supporters within the Greater London electorate, and
- b) some sensitivity or awareness ostensibly existed as to the global and macro-state level ideational, political, and economic structures that could potentially constrain subnational agency, in particular, policy emerging from the Ministry of Justice and the austerity programme initiated by the Conservative-Liberal Democrat Coalition Government in summer 2010 following the 2007–2009 Global Financial Crisis.

To expand, one rhetorical lever pulled by Kit Malthouse when promoting his imported policy solution was control of public expenditure. For instance, Kit Malthouse repeatedly emphasised that a major benefit of his scheme was that, as in South Dakota, it would entail offenders paying for their own testing using money that they otherwise would have *"spent on hooch"* (Malthouse, 2010; also see BBC Radio 4, 2010; Mulholland, 2010). As such, the bill for taxpayers would be zero, thus complementing rather than conflicting with austerity measures emerging from central government:

"Obviously, also, it is very cost effective and, given we are in straitened times, that had a huge attraction as well" (Kit Malthouse, quoted in MPA, 2010: 7).

“There is also an element of polluter pays – the thing is self-funding in South Dakota because of this. I don’t think we have any other penal disposal which is self-funding; even the fines aren’t enough to cover the cost of the administration and half the fines aren’t collected anyway” (Interviewee: Kit Malthouse).

In addition, Kit Malthouse contended that his approach could help to reduce the operating costs of the state by stopping high streets, police cells, and emergency wards being filled with drunks, blood, and vomit every weekend, and by diverting offenders away from the secure estate (Malthouse, 2010). Corroborating this latter example, he noted that mandatory sobriety could be imposed on offenders as an alternative to a custodial sentence or as a condition of release, hence decreasing HM Prison Service spending (BBC Radio 4, 2010; Malthouse, 2010). Relatedly, he conjectured that re-entry into the criminal justice system for those subject to his programme would be low, in part because they would not be consuming alcohol and also because they would remain engaged in, and connected to, personal relationships and civic life:

“Well this is the joy of it of course; prison will cost [offenders] their job. Whereas coming in at seven in the morning and being tested at six at night as well means that you can maintain employment, you can stay with your family, you can maintain your links with the community, and we do think that will also help to reduce reoffending. So it is a kind of win-win” (Kit Malthouse, quoted in BBC Radio 4, 2010).

A further persuasive lever pulled by Kit Malthouse was that of evidence-based practice (EBP), a method that is consistent with, and increasingly a component of, the public sector managerialism agenda, which itself is understood to be a manifestation of neoliberal ideals (Harlow *et al.*, 2012). Indeed, although documentary data suggest that Kit Malthouse did not directly employ the phrase EBP when he began marketing his initiative, he did stress that guesswork regarding prospective outcomes was unnecessary – compulsory sobriety ‘worked’ in South Dakota and it would ‘work’ in Greater London; the risk was minimal (BBC Radio 4, 2010; Malthouse, 2010; MPA, 2010). In seeking to validate this stance, Kit Malthouse pointed to the exceptionally high compliance rate of South Dakota’s scheme (99.3/99.6 percent), its positive impact on drink-driving convictions, and the fact that seats on the 24/7 Sobriety policy bandwagon were being taken by other US jurisdictions (BBC Radio 4, 2010; Malthouse, 2010; MPA, 2010; also

see Chapter Six, Section 6.2.1). In brief, he claimed that if his London pilot did come to fruition it would not only be punitive and tough, but it would also be rehabilitative and effective in a way that incarceration, fines, and community service were not (BBC Radio 4, 2010; Malthouse, 2010). According to Kit Malthouse, a key reason as to why such efficacy was likely was that Larry Long's novel crime control method successfully fostered individual responsibility – neoliberal lever three – and had been proven to change the mind-set and actions of those prone to committing alcohol-aggravated crime by giving them the choice between booze or freedom, along with a guarantee that if they reach for the bottle they will be sanctioned immediately (BBC Radio 4, 2010; Malthouse, 2010).

“One of the things that makes it work is the fact that punishment is kind of certain. You put the fate of the criminal in their own hands. As long as they are sober, they stay free. But if they do drink, they know for certain that they are going to be incarcerated” (Kit Malthouse, quoted in BBC News, 2010).

“It [24/7 Sobriety] was all about certainty of sentencing, about swiftness of sentencing. All the, kind of, penal theory was writ large in this thing” (Interviewee: Kit Malthouse).

While Kit Malthouse's decision to draw attention to the theoretical underpinnings of the South Dakota model could simply be viewed as a tactic to further convince audiences as to the academic rigour of his idea, when interviewed for this study he did in fact speak passionately about his belief in, and commitment to, 'swift, certain, and fair' punishment and his willingness to bring *“fresh thinking and lessons from elsewhere”* (Interviewee: Kit Malthouse). Indeed, data suggest that sitting back and hoping for a miraculous drop in alcohol-related crime was not a policy track that Kit Malthouse was content to hike – a jurisdiction 4,000 miles away was executing a strategy that appeared to be tackling the problems that London was encountering, all that was needed was the resolve to import it (MPA, 2010). In putting his 'foreign' solution in the air, however, Kit Malthouse did not maintain that standing demand-side policies (such as alcohol education) and supply-side interventions being considered by the Coalition Government (for instance, stricter alcohol licensing – see Home Office, 2010b) should be completely abandoned and replaced by 24/7 Sobriety. Rather, he argued that it would be a useful addition to the judiciary's toolbox, and that it would be an appropriate and rigorous sanction for those who habitually drink irresponsibly and whose misconduct affects the wellbeing of themselves,

others, and the public purse (BBC Radio 4, 2010).

7.3.5. A rather negative reception

When interviewed for this study, Kit Malthouse reminisced that the initial external reaction and receptivity to his compulsory sobriety pilot was generally quite negative. Substantiating this personal recollection, the transcript from the MPA meeting held on 28 October 2010 records a brief yet somewhat prickly exchange between Kit Malthouse and several Labour members (MPA, 2010). For example, John Biggs seemingly embraced the opportunity to mock one of Kit Malthouse's previous crime reduction initiatives by noting that dog catchers are likewise elected in South Dakota (MPA, 2010)⁷⁰. Moreover, Lord Harris of Haringey not only requested further implementation details about the prospective programme (for example, how much each breathalyser test would cost in London) but also asked a number of 'tongue-in-cheek' resource and feasibility questions including whether introducing a twice-daily breathalyser regime would complement the MPA's strategy to 'rationalise' front-counter services in police stations and if the MPS' present performance with respect to enforcing bail conditions indicated that 'no show' offenders would be tracked down and brought to justice (Harris, 2010; MPA, 2010). In effect, Lord Harris of Haringey reiterated some of the policy transfer apprehensions voiced by OPPF participants, but did so in a fashion that mildly irritated Kit Malthouse:

*"... [Kit Malthouse] clearly thought MPA members were taking the p*ss and wanted us to know that this was a serious proposal ..."* (Harris, 2010).

Such political playfulness was not, however, imitated by representatives from the third sector, who instead expressed hostile opposition to Kit Malthouse's policy idea. Indeed, Simon Antrobus (Chief Executive, Addaction) warned of the potentially deadly consequences of mandating dependent drinkers to engage in abrupt yet unsupervised alcohol cessation (Randhawa, 2010). In a similar vein, Don Shenker (Chief Executive Officer, Alcohol Concern) stated that he was dubious about the ability of the approach to change patterns of drinking in the longer-term (BBC Radio 4, 2010), while Chris

⁷⁰ This jibe derives from one of Kit Malthouse's earlier deputy mayoral campaigns in which he demanded legislation to tackle the breeding and selling of 'weapon dogs' – i.e. animals trained to engage in dog fighting and to commit grievous bodily harm (BBC, 2009b; Malthouse, 2009).

Callender (Assistant Director, The Howard League for Penal Reform) propounded that such interventions misunderstood and trivialised alcohol addiction and abuse and made “no attempt to genuinely address problem drinking through rehabilitation or education” (Chris Callender 2010, quoted in Metro, 2010). From Kit Malthouse’s perspective, such contention was largely fuelled by a misunderstanding regarding the type of offenders that his initiative was intended to target:

“Well, people got confused between somebody being an alcoholic and somebody being a criminal who commits a crime on alcohol. So a lot of people, particularly the alcohol charities said, ‘this is not a cure for alcoholism’. And I had to go out and say ‘well this is not aimed at alcoholics, this is for people who offend when they are under the influence of alcohol and it’s an alternative to prison, and by the way prison also is compulsory sobriety because since I last looked you are not allowed to drink in prison ... ’” (Interviewee: Kit Malthouse).

Documentary evidence does nevertheless reveal that additional and alternative critiques of Kit Malthouse’s proposal were in fact mounted by specialists working within the field of alcohol policy and treatment in the UK. One such criticism was that looking abroad for policy inspiration was unnecessary as interventions designed to address the issue of alcohol-related offending and disorder were already being implemented. For example, within their Alcohol Alert newsletter the Institute of Alcohol Studies mused that it was strange that Kit Malthouse had made no reference to Drink Banning Orders (see Appendix M) which they contended served a similar purpose to the disposal that he was suggesting (Institute of Alcohol Studies, 2010). Moreover, Don Shenker (see above) drew attention to the fact that under the Labour Government the Home Office had introduced Alcohol Arrest Referral Pilot Schemes (see Appendix M) – that is, schemes that he claimed were successful yet had not been rolled-out by the Coalition Government.

“... I think the evidence shows that if you give people brief advice on their drinking ... then people will change their behaviour ... there is a scheme in Gloucester which sees 1,600 people per year, they provide two sessions for offenders, they have around a seventy-five percent success rate in reducing re-offending ... The problem is that so far the government have not been interested in funding those schemes to a national level” (Don Shenker, BBC Radio 4, 2010).

According to Kit Malthouse, much of the media coverage of his proposed crime control solution was also unfavourable and a “*bit sensationalist*”, with its benefits being “*drowned out in this ‘Kit is trying to stop people from having a drink sort of story’*” (Interviewee: Kit Malthouse). Although certainly valid as Kit Malthouse’s own personal assessment, analysis of media articles generated by the UK and Irish news media between August and October 2010 does not entirely substantiate this version of events. Indeed, no overt media backlash is identifiable. The bulk of the articles located simply rehearse Kit Malthouse’s arguments and those forwarded by experts (see above), or sketch the rudimentary architecture of the South Dakota model (see BBC, 2010; Belfast Telegraph 2010; Express, 2010; Funk, 2010; Irish Times, 2010; Nye, 2010; Wintour, 2010).

Two newspaper columnists did, nevertheless, unleash fervent objections to the policy emulation proposed by Kit Malthouse. Writing for The Guardian, commentator Zoe Williams called Kit Malthouse a “*twerp*” and queried not only the ethicality of testing for alcohol consumption given that it is a legal activity, but also the practicality of determining causation between levels of alcohol intoxication and violent behaviour (Williams, 2010). Furthermore, in blogging for The Daily Telegraph, Andrew M. Brown branded the GLA’s new initiative as “*creepy*”; “*unpleasant*”; “*demeaning*”; “*bossy*”; and a further instance of politicians seeking to “*micromanage the behaviour of an unruly underclass*” (Brown, 2010). Perhaps the most interesting finding in terms of these two media pieces, however, is that irrespective of the contrasting political alignments of their publishers, both presented content that concurred on two fronts. The first being that drawing penal policy inspiration from the US is injudicious. Indeed, Andrew M. Brown (2010) characterised the US criminal justice system as “*harsh*” and “*brutalising*”, while Zoe Williams (2010) maintained that the US is the “*last place in the developed world*” that policy-makers should look for positive lessons given its heightened levels of barbarism (capital punishment), imprisonment, and racism.

Notably, within the article that he drafted for The Times newspaper, Kit Malthouse had actually strived to circumvent such critiques by distinguishing the South Dakota model from a broader American caricature while at the same time acknowledging that a special (or familial) relationship existed between the UK and the US:

“Now there isn’t much that we can learn about penal policy from our American cousins, but in a sleepy corner of South Dakota, a quiet revolution has taken place

that might give us the answer to the problem of booze and the violence to which it often leads” (Malthouse, 2010).

Unfortunately for Kit Malthouse however, political commentators in the UK declined to psychologically detach Larry Long’s novel approach from the wider US penal landscape and in doing so used Kit Malthouse’s idea as a policy piñata stamped with Stars and Stripes.

“I’m not saying don’t take advice: our prison culture has been quietly revolutionised by lessons learned from Canada. Just don’t look to the US, unless you’re trying to find out how not to do it” (Williams, 2010).

The second theme embraced by both Zoe Williams (2010) and Andrew M. Brown (2010) was that of dubious outcomes. For instance, Zoe Williams (2010) challenged Kit Malthouse’s utilisation of what she termed *“improbable statistics”*. More precisely, she argued that City Hall was intending to target a completely different cohort of individuals than those enrolled on the South Dakota programme – ‘town centre brawlers’ versus ‘drink-drivers’ – and that similarities between such groups with respect to the financial wherewithal to pay for alcohol testing, responsiveness to a deferred gratification scenario, and longer-term behavioural change as effected by enforced sobriety should not simply be presumed (Williams, 2010). Similarly, Andrew M. Brown (2010) challenged the trumpeted success of mandated alcohol abstinence projects by noting that the American actress Lindsay Lohan was ordered by a court in California to wear an alcohol tag and undertake regular drug tests – both of which, he maintained, *“made little difference to her behaviour”*. What is striking here is that these commentators did not berate Kit Malthouse’s proposed initiative on the grounds of, for example, Mayoral remit, nor did they deny that alcohol-fuelled crime required attention. Rather, they positioned their resistance within narratives of scepticism: one of which expressed doubt as to whether 24/7 Sobriety could be applied to a different crime ‘problem’, while the other refuted the ability of the prospective policy import to improve individual conduct via removing free will in a totalitarian style. In effect, they predicted that Kit Malthouse’s plan to engage in ‘international-subnational’ crime and justice policy transfer would result in policy failure.

Hence, data suggest that when launching his campaign Kit Malthouse did not succeed in securing unequivocal support from professional or journalistic agents, with numerous feet

being figuratively planted outside of the compulsory sobriety camp. Nevertheless, in publicising his policy idea something important did happen that was in fact anticipated by Kit Malthouse based on his previous experience of initiating a process of policy change – that is, someone reached out and made contact with him. This individual was Keith Humphreys, Professor of Psychiatry at Stanford University School of Medicine.

“Part of the reason that I have found in the past for writing these articles in The Times or elsewhere, is that people pick them up and they very often come out of the woodwork [...] Experts. Victims ...” (Interviewee: Kit Malthouse).

7.3.6. Professor Keith Humphreys

In 2009 Professor Humphreys was employed as a Senior Policy Advisor in the ONDCP under the Obama Administration, having taken a year’s sabbatical from Stanford University (Humphreys, n.d.). Approximately two months prior to leaving the ONDCP Professor Humphreys visited London with Professor McLellan (see Section 7.3.2 above), and when reading newspapers he came across Kit Malthouse’s article in The Times (Interviewee: Keith Humphreys). Although unacquainted with Kit Malthouse, he ripped out the article and decided to follow up with him once he had departed from the White House (Interviewee: Keith Humphreys). At this point in time, Professor Humphreys did possess knowledge of US community monitoring programmes, including 24/7 Sobriety, HOPE Probation (see Appendix G) and Physician Health Programmes (See Chapter Six, Section 6.2.1) (Interviewee: Keith Humphreys). Nonetheless, a month after his sabbatical ended, he visited South Dakota for three days to observe Larry Long’s innovation in action – in part, because he wanted to make “*absolutely sure*” that it was “*real*” and that he fully understood it (Humphreys, 2010a; Interviewee: Keith Humphreys). Shortly after this trip, Professor Humphreys and Mark Kleiman co-authored a piece for the American magazine Newsweek praising the South Dakota model (see Humphreys & Kleiman, 2010). It was this article that Professor Humphreys subsequently forwarded to Kit Malthouse along with a note stating:

“... ‘I have just left the White House, I know these programmes well, I know Britain well, I would be happy to help you get this done in the UK’. Out of the blue. And [Kit Malthouse] said, ‘come on over’ [laughs]. So that is how it started” (Interviewee: Keith Humphreys).

Although Kit Malthouse's willingness to meet with Professor Humphreys is perhaps unsurprising in and of itself, it is possible that Professor Humphreys' 'specialist cognitive and elite mobilization skills' (see Box 7.2 above) may have bolstered his welcome as an informed and well-connected ally given that City Hall's compulsory sobriety scheme required fleshing out further and lacked supporters. Indeed, not only was Professor Humphreys voluntarily tethered to knowledge elites within the White House and US and UK academia (i.e. he collaborated with British scholars and had undertaken multiple sabbaticals as an Honorary Professor at Kings College, London), but he had also constructed an extensive and complex web of political, bureaucratic, and professional connections, not least because he had acted as liaison to the Home Office when working at the ONDCP (Interviewee: Keith Humphreys). In fact, when officially sharing information with senior Whitehall staff under the Brown government (2007–2010), Professor Humphreys had mentioned '*swift, certain, and fair*' schemes yet had reportedly encountered disinterest and opposition, seemingly because the Drug Interventions Programme (see Appendix M) was already in operation and because a form of institutional prejudice existed concerning US innovations (Interviewee: Keith Humphreys):

"I think [senior civil servants] sort of saw this as war on drugs, nothing good comes from America. Hostile" (Interviewee: Keith Humphreys).

Hence, evidence indicates that Professor Humphreys had been transmitting news of enforced alcohol abstinence programmes at an international level prior to happening upon Kit Malthouse's article, and that he did have 'political and knowledge resources' which may have enticed City Hall (see Box 7.2 above). Arguably however, Professor Humphreys' Curriculum Vitae does not fully explain why he reached out to Kit Malthouse. Why was he eager to help rather than monitor progress from a distance? What was his agenda? Mirroring Evans and Davies' (1999) framework, was he an agent of transfer that sought to lure Kit Malthouse and the GLA into a 'dependency relationship' for financial gain? Was he seeking to initiate and drive forward the development of an inter-organisational policy transfer network? (see Box 7.2 above). Findings would suggest not. The first reason being that Boris Johnson had formally approved Kit Malthouse's compulsory sobriety policy idea by the time that Professor Humphreys arrived on the scene. Policy pre-decision and decision processes had concluded within

the GLA. Professor Humphreys was a little ‘late to the party’. Secondly, data collected indicates that both during and after his first briefing with Kit Malthouse in mid-September 2010 Professor Humphreys had sought to ‘bridge indigenous knowledge gaps’ (Evans, 2004c; 2009c; 2010) via imparting details of ‘*swift, certain, and fair*’ projects and by providing City Hall with academic papers, research data, and commentary pieces (Interviewee: Joe Mitton; Interviewee: Keith Humphreys; Interviewee Kit Malthouse). No mention was made by interviewees of the ‘volume and the detail’ of this information altering once Professor Humphreys had closed ‘the lead’ – in this case, ‘the lead’ being Kit Malthouse and the deal ostensibly being his admittance into the policy fray as an expert and “*critical friend*” (Interviewee: MOPAC Representative –1; also see Box 7.2 above).

“So [Professor Humphreys] gave us a lot of the statistics and information on how [24/7 Sobriety] worked in South Dakota [...] A bit of everything really. He would send us articles as they were coming out in the press in the US. He had done some research himself and he sent us some of those documents. But also he just met with us a few times and spoke to us about it” (Interviewee: Joe Mitton).

Thirdly, a City Hall Representative confirmed when interviewed that Professor Humphreys was not paid for his assistance (Interviewee: MOPAC Representative –2).

Thus, if money was not driving Professor Humphreys, what was?

Data would suggest that his motivation to help 24/7 Sobriety travel across the pond had dual strands. One strand being his strong emotional attachment to London. Indeed, Professor Humphreys was troubled to see that many streets within the boroughs of England’s capital had, in his opinion, become “*booze-soaked war zones where many citizens fear to tread*” due to the havoc being wreaked by binge-drinkers (aka the ‘lager louts’ and ‘laddettes’) (Humphreys, 2014a; also see Humphreys, 2010b).

“I had lived in London as a college student. I am very fond of the place [...] I used to walk at night across London with no fear whatsoever. I would walk across Leicester Square at night, you know, comfortably. And year on year I would come back and just feel more and more sad about the amount of alcohol-related violence and disorder and how I couldn’t go walking where I wanted to go. And I saw my friends giving it up year by year, their sense of safety as the destruction mounted.

So I had this great sense of sadness about what had happened to the city that I loved, and I knew that it was happening in towns around the country” (Interviewee: Keith Humphreys).

Professor Humphreys thus perceived South Dakota’s coerced abstinence model to be a judicial approach that could protect London’s (and if rolled-out, England and Wales’) citizenry by decreasing disturbance and drunken aggression that he believed was materialising within the public domain (the streets) as well as within the private sphere of the home and the family (i.e. domestic violence) (Humphreys, 2010c; Interviewee: Keith Humphreys). That is not to say, however, that he was entirely monomaniacal in his thinking around alcohol intervention, as together with others working within the fields of public health and public safety he had been pushing the Coalition Government to introduce minimum unit pricing of alcohol since the 2010 general election (Interviewee: Keith Humphreys; Humphreys, 2012c; 2015). Rather, Professor Humphreys viewed 24/7 Sobriety to be the best and only solution to the issues that London was encountering, particularly within the context of a burgeoning prison population.

“... it’s just for this very specific question of what you do when you already have too many people in prison and you have a lot of violence around alcohol so you have to do something other than bang everyone up. I am not sure what else one could do other than 24/7 Sobriety. I don’t know if there are any other tricks in the policy bag that have evidence of working” (Interviewee: Keith Humphreys).

Findings indicate that the other strand of Professor Humphreys’ impetus to help facilitate policy borrowing in London pertained to his ability and willingness to tap into his personal connections (Interviewee: Keith Humphreys). That is, given his network he felt that the UK would be a fertile jurisdiction within which he could operate and be successful, with ‘success’ being defined as implementation of 24/7 Sobriety in a jurisdiction outside of the US for the first time (Interviewee: Keith Humphreys):

“I am not interested in moral victories at this point, I am too old” (Interviewee: Keith Humphreys).

“I have nothing to gain personally, I just want good policy put in place” (Correspondence: Keith Humphreys).

With respect to the substance of this implementation, data confirm that, like Kit Malthouse, Professor Humphreys was an advocate for the adoption of a breathalysers rather than alcohol tags, his rationale being that, a) it may instil a sense of accountability, as it entails an individual facing another person and saying ‘I am sober again today’, b) having spent a morning at a breath test station in South Dakota he had concluded that it was a pleasant and respectful experience, with camaraderie and pleasantries being exchanged between offenders, and support and encouragement being provided by staff members, and c) he conjectured that it had the potential to increase the likelihood of an offender being incarcerated quickly, as police officers are unlikely to prioritise locating an individual who had breached an alcohol abstinence order over arresting a rapist (Humphreys, 2010a; Interviewee: Keith Humphreys). Interconnected with this latter point, findings also indicate that Professor Humphreys supported Kit Malthouse’s desire to imitate the ‘*swift, certain, and fair*’ sanctions for infractions that sit at the core of US 24/7 Sobriety schemes, his concern being that failure to do so could jeopardise the efficacy of a London trial, which in turn could damage the reputation of compulsory sobriety as a criminal justice approach at a global level:

“Well, in general what happens with dissemination is that you get threats to fidelity [...] it seemed to me that the worst possible outcome was not that it was not tried but something was tried that was not ‘it’ and it discredited the idea” (Interviewee: Keith Humphreys).

“I didn’t want them to just say ‘well, we have tested a few folks and they are still drinking, ergo 24/7 Sobriety doesn’t work’ [...] I mean, it is not just testing, you have to respond to positive tests swiftly and consistently” (Interviewee: Keith Humphreys).

“One of the things that Keith Humphreys emphasised to us quite early on was, the phrase he used, he said that the punishment for transgressing has to be consistent and swift and that came out of evidence from South Dakota” (Interviewee: Joe Mitton).

It is interesting to note that prior to meeting with Kit Malthouse, Professor Humphreys had actually predicted that launching 24/7 Sobriety in London would require “*manna*

from heaven”, in the form of “*unusually skilled local leadership, engaged politicians and every break that Lady Luck can bestow*” (Humphreys, 2010a). He was thus anticipating a challenge in transporting a US criminal justice innovation eastwards across the Atlantic. Whether or not he had anticipated the enormity of this challenge does nevertheless remain unknown, as in order to introduce regular alcohol testing, have an offender pay for their test, and impose sanctions for breach, City Hall agents had learned that specific sentencing powers would have to be granted which in turn required new primary legislation (Interviewee – Anon: 8; also see HL Deb 14 July 2011, v.729. c901-917). The subnational therefore needed to articulate a demand to players within the national decision-making arena. There was trouble ahead.

“When I was Deputy Mayor for London I was looking for a solution to alcohol driven crime in the capital and I found it in South Dakota of all places. Little did I know the huge battle we would have to get it on the statute book” (Malthouse, 2016).

7.4. Chapter summary

This chapter has applied Stages One through to Four of Evans and Davies’ (1999) organisational framework to the case of MOPAC’s AAMR Pilot. As will be discussed in greater detail in Chapter Ten (Section 10.2.2), empirical evidence indicates that the process of ‘international-subnational’ crime and justice policy transfer was instigated in response to a mixture of voluntary and semi-coercive pressures as linked to the problem of interpersonal violence; that the identification of a preferred overseas policy solution did not derive from methodical search activity but was instead facilitated by a think tank and academics; and that an internal as opposed to inter-organisational ‘information feeder network’ was established to gather further details about a non-indigenous intervention of interest. Additionally, this chapter has presented data that suggest that in floating the idea of emulating the South Dakota 24/7 Sobriety Project in London, the GLA encountered hostility from some alcohol experts and journalists, yet fortuitously captured the attention of an ‘insider-outsider’ (Kingdon, 2011) academic ally and advocate of policy change. In the following chapter, findings pertaining to Stages Five through to Eight of Evans and Davies’ (1999) scheme will be presented.

Chapter Eight

The Battle to Secure Primary Legislation

8.1. Introduction

This chapter applies Stages Five through to Eight of Evans and Davies' (1999) voluntary 'policy transfer network' analytical and organisational scheme to the case of the Mayor's Office for Policing and Crime's (MOPAC) Alcohol Abstinence Monitoring Requirement (AAMR) Pilot. These stages pertain to the second broad phase of the policy transfer process that Evans and Davies (1999) identify – that which entails (further) periods of policy-orientated learning and decision-making.

8.2. Requesting powers from central government

Outline: According to Evans and Davies (1999), during Stages Five, Six, and Seven of the voluntary policy transfer process the client will evaluate the policy solutions presented to them by the 'information feeder network' (see Box 8.1 below). At this point in the AAMR journey Evans and Davies' (1999) framework becomes much less helpful and accommodating of empirical evidence. That is because having initially acted as its own 'information feeder', the Greater London Authority (GLA) had already engaged in policy appraisal and decision-making processes prior to Professor Humphreys providing additional information about '*swift, certain, and fair*' programmes that were operating in the United States (US) (see Chapter Seven, Section, 7.3.6). As such, the notion of putting the quality of an agent's resources 'to the test' (see Box 8.1 below) is not applicable with respect to this case; the pursuit of policy innovations had ceased and compulsory sobriety had been adopted as a solution to alcohol-related crime (particularly interpersonal violence). What Boris Johnson and his staff required was new primary legislation to initiate a local trial. This is not to say, however, that Stages Five, Six, and Seven of Evans and Davies' (1999) scheme should be discarded entirely. Indeed, if we accept that a shift in roles occurred during this phase of the policy transfer process – that is, that the Conservative-Liberal Democrat Coalition Government became the 'client' and that City Hall representatives became the 'information feeder network' and 'agents of transfer' – concepts that feature within Stages Five, Six, and Seven do resonate with the data

collected. One concept being ‘value systems’, and the other being ‘gatekeeping’. These concepts are explored in the subsequent analytical narrative, which details the Government’s early reaction to the GLA’s request for compulsory sobriety legislation.

Box 8.1. Cognition, reception, and mobilisation

Stage Five and Stage Six –

Cognition, reception, and the emergence of a transfer network

“The client will evaluate the information that has been provided through the information feeder network. Cognition and reception will then usually depend on both agents sharing a commitment to a common value system. In this sense the politics of policy transfer networks infer that this form of policy development is the preserve of elite activity and that involvement in the game is wholly dependent on an agent’s resources.”

Stage Seven – Elite and cognitive mobilization

“The process of elite and cognitive mobilization is critical to the success of the transfer network. It is here that the quality of the agent’s resources are put to the test. The agent will be expected to provide detailed information about programmes elsewhere which have addressed a similar problem. In the foundational work on systems theory, Easton (1965) argued that in order to maintain the status quo within a decision-making structure, mechanisms exist to filter out, or exclude input which would be dysfunctional, or which would overload the system. He referred to these regulators as gatekeepers which exclude from the system excessive or unacceptable demands. The same argument can be applied to this stage of the policy transfer process. Hence the system has a bias against certain inputs. It is at this stage of the transfer process that policy transfer networks can act as gatekeepers. Of course gate keeping of a more informal kind may also occur within what Lukes (1974) refers to as the third, hidden dimension of power, prior to formal filtering, if certain potential inputs are not considered at all.”

Source: Evans & Davies (1999: 378)

8.2.1. The Ministry of Justice defends its turf

Interview data indicate that the GLA's Government Relations Team identified two public bills that were moving, or being considered, in autumn 2010 that were thought to be appropriate for the inclusion of compulsory sobriety clauses (Interviewee: Joe Mitton). The first was a Home Office bill (the *Police Reform and Social Responsibility (PRSR) Bill* – [HC] Bill 116, 2012–2013), and the second was a Ministry of Justice (MoJ) bill (the *Legal Aid Sentencing and Punishment of Offenders (LASPO) Bill* – [HC] Bill 205, 2010–2012) (Interviewee: Joe Mitton).

In thinking strategically about how they could influence the content of the latter, Kit Malthouse and members of his team reportedly approached the Lord Chancellor and Secretary of State for Justice, Kenneth Clarke, as well as his advisors, and sought to gain traction via pitching their proposed pilot as a means of reducing high re-offending rates (Interviewee: Joe Mitton). What is interesting here is that while Kenneth Clarke stated upon assuming office that one of his key priorities would be stopping criminals from using the revolving door of prison, in operating under the banner of a rehabilitation revolution he also claimed that he was intent on implementing a policy package that a) was guided by principles and eschewed tough-talking politically expedient rhetoric, and b) fundamentally broke with the 'prison works' philosophy introduced by Michael Howard in the early 1990s (Clarke, 2010a; 2010b; Gregory, 2012; Travis & Mulholland, 2010; also see Chapter Four, Section 4.4.3). More specifically, in embracing what he called a radical, reformist, and realistic approach to criminal justice that would punish offenders, protect society from crime, and complement the Coalition Government's austerity programme, Kenneth Clarke resolved to decrease incarceration and divert offenders towards community sentences that judges, magistrates, and the public could trust were strenuous, intensive, strictly enforced, and developed via learning 'what works' to convert criminals into law-abiding citizens (Clarke, 2010a; 2010b). On the surface at least, therefore, it would appear that a sea change had taken place in penal politics at a national level and that City Hall's wished-for scheme chimed beautifully with various aspects of this mutating criminal justice agenda – particularly if one recalls Kit Malthouse's public-facing rationale that compulsory sobriety would provide an alternative to warehousing offenders in the secure estate; cost the tax-payer nothing; be demanding, punitive, and robustly monitored; and had a proven track record of success

in its indigenous setting (see Chapter Seven, Section 7.3.4). Accordingly, one would thus anticipate that some receptivity might have existed to the GLA's idea.

Findings suggest, however, that this was not the case, with interviewees recollecting that Kenneth Clarke and senior officials within the MoJ were dismissive of City Hall's desire to deliver an enforced alcohol abstinence trial, and analysis indicating that this response may have been fuelled, in part, by individual and institutional 'values' (see Box 8.1 above). For instance, Joe Mitton reminisced that when he and Kit Malthouse met with Kenneth Clarke, Clarke announced that he was not a localist and that he could not comprehend why GLA agents were seeking to weigh in on sentencing (Interviewee: Joe Mitton). Indeed, despite the MoJ publishing a Green Paper in late 2010 (see Ministry of Justice, 2010) that advocated that local people know best what will be effective in their area, data intimate that Kenneth Clarke reacted in a negative fashion towards subnational agents seeking to encroach on his legislative territory and that he was unwilling to loosen the MoJ's grip on the reigns of criminal justice policy-making (Interviewee: Joe Mitton; Interviewee: Kit Malthouse). Whether such negativity was to some extent exacerbated by the friction that allegedly existed between Kenneth Clarke and Boris Johnson (Interviewee: Data Intentionally Unattributed), and/or the purported perception that Boris Johnson was "*making big noises*" and trying to create the "*independent free state of London*" (Interviewee: Data Intentionally Unattributed) are undoubtedly important considerations. Nevertheless, even if personal dynamics are temporarily left to one side, it would appear that Kenneth Clarke was not amenable to the GLA's efforts to secure policy change, and that his disinclination to offer support may have been a corollary of his view that it is 'wrong' for local politicians to seek to overstep boundaries and stray into the issue area of justice.

"... it was this sort of 'this has got nothing to do with you' attitude. As a country I think we have come far on this, but back in 2010 a lot of things were very centralised and the government didn't really see the role that the Mayor's Office could play"
(Interviewee: Joe Mitton).

Still, Kenneth Clarke's convictions concerning devolution and the redistribution of power may not have been the sole reason as to why he rebuffed the notion of a London sobriety scheme, as evidence further indicates that he was concerned about its impact on

government budgets (the *'how much will this pilot cost'* question)⁷¹ as well as being dubious about enforced alcohol abstinence as a response more generally (the *'how will this approach work'* question) (Interviewee – Anon: 25). In relation to the latter, Kenneth Clarke purportedly expressed a degree of cynicism about the prospect of alcohol-dependent individuals being helped via coercion (N.B. he was informed by City Hall representatives that they intended to exclude those suffering from alcoholism from the pilot), and also claimed that transferring the South Dakota 24/7 Sobriety Project (hereinafter 24/7 Sobriety) across the Atlantic would be inappropriate given the dissimilarities that exist between the UK and the US with respect to drinking alcohol (Interviewee: Joe Mitton; Interviewee: Keith Humphreys; Interviewee – Anon: 25).

"I remember, [Kenneth Clarke] used the phrase, 'you can't stop an Englishman from having a pint' [...] it was ridiculous, we weren't talking about people who are having one pint but people who are having ten pints and becoming violent [...] or [who] break the law in some other way such as drink-driving or whatever" (Interviewee: Joe Mitton).

As Professor Humphreys reflected when interviewed for this study, Kenneth Clarke had long been *"tied to the alcohol and tobacco industries"*, and as such, his rejection of compulsory sobriety was perhaps instinctual as it jarred with his *"British male point of view"* and entrenched norm framework surrounding how British men should behave and what they are entitled to. To be sure, data suggest that Kenneth Clarke viewed Larry Long's approach to be an unsuitable innovation for a British setting as it would revoke the 'right' of a working man to consume foaming bitter at the weekend; the needs of the American and British male are apparently not analogous in Kenneth Clarke's mind (Interviewee: Joe Mitton; Interviewee: Keith Humphreys).

"... alcohol policy in Britain is partly like gun policy in the US, it is partly about masculinity [...] taking away my guns is like making me impotent [...] John Wayne had a gun, and here is, you know, John Bull had a beer" (Interviewee: Keith Humphreys).

⁷¹ According to one elite interviewee Kenneth Clarke's concerns surrounding cost were a corollary of proponent's vagueness with respect to this issue as opposed to being provoked by departmental spending cuts (Interviewee – Anon: 25).

Significantly, findings also indicate that differences between the UK and the US were likewise highlighted by senior officials working within the MoJ, who were apparently unconvinced as to the relevance of the statistical evidence presented to them concerning the efficacy of the South Dakota model – their argument being that just because 24/7 Sobriety was producing positive results ‘over there’, this did not guarantee similar results ‘over here’ (Interviewee: Lord Wasserman; Interviewee – Anon: 25). In effect, they embraced the ‘yes ... but’ approach (Tobin, 1986; also see Cummings, 1989).

“We would show evidence ... to the MoJ and they would look at the evidence and say ‘well yes, it’s got ninety-something percent compliance, but it won’t work here’” (Interviewee: Kit Malthouse).

As mused by one interviewee, civil servants are not typically enticed by the ‘star appeal’ of American criminal justice initiatives in the same way that some members of the political class, particularly Conservative politicians, can be (Interviewee – Anon: 25). In fact, it is possible that levels of disinterest towards the GLA’s proposed pilot were heightened within the MoJ not only because precise details were lacking concerning how 24/7 Sobriety would be translated and delivered in practice, but also because it originated in the US (Interviewee – Anon: 25). Thus, as with the Home Office (see Chapter Seven, Section 7.3.6), an organisational block or prejudice against US penal policy ideas seemingly existed within the MoJ: ‘decontextualisation’ and ‘deterriorialization’ of the South Dakota model did not occur (see Steiner-Khamsi, 2016).

“In the [MoJ] funnily enough there was a greater scepticism because it was a US initiative” (Interviewee – Anon: 25).

“I think it was just a not made here, you know, not our idea ...” (Interviewee: Kit Malthouse).

A number of additional reasons were also forwarded by research participants as to why MoJ officials shot down the idea of a London compulsory sobriety trial, including: the perception that it was little more than a Mayoral publicity stunt (Interviewee: Kit Malthouse); an organisational ethos prevailing that was opposed to the introduction of new disposals (Interviewee: Lord Wasserman); the MoJ being more risk averse than other departments (Interviewee – Anon: 26); an unwillingness to test something that may prove

to be successful as this would lead to calls for national roll-out and requests for funding (Interviewee: Lord Wasserman); and the view that the GLA were simply being party poopers (Interviewee: Joe Mitton). As Joe Mitton recalled:

“I remember one civil servant I met with, I said to him ‘do you have a problem with this personally?’ And he sort of said ‘well, I am Scottish and you are trying to stop people from drinking, so how do you think I feel about that?’ And the approach was you are being a killjoy” (Interviewee: Joe Mitton).

Furthermore, several interviewees noted that, like Kenneth Clarke, agents within the MoJ were not amenable to what Easton (1965) labels ‘input’ (i.e. ‘unacceptable demands’) being articulated by subnational agents, and were averse to disrupting the ‘status quo’ by shifting control away from a centralised decision-making structure (Easton, 1965, also see Box 8.1 above). In short, a position was purportedly adopted by MoJ civil servants that they knew best, and that City Hall was out of its depth:

“... I was [...] some pipsqueak from City Hall showing up, ‘who the hell is he?’ ‘Oh god, another gimmicky thing, stop people drinking? What do you mean?’” (Interviewee: Kit Malthouse).

“I never really did understand what the problem was, except I know that Whitehall don’t like giving authority to local government” (Interviewee: Lord Wasserman).

Hence, in seeking assistance from the MoJ, Kit Malthouse’s team appeared to encounter culturally embedded resistance and institutional and ideological inertia to both their favoured policy solution and their attempt to intervene on justice matters, with data suggesting that various personal and organisational ‘values’ may have contributed to such pushback. Indeed, findings indicate that Kenneth Clarke and MoJ civil servants effectively sought to act as ‘gatekeepers’ (see Box 8.1) or perhaps ‘veto players’ (Tsebelis, 2002; also see Lindblom, 1979) to criminal justice policy borrowing and change by not pledging to include compulsory sobriety clauses into what would eventually become the *LASPO Bill*.

8.2.2. The Home Office and 10 Downing Street

Notably, it would appear that a ‘gatekeeping’ scenario also unfolded when the Home Secretary (and Minister for Women and Equalities), Theresa May and her bureaucratic team were later petitioned for support. Indeed, Joe Mitton recounted that Theresa May attempted to bat away City Hall’s appeal for new powers by arguing that compulsory sobriety was a matter for the MoJ, while her Home Office officials maintained that it was too late in the day to add content to the *PRSR Bill* which was on the cusp of beginning its transition through Parliament. In essence, data indicate that Theresa May and her staff were very much focused on delivering their own political agenda and were eager for their Bill to become law with as few complications as possible – access by City Hall was thus denied (Interviewee: David Burrowes; Interviewee: Keith Humphreys; Interviewee: Kit Malthouse). The degree to which such rejection was augmented by Theresa May’s attitude towards 24/7 Sobriety itself is however somewhat unclear, as contributors to this study provided mixed accounts pertaining to her feedback. For instance, one interviewee recalled that Theresa May was “*equivocal*” about the idea (Interviewee: Joe Mitton), while another reminisced that she was concerned that a London trial would involve additional costs and burdens being placed on the police (Interviewee: David Burrowes). Three interviewees did nevertheless ‘hint’ that a complex interpersonal dynamic existed between Theresa May and Boris Johnson, and that this could also have played a role in her disinclination to assist (Interviewee: Data Intentionally Unattributed (x3)).

*“Theresa [May] and Boris [Johnson] are not mates. I wouldn’t go so far that she would deliberately obstruct him, although water cannons(!) ... but I don’t think that she would adopt a particular position on this particular issue just to p*ss off Boris. But she wouldn’t go out of her way to help him either”* (Interviewee: Data Intentionally Unattributed).

It is interesting to note, however, that while Boris Johnson’s relationship with his Conservative colleagues possibly hindered his team’s treatment by ministers, findings do suggest that Kit Malthouse’s long-standing relationship with the Prime Minister David Cameron’s ‘*top guru*’ (Stone, 2015) and Director of Strategy, Steve Hilton, may have opened a door. Indeed, Kit Malthouse reminisced when interviewed that – as a “*favour*” – Steve Hilton had agreed to meet with him on more than one occasion and that he had intimated that both he and others within the Prime Minister’s Office in Downing Street

(aka ‘Number 10’) were enthusiastic about compulsory sobriety,⁷² so much so that some form of contact was made with government departments about the idea:

“[Steve Hilton] was very pro. He did signal from Number 10 a couple of times that they would be quite keen to see this as a disposal. So we had their support” (Interviewee: Kit Malthouse).

“...Number 10 were interested right from the beginning” (Interviewee: MOPAC Representative – 2).

Yet, in reality this intervention seemingly did little, as it was just one of many things that Steve Hilton and his colleagues in Number 10 were lobbying for and, as such, it became *“lost in the weeds”* (Interviewee: Kit Malthouse).

“I think words were had. Words were had. But the way government works is unless words are had every day all day, you know, it’s easy to say ‘oh Steve sorry, I forgot’” (Interviewee: Kit Malthouse).

Having reached out to the Coalition Government, the GLA were thus facing a ministerial and a bureaucratic brick wall (Interviewee: Kit Malthouse). They had failed to mobilise key governmental elites, and any pressure exerted by Steve Hilton had seemingly gone unheeded. In short, the GLA’s attempt to engage in ‘international-subnational’ crime policy transfer was, for all intents and purpose, being blocked by agents operating at the national level, as without new legislation compulsory sobriety could not be implemented in the UK.

8.3. Seeking to secure a bill amendment

Outline: Consistent with Stage Eight of Evans and Davies’ (1999) model, findings do suggest that a ‘context of interaction’ occurred as part of the AAMR development process (see Box 8.2 below). Such interaction however, did not primarily entail agents of transfer (i.e. City Hall actors) facilitating communication between the ‘client’ (i.e. the Coalition

⁷² Steve Hilton’s support is, arguably, somewhat unsurprising given his reputation for radical and blue sky thinking (Winnett, 2012b), and the fact that he had been pushing the ‘localism’ agenda when the Conservative Party were in opposition (Interviewee – Anon: 25).

Government) and individuals who possessed, for instance, knowledge and expertise with respect to ‘*swift, certain, and fair*’ sanctioning. Rather, as will be discussed below, it involved GLA representatives and Professor Humphreys joining forces to lobby a constellation of elites who were operating at various levels of governance to ‘get behind’ a compulsory sobriety bill amendment and encourage members of the Cameron government to do the same.

Box 8.2. Interaction

Stage Eight – Interaction

“The agent of transfer will often be expected to organize forums for the exchange of ideas between the client and knowledge elites with policy relevant knowledge. These may take the form of representatives of an epistemic community who have similar professional beliefs and standards of judgement and share common concerns. A context of interaction may therefore take place through the organization of seminars, fact-finding missions, conferences and the exchange of specialist policy advice documents (for example the drafting of legislation). It is through these forms of diffusion activity that agents of transfer can act as a channel for the development of consensual knowledge. Of course this characterization is also dependent on the type of agent of transfer under consideration.”

Source: Evans & Davies (1999: 379)

8.3.1. Constructing a Policy Transfer Advocacy Coalition

Despite their trial balloon being shot down by experts within the third sector, some media commentators, and ministers and civil servants, Kit Malthouse and his team decided to push forward, undaunted and determined (Interviewee: Joe Mitton; Interviewee: Kit Malthouse). As Kit Malthouse reflected when interviewed, he is a stubborn individual, and he did not respond well to “*quite senior people*” saying ‘no’ to him (Interviewee: Kit Malthouse). 24/7 Sobriety was very much under his skin, and he was irate that others could not see the potential that it held (Interviewee: Kit Malthouse).

“... it’s like a cult. You become a really passionate advocate for it. You can totally see it, how it can solve, what thus far, has seemed insoluble. And the other thing that makes you passionate about it is the myopia of people, it’s like ‘there it is, can’t you see it? You must be able to, it’s right there in front of you!’ And people don’t” (Interviewee: Kit Malthouse).

“It’s one of those things, there are very few ideas in politics where everything just clicks and makes perfect sense” (Interviewee: Kit Malthouse).

Given that the direct route to legislative success was closed, agents within City Hall identified an alternative path to tread. That is, they would obtain the powers that they needed via a bill amendment (Interviewee: Kit Malthouse). This effort was spearheaded by Joe Mitton who was later supported by Leigh Greenhalgh (an officer within the GLA’s Government Relations Team),⁷³ with Professor Humphreys providing campaign advice and Kit Malthouse being wheeled out as and when necessary (Interviewee: Joe Mitton; Interviewee: Keith Humphreys; Interviewee: Kit Malthouse). Markedly, the language used by Kit Malthouse to describe this course of action was not one of gentle coaxing or even one of ardent persuasion. Rather, it was one of conflict, with words and phrases such as *“fought”* and *“beat them”* scattered throughout his interview transcript (Interviewee: Kit Malthouse). Hence, from Kit Malthouse’s vantage point, the GLA and the Coalition Government were effectively at war.

“Part of the motivation was that we had set ourselves this goal. There was a bit of excitement about pushing and winning the battle, climbing Everest, the summit was there to attain” (Interviewee: Kit Malthouse).

To drive through their amendment, Joe Mitton and his colleagues understood that they would need to rouse policy allies and build united alliances within both Houses of Parliament to agitate and place pressure on the Government to support the introduction of a compulsory sobriety pilot. In short, they needed to construct an inter-organisational Policy Transfer Advocacy Coalition (PTAC – see Chapter Ten, Section 10.2.2). To achieve this aim, evidence does suggest that energy was directed towards forging

⁷³ Data suggest that Leigh Greenhalgh replaced a different individual who initially left the campaign due to illness and then later emigrated overseas (Interviewee: Keith Humphreys).

‘consensual knowledge’ via engaging in ‘interaction’ (see Box. 8.2 above). Such interaction largely involved rubbing shoulders, lobbying, and drumming up support, or what Professor Humphreys labelled “*education*” when interviewed. More precisely, GLA agents met with various specialists and groups to diffuse their policy initiative, consult on its structure, and secure potential amendment sponsors/backers including: representatives from potential London delivery organisations; key stakeholders (for example, London Councils⁷⁴, agents operating within the Violence Against Women and Girls (VAWG) community, domestic violence victims and offenders, and alcohol and addiction charities); and Peers in the House of Lords and Members of Parliament (MPs) in the House of Commons (in particular those who sat on bill committees and those who represented London constituencies) (HL Deb 7 February 2012, v.735 c187-201; Humphreys, n.d.; Interviewee: Joe Mitton; Interviewee: Keith Humphreys; Interviewee: Kit Malthouse; Interviewee – Anon: 14; MPA, 2011; VAWG Panel Meeting, 2011a; 2011b).

As part of such ‘softening up’ activity (Kingdon, 2011), a series of roundtable discussions and ‘cop and doc’ double-act briefings and seminars were delivered within Westminster and across Greater London – the ‘cop’ being Kit Malthouse and the ‘doc’ being Professor Humphreys (Interviewee: Baroness Finlay of Llandaff; Interviewee: Baroness Jenkin of Kennington; Interviewee: Keith Humphreys; Interviewee: Kit Malthouse: also see Humphreys, n.d.; Humphreys, 2011a; 2011b).

“So I did the science, ‘I said here is what we know, here is why we think it will work, here is the evidence’, and then I would stop, and Kit [Malthouse] would get up and say ‘look, we want to reduce violence in London, I want to reduce violence against women, this is something that works, here is why I would like to try it, that is all I am asking’” (Interviewee: Keith Humphreys).

“[Professor Humphreys] very kindly flew over and did seminars and talks here. He is a bit of a proselytiser about it as well, an advocate, so he was willing to come and talk to anybody we could get in the room about this” (Interviewee: Kit Malthouse).

⁷⁴ London Councils is a cross-party organisation that represents London’s 32 Boroughs and the City of London (London Councils, n.d.).

What is particularly salient about the nature of this engagement is that modification to the GLA's initial vision of how 24/7 Sobriety could operate on UK soil began to be discussed and deliberated. Or put another way, dialogue unfolded concerning potential adaptation of the South Dakota model. Indeed, when attempting to secure policy resonance with MPs who were experiencing night-time economy violence within their own constituencies, Kit Malthouse suggested that offenders could just be tested on Friday, Saturday, and Sunday – in effect, 24/7 Sobriety would be 'weekend sobriety' (Interviewee: Kit Malthouse). As explained by Joe Mitton, both he and his associates were "*quite naive*" about their proposed London scheme when they began petitioning for their bill amendment, and as obstacles and challenges were thrown at them, they would go away, think of a solution, and return. The policy development process was thus both animate and highly iterative. It was policy-making "*on the hoof*" (Interviewee: Joe Mitton).

8.3.2. First amendment attempt: the Police Reform and Social Responsibility Bill

Subsequent to the GLA's submission of a Public Bill Committee Memorandum, (GLA, 2011), the first formal attempt to introduce a set of compulsory sobriety bill amendments was made by Matthew Offord, the Conservative MP for Hendon, North London, who tabled Alcohol Monitoring Requirement (AMR – N.B. not AAMR) sentencing power clauses prepared in collaboration with the GLA's Legal Team (Interviewee: Joe Mitton; PRSR Bill Deb 17 February 2011 c721-727). These clauses were examined during the House of Commons Committee Stage of the *PRSR Bill* on 17 February 2011 (PRSR Bill Deb 17 February 2011 c721-727).

In essence, the content of Matthew Offord's amendments captured the core components of the 24/7 Sobriety scheme floated by Kit Malthouse previously – i.e. a London pilot; those diagnosed with alcoholism to be excluded; regular testing to be paid for by the offender; and breach to result in immediate arrest, flash incarceration, and reappearance in court (PRSR Bill Deb 17 February 2011 c721-727). One noteworthy addition however, was Matthew Offord's inclusion of the AMR as a possible component of Intensive Supervision and Support within a Youth Rehabilitation Order (PRSR Bill Deb 17 February 2011 c721-727).

In justifying his amendments, Matthew Offord argued that the AMR was compatible with the scope and objectives of the *PRSR Bill* as it would:

“... reduce the number of alcohol-related incidents, especially violent incidents; reduce the costs of alcohol-related crime to statutory services [...] and support a long-term shift in public attitudes to the use of alcohol by making a clear statement about the acceptability of behaviour surrounding alcohol consumption, supported by clear consequences” (PRSR Bill Deb 17 February 2011 c721-727).

Very little discussion followed. Indeed, subsequent to two brief comments being made by Committee members, James Brokenshire, the Parliamentary Under-Secretary of State for Crime Reduction in the Home Office (2010–2011), stated that the Coalition Government supported *“new and innovative ways of tackling alcohol-related crime and disorder”* and that its ministers would continue to meet with Kit Malthouse⁷⁵ to explore City Hall’s proposed pilot as they wanted to *“encourage local initiatives”* (PRSR Bill Deb 17 February 2011 c721-727). Yet, he cautioned that a clear AMR business case would need to be produced to ensure that the scheme would be *“targeted, effective and affordable”* and that thorough consideration was given as to how a *“South Dakota-type scheme”* could operate within the British criminal justice system (PRSR Bill Deb 17 February 2011 c721-727). The AMR was thus moving for a matter of minutes before being parked by James Brokenshire. Matthew Offord withdrew his amendments (PRSR Bill Deb 17 February 2011 c721-727).

It was the doctor, professor of palliative medicine, and crossbench member of the House of Lords, Baroness Finlay of Llandaff, who subsequently picked up the compulsory sobriety baton within Parliament, having joined the PTAC after being told about US community monitoring projects by Professor Humphreys during an alcohol control event in which they were sharing a platform (Interviewee: Baroness Finlay of Llandaff). With regard to her motivation to champion the AMR, Baroness Finlay of Llandaff reported when interviewed that preventing adults and children from becoming victims of alcohol-fuelled crime – whether this be in terms of witnessing or being subjected to domestic violence, or having a loved one killed in a traffic accident due to a driver being impaired – was what enthused her. Indeed, she maintained that she was impressed by the

⁷⁵ In addition to meeting with Kit Malthouse, James Brokenshire was also briefed on HOPE Probation (see Appendix G) by Professor Humphreys in September 2010 and attended a ‘cop and doc’ presentation at the City of London Drug and Alcohol Forum on 8 February 2011 (Humphreys, n.d.; Interviewee: Keith Humphreys).

“dramatic” reduction in road deaths achieved in South Dakota as a result of 24/7 Sobriety, and that she was attracted to the transparency and straightforwardness of the approach as it provided no room for the manoeuvring or bartering that she felt was occurring within the British judicial system (Interviewee: Baroness Finlay of Llandaff).

“... it was a straightforward scheme with a very clear simple message. You don’t drink, you get checked out every day, and if you breach you are straight in clink. That was it [...] I could see why it had worked” (Interviewee: Baroness Finlay of Llandaff).

Baroness Finlay of Llandaff’s inclination to support the AMR was thus compassionate and considered in nature. In addition, evidence suggests that it was somewhat personal and emotional:

“A good friend of mine [...] had huge alcohol problems, was bankrupt, and has set up a lot of services for doctors who have alcohol problems [...] And he has done so much. So I kind of felt that a little bit of me was doing this as a tribute to [him]” (Interviewee: Baroness Finlay of Llandaff).

Like Kit Malthouse, Baroness Finlay of Llandaff did not undertake a fact-finding mission to the US to view ‘*swift, certain, and fair*’ sanctioning in action⁷⁶, yet, she too was convinced that Larry Long’s model could be transferred across the pond “*lock stock and barrel*” (Interviewee: Baroness Finlay of Llandaff). As the *PRSR Bill* journeyed to Second Reading in the House of Lords she suggested that policy-makers should learn from South Dakota’s example (HL Deb 27 April 2011, v.727. c215). Then, as the Bill transitioned to Committee Stage (5th Sitting) on 9 June 2011 she moved a group of AMR amendments with the official backing of a cross-party selection of Peers, including Lord Brooke of Alverthorpe (Labour Party), Baroness Stowell of Beeston (Conservative Party), and Lord Palmer of Child’s Hill (Liberal Democrats) (HL Deb 9 June 2011, v.728. c436-450; HL Marshalled List of Amendments, 8 June 2011). In outlining how the AMR

⁷⁶ When interviewed, Baroness Finlay of Llandaff and Baroness Jenkin of Kennington (see below) did recall that they had engaged with ‘officials’ from South Dakota – including a Police Chief – when they visited the UK (Interviewee: Baroness Finlay of Llandaff; Interviewee: Baroness Jenkin of Kennington). Unfortunately, no further information about this visit has been located.

could potentially operate in Greater London and other interested authorities, Baroness Finlay of Llandaff referred to the elements illustrated in Figure 8.1 below, which she contended drew on the three principles of the “*original*” South Dakota model (i.e. daily testing; ‘offender pays’ for their testing; formal process of apprehension).

Figure 8.1. Alcohol Monitoring Requirement Pilot Overview (June 2011)

Criminal Justice Sentence
<ul style="list-style-type: none"> • Community Order or post-release license condition.
Alcohol Monitoring
<ul style="list-style-type: none"> • Testing: breath tests to be taken at regular intervals to be decided by the court (usually once or twice-daily). • Testing venues: a ‘testing point’ (labelled ‘Boris Bins’ by Baroness Hayter of Kentish Town). • Funding: offender to pay for each breathalyser test.
Breach
<ul style="list-style-type: none"> • If the test result is inconclusive, a second test will be undertaken. • Swift (immediate), certain, and proportionate response – possibly flash incarceration and reappearance in Magistrate’s court (to be decided locally).
Target Offenders
<ul style="list-style-type: none"> • Adults and young people convicted of medium and high-level alcohol-related offences, but in particular: <ul style="list-style-type: none"> - Night-time economy offenders. - Domestic violence perpetrators.
Pre-requisites
<ul style="list-style-type: none"> • Primary legislation.

Source: Extracted from HL Deb 9 June 2011, v.728. c436-450

Aside from Viscount Astor who argued that Baroness Finlay of Llandaff’s amendments only addressed half of the issues as they would not confront drug abuse, statements vocalised by Peers regarding the AMR were unanimously favourable. Indeed, Lord Stevenson of Balmacara, the Shadow Spokesperson for Culture, Media and Sport (2010–2017), endorsed mandatory sobriety on behalf of the Labour Front Bench by arguing that it was an “*appropriate and attractive*” intervention (HL Deb 9 June 2011, v.728. c436-450), and even Lord Harris of Haringey (see Chapter Seven, Section 7.3.4) back-pedalled by propounding that nothing would be lost by conducting a trial in one or two London boroughs (HL Deb 9 June 2011, v.728. c436-450). Despite such support, however,

Baroness Browning, who had recently assumed James Brokenshire's governmental portfolio and become the Home Office Minister of State in the House of Lords, rejected the inclusion of AMR amendments (HL Deb 9 June 2011, v.728. c436-450). In doing so, she embraced an international institutional constraint – that is, she suggested that due to habeas corpus the European Court of Human Rights could object to offenders who 'blow hot' in the UK being detained without trial (HL Deb 9 June 2011, v.728. c436-450). Nonetheless, at the same time she did not arrive to Committee empty handed. Indeed, she maintained that the Home Office wished to collaborate with the Department of Health and the GLA to pilot a voluntary sobriety scheme – a scheme that would: utilise Conditional Cautions; entail clinical treatment and support for alcohol abuse where appropriate; and not require primary legislation (HL Deb 9 June 2011, v.728. c436-450). When interviewed, Baroness Finlay of Llandaff mused that Baroness Browning's proposition was little more than an attempt to appease the PTAC:

“Well I am very cynical [...] Going back to 2011 [...] there was the whole pressure going on. So I think they thought ‘oh dear, we better do something’. So we were being given that, it was really a sort of sop” (Interviewee: Baroness Finlay of Llandaff).

In response, Baroness Finlay of Llandaff withdrew her amendments, but in doing so, stated that she had a “*glimmer of hope*” that they could be revisited at a later point during the passage of the *PRSR Bill* (HL Deb 9 June 2011, v.728. c436-450).

In the weeks that followed, extensive contact occurred between members of the PTAC and ministerial and bureaucratic elites (HL Deb 14 July 2011, v.729. c901-917). For instance, Kit Malthouse and Joe Mitton met with Kenneth Clarke once again to try to persuade him to endorse the AMR, as did Baroness Finlay of Llandaff herself (Correspondence: Joe Mitton; Interviewee: Baroness Finlay of Llandaff). Evidence indicates that Kenneth Clarke did not soften. In fact, having listened to Baroness Finlay of Llandaff argue that enforced alcohol abstinence would reduce government expenditure and help prevent the deaths of children and parents in road accidents, Kenneth Clarke reportedly retorted that he would not be dictated to by a pressure group (N.B. Baroness Finlay of Llandaff had apparently made reference to the bereavement charity, The Compassionate Friends) and made an excuse to leave the room following an impassioned rejoinder (Interviewee: Baroness Finlay of Llandaff).

“I was absolutely steaming [...] with hindsight I should have stayed cool, I was just so angry about people losing their children” (Interviewee: Baroness Finlay of Llandaff).

Subsequent to this curtailed meeting and others in which little progress was apparently made (Interviewee: Kit Malthouse), Baroness Finlay of Llandaff proceeded to lay lightly amended AMR clauses during the Report Stage (5th Sitting) of the *PRSR Bill* (HL Deb 14 July 2011, v.729. c901-917). In doing so, she sought to reassure the Coalition Government that she had taken heed of their legal concerns by highlighting that her amendments had been altered from ‘a constable must’ to ‘a constable may’ arrest in the event of non-compliance,⁷⁷ and that a Queen’s Council had confirmed that such language was now perfectly compatible with human rights law and habeas corpus (HL Deb 14 July 2011, v.729. c901-917). The prospect of a mandatory ‘short, sharp, shock’ in the form of flash incarceration had thus seemingly been forsaken by the PTAC – ‘excuses’ for behaviour were to be heard. Speaking in the Lords Chamber, Baroness Finlay of Llandaff also advised that sobriety testing was likely to be administered by lay people in community buildings close to transport hubs (e.g. London Underground Tube Stations), hence avoiding any additional burdens being placed on the police and reducing imposition on an offender’s typical routine (HL Deb 14 July 2011, v.729. c901-917; Interviewee: Baroness Finlay of Llandaff). In addition, Baroness Finlay of Llandaff spurned the Coalition Government’s proposal to pilot a voluntary sobriety scheme in London by arguing that: a) alcohol-inebriated offenders are unlikely to admit guilt due to having no memory of the crime that they committed, b) it is improbable that offenders will choose to impose sobriety upon themselves, c) Conditional Cautions, as out of court disposals, increase police paperwork and, d) the efficacy of 24/7 Sobriety would be diluted if the sanction was made optional (HL Deb 14 July 2011, v.729. c901-917). At the heart of Baroness Finlay of Llandaff’s speech was a demand for ‘hard’ as opposed to ‘soft’ policy transfer and a recommendation that the Government should not be “*arrogant*” and ignore the positive evidence emanating from the US concerning the efficacy of 24/7 Sobriety as its success depends not on administrative systems but on the way in which human nature

⁷⁷ Hence allowing no action to be taken should an offender provide a clear and ‘valid’ reason for consuming alcohol, an example being the death of a family member (HL Deb 14 July 2011, v.729. c901-917).

responds to transparent punishment (HL Deb 14 July 2011, v.729. c901-917). Indeed, while conceding that compulsory sobriety alone would not be a “*magic bullet*” with respect to reducing alcohol-related crime and re-offending, Baroness Finlay of Llandaff maintained that looking outwards beyond UK shores and borrowing Larry Long’s model would allow policy-makers to counter such issues in a “*different*” and “*imaginative*” manner without adopting an anti-alcohol attitude (HL Deb 14 July 2011, v.729. c901-917). What is more, for the first time she pitched the idea of using the AMR as part of a child protection package, thus tapping into more recent policy developments in South Dakota (HL Deb 14 July 2011, v.729. c901-917).

Again, Peers of various political alignments formally and/or verbally sponsored Baroness Finlay of Llandaff’s AMR amendments, with several encouraging the Government to be “*adventurous*”, “*bold*”, and to “*grab*” the South Dakota model with both hands (HL Deb 14 July 2011, v.729. c901-917; HL Marshalled List Of Amendments, 13 July 2011). Support was also articulated by the Lord Bishop of Chester and the Crossbencher and former Commissioner of the MPS Lord Imbert. The latter of whom reported that staff within the Metropolitan Police Service’s (MPS) Territorial Operations Department favoured the AMR, their only caveat being that it should be magistrates rather than police officers who decide if an individual committed an offence because they were drunk (HL Deb 14 July 2011, v.729. c901-917). Crucially however, although a number of their colleagues supported the idea of a London enforced alcohol abstinence pilot, the Labour Front Bench opted to modify its position and oppose the AMR (HL Deb 14 July 2011, v.729. c901-917). What is striking about this decision is that it was not fuelled by a political aversion to compulsory sobriety as an intervention per se, but rather, that it stemmed from the Labour Party’s stance concerning the freedom of subnational policy-makers, and where alcohol policy should ultimately ‘sit’ within Government. To expand, Lord Stevenson of Balmacara advocated that the Home Office should not directly support particular schemes in particular jurisdictions, but instead should eradicate the barriers that prevent any area from implementing an innovation should they so wish (HL Deb 14 July 2011, v.729. c901-917). His argument thus drew heavily on the theme of localism – it was a call for local agents to have sufficient power and autonomy to achieve their policy ambitions without unnecessary impediment from ‘the centre’. In addition to counselling the Coalition Government to step aside to permit subnational policy experimentation, Lord Stevenson of Balmacara further propounded that it was “*a bit silly*” to seek support from the Home Office for a trial intended to address alcohol consumption as this is a

public health issue, and as such should fall within the realm of the Department of Health (HL Deb 14 July 2011, v.729. c901-917). Effectively, he declared that an institutional and ideological adjustment needed to occur. An adjustment that would entail prioritising the well-being of those who misuse alcohol and drugs over that of punishment:

“The idea that the Home Office, which is the home of repression and locking people up [...] should be responsible is a little like asking cats to be responsible for the welfare of mice in their house. You cannot do it. I challenge the Minister, if the Home Office cannot get behind this, at least to remove the obstructions to this scheme getting off the ground. We would support that. The Home Office should give up responsibility for this area and pass it to the Department of Health” (Lord Stevenson of Balmacara – HL Deb 14 July 2011, v729. c901-917).

The Government Front Bench likewise rejected Baroness Finlay of Llandaff’s amendment, again on legal grounds (i.e. Baroness Browning maintained that the Government wished to ensure that appropriate safeguarding measures were in place to guarantee that the AMR would be proportionate and adhere to human rights legislation), but also because uncertainty existed as to whether compulsory sobriety would meet the Coalition Government’s aim of moving those with complex alcohol problems from treatment and routine maintenance to full recovery (HL Deb 14 July 2011, v.729. c901-917). Crucially, the trigger for the latter point of opposition appeared to stem from questions remaining unanswered about whether the AMR was intended to be rehabilitative or punitive, and the fact that when speaking in the House of Lords Baroness Finlay of Llandaff had contradicted Kit Malthouse and Matthew Offord’s earlier claims by asserting that alcohol-dependent offenders would be subject to an AMR-treatment combination should pilots be launched:

“As part of any scheme here, alcohol addiction support would be offered” (HL Deb 14 July 2011, v.729. c901-917).

As to whether Baroness Finlay of Llandaff envisaged such treatment for convicted offenders being elective, mandatory as in South Dakota, or involving a ‘behavioural triage’ scenario as in Hawaii (see Appendix G) is uncertain. Nonetheless, two key findings should not be overlooked here. First, evidence suggests that some form of confusion or perhaps disagreement may have existed within the PTAC concerning the

types of offender that would be targeted by the AMR, with members singing from different hymn sheets. Secondly, documentary data indicate that the Government wished to embrace a holistic approach to tackling serious alcohol-related crimes committed by addicts that would involve conviction, clinical treatment, and an extensive package of multi-agency support being provided to address multifaceted needs (HL Deb 14 July 2011, v.729. c901-917). As such, it would appear that they were inclined to appraise the idea of ‘sobriety’ not only as a standalone criminal justice policy designed to address the culture and negative ramifications of late-night binge-drinking, but also as a potential new piece of the recovery jigsaw for alcoholics. The stumbling block for Baroness Finlay of Llandaff was that the Government contended that she had provided insufficient detail pertaining to how 24/7 Sobriety would support the latter, and that Ministers within the Home Office and the MoJ were unwilling to commit to confronting the former via compulsion until a voluntary scheme had first been trialled (HL Deb 14 July 2011, v.729. c901-917). Indeed, when snubbing Baroness Finlay of Llandaff’s AMR amendments in the House of Lords, Baroness Browning stated that the Government had no quarrel with the principle of sobriety, but that it would not consider piloting mandatory alcohol abstinence until learning had been attained as to the impact and risks of voluntary schemes – schemes that she suggested would a) be launched in jurisdictions experiencing a high volume of low-level alcohol-related incidents within the night-time economy, and b) had the potential to involve regular testing, an offender-pays component, and clear consequences for breach (HL Deb 14 July 2011, v.729. c901-917). The Coalition Government thus adopted a *‘take it or leave it, voluntary schemes are our best offer’* attitude, their strategy seemingly being to take an ‘incremental step’ (Lindblom, 1979) towards utilising sobriety as an intervention and in doing so mute the compulsory sobriety PTAC by kicking some components of their proposed pilot into the long grass. What is interesting about this small step is that it also ostensibly involved an element of what could be branded, ‘smuggling’ (Lindblom, 1979: 521). That is, Baroness Browning reported that Conditional Caution pilots could begin *“almost immediately”*, therefore implying no citizen debate or discussion with those affected by the criminal justice boat being rocked (HL Deb 14 July 2011, v.729. 901-917). There would be action but little talk.

Baroness Finlay of Llandaff remained unconvinced, and subsequent to Baroness Browning confirming that the Government would definitely not bring back the AMR with a sunset clause at Third Reading, she chose to divide the House on her amendments (HL

Deb 14 July 2011, v.729 c901-917). Labour and Crossbench Peers accompanied her on the journey through the ‘contents’ lobby (HL PRSR Bill, Division 3, 14 July 2011). Consistent with the Coalition Government’s whip, however, just one Liberal Democrat and no Conservative Peers joined them (HL PRSR Bill, Division 3, 14 July 2011). Baroness Finlay of Llandaff lost 151 votes to 104 (HL Deb 14 July 2011, v.729. c901-917; HL PRSR Bill, Division 3, 14 July 2011). The fight was not, however, over.

8.3.3. Second amendment attempt: the Legal Aid Sentencing and Punishment of Offenders Bill

Evidence indicates that following their PRSR Bill defeat, the PTAC sought to gain momentum and place pressure on ministers and civil servants within the MoJ to alter their position and grant the required powers for mandatory alcohol abstinence to be piloted in the UK, and in London in particular, via amending the *LASPO Bill*.

“We just kept the pressure up, kept the pressure up” (Interviewee: Baroness Finlay of Llandaff).

“... they fought us tooth and nail. Particularly the MoJ, fought us tooth and nail. They did not want [the AMR] in the Bill” (Interviewee: Kit Malthouse).

In addition to engaging in the ‘interaction’ activity outlined in Section 8.3.1 above, data suggest that such pressure was exerted by members of the PTAC in a variety of ways, including raising the issue in Parliament and during meetings with ministers, polling to demonstrate public acceptance, and engaging with stakeholders and the media (HL Deb 2 February 2012, v.734. c.1667-1670; Johnson, 2011b; London Assembly, 2011). For instance, documentary materials reveal that the following transpired:

- In reacting to Boris Johnson’s request for leverage, London Councils penned a letter of support that was forwarded to Kenneth Clarke (London Crime Reduction Board, 2011). Similarly, Steve O’Connell, London Assembly Member for Croydon and Sutton, wrote a letter to the Evening Standard endorsing the implementation of a coerced abstinence scheme in London (O’Connell, 2011).
- The GLA commissioned a telephone survey of 1,001 Londoners that revealed that: 69 percent supported the idea of alcohol-related offenders being banned from

consuming alcohol; 60 percent backed the right of courts to ban an individual from consuming alcohol who had been granted bail; and just 14 percent felt that the state should cover the costs of sobriety testing (GLA, 2012).

- In a series of newspaper articles, Boris Johnson and Kit Malthouse blamed the MoJ for City Hall's compulsory sobriety pilot failing to get off the ground, and in doing so painted a picture of London's Mayoral Team and Government agents being "*at loggerheads*" (Evening Standard, 2011a; also see Johnson, 2011a). Indeed, Kit Malthouse told the press that his policy transfer attempt was being obstructed by MoJ officials as they were "*not very good at coping with new ideas*" (Malthouse, quoted in Evening Standard, 2011b), and that he would not waste limited resources on a Conditional Caution pilot as this would be both ineffective and inapplicable to domestic abuse perpetrators and drink-drivers (Evening Standard, 2011a).
- The new Metropolitan Police Commissioner Bernard Hogan-Howe⁷⁸ publicised that he was closely monitoring an alcohol tag trial being conducted in West Scotland (see Chapter Nine, Section 9.2.3) and that he supported the idea of alcohol-fuelled offenders being forced to wear such technology in London given that over 90 percent of arrests made by MPS police officers at night were associated with alcohol consumption (BBC News, 2011; Davenport & Sands, 2011; Mulholland & Agencies, 2011; Rawlinson, 2011). When interviewed, Joe Mitton recalled that Bernard Hogan-Howe favoured 'tagging' over breathalysers as he anticipated that those sentenced to an AMR would breach not because they had consumed alcohol, but because their chaotic lives would thwart their ability to regularly present at a testing centre (Interviewee: Joe Mitton).

In addition to such action, Matthew Offord and fellow Conservative Greater London MP, Mike Freer, gave notice of AMR LASPO bill amendments on 17 October 2011 (HC Notices of Amendments, 17 October 2011). However, due to time running out these amendments was not debated or voted on during the Bill's Report Stage (3rd Sitting) (@kitmalthouse, 2011; Malthouse, 2011).

⁷⁸ Bernard Hogan-Howe succeeded Sir Paul Stephenson as the Metropolitan Police Commissioner on 12 September 2011. When interviewed, Joe Mitton reported that Paul Stephenson had not been opposed to City Hall's compulsory sobriety scheme.

Aside from MOPAC being formally created in January 2012 and Roger Hadwen joining the PTAC in his capacity as MOPAC's drug and alcohol lead, little appeared to happen until 7 February 2012 when two significant events took place. First, Kit Malthouse and Joe Mitton met with the Chairman of the Sentencing Council for England and Wales, Lord Justice Brian Leveson, to enquire as to whether what Joe Mitton described as the "*London Branch of the Sentencing Council*" could take forward the AMR as a regional sentencing tool without primary legislation being obtained. Their logic being that convincing this body to support their pilot would be easier than persuading Kenneth Clarke to alter his position (Interviewee: Joe Mitton). Regrettably for the GLA, Lord Leveson promptly choked this subnational attempt to bypass a central government roadblock by advising that devolution of criminal justice in England and Wales was just not possible given that all judicial officials, regardless of their geographic location, were provided with identical weapons in their armouries to ensure penal conformity and consistency as promoted by the Sentencing Council itself (Interviewee: Joe Mitton). Hence, unless the law was changed, magistrates in Greater London would have no option but to deal with the consequences of irresponsible alcohol consumption using their existing powers.

The second development that transpired was that enforced alcohol abstinence was debated during the Committee Stage (8th Sitting) of the *LAPSO Bill* in the House of Lords, with Baroness Finlay of Llandaff moving a set of AMR amendments once again (HL Deb 7 February 2012, v735 c187-201). Although Lord Brooke of Alverthorpe (Labour) remained an amendment signatory, this time around two new Peers who were politically aligned with the Government stepped up to formally back the AMR: Lord Avebury (Liberal Democrat) and Baroness Jenkin of Kennington (Conservative) (HL Marshalled List of Amendments, 7 February 2012). When interviewed, Baroness Jenkin of Kennington⁷⁹ reported that she was informed about the PTAC's campaign by Joe Mitton when she sat next to him at a luncheon. Like Baroness Finlay of Llandaff, she too was attracted to the transparency and efficacy of the South Dakota model, preferred breathalysers, and had a personal reason for wishing to see it transferred into the UK – that is, her son is a recovering alcoholic, and as a mother she had witnessed first-hand the

⁷⁹ Interview data suggest that upon joining the PTAC Baroness Jenkin of Kennington was active in utilising her Conservative Party contacts and relationships to lobby senior politicians (Interviewee: Baroness Finlay of Llandaff; Interviewee: Baroness Jenkin of Kennington;).

toll that alcohol abuse can take (Interviewee: Baroness Jenkin of Kennington). Indeed, Baroness Jenkin of Kennington viewed the AMR as a measure that could provide families with a period of tranquillity following months or years of strife (Baroness Jenkin of Kennington).

“... enforced sobriety [...] would provide a window of opportunity for reflection, for peace for the whole family unit to work together to help a young person to take responsibility for his or her [...] behaviour. These proposals would provide families with a lifeline to cling to at a time of enormous stress and strain” (Baroness Jenkin of Kennington; HL Deb 7 February 2012, v.735 c187-201).

Within the Lords Chamber, Baroness Finlay of Llandaff fought hard to twist the Government's arm with respect to legislating for a Greater London compulsory sobriety pilot. Indeed, not only did she cite statistics regarding the high compliance and low recidivism rates achieved by 24/7 Sobriety, but she also emphasised that a number of London-based stakeholders had expressed support for City Hall's proposed policy intervention and that a Project Board for the scheme had been established which included representatives from a range of statutory agencies (HL Deb 7 February 2012, v735 c187-201). In effect, she pressed the Government to take heed of the fact that support for compulsory sobriety was swelling in size – the idea was ‘snowballing’ (see Kingdon, 2011). In addition, Baroness Finlay of Llandaff queried why the Government had not yet launched its Conditional Caution sobriety trials despite its intention to do so in October 2011 (i.e. the *‘your sop is a flop’* attack), and criticised alleged Governmental interest in utilising sobriety bracelets rather than breathalysers on the grounds that she believed the former to be impractical and unreliable (i.e. the *‘your technological preference is defective’* attack):

“These devices [...] are bulky, are fixed around the ankle, and make a buzzing sound every thirty minutes as they sample the sweat. The offender cannot travel without prior permission because they have to be near a base station to download data daily. The wearer has to connect the device to the mains to recharge, and cannot bath, use household cleaning products or personal hygiene products that contain any alcohol at all, because that would give a false-positive reading” (Baroness Finlay of Llandaff, HL Deb 7 February 2012, v.735 c187-201).

Although not fervently opposed to tagging (HL Deb 7 February 2012, v.735 c187-201), when interviewed Baroness Finlay of Llandaff stated that she preferred breathalysers due to their negligible cost and the positive psychological message that they impart – that is, when an offender passes a breath test they know that their sobriety has been reinforced, that they are doing well, and that they are “*clean in every sense*”. They can go off and live their lives, without people knowing that they have committed a crime (Interviewee: Baroness Finlay of Llandaff). By contrast, an alcohol tag is physically attached to an offender, stigmatising them, and perhaps even inciting short-term rather than longer-term behavioural change (Interviewee: Baroness Finlay of Llandaff). The goal may be to ‘get through’ a sobriety order as opposed to learn from it:

“There is concern that it could almost lead to ‘oh, well as soon as I get this wretched thing off I am going to recover’” (Interviewee: Baroness Finlay of Llandaff).

In describing how the AMR would work in practice to her colleagues within the House of Lords, Baroness Finlay of Llandaff thus resisted the technological preferences of both Bernard Hogan-Howe and the Government by yet again speaking of a breathalyser rather than a bracelet testing component (HL Deb 7 February 2012, v.735 c187-201). That is not to say however, that all other aspects of the scheme to which Baroness Finlay of Llandaff alluded also remained unaltered. In fact, the AMR structure that she verbally erected contained a number of parts that were different to those envisaged by Kit Malthouse back in late 2010 (see Chapter Seven, Figure 7.1) and also by herself in summer 2011 (see Section 8.3.2). For example, as shown in Figure 8.2 below, the proposed length of the AMR was reduced dramatically, alternate testing venues were proposed, and costs were planned to be covered by not only extracting monies from offender’s pockets but also by raiding the Mayor of London’s coffers (HL Deb 7 February 2012, v.735 c187-201). In addition, adherence to the South Dakota model was watered down with respect to offender eligibility – i.e. in line with earlier AMR blueprints Baroness Finlay of Llandaff confirmed that alcohol-dependent individuals would be excluded from the scheme. Programme details were thus continuing to be worked through, and in the process elements were mutating as the legislative clock ticked away. Or put another way, bugs were seemingly being ironed out by the PTAC in a quest for financial and technical policy feasibility (Kingdon, 2011).

Figure 8.2. Alcohol Monitoring Requirement Pilot Overview (February 2012)

Criminal Justice Sentence
<ul style="list-style-type: none">• Community or Suspended Sentence Order. Post-release license condition.• Duration: 12 weeks (to achieve behavioural change).
Alcohol Monitoring
<ul style="list-style-type: none">• Twice-daily breathalyser regime.• Testing venues: court and probation premises near transport hubs.• Testers: private company or third-sector organisation (paid staff not volunteers).• Funding: offender to pay for each breathalyser test (usually £1) and Mayor of London to fund the pilot.
Breach
<ul style="list-style-type: none">• If the test result is inconclusive, a second test would be undertaken.• If the offender ‘blows hot’, does not present themselves for testing, or does not pay, breach processes would ensue. Punishment would be modest (e.g. an extension of the monitoring period).• Compatible with human rights law: no compulsion for an officer to arrest for non-compliance and no compulsion to detain on arrest. Arrest must satisfy the test of reasonableness and proportionality.
Target Offenders
<ul style="list-style-type: none">• Adults and young people convicted of medium and high-level alcohol-related offences, but in particular:<ul style="list-style-type: none">- Offenders who commit violence against the person (i.e. domestic violence; common assault; threatening behaviour).- Drink-drivers.• 9,000 cases in London would be eligible (25–50 percent in employment).• Alcoholics to be excluded (via pre-court screening).
Pre-requisites
<ul style="list-style-type: none">• Primary legislation.

Source: Extracted from HL Deb 7 February 2012, v.735 c187-201

Unanimous support was received from Peers who contributed to the AMR debate, including Lord Carlile of Berriew (the (then) President of the Howard League for Penal Reform) and Baroness Helen Newlove who not only spoke movingly about her husband who had been kicked to death in an unprovoked attack practically next to his doorstep by three intoxicated young people in 2007, but who also later engaged in PTAC lobbying activity (HL Deb 7 February 2012, v.735 c187-201; also see Newlove, 2012).

“[Baroness Newlove] had only just done her maiden speech. But she literally only came in to listen, and I was like [whispers] ‘Helen, Helen, you’ve got to speak’. And she said ‘I can’t, I can’t’ and I said ‘yes, yes you can, all you’ve got to do is stand up and say this is what happened in my life’” (Interviewee: Baroness Jenkin of Kennington).

During the debate, Peers urged the Government to permit London to experiment with South Dakota’s approach in order to ascertain if it could deter individuals from committing alcohol-fuelled crime, improve their health, and help them to lead socially responsible lifestyles (HL Deb 7 February 2012, v.735 c187-201). The foremost arguments presented being that existing alcohol abuse interventions were failing spectacularly as demonstrated by appalling A&E/crime statistics, and that the time had come for novel ideas to be trialled in a sleeves-rolled-up fashion (HL Deb 7 February 2012, v.735 c187-201). Indeed, in a dizzying second u-turn, Lord Bach, Labour’s Shadow Spokesperson for Justice (2010–2012), announced that the opposition Front Bench supported the idea of an AMR pilot *“all the way”* and acknowledged that *“slight risks”* would have to be taken in the pursuit of doing more (HL Deb 7 February 2012, v.735 c187-201).

Yet again however, nudging did not lead to desired policy budging for the PTAC, as on behalf of the Government, Baroness Northover, a Government Whip and Spokesperson on various issues including justice, rejected Baroness Finlay of Llandaff’s AMR amendments. In doing so, Baroness Northover reported that alongside adopting a range of measures to address alcohol-aggravated crime (including examining pricing and licensing; learning from Drink Banning Order trials (see Appendix M); and emphasising the impact of substance misuse within violence reduction programmes), the Government was still committed to launching a Conditional Caution sobriety pilot scheme (see Appendix M) (HL Deb 7 February 2012, v.735 c187-201). What is more, she confirmed that the MoJ and the Home Office had developed new proposals to deliver a second sobriety pilot scheme, one which would test the concept as part of Community Orders (see Figure 8.3 below) (HL Deb 7 February 2012, v.735 c187-201).

Figure 8.3. Sobriety schemes proposed by the government (February 2012)

	Conditional Caution Pilot	Community Order Pilot
Target Offences	‘Low-level’ offences	‘More serious’ offences
Monitoring	Breathalysers	Sobriety bracelets
Breach	Prosecution for original offence	Existing breach processes

Source: Extracted from HL Deb 7 February 2012, v.735 c187-201

According to Baroness Northover, the aim of these two pilots would be to draw on US experience to test the efficacy of enforced abstinence, assess the (dis)advantages of utilising different monitoring technologies, evaluate benefits, and take forward what works best – all of which, she argued, could be achieved without the introduction of new primary legislation (HL Deb 7 February 2012, v.735 c187-201).

Although ostensibly a tiny step in the right direction, this Governmental announcement was seemingly far from music to Baroness Finlay of Llandaff’s ears: her preferred breathalyser regime remained tethered to a voluntary Conditional Caution scheme; and ‘offender pays’ and flash incarceration had not been incorporated into either of the Government’s planned pilots. In defending such exclusions, Baroness Northover maintained that besides being non-essential, compelling an offender to pay for their own testing was incompatible with the English and Welsh criminal justice system as “*no mechanism exists for a criminal court to require an offender to pay the costs of delivering a non-financial penalty*” (HL Deb 7 February 2012, v.735 c187-201). Moreover, she argued that “*since the fine would be a punishment in its own right, this would add considerable punitive weight to the nature of the sentence and the court would factor that in*” (HL Deb 7 February 2012, v.735 c187-201). As Baroness Finlay of Llandaff and one interviewee who wished to remain anonymous recalled:

“[The MoJ] got very worried about precedents. And fines in dribs and drabs rather than one block [...] it didn’t fit the criteria for a fine and a penalty because you would be repeatedly fining people over and over again, £1 every day for the crime that they committed” (Interviewee: Baroness Finlay of Llandaff).

“... [the MoJ] were never going to allow offenders [to be charged] for their own punishment [...] it wasn’t a popular idea with [...civil servants...], that’s for sure” (Interviewee – Anon: 8).

With respect to the decision to adhere to normal breach procedures, Baroness Northover reported that the Government was concerned about the prospect of granting a constable the power to arrest without warrant, without warning, and without consultation with a Responsible Officer, and further remarked that the PTAC's desire to immediately arrest a non-compliant offender would achieve little as powers did not exist to detain them prior to their breach hearing (HL Deb 7 February 2012, v.735 c187-201). The scenario would thus be 'arrest-leave-hearing' as opposed to 'arrest-incarcerate-hearing'. In short, Baroness Northover suggested that the rules of the English and Welsh criminal justice 'game' were not amenable to South Dakota's night-in-jail deterrent strategy, and that the Government had no intention to alter them to suit. Some things would have to be lost in 'international-subnational' translation.

"I completely understand what Professor Humphreys' presentation is about in terms of the paradigm shift in responding to offending [...] It does make sense. Particularly with repeat offenders. Swift, short, proportionate punishment is a great idea. But our legal system is not set up to support that approach" (Interviewee – Anon: 14).

Notably, in further distancing the Government's proposed schemes from the PTAC's AMR framework, Baroness Northover also confirmed that domestic abuse perpetrators would not be eligible to participate in the Government's pilots due to the complexity and danger associated with this form of violence (HL Deb 7 February 2012, v.735 c187-201). Indeed, although she did concede that this position could be revised going forward should evidence indicate that sobriety could be fruitfully employed in combination with specialist prevention programmes, Baroness Northover effectively drew a fat red line through Kit Malthouse's idea of importing Larry Long's programme to tackle domestic violence in Greater London (HL Deb 7 February 2012, v.735 c187-201). In response to Baroness Northover's speech, Baroness Finlay of Llandaff bombarded her with a string of questions concerning:

- Which pieces of legislation the Government had identified that a) would permit breathalysers to be employed to monitor alcohol abstinence, and b) allow sobriety to be utilised as penal response to serious offences.
- If sobriety tags had been approved by the Home Office, and if not, when such approval was anticipated.

- Why the Government had downgraded the importance of domestic violence, despite its long-term effects on families (HL Deb 7 February 2012, v.735 c187-201).

Following Baroness Northover's reply that such matters could be discussed outside of the Lords Chamber, Baroness Finlay of Llandaff chose to withdraw her AMR amendments, but in doing so warned that she would bring them back at Report Stage should she receive unsatisfactory answers (HL Deb 7 February 2012, v.735 c187-201).

Three days later, on 10 February 2012, City Hall confirmed that London would be the first city in England to undertake a 'mini' sobriety pilot and that this was planned to commence in summer 2012 (GLA, 2012). Although information released by the GLA and reported by the media is rather scant, confusing, and somewhat contradictory with regard to the intended structure of this pilot, evidence intimates that it was to mirror the Community Order scheme sketched by Baroness Northover (see Figure 8.3) and would involve 100–300 offenders; be targeted at those who persistently engage in alcohol-related crimes such as criminal damage or assault; and receive funding from the Home Office to the tune of £400,000 (Alcohol Policy UK, 2012; Evening Standard, 2012a; 2012b; GLA, 2012; Nye, 2012; Robinson, 2012).

So, where did this announcement leave the PTAC's AMR pilot? Did members of the alliance admit defeat and acquiesce with the Government's preferred plan of action? Had the steam been taken out of the quest for sobriety-related powers to be officially 'on the books' so as to thwart any Governmental back-tracking post-LASPO? Findings would suggest not. Indeed, in publicising their new alcohol abstinence pilot Boris Johnson and Kit Malthouse both emphasised that they regarded it as a template for the wider reforms that they would continue to lobby for – reforms that would permit London to mimic the South Dakota model (GLA, 2012). Breathalysers, offender pays, flash incarceration, and utilising mandatory sobriety to tackle domestic violence remained very much on the policy table from City Hall's perspective (GLA, 2012). In essence, a 'window of opportunity' was seemingly judged to be open by the GLA and other members of the PTAC (see Jenkin, 2012; Kingdon, 2011). Tackling alcohol-related crime was on the Government's institutional agenda (the problem stream), compulsory sobriety had been worked up as a potential solution, with some 'softening' occurring within parliamentary and expert circles (the policy stream), and the *LASPO Bill* as a 'propitious moment' and potential vehicle for Government-endorsed policy change and/or amendment hijack was

maturing (the political stream). ‘Coupling’ had occurred, members of the PTAC were not going to let their window close without seizing the chance to ‘shove’ their ‘pet proposal’ through for enactment (see Kingdon, 2011).

8.4. Chapter summary

This chapter has applied Stages Five through to Eight of Evans and Davies’ (1999) organisational scheme to the case of MOPAC’s AAMR Pilot. In doing so, it has analysed ministerial and bureaucratic opposition to the GLA’s petition for new compulsory sobriety legislation, and has highlighted the strategies that were adopted by ‘international-subnational’ crime control policy transfer champions when seeking to persuade the Coalition Government to support their AMR bill amendment. In particular, this chapter has traced the emergence of an inter-organisational PTAC, drawing attention to individual motives for joining this policy alliance and the reasons as to why attempts made by this grouping to introduce a London-based pilot that included ‘core’ elements of the South Dakota 24/7 Sobriety Project were resisted. All of these findings will be discussed in greater detail in Chapter Ten (Section 10.2.2). In the following chapter, findings pertaining to Stages Nine through to Twelve of Evans and Davies’ (1999) framework will be presented.

Chapter Nine

Another Tool in the Judiciary's Arsenal

9.1. Introduction

This chapter applies Stages Nine through to Twelve of Evans and Davies' (1999) voluntary 'policy transfer network' analytical and organisational scheme to the case of the Mayor's Office for Policing and Crime's (MOPAC) Alcohol Abstinence Monitoring Requirement (AAMR) Pilot. These stages pertain to the second and third broad phases of the policy transfer process that Evans and Davies (1999) identify – that which entails decision-making, and post-decision processes of policy-orientated learning.

9.2. Three major decisions

Outline: As detailed in Box 9.1 below, Evans and Davies (1999) maintain that during Stage Nine and Stage Ten of the voluntary policy transfer process the client will engage in evaluation and decision-making. With regard to the case of the AAMR, findings indicate that such processes had occurred in a fluid and recurring fashion from the moment that compulsory sobriety had been identified as a potential policy intervention by Kit Malthouse, with members of the Policy Transfer Advocacy Coalition (PTAC) and the Coalition Government taking a stance on what should (not) be imported from South Dakota. Nevertheless, data do reveal that between March 2012 and July 2014 three major decisions were made, two of which were entwined with evaluation. Notably, these decisions did not entail compulsory sobriety being selected by 'the client' (i.e. the Government) over competing proposals floating around in the 'policy primeval soup' (see Box 9.1). Rather, as will be discussed below, they pertained to the introduction of an AAMR amendment, the exclusion of domestic violence perpetrators from initial AAMR trials, and the enactment of an AAMR Piloting Order for the South London Local Justice Area.

Box 9.1. Evaluation and decision

Stage Nine – Evaluation

“Once the client is satisfied with the degree of intelligence gathering that they have engaged in, a process of evaluation will commence. The evaluation process is critical in determining: the objects of transfer [...]; the degree of transfer [...]; and the prerequisites for transfer [...] which will condition the emergence of a policy idea.”

Stage Ten – Decision

“The policy transfer process is not an isolated enterprise, but an integral part of the policy process. Hence it is best understood, in John Kingdon’s terms, as one of a variety of policy alternatives competing in the ‘policy’ stream of the process. In this sense ideas for policy transfer compete with other alternatives in what Kingdon (1984) terms the ‘policy primeval soup’. The success of a process of policy transfer may be conceptualized within Kingdon’s framework and its success is ultimately dependent on satisfying the same criteria.”

Source: Evans & Davies (1999: 379)

9.2.1. The AAMR amendment

On 20 March 2012, Baroness Northover moved an AAMR amendment in the House of Lords during the Report Stage (5th Sitting) of the *LASPO Bill* (HL Deb 20 March 2012, v.736 c802-815). This amendment was promptly approved by Peers (HL Deb 20 March 2012, v.736 c802-815). The AAMR was subsequently introduced in section 76 and 77 of the *LASPO Act 2012*, which received Royal Assent on 1 May 2012. These sections permit courts in England and Wales to impose a punitive requirement that an offender abstain from alcohol for a fixed period (not exceeding 120 days) and be regularly tested to ensure compliance as part of a Community or Suspended Sentence Order where the consumption of alcohol is an element of the offence committed or a contributing factor in its

commission (LASPO Act, 2012; MOPAC, 2014a)⁸⁰. Dependent drinkers are ineligible for the Requirement, and an Alcohol Treatment Requirement (ATR – see Chapter Five, Section 5.4.1) cannot be made as part of the Order (LASPO Act, 2012). Crucially, the *LASPO Act 2012* also asserts that the Secretary of State must enact a Piloting Order to instigate AAMR trials in specific geographic areas prior to consideration of wider implementation (LASPO Act, 2012; MOPAC, 2014b).

Although somewhat vague when beheld in its legal format, Baroness Northover did in fact forward further details concerning the structure of the Coalition Government’s planned AAMR pilots when speaking in the Lords Chamber in March 2012, with analysis indicating that key components of the PTAC’s desired scheme had been adopted (i.e. breathalyser testing), were to be discussed further (i.e. applicability to domestic violence perpetrators), or were omitted (i.e. ‘offender pays’; flash incarceration) (see Figure 9.1) (HL Deb 20 March 2012, v.736 c802-815).

Figure 9.1. AAMR Pilot outline (20 March 2012)

Criminal Justice Sentence
<ul style="list-style-type: none"> • Community or Suspended Sentence Order. Duration: 120 days (maximum). • Alcohol awareness and education to be offered alongside.
Alcohol Monitoring
<ul style="list-style-type: none"> • Breathalyser regime: testing to be undertaken at a police station/test centre <u>OR</u> sobriety bracelets. Funding: central government.
Breach
<ul style="list-style-type: none"> • Standard breach processes to ensue following non-compliance with the AAMR’s conditions.
Target Offenders
<ul style="list-style-type: none"> • Adults convicted of ‘serious’ alcohol-related offences. <ul style="list-style-type: none"> • Violent offenders. Domestic violence perpetrators to be discussed with Violence Against Women and Girls (VAWG) specialists. • Alcoholics to be excluded (via pre-court screening).

Source: Extracted from HL Deb 20 March 2012, v.736 c802-815

⁸⁰ The *LASPO Act 2012* also permits courts to specify that an offender cannot consume more than a specified amount of alcohol, hence allowing the possibility of restricted drinking rather than complete abstinence (Lamb, 2013).

So, why did the Coalition Government decide to introduce its own bill amendment to enable compulsory sobriety pilot schemes to proceed? And, moreover, why did the Government's vision concerning the components of these pilots modify slightly from that outlined by Baroness Northover previously? (see Chapter Eight, Section 8.3.3). Potential answers to these questions mined from both documentary materials and interview transcripts are certainly profuse.

For instance, the Government itself maintained that its acceptance of enforced alcohol abstinence as a policy solution was not only driven by the wish to collect evidence and learn lessons about the feasibility and efficacy of replicating aspects of South Dakota's approach in the English and Welsh context, but also by the desire to send a strong message to the public that involvement in alcohol-fuelled crime will be punished and that the 'right' to consume alcohol is neither unqualified nor irrevocable (HL Deb 20 March 2012, v.736 c802-815; Ministry of Justice, 2012a; 2012b). In addition, the Government stated that its actions stemmed from the belief that mandatory sobriety complemented other measures contained within its forthcoming Alcohol Strategy (see HM Government, 2012) and that it held the potential to make citizens safer, reduce victimisation, and lower state expenditure via breaking the cycle of alcohol-related crime committed by non-dependent drinkers⁸¹ (HL Deb 20 March 2012, v.736 c802-815; Ministry of Justice, 2012a; 2012b).

Other sources however, claim that the Coalition Government was largely persuaded by the relentless arguments for policy transfer, intervention, and innovation forwarded by Baroness Finlay of Llandaff, her Backbench colleagues within Parliament⁸², City Hall agents, and/or other Government 'outsiders' that belonged to the PTAC (Harris, 2012; HL Deb 20 March 2012, v.736 c802-815; Interviewee: David Burrowes). Moreover,

⁸¹ A Home Office Impact Assessment produced in 2009 estimated the total cost of alcohol-related crime in the United Kingdom (UK) to be between £8 billion and £13 billion per year (in 2003 prices) (Home Office, 2009). This figure takes into account "*the costs in anticipation of crime, the direct physical and emotional costs to victims, the value of lost output, and the costs to the health service and Criminal Justice System*" (Home Office, 2009: 8).

⁸² Unfortunately, data collected are unable to shed considerable light on which Backbench Members of Parliament (MPs) favoured the AMR. Clearly, Matthew Offord and Mike Freer were advocates (see Chapter Eight), and so too was David Burrowes (see below) (Interviewee: David Burrowes). Some bias towards Greater London MPs is thus discernible, and aligns with the lobbying attempts of Greater London Authority (GLA) agents (see Chapter Eight, Section 8.3.1).

several pieces of evidence collected suggest that Nick Herbert⁸³ – the Minister for Policing and Criminal Justice (2010–2012) and Government ‘insider’ – possibly aided the emergence of the AAMR via endorsing calls to import mandatory sobriety behind the scenes (Herbert, 2014; Humphreys, 2014a; Interviewee: Keith Humphreys; Malthouse, 2016).

Alternatively, a small number of interviewees mused that the size, profile, and influence of the GLA as a regional authority perhaps played a role in the Government’s decision to legislate, with one informant further suggesting that the ears of political elites were more open to Boris Johnson’s demands because of his Mayoral status and proximity to elites within the Conservative Party (Interviewee: David Burrowes; Interviewee – Anon: 25). Indeed, while one interviewee maintained that a genuine localism agenda existed within Government (Interviewee – Anon: 25), the fact that a London Mayoral election was looming and the fact that a compulsory sobriety ‘victory’ was likely to generate a buzz and helpful news headlines for Boris Johnson was not overlooked as a potential catalyst for legislative change by some (Harris, 2012; Interviewee – Anon: 25).

It is of course possible that none, several, or all of these answers hold some truth, and/or that supplementary explanations for the Government’s actions have not been captured by the evidence collected for this case. One answer that arguably warrants a more extensive narrative, however, is that which holds that the Coalition Government’s AAMR amendment was, in part, an outcome of political negotiation. To expand, data indicate that in the days preceding the materialisation of the AAMR, Baroness Finlay of Llandaff was intent on relaying her Alcohol Monitoring Requirement (AMR) amendments and was likely to secure a win should a vote be called (Harris, 2012; Interviewee: Joe Mitton). Yet, the upshot of this scenario would have been be a tenth *LASPO Bill* defeat for the Government in the House of Lords, further delay with respect to the passing of the Bill, and a very short-lived triumph for the PTAC as when the Bill returned to the House of Commons to pass through the Consideration of Amendments Stage the Government would simply have stripped out the AMR amendments via inciting its workable majority (Correspondence: Keith Humphreys; Harris, 2012). Hence, both parties were vulnerable,

⁸³ Notably, Nick Herbert later sought to routinise what was branded ‘swift and sure justice’ in England and Wales via learning from the rapid reaction of the police, prosecutors, and courts following the August 2011 riots (see Ministry of Justice, 2012c).

and an impasse had been reached. Failure and embarrassment were on the horizon for both the PTAC and the Government. What is more, diversion away from this disagreeable situation looked improbable given that Kenneth Clarke's opposition to compulsory sobriety and its associated legislation showed no signs of abating⁸⁴ (Interviewee: Keith Humphreys). Interview evidence does suggest nonetheless, that a tactical move made by Professor Humphreys may have disturbed Kenneth Clarke's resolve. That is, during what was intended to be a social get-together with David Burrowes⁸⁵ (MP for Enfield Southgate, Greater London), Professor Humphreys reportedly spoke of Kenneth Clarke's hostility towards the PTAC's efforts, and in doing so enquired as to whether David Burrowes, in his capacity as PPS to Oliver Letwin (Minister of State for Government Policy, 2010–2015), could ask him to help break the stalemate (Interviewee: Keith Humphreys). According to Professor Humphreys:

“[David Burrowes] said, ‘please sit down at my desk and write the message to [Oliver Letwin] that you want him to see and I will send it to him immediately’. I wrote about how the sobriety programs had worked in the States and that I thought it would work in the UK. I also said that I thought that it would be good policy as well as good politics for the Government to pass it, because I thought that anything that pushed back on the serious alcohol problems of the UK would be something any Government would want to take credit for” (Correspondence: Keith Humphreys).

“... this happened in a context. I had known [David Burrowes] for a number of years and we had and still have a relationship of trust and respect [...] If I had just

⁸⁴ Whether such opposition would ultimately have resulted in neither of the Coalition Government's planned sobriety pilots actually launching post-LASPO is undoubtedly worthy of speculation. Certainly, one could conjecture that Kenneth Clarke's plan was to 'ride out' this particular 'wave' of AMR petitioning (by, for example, offering concessionary schemes that would both appease advocates and leave the *LASPO Bill* free of sobriety clauses), and then quietly shelve all pilot plans in a section labelled 'Boris-Fuelled Fad' once Boris Johnson had lost interest in the idea and/or had failed to secure a second term in office.

⁸⁵ Professor Humphreys and David Burrowes first met in 2009 when the former briefed Conservative MP's on methadone maintenance and addiction recovery (Interviewee: Keith Humphreys). In 2010, David Burrowes was appointed as Parliamentary Private Secretary (PPS) to Oliver Letwin, with a particular remit in relation to drugs and alcohol policy (Interviewee: David Burrowes).

appeared out of the blue and asked an MP to help me nothing would have happened ...” (Correspondence: Keith Humphreys).

Why Professor Humphreys declined to make contact with Oliver Letwin directly is something of a mystery as the pair had interacted with each other previously (Correspondence: Keith Humphreys). Nevertheless, in accepting David Burrowes’ offer to act as a conduit for the transmission of his case it would appear that Professor Humphreys succeeded in moving AMR amendments onto – or up – Oliver Letwin’s ‘to do list’, the consequence of which being that he telephoned Kenneth Clarke and asked him to give way and broker a deal (Interviewee: Data Intentionally Unattributed; Interviewee: David Burrowes; Interviewee: Keith Humphreys).

“It was [Oliver Letwin] at Number 10 who made the call” (Correspondence: Keith Humphreys).

“I think at the end apparently there was a phone call from Downing Street [...] they spoke to [...] Ken Clarke, and said ‘why not just let this one go?’” (Interviewee: Joe Mitton).

Oliver Letwin’s own motivations for making this call remain shrouded. Certainly, it is possible that the triggers for policy change outlined above may have influenced his actions. But then, it is also conceivable that he intervened, in part, because a) it was his job to resolve policy issues within departments (Interviewee: David Burrowes), b) he judged Professor Humphreys to be credible and his intentions with respect to the matter to be altruistic (Interviewee: Keith Humphreys), and/or c) he was aware that members of the PTAC were being a “*pain in the a*se*” and petitioning Downing Street aides including Patrick Rock in a ‘pest-like’ fashion (Interviewee: Baroness Jenkin of Kennington; Interviewee: Joe Mitton; Interviewee: Kit Malthouse). Moreover, given their close relationship, it is likely that Oliver Letwin was cognisant of the fact that the Prime Minister, David Cameron, was intent on introducing an automatic punitive element into non-custodial sentences in a bid to prevent them being (viewed as) a ‘soft option’, and that he was eager to exploit technological change (e.g. sobriety bracelets and Global Positioning System (GPS) tags) to fight crime (Chapman, 2012; Morris, 2012; Watt, 2012; Winnett, 2012a). Certainly, newspaper articles published in mid-March 2012 reported that David Cameron and other Downing Street elites were keen to step up

pressure on Kenneth Clarke as they felt that his approach to crime was too lenient and undermined the Conservative Party's traditional stance on law and order (Chapman, 2012; Morris, 2012; Watt, 2012; Winnett, 2012a).

Impetus aside, evidence does indicate that Kenneth Clarke paid heed to Oliver Letwin's request for a bargain to be struck as an appointment was made to discuss compulsory sobriety with members of the PTAC.

“The tide was clearly changed by [Oliver Letwin's] intervention, and [David Burrowes] told me the next week that without that, the Government would have stayed opposed” (Correspondence: Keith Humphreys).

“Did the email have a particular influence? It is hard to say [...] it might have helped sight [Oliver Letwin] of the issue and how to deal with it better” (Interviewee: David Burrowes).

“The Secretary of State wouldn't have introduced [the AAMR] off his own back” (Interviewee – Anon: 25).

Given her less than fruitful previous encounter with Kenneth Clarke (see Chapter Eight, Section 8.3.2), Baroness Finlay of Llandaff was benched (Interviewee: Baroness Finlay of Llandaff; Interviewee: Baroness Jenkin of Kennington). Instead, two Conservative Peers attended the meeting with Kenneth Clarke: Baroness Jenkin of Kennington (who is

friends with Kenneth Clarke) and Lord Wasserman⁸⁶ (who had worked with Kenneth Clarke in the Home Office when he was Home Secretary and who had acted as a Government advisor on policing and criminal justice since 2011) (Interviewee: Baroness Jenkin of Kennington; Interviewee: Lord Wasserman). Despite being prepared for an antagonistic encounter, findings suggest that Kenneth Clarke was rather agreeable. He asked a small number of rudimentary questions, resisted a little on costing grounds, and listened to his Special Adviser, Kathryn Laing, who reportedly acted as a helpful mediator or ‘middle agent’ (see Davies & Johnson, 2016) (Interviewee: Baroness Jenkin of Kennington; Interviewee: Lord Wasserman). Indeed, Kenneth Clarke’s response was sufficiently amenable to cause Lord Wasserman to question whether he had ever been the roadblock to policy change.

“... it was a non-event. I don’t know what happened but by the time we got there [...] I don’t think I persuaded [Kenneth Clarke] because there wasn’t much persuasion to be done [...]. Frankly, as far as I was concerned, it was a bit of a storm in a teacup [...] It was some sort of anti-climax [...] I expected a big battle”
(Interviewee: Lord Wasserman).

⁸⁶ Lord Wasserman was created a Life Peer in 2011 following both a public and private sector career that entailed engagement with science and technology within policing (Interviewee: Lord Wasserman). When interviewed, Lord Wasserman reported that he was informed about the legislative difficulties facing the PTAC via Kit Malthouse with whom he was friendly and with whom he had communicated regularly following Kit Malthouse’s appointment as London’s Deputy Mayor for Policing (Interviewee: Lord Wasserman). Lord Wasserman recalled that he agreed to support the compulsory sobriety campaign for several reasons. First, he is an avid localist – he believes that responsibility for policing and public safety should be devolved to subnational areas, and that if an elected Mayor and other local stakeholders wish to trial an innovation then they should have the authority to do so (N.B. Lord Wasserman was a key protagonist for the Police and Crime Commissioner (PCC) model – see Davies & Johnson, 2016) (Interviewee: Lord Wasserman). Second, he is “*prepared to mount an experiment at the drop of a hat*” and as such does not need to be convinced that an idea – borrowed or indigenous – will definitely succeed before launching a pilot (Interviewee: Lord Wasserman). Third, he was confident that sobriety bracelets and their associated psychology could successfully transfer across the Atlantic and in doing so improve the lives of domestic violence survivors (Interviewee: Lord Wasserman). Notably, at the point in time in which he engaged with this study, Lord Wasserman was also lobbying the Home Secretary to approve a trial that would involve domestic abuse perpetrators being compelled to wear GPS proximity tags under Domestic Violence Protection Orders (Interviewee: Lord Wasserman). What is interesting about this particular example is that parallels can in fact be drawn with the AMR campaign – that is, subnational agents (i.e. the PCCs for Northumbria and Cheshire and their Chief Constables) were eager to trial a mandatory domestic violence intervention that was operating abroad (i.e. in Spain and Portugal) and involved a form of monitoring, yet were blocked from doing so by central government (Interviewee: Lord Wasserman).

The outcome of this meeting, and possibly others held with Baroness Northover and Baroness Browning (the latter of whom had returned to the Backbenches), was that a compromise was reached: the Government would introduce an AAMR amendment that would permit alcohol monitoring to be undertaken either via breathalyser or alcohol tag, and in return, the PTAC would drop flash incarceration and ‘offender’ pays in favour of existing criminal justice processes (HL Deb 20 March 2012, v.736 c802-815; Interviewee: Baroness Finlay of Llandaff; Interviewee: Baroness Jenkin of Kennington; Interviewee: Keith Humphreys; Interviewee: Kit Malthouse; Interviewee – Anon: 25; Malthouse, 2016). In addition, the PTAC had to agree that control over the initiation of any AAMR pilot schemes would sit firmly in the hands of the Government (Interviewee: Kit Malthouse). Although some recognition seemingly existed that forsaking fundamental elements of the South Dakota model was far from ideal (particularly as the speed of, and message transmitted by, the English and Welsh criminal justice system was regarded as sluggish and blurry when compared to the ‘*skip or fail = definite and immediate consequence*’ message built into 24/7 Sobriety), findings do indicate that most members of the PTAC were satisfied with the pact that was made. Indeed, Peers reportedly danced in the corridors of Westminster Palace and celebratory emails pinged around City Hall on the day that the AAMR passed through the House of Lords (Interviewee: Baroness Jenkin of Kennington; Interviewee – Anon: 8).

“The problem that we had hit was that if they breached they would have to go back to the magistrate’s court, and how quickly they would go back. ‘You are in a queue. You will be heard between then and then’. Rather than saying that ‘you will be up in front of the magistrate the next day without a doubt, and you will be sentenced to...’ no clear messages. And the criticism that has come back from Keith Humphreys over what we eventually got through is that it wasn’t as clear cut” (Interviewee: Baroness Finlay of Llandaff).

9.2.2. Excluding perpetrators of domestic violence

Just six days later however, a further decision was made that entailed some disappointing news being delivered to Kit Malthouse. That is, the Government explicitly ruled out the possibility of including domestic violence perpetrators within any initial AAMR pilots.

Findings suggest that while some members of the VAWG community had not expressed strong views or had offered caveat-laden support during the development of the AMR, other members had in fact been articulating arguments against imposing alcohol abstinence on domestic violence offenders for quite some time (HL Deb 20 March 2012, v.736 c802-815; Interviewee: Joe Mitton; Interviewee – Anon: 8; Interviewee – Anon: 20). Nevertheless, it was subsequent to statements being made in the House of Lords that suggested that domestic violence specialists backed the idea of imposing an AAMR on perpetrators that 13 organisations, including all of the voluntary sector agencies that had been selected to sit on the GLA’s VAWG Panel, issued a Joint Statement conveying their disapproval (Interviewee – Anon: 20; Interviewee – Anon: 26). This interest group mobilisation led to a meeting being held that was attended by a range of AAMR stakeholders (including *inter alia*: three Peers including Baroness Finlay of Llandaff and Baroness Northover, a Ministry of Justice (MoJ) official, two VAWG specialists, and three representatives from MOPAC) and that permitted fears to be aired (Interviewee: Data Intentionally Unattributed). Indeed, while not quarrelling with the notion that the severity of an assault can be greater when a perpetrator has consumed alcohol or other substances, data confirm that domestic violence experts had a plethora of grave concerns about, and fervent objections to, employing compulsory sobriety to address what is a highly complex form of violence. These concerns and objections are presented in Appendix N.

If such hostility towards the notion of compulsory sobriety was in some way entangled with political allegiance to Ken Livingston who was running against Boris Johnson in the imminent London Mayoral election is a moot point, as are claims that:

- a) VAWG specialists were unreceptive to alien ideas due to being ‘institutionalised’, and
- b) MOPAC representatives were dishonest about their plans to include domestic violence within a London compulsory sobriety pilot around the time the Government brought forward their AAMR amendment (Interviewee: Keith Humphreys; Interviewee: Kit Malthouse; Interviewee: Data Intentionally Unattributed).

“... part of the problem with new policy thinking in this country is that people become very institutionalised in a kind of accepted way of thinking, and it becomes

difficult for them, particularly if they are frontline [...] very often it is difficult to just lift your eyes and just wipe your mind clean” (Interviewee: Kit Malthouse).

“MOPAC reps lied throughout the meeting [held on 26 March 2012] claiming that they had never intended to use [the AAMR] for DV cases, despite only consulting with the [VAWG community] on said issue days before the meeting” (Correspondence: Data Intentionally Unattributed).

What is apparent however, is that the Coalition Government did choose to align with VAWG experts, and in doing so clarified that domestic violence would definitely not be included within any AAMR implementation strategies in the near future (Interviewee – Anon: 26). First ‘offender pays’ and flash incarceration, then domestic violence – it was a triple ‘non-transfer’ (Evans & Davies, 1999) whammy for members of the PTAC. The Government had sunk efforts to import innovative mechanisms of criminal justice, and had buried City Hall’s intention to reduce domestic violence across London via mandating alcohol abstinence. It is interesting to note, nonetheless, that the Government opted not to dig too deeply with regard to the latter, as findings indicate that the MoJ did state that it would be willing to exhume the notion of a ‘*compulsory sobriety and perpetrator programme*’ Combination Order should AAMR pilots indicate that this might be worthwhile testing (Correspondence: Interviewee 26). ‘Non-transfer’ would thus become ‘delayed transfer’.

Although the Coalition Government had scuppered his policy borrowing plans, Kit Malthouse was decidedly pragmatic when reflecting on the matter when interviewed. His attitude seemingly being that compromises had to be made to get a trial off the ground, and that positive evaluation results would bolster future attempts to mimic the South Dakota model more closely:

“Well I was disappointed [...] we came to the view that you pitch high and if you come in lower, you come in low enough that you still think that the structure of the scheme will prove its efficacy and that over time people will then start accepting moving towards the full model. So the next stage will be to say, look, we need to start charging for this” (Interviewee: Kit Malthouse).

“We had to pull back from domestic violence [...] the obstacles in the way of things became too great to the extent that they were threatening the primary purpose, which was just to get started [...] in some form as close as possible to the real thing. And if that is successful, well success has many fathers right, so as soon as it is successful everybody will think this is a great idea, their idea, and off we go” (Interviewee: Kit Malthouse).

Or, as two different interviewees recalled:

“It has been an uphill battle. We’ve picked the fights that are worth having. For example, not picking a fight over [domestic violence]” (Interviewee: MOPAC Representative –2).

“[...] the focus was to get the thing operational with a focus on whatever crime types were going to work. At that point the focus stopped being ‘let’s get this to work for [domestic violence]’” (Interviewee – Anon: 8).

9.2.3. Ministerial approval

On 5 May 2012, Boris Johnson was sworn in for a second term as the Mayor of London having beaten his rival Ken Livingstone by just three percentage points (BBC News, 2012; Mulholland, 2012). One month later, on 6 June 2012, Stephen Greenhalgh was appointed as London’s inaugural and statutory Deputy Mayor for Policing and Crime. In the run up to the election, Kit Malthouse had made it clear that he wished to change portfolio (Interviewee: Kit Malthouse). As a result, he was appointed as London’s first Deputy Mayor for Business and Enterprise, with Joe Mitton making the departmental transition with him (Interviewee: Joe Mitton; Interviewee: Kit Malthouse). Crucially however, Kit Malthouse had not been willing to take the risk that his policy “*baby*” would be abandoned as a consequence of elite personnel changes within City Hall (Interviewee: Kit Malthouse). As such, prior to departing from MOPAC he produced Boris Johnson’s 2012 Crime Manifesto and in doing so inserted a pledge to “*introduce ‘compulsory sobriety’ for drunken offenders*”, thus binding the hands of Stephen Greenhalgh

(Johnson: 2012: 21)⁸⁷. Yet, despite this strategic manoeuvre, and despite parliamentary agents poking the Government for AAMR updates (see for instance, HC Deb 31 October 2012, v552, c238W; HC Deb 6 December 2012, v554, c878W; HL Deb 18 December 2012, cWA288), data indicate that between May 2012 and early 2013 no significant progress was made with regard to initiating a mandatory abstinence pilot. Although it may have been the case that Stephen Greenhalgh did not ‘get’ the idea of compulsory sobriety immediately hence causing MOPAC-specific delays, it would appear that momentum was largely lost due to the MoJ sitting the AAMR on ice for months (Interviewee: Baroness Jenkin of Kennington; Interviewee: MOPAC Representative –1). Sobriety bracelets were unexpectedly omitted from the Queen’s Speech (Dewsbury & Walker, 2012). Decision-making had been replaced by procrastination. The policy implementation process was stalling, badly. According to several interviewees, the MoJ was lethargic with respect to moving forward with AAMR trials not only because new ministers required briefings⁸⁸ and because other policies and issues were further up its agenda (for example, re-tendering electronic monitoring contracts and Transforming Rehabilitation), but also because the Government was experiencing significant budgetary pressures, the latter of which seemingly resulted in Chris Grayling confirming that he would be renegeing on previous promises made by his colleagues to bankroll and commission AAMR pilots (Grayling, 2013; Interviewee: MOPAC Representative –1; Interviewee: MOPAC Representative –2; Interviewee: Vicki Ross; Interviewee – Anon: 8).

In response to this obstruction, Boris Johnson opted to reiterate his preparedness to finance a London ‘proof of concept’ compulsory sobriety pilot via use of GLA monies (see Chapter Eight, Figure 8.2), and further proposed that the Government devolve responsibility for delivery to MOPAC (Grayling, 2013; Interviewee: MOPAC Representative –1; Interviewee: MOPAC Representative –2). This offer was unquestionably progressive as up until this point the execution of criminal justice interventions had largely been managed in-house by central government; surrendering

⁸⁷ Notably, Boris Johnson’s 2012 Crime Manifesto also included a pledge to pilot the HOPE Probation model (see Appendix G; also see Chapter Five, Section 5.4), thus highlighting Kit Malthouse’s broader ambition to transfer US community monitoring schemes into London.

⁸⁸ During September 2012 Kenneth Clarke was succeeded by Chris Grayling during a Cabinet reshuffle while Jeremy Wright was appointed Parliamentary Under-Secretary of State in the MoJ. In addition, Nick Herbert stepped down and was replaced by Damian Green.

power to a subnational body that would be accountable for vicarious implementation would break new ground (Interviewee: MOPAC Representative –2). Eventually however, the Government opted to take the plunge, with Chris Grayling confirming in late February 2013 that he and the Home Secretary would not hamper Boris Johnson’s efforts to make headway and that they were prepared to allow MOPAC to fund and mobilise its own AAMR pilot – that is, if they jumped through a few hoops (Grayling, 2013). Indeed, having introduced a commitment to “*impose enforced sobriety on offenders whose crimes are fuelled by alcohol*” into its 2013–2016 Police and Crime Plan (MOPAC, 2013a: 62), findings indicate that MOPAC officials collaborated with the MoJ, and to a lesser extent the Home Office, between March 2013 and July 2014 to forge a fully operational AAMR implementation plan (Interviewee: MOPAC Representative –1; Interviewee – Anon: 8; Interviewee – Anon: 9). Thus, in ‘letting go’ the MoJ did not fully extract itself from the pilot development process. Instead, as part of their wider brief a small number of MoJ civil servants were asked to ensure that MOPAC fully understood the ‘requirements’ that they would need to meet before Chris Grayling would be content to sign an AAMR Piloting Commencement Order. An MoJ-shaped safety net was thus in operation. MOPAC’s AAMR trial would be conducted lawfully, legally, and properly, or it would not be conducted at all (Interviewee – Anon: 9).

“... MOPAC wanted to drive forward with the pilot. [The MoJ said] ‘broadly, yes that is fine ... as long as you carry the risk of failure for it’” (Interviewee – Anon: 9).

Documentary evidence suggests that three AAMR pilot ‘requirements’ were stipulated by the MoJ in total (MOPAC, 2013b). The first was that MOPAC needed to confirm that it possessed the necessary legal powers to procure alcohol monitoring equipment and to enter into a contract with the Secretary of State for Justice (Johnson, 2013; MOPAC, 2013b). The second was that MOPAC developed acceptable pilot specifications (MOPAC, 2013b). This requirement necessitated the production of a series of documents that described: the AAMR functional process; technical requirements for the alcohol monitoring equipment; information assurance and data security provisions; and pilot evaluation aims and objectives (Interviewee: MOPAC Representative –1; Interviewee – Anon: 9; MOPAC, n.d.(c); n.d.(d); n.d.(e); 2014c). In addition, an AAMR Toolkit (see MOPAC, 2014a) was drafted for dissemination to relevant organisations that not only provided guidance concerning how the AAMR would work in practice, but also nailed

down key roles and responsibilities (Interviewee: Amit Sethi). Relatedly, the MoJ's third requirement was that local partners had to be fully and actively engaged (MOPAC, 2013b). As a consequence, MOPAC re-consulted with a plethora of crime control agencies, and hosted several training/awareness raising events to familiarise frontline professionals with the AAMR (Interviewee: Amit Sethi; Interviewee: Keith Humphreys; Interviewee: MOPAC Representative –1; Interviewee: Thirza Mullins; Interviewee – Anon: 14; MOPAC, 2014b).

It is interesting to note that although the Government's Transforming Rehabilitation programme was on the cusp of radically and fundamentally changing the criminal justice landscape and undoubtedly worked to complicate planning activity, findings do suggest that MOPAC's efforts to 'dust off' and marshal its AAMR trial were generally welcomed by local stakeholders, many of whom bought into the pilot and felt a sense of ownership with respect to its execution (Interviewee: Amit Sethi; Interviewee: Thirza Mullins; Interviewee: MOPAC Representative –1; Interviewee – Anon: 8; Interviewee – Anon: 9; Interviewee – Anon: 14).

“... that was really important, having stakeholders engaged. They weren't engaged two weeks before it went live; they were engaged many months if not years before it went live” (Interviewee – Anon: 23).

“It was quite a challenging time when we were doing it. It was Transforming Rehabilitation. Obviously, probation services are a key stakeholder, a key player, and they were going through enormous change. We were trying to design and test something new, and give them a new Order to recommend, when they were not even sure if they would have a job or where they were going to be” (Interviewee: MOPAC Representative –1).

An overview of the AAMR Pilot that was constructed by MOPAC with the assistance and guidance of local partners is provided in Appendix O.

As readers will undoubtedly appreciate, a large quantity of data were collected pertaining to the minutiae of designing MOPAC's AAMR Pilot. While such data covers a plethora of matters including why each of the pilot boroughs were selected and the rationale behind not commissioning an independent research evaluator, given the purpose of this

study just one aspect of the pilot's structure arguably requires further explanation. Namely, its incorporation of alcohol tags as opposed to breathalysers to confirm alcohol abstinence.

In light of prime-ministerial interest in importing sobriety bracelets into the UK (see Section 9.2.1 above), it would perhaps not be unreasonable to assume that government officials had somehow cajoled MOPAC into adopting this monitoring method. Indeed, although Professor Humphreys had continued to advise MOPAC following the passage of the *LASPO Act 2012*, key members of the PTAC who had firmly supported the implementation of a breathalyser regime similar to that operating in South Dakota had exited the policy process prior to Chris Grayling giving MOPAC the amber light (Interviewee: Keith Humphreys). A new chapter had begun. The PTAC had effectively disbanded. Stephen Greenhalgh and his team were in the driving seat and had inherited the AAMR rather than birthed it; were they somewhat susceptible to coaxing? Alternatively, it is perhaps not far-fetched to assume that Bernard Hogan-Howe's penchant for alcohol tags (see Chapter Eight, Section 8.3.3) may have worked its way into MOPAC's AAMR implementation plans. Evidence collected, however, does not indicate that such scenarios unfolded. Instead, it would seem that the switch from breathalysers to tags was influenced by a number of considerations, the first of which centred around financial and political constraints. To elaborate, data reveal that MOPAC officers believed that introducing a breathalyser testing programme would be highly intensive with respect to resource infrastructure due to numerous testing points and personnel being required and, as such, were disinclined to proceed with this monitoring system given that they were operating within a high risk context of shrinking public services and probation upheaval (Interviewee: Keith Humphreys; Interviewee: Matthew Mitchell; Interviewee: MOPAC Representative –1; Lamb, 2013). A second consideration ostensibly centred around intrusion, with evidence indicating that MOPAC officials were disinclined to proceed with breathalysers due to the disruption that frequently travelling to a testing facility could mount with respect to an offender's work and/or study routine (Lamb, 2013). A third consideration centred around enforcement, with findings suggesting that MOPAC agents were attracted to the speed in which an AAMR infraction could be identified via sobriety bracelets (Interviewee: MOPAC Representative –1). Notably, such attraction was seemingly buttressed by MOPAC's wish to heed Professor Humphreys' advice and incorporate '*swift, certain, and fair*' principles into its compulsory sobriety pilot, even if South Dakota's '*skip or fail = jail*' sequence could not

be replicated (see Section 9.2.1 above) (Interviewee: MOPAC Representative –2; Interviewee – Anon: 8; Interviewee – Anon: 9).

“From the start, we all knew that we were not going to be able to put someone in a cell the night that they breached their Order, which in theory is what they can do in the States. We knew that our legislative system was a little bit less sexy than the American system. It is less Hollywood, and that might be a silly British view of the States but ours is ... more measured” (Interviewee – Anon: 23).

Evidence reveals, however, that attempts to convert this wish into action were largely crushed by local crime control professionals who stressed to MOPAC that the AAMR breach process had to align with that of any other Community or Suspended Sentence Order as enshrined in the *Criminal Justice Act 2003* (Interviewee: Amit Sethi; Interviewee: MOPAC Representative –2; Interviewee – Anon: 14; Interviewee – Anon: 23). Unless a breach was considered serious, the standard procedure would thus be that of ‘*query + no reasonable excuse = first warning; query + no reasonable excuse = breach*’ (see Appendix O). Hence, the discretion of Responsible Officers was inherent and initiating breach proceedings following a first ‘non-serious’ infraction was not an option. Effectively, the offender could ‘crack’ once without penalty. In addition, the notion of speeding up the existing system to prioritise punishing those who had violated their AAMR was reportedly resisted by members of the judiciary on the grounds that they would not be comfortable fast-tracking or expediting a relatively low-level Order (Interviewee: MOPAC Representative –1).

“[In the US], we treat the first offence seriously. I remember [Roger Hadwen] saying, ‘I know I know you don’t like that’, and I go ‘yeah, I don’t like that but I do respect also that it is not my country and it is not my criminal justice system’. So for the first one to be a warning, I would rather the first one to have a consequence. In fact, I would prefer to have a warning on the fifth one rather than the first one because the first one is where you show the person this is for real” (Interviewee: Keith Humphreys).

Data suggest that the fallout of such pushback was the engendering of a situation whereby MOPAC officials came to understand that they had little option but to attempt to capture and incorporate the spirit of the ‘*swift, certain, and fair*’ philosophy into their pilot in a

manner that was compatible with the English and Welsh legal framework. The outcome of which was the design of a bespoke non-compliance notification process – a process that would entail a Responsible Officer telephoning an offender to question why they had failed to adhere to their AAMR as confirmed by transdermal alcohol monitoring data (MOPAC, 2014a). Hence, transgression would be identified and interrogated quickly (within 24–48 hours, thus potentially nipping offence escalation in the bud), while offenders themselves could be confident that if they engaged in prohibited behaviour they would definitely be caught (and would be reminded of this every 30 minutes as their sobriety tag vibrated) (Interviewee: MOPAC Representative –1; MOPAC, 2014a).

“... there was pressure around the swift and sure side as well. Really, that was one of the things that we didn't necessarily sort of deliver on in the way that we initially planned to. I thought there was a plan to maybe have a slightly swifter process to the breach proceedings, but what we did do is we thought of other innovative ways of having swift recognition of a breach communicated to an offender” (Interviewee: MOPAC Representative –1).

Although this process could be considered an improvement on the twice-daily breathalyser routine implemented in South Dakota (i.e. breath testing can be ‘gamed’ via strategic drinking, thus jeopardising the guarantee of flash incarceration), it should be noted that swift and certain acknowledgement of breach is not analogous with ‘*swift, certain, and fair*’ punishment. Indeed, given that completion of the AAMR breach process could take up to 25 days, those who declined to comply with their AAMR would have to wait to reappear in front of a magistrate or judge, who in turn could choose from a buffet of modest sanctioning options (MOPAC, 2014a; also see Appendix O). In effect, offenders would be told: *‘if you do something that you shouldn't we will catch you, and if you don't have a reasonable excuse and satisfactory evidence we will definitely punish you at some point in the future, though when and how exactly remain hazy’*. Unlike in South Dakota, London's compulsory sobriety message would thus be obscure – consequences for breach would be delayed rather than immediate, and some uncertainty surrounded the nature of the punishment that would eventually be received.

“The breach process in the States is completely different to the UK, and they deliver swift and sure and we don't [...] so somebody breaches and the breach process can take a long time to get to the end [...] because the management of a

breach is a judicial function rather than an administrative one, you've got to get up in front of a judge again, and that does take time" (Interviewee: MOPAC Representative –2).

"...at the end of the day if someone breaches their probation and doesn't go back to court for about a month the link between the violation and the punishment that you get for violating your order disappears" (Interviewee: Charlotte McLeod).

'Swift, certain, and fair' aside, a fourth consideration that seemingly influenced MOPAC's adoption of alcohol tags was that of policy-orientated learning, with analysis indicating that the GLA officials who were responsible for erecting MOPAC's compulsory sobriety trial tuned in to the voices of subnational agents who had attained direct experience of deploying continuous transdermal alcohol monitoring technology in the UK and/or the US (Interviewee: Keith Humphreys; Interviewee – Anon: 8).

With regard to the subnational-to-subnational interaction that occurred between UK-based individuals, no narratives were forwarded by interviewees to suggest that MOPAC representatives ingested the insights of those who were utilising sobriety bracelets within voluntary criminal justice and health-orientated alcohol monitoring schemes that were live in, for example, Lewisham, Cheshire, Blackburn with Darwen, and Northamptonshire (see Appendix P). Nonetheless, data do confirm that MOPAC staff engaged with Nicholas Crichton, a district judge who publically endorsed the application of alcohol tags having used them efficaciously within child protection cases that were brought to a Family Drug and Alcohol Court in London – a court that he himself pioneered having allegedly been inspired by the US problem-solving court model (Vallance, 2013). In addition, analysis further reveals that MOPAC officials communicated with Karyn McCluskey, a Director at the Scottish Violence Reduction Unit (VRU)⁸⁹ who had trialled sobriety tags under an initiative branded Project Pegasus (Interviewee: Karyn McCluskey; Interviewee: MOPAC Representative –2; Interviewee – Anon: 8). When interviewed, Karyn McCluskey reported that she first became aware of Alcohol

⁸⁹ In January 2005 Detective Chief Superintendent John Carnochan and Karyn McCluskey established the VRU within Strathclyde Police in order to tackle all forms of violent behaviour (World Health Organisation, n.d.; VRU, n.d.). In April 2006, the Scottish Executive (now Government) extended the VRU's remit nationwide, thus creating a centre of expertise on violence prevention (World Health Organisation, n.d.; VRU, n.d.).

Monitoring Systems (AMS) Inc. SCRAM equipment in 2007 when she read a paragraph about it in a magazine and elected to track its progress (Interviewee: Karyn McCluskey). It was the technology itself that seemingly captured her imagination as opposed to its integration within US community monitoring programmes. Indeed, findings suggest that, in contrast to Kit Malthouse, Karyn McCluskey was not captivated by the prospect of transferring ‘*swift, certain, and fair*’ punishment across the Atlantic (Interviewee: Karyn McCluskey). Rather, she was intent on challenging the belief that humans have the right to drink, and was confident that if alcohol bracelets were combined with specialist support and social work services they could act as an effective rehabilitative aid for persistent violent offenders who were subject to a community sentence or who had been released early from prison on parole⁹⁰ (Interviewee: Karyn McCluskey). In short, Karyn McCluskey was looking to smash a policy problem (alcohol-related violence) and a technological solution (alcohol tags) together.

“I was looking at the technology [...] I absolutely steal with pride. I am not too proud to say ‘look, absolutely, they have developed this technology, but I can get it to work differently’. ‘Cos drink-drivers are one thing; violence is completely another” (Interviewee: Karyn McCluskey).

“It is not about being the alcohol Taliban here. We are not saying people should not drink. It is just that some people are a real danger when they are drunk [...] It is not enough for us to punish them but not address the alcohol side of their offending behaviour [...] the rights of the victim have to come above the rights of the offender” (Karyn McCluskey, quoted in O’Hare, 2012).

Subsequent to conducting desk research on various alcohol interventions and the accuracy of transdermal alcohol monitoring, Karyn McCluskey and her colleague Linda Borland⁹¹ flew to AMS Inc.’s offices in Denver, Colorado in 2011 to observe SCRAM anklets being manufactured and to learn more about their legal rigour (Interviewee: Karyn McCluskey; Interviewee: Matthew Mitchell). Data suggest that this visit may have

⁹⁰ Evidence also indicates that Karyn McCluskey was interested in utilising sobriety bracelets to support police officers whose jobs were at risk due to alcohol dependency (see Physician Health Programmes (Chapter Six, Section 6.2.1) for a similar idea) (Interviewee: Karyn McCluskey).

⁹¹ It is possible that a representative from Serco was also part of Karyn McCluskey’s delegation (Interviewee: Matthew Mitchell).

been spurred by Karyn McCluskey coming across media coverage of Lindsay Lohan wearing an alcohol tag (Interviewee: Matthew Mitchell). Upon her return, Karyn McCluskey ordered approximately 400 SCRAM devices using VRU capital, convened a multi-agency research team to advise her, and hosted an AMS Ltd. representative – Shea Tuller – for a number of months (Interviewee: Karyn McCluskey).

Karyn McCluskey was eager to be at the forefront of introducing alcohol tags into the UK, and indeed she was (Interviewee: Karyn McCluskey; Interviewee: Kit Malthouse). Not only did staff within the VRU send SCRAM technology to the Centre for Applied Science and Technology (CAST) at the Home Office for approval,⁹² but they also collaborated with the University of Glasgow and the University of St Andrews to explore the ethics of sobriety testing within criminal justice and to conduct voluntary sobriety trials with higher education students and offenders being released from Barlinnie prison (Interviewee: Karyn McCluskey; also see Goodall *et al.*, 2014; 2015; Neville, 2014; Neville *et al.*, 2013; Shaw *et al.*, 2012). This research was intentionally undertaken ‘under the radar’ so as to circumvent media coverage and public debate (although see Borland, 2012; Macaskill, 2014) (Interviewee: Karyn McCluskey; Interviewee – Anon: 8).

When engaging with this study, Karyn McCluskey recalled that in 2012 she was preparing to pilot the use of SCRAM tags on a compulsory basis with offenders sentenced in a criminal court (Interviewee: Karyn McCluskey). Having liaised with approximately 40 sheriffs in Glasgow she understood that new primary legislation would not be required to achieve this aim, as within the Scottish criminal justice system the licence conditions that could be imposed on parolees were highly flexible and enforced alcohol abstinence could be subsumed under the ‘other activity’ requirement within the Community Payback Order framework (Interviewee: Karyn McCluskey). However, despite receiving an enthusiastic response from the First Minister of Scotland (2007–2014), Alex Salmond, Karyn McCluskey reported that when the Cabinet Secretary for Justice Minister (2007–2014), Kenny MacAskill, was informed of the VRU’s experimentation with alcohol tags he expressed dissatisfaction and swiftly ordered that no further sobriety trials should be commissioned from March 2012 onwards.

⁹² SCRAM technology received CAST approval in Spring 2013 as a consequence of AMS Ltd. altering the exterior appearance of the tag and improving its tamper detection system (Interviewee: Matthew Mitchell).

“I’ve got to tell you this was blood, sweat, and tears. I have to say, I adored doing this more than anything else. Because I felt that if we got this right it would have a huge impact on the safety of people. But not everyone sees it at the same time do they?” (Interviewee: Karyn McCluskey).

“You know, everything has its time. And you know you are being innovative when you scare the hell outta people” (Interviewee: Karyn McCluskey).

Acting in response to this ministerial blockade, Karyn McCluskey not only gifted the VRU’s sobriety bracelets to academic institutions to facilitate further experimentation and the development of a stronger evidence base, but also – in a scattergun fashion – disseminated all of the VRU’s desk research and pilot blueprints to London-based public sector organisations including the Home Office, the Metropolitan Police Service (MPS), and MOPAC (Interviewee: Karyn McCluskey). Moreover, in addition to “raving” about alcohol tags when meeting and communicating with (sub)national elite agents such as Theresa May, Nick Herbert, Adam Simmonds, Judge Crichton, and Kit Malthouse, evidence also confirms that Karyn McCluskey was a physical and virtual presence within MOPAC during 2013/2014 when its AAMR Pilot was being developed (Interviewee: Karyn McCluskey; also Interviewee: Kit Malthouse; Interviewee: MOPAC Representative –2; Interviewee – Anon: 8).

“I gave everything to London, all of my papers, I gave hundreds of files [...] I have to say I talked about it everywhere [...] spoke to everybody. I said don’t reinvent it; here is how to do it [...] I spoke to all the policy people down in the Mayor’s Office around how they should do it. We all succeed together; it is not individual [...] I am very much into sharing information” (Interviewee: Karyn McCluskey).

“[MOPAC] were talking about breathalysers, and I said ‘don’t do that’, I sent them the research” (Interviewee: Karyn McCluskey).

The extent to which Karyn McCluskey’s advocacy of alcohol anklets directly influenced MOPAC’s decision to drop breathalysers is, of course, impossible to determine with any real precision. Data do indicate, however, that when engaging with MOPAC representatives she did impart knowledge that she had acquired as a consequence of

conducting trials (e.g. sobriety must be a mandatory not a voluntary sanction⁹³), shared costings, and fervently contended that tagging was preferable to breath testing because, for example, it has the psychological benefit of allowing an offender who has ‘no sober friends and no sober places’ to save face when resisting social pressure to consume alcohol (Interviewee: Karyn McCluskey; Interviewee: MOPAC Representative –2; Interviewee: Data Intentionally Unattributed). For instance, they can point at the tag and say ‘*don’t ask me to drink as I am wearing this*’. What is more, according to a number of MOPAC informants, Karyn McCluskey’s views were very much respected and valued – she was perceived as an ally, a Professor Humphreys-esque source of guidance, and crucially, a persuader (Interviewee: MOPAC Representative –2; Interviewee: Data Intentionally Unattributed).

“[Karyn McCluskey] came down, she is actually quite famous ... she is a compelling lady. She talks a good game, and she wins over everybody she speaks to” (Interviewee: Data Intentionally Unattributed).

“So [Karyn McCluskey] has been a great friend to us on this [...] she again was advocating for the technology” (Interviewee: MOPAC Representative –2).

In addition to hearing the opinions of British agents, analysis does also suggest that a week-long US fact-finding visit undertaken taken by Stephen Greenhalgh’s Special Adviser, Martin Tunstall, may have played a role in MOPAC’s abandonment of breathalysers. To expand, evidence suggests that Martin Tunstall accepted an invitation forwarded by the National Association of Drug Court Professionals (NADCP) to attend its Annual Training Conference that was held in Washington, DC between 14-17 July 2013⁹⁴ (Interviewee: MOPAC Representative -2; NADCP, n.d.). He was accompanied by Max Chambers; a Research Director at Policy Exchange, who had built a relationship with the NADCP as an upshot of his interest in ‘*swift, certain, and fair*’ punishment (Interviewee: Charlotte McLeod; Interviewee: MOPAC Representative –2). While in the

⁹³ N.B. Almost all (10/11) of the offenders who volunteered to wear a sobriety bracelet following their release from Barlinnie prison withdrew from the study in the first week, with four participants cutting off the tag immediately (Goodall *et al.*, 2015; Neville, 2014).

⁹⁴ As the world’s largest conference on substance abuse and crime, this event was attended by over 4,200 people (NADCP, n.d.).

US, Martin Tunstall and Max Chambers not only visited the capital, but also travelled to New York and several locations in the state of Michigan⁹⁵ (Chambers, 2013; Interviewee: Charlotte McLeod; Interviewee: MOPAC Representative –2). During this brief tour, Martin Tunstall and Max Chambers purportedly networked with a range of criminal justice professionals (including judges, law enforcement personnel, and probation/parole officers), academics, researchers from firms conducting evaluations of enforced abstinence programmes, and private sector providers of alcohol tags (Chambers, 2013; Interviewee: MOPAC Representative –2). Given that Max Chambers wore a sobriety bracelet for a short period of time, it is likely that Martin Tunstall did also (Interviewee: Charlotte McLeod).

“... [Max Chambers] wore a sobriety tag himself, so was able to test it out and he had amusing stories about that [laughs]. But I think for him experiencing and being able to see the American system in terms of how it works and how they even process offenders through their system is so different to us. So again, seeing it first-hand was really valuable I think for him” (Interviewee: Charlotte McLeod).

According to one informant, the primary purpose of Martin Tunstall’s excursion was not to gain further details about alcohol tags per se, nor was it to gather additional information about the South Dakota model specifically (Interviewee: MOPAC Representative –2). Rather, Martin Tunstall’s aim was to learn more about how US sobriety schemes operated in practice at a subnational level more generally so as to inform the formation of MOPAC’s AAMR Pilot (Interviewee: MOPAC Representative –2). Nonetheless, given that an AMS Ltd. representative, Matthew Mitchell, had attended two ‘introductory’ meetings with senior MOPAC officials in April 2013 and had also recommended the sites that Martin Tunstall and Max Chambers visited, the question of whether some ‘slanting’ occurred with respect to learning opportunities that were presented to these UK delegates cannot be overlooked, particularly as they were exposed to the largest Sherriff-run sobriety programme that utilised sobriety bracelets (i.e. Wayne County) as well as to a Department of Corrections that heavily employed such technology (i.e. Michigan)

⁹⁵ Evidence collected is equivocal with respect to who financed this visit and if Max Chambers was responsible for prompting the NADCP to invite Martin Tunstall due to him being conscious of MOPAC’s AAMR implementation intentions.

(Chambers, 2013; Interviewee: Interviewee: Matthew Mitchell; MOPAC Representative –2).

“South Dakota was then always kind of in our mind, but then it wasn’t then a case of ‘we are just trying to replicate the South Dakota model’. We had gone to the point of ‘we just want to introduce a compulsory sobriety scheme’” (Interviewee: MOPAC Representative –2).

“I was sent over [to MOPAC] to initially provide some detail and background on the role that our technology plays in 24/7 Sobriety programmes [...] in South Dakota, North Dakota, at that time Montana was just coming online [...] The other one is the State of Nebraska [...] This was before the procurement process ... [MOPAC] had a very open mind and were listening to the different flavours I suppose” (Interviewee: Matthew Mitchell).

Data suggest that when Martin Tunstall returned to London, a MOPAC meeting was convened during which he made the case for employing alcohol tags instead of breathalysers – a case that was based on both positive and negative policy lessons that he had gleaned whilst in the US (Interviewee: MOPAC Representative –1; Interviewee: MOPAC Representative –2). Indeed, he reportedly informed his colleagues that almost every subnational agent that he had spoken to in the US had maintained that their jurisdiction was using sobriety bracelets or were moving towards them not only because of the reliability of the technology and its ability to monitor compliance 24/7, but also because police time was being wasted chasing those who may not have consumed alcohol yet who had skipped a breath test because, for instance, they had no money or had stayed in bed (Interviewee: MOPAC Representative –2).

“[Tunstall said] ‘look, I think this is the way we should be going. We need to make a decision one way or another ‘cos we’ve got to go to market’. He said very strongly, ‘my advice is that we go with this, and this is the evidence for why’” (Interviewee: MOPAC Representative –2).

The upshot of Martin Tunstall’s alcohol tag pitch was that Stephen Greenhalgh confirmed that MOPAC’s AAMR Pilot would utilise transdermal alcohol monitoring (Interviewee: MOPAC Representative –1; Interviewee: MOPAC Representative –2). In response, an open tender was circulated by the MPS Procurement Services Team in late Spring 2014

(Interviewee: MOPAC Representative –1). Nineteen companies expressed an interest in delivering the contract, with just one formal bid ultimately being received (MOPAC, 2014b). This bid was submitted by AMS Ltd. (MOPAC, 2014b). As a US-based firm that provided alcohol tags to the US market, AMS Ltd. proposed to export its internal operating policies/procedures across the Atlantic⁹⁶ and to partner with Electronic Monitoring Services (EMS), the company that had just been given the UK Government’s interim electronic monitoring contract following the G4S and Sirco scandal (Interviewee: Matthew Mitchell). This transnational partnership would ensure the delivery of field-based tasks and the development of data protection and assurance protocols that aligned with MoJ stipulations, including the proviso that sensitive personal information should not be offshored (Interviewee: Matthew Mitchell). Indeed, several interviewees speculated that no further bids were received⁹⁷ due to the MoJ permitting absolutely no relaxation at all concerning the highly detailed and rigorous standards that it had set with regard to the procurement of a sobriety bracelet provider (Interviewee: MOPAC Representative –1; Interviewee – Anon: 9).

“The specification was very very detailed [...] we had to adhere to quite a lot of criteria set by the Ministry of Justice” (Interviewee: MOPAC Representative –1).

Subsequent to attending an interview, AMS Ltd. and EMS were awarded MOPAC’s AAMR Pilot contract on 8 June 2014 (Interviewee: MOPAC Representative –1; Interviewee – Anon: 9; MOPAC, 2014b) All of the MoJ’s boxes had been ticked. Ministers and civil servants were collectively content (Grayling, 2014; Interviewee: Anon: 9). The decision was therefore made – MOPAC’s compulsory sobriety ‘proof of concept’ pilot was ready to go live in the South London Local Justice Area. The AAMR Piloting Commencement Order was signed and laid before Parliament on 8 July 2014 (SI 2014/1777 c.77). Mandatory alcohol abstinence was on the brink of being trialled in the UK for the first time.

⁹⁶ Data suggest that AMS Ltd. had to amend their existing documentation to reflect differences between UK and US criminal justice terminology (e.g. offender/subject), time formats, and spelling differences (Interviewee: Matthew Mitchell).

⁹⁷ It is also worth noting that SCRAM was the only commercially available transdermal alcohol monitoring device available in the UK and the European Union at the time in which the MPS/MOPAC were seeking to procure a provider (Interviewee: Matthew Mitchell; Interviewee: Vicki Ross; MOPAC, 2014b). AMS Ltd. had the monopoly, so to speak.

9.3. Implementation

Outline: According to Evans and Davies (1999), Stage Eleven and Stage Twelve of the voluntary policy transfer journey involves implementation and the possible remaking and remodelling of an imported programme as it moves from the elite arena into the mundane daily grind of front-line delivery (see Box 9.2 below). Corresponding to these stages, this section will discuss research findings pertaining to the first twelve months of MOPAC’s AAMR Pilot, and in doing so will address compliance rates, broader headline data, and the ‘fine-tuning’ adjustments that were made as the trial progressed. In addition, a number of national-level policy developments will be outlined as connected to the Conservative Party and the second Cameron government (2015–2016) – developments that suggest that policy transfer and learning from the US may not have concluded.

Box: 9.2. Implementation

Stage 11 and Stage 12 – Implementation (Process and Outcome)

“The study of policy transfer is incomplete without an implementation perspective. Even if a programme is a faithful programmatic copy of the original, it can ultimately only be said to have been transferred if it is carried out. It is by no means certain that those implementing a programme will do what was intended or specified by those who formulated it. Indeed, it may for reasons of structural incompatibility be impossible for them to do so. Hence the analysis of policy transfer is incomplete without reference to implementation.”

Source: Evans & Davies (1999: 379)

9.3.1. The first twelve months

MOPAC’s compulsory sobriety pilot was officially launched by Boris Johnson on 31 July 2014 at a high profile event held at Croydon Magistrate’s Court (Mayor of London, 2014; Pepper & Dawson, 2016). Kit Malthouse and Joe Mitton both attended, and media coverage was extensive with regional, national, and international newspapers all picking up the story (see for example Duffin, 2014; Evening Standard, 2014; Maume, 2014; McCaffrey, 2014; Orr, 2014b; The New York Times, 2014a; 2014b; Walker, 2014).

“[Joe Mitton] and I went down to witness the launch. Just as a little, here we are finally, we started this back in 2010, here we are in 2014 ... it’s finally become real” (Interviewee: Kit Malthouse).

A mid-point process review published in March 2015 revealed that 51 AAMRs were imposed during the first six months of the trial and that the compliance rate was 94 percent,⁹⁸ while a 12-month process review published in February 2016 confirmed that 113 AAMRs had been imposed between 31 July 2014 and 30 July 2015 and that the compliance rate was 92 percent (Pepper & Dawson, 2015; 2016). Figure 9.2 below provides further headline performance data with respect to the first year of MOPAC’s ‘proof of concept’ AAMR Pilot.

Figure 9.2. MOPAC’s AAMR Pilot – 12 month process review headline data

AAMRs imposed	<ul style="list-style-type: none"> • 113
Compliance	<ul style="list-style-type: none"> • Rate: 92 percent • Those who remained entirely compliant (no tamper or alcohol consumption): 74 percent • Mean number of days for case to be listed at court for first hearing following second breach: 16
Order type	<ul style="list-style-type: none"> • Community Order: 83 percent • Suspended Sentence Order: 17 percent
Requirement	<ul style="list-style-type: none"> • Multi-part: 61 percent • Standalone: 39 percent
Courts	<ul style="list-style-type: none"> • Croydon Magistrates’ Court: 68 percent • Croydon Crown Court: 4 percent • Camberwell Green Magistrates’ Court: 28 percent
Length	<ul style="list-style-type: none"> • Mean: 75 days (range: 28–120 days)
Offences	<ul style="list-style-type: none"> • Violence: 36 percent • Drink-driving: 35 percent • Linked to night-time economy: 24 percent

⁹⁸ This figure is based on statistics pertaining to the number of offenders who were returned to court and convicted of breaching their AAMR (Pepper & Dawson, 2015).

	<ul style="list-style-type: none"> • Other offences included, <i>inter alia</i>: damage, theft, disorderly behaviour, and harassment
Offenders	<ul style="list-style-type: none"> • Male: 88 percent • White: 66 percent • Mean age: 33 years (range: 18–63 years) • The cohort did not have an extensive criminal background

Source: Data extracted from Pepper & Dawson (2016)

Interview and documentary evidence suggest that aside from a few teething problems and issues arising due to staff churn, implementation was relatively smooth. Indeed, the AAMR was generally welcomed by criminal justice professionals as ‘another string to the community sentencing bow’, the quasi-innovative monitoring technology worked as intended,⁹⁹ and no major deviations from the pilot plan transpired as a consequence of (un)intentional sabotage by ‘street-level bureaucrats’ (see Lipsky, 1979) (Interviewee: Amit Sethi; Interviewee – Anon: 1; Pepper & Dawson, 2016).

“The AAMR was designed and implemented well from the outset, something that had a positive knock on effect throughout the course of the programme. Whether it be the strong governance structure, clear documented tools and information, training, effective partnership involvement throughout design and implementation, or the dedicated MOPAC team (including a project manager with ‘in the field’ experience) – the positive AAMR implementation cannot be over stated” (Pepper & Dawson, 2016: 4).

“The one thing that has come out strongly from this is that implementation has worked really well with MOPAC [...] and the headline for me has been that this is an example of a Police and Crime Commissioner implementing a programme of work very well” (Interviewee – Anon: 23).

⁹⁹ Offenders who contributed to MOPAC’s process review were largely dissatisfied with the bulkiness of their alcohol tag and over half flagged that it was uncomfortable to wear (Pepper & Dawson, 2016). In addition, some complained that the tag disturbed their sleep, restricted their clothing options, and prevented them from bathing (Pepper & Dawson, 2016). Despite this, the majority of offenders reported that they were not worried about wearing the tag at the time of fitting and removal (Pepper & Dawson, 2016).

Some minor tweaks were nevertheless made by MOPAC and AAMR delivery partners as learning emerged. For instance, as the pilot progressed the AAMR was utilised by judges in Croydon Crown Court, adopted as a punitive requirement following breach, and was imposed on offenders who resided in – yet committed alcohol-related offences outside of – the pilot boroughs (Interviewee: Amit Sethi; Interviewee – Anon: 25; Pepper & Dawson, 2016). Evidence further suggests that alongside providing Identification and Brief Advice and signposting where appropriate, Responsible Officers also sought to build ‘teachable moments’ and rehabilitative components into the requirement by, for instance, tailoring products specifically to the AAMR and providing offenders with literature/advice around alcohol tolerance levels and drinking patterns upon AAMR completion (Pepper & Dawson, 2016). Additionally, it would appear that efforts were made to enhance the ‘swiftness’ of the AAMR breach notification process via requesting that EMS rather than a Responsible Officer make first telephone contact with an offender following non-compliance due to the former operating 24/7 and the latter working Monday to Friday (See Appendix O) (Interviewee: Amit Sethi; Interviewee – Anon: 23; Pepper & Dawson, 2016).

9.3.2. Conservative Party policy developments

Following what Andrew Selous, a Parliamentary Under Secretary of State in the MoJ, described as “*very encouraging*” results, the Government formally extended MOPAC’s AAMR trial for six months in July 2015 to permit services to continue seamlessly while discussions took place about the pilot’s longer-term future (Alcohol Policy UK, 2015; also see BBC News, 2015; Crerar, 2015; MOPAC, 2015c; Sethi & Mitchell 2016; SI 2015/1480 c.86). Subsequently, City Hall announced that its compulsory sobriety project would be rolled out in phases across the whole of London from April 2016 (Mayor of London, 2016; also see BBC News, 2016b; Malthouse, 2016). Full coverage of London’s nine Local Justice Areas was planned to be in place by April 2017 (MOPAC, 2015c). The objective of this Pan-London expansion was to test the AAMR on a larger scale to obtain more extensive evaluation results with respect to processes, re-offending, and behavioural change (Mayor of London, 2016; MOPAC, 2015c). Despite plans for this scheme to be identical to that operating in South London however, at the time of writing a significant alteration was being considered, namely, the inclusion of domestic violence offenders (Mitchell, 2016). Whether this development was to some extent fuelled by quasi-experimental research confirming that 24/7 Sobriety had decreased domestic violence

arrests in South Dakota by nine percent (Kilmer *et al.*, 2013, see Chapter Six, Section 6.6.2), and/or professionals associated with London’s AAMR Pilot recommending that the requirement could be included within a package of perpetrator intervention measures, is unclear (Interviewee; Amit Sethi; Interviewee: MOPAC Representative –2; Pepper & Dawson, 2016). Nevertheless, seven years after his ‘lightbulb moment’, Kit Malthouse’s imported solution to the violence that occurs between intimate partners or family members was seemingly reawakened in London.

“... going through the pilot a lot of stakeholders have said with the right package of support this could work for domestic violence offending” (Interviewee – Anon: 23).

It is important to acknowledge that along with this potential cohort-related adjustment, data also confirm that a finance-related modification transpired during rollout deliberations – that is, although City Hall contributed £450,000 to sustaining its pilot, the MoJ also placed £400,000 into the funding pot (BBC News, 2016b; Mayor of London, 2016; MOPAC, 2015c). Arguably, this development, together with ‘the centre’ signing-off an extension and expansion of MOPAC’s trial, was inextricably linked to political ambitions that had emerged at the national level. To elaborate, just four months after the introduction of enforced alcohol abstinence in South London and prior to any evaluation results being released by MOPAC or a second AAMR pilot site outside of the capital ‘going live’, David Cameron announced whilst attending the G20 Brisbane summit that the Conservative Party intended to include a pledge in its election manifesto to introduce AAMRs (nicknamed ‘sozbos’ by the press) and sobriety tags¹⁰⁰ across England and Wales (Orr, 2014a; Swinford, 2014; Wintour, 2014). Sure enough, the pledge was made in April 2015 (see Conservative Party, 2015). Notably, so too was the following commitment:

“We will deploy new technology to monitor offenders in the community and to bring persistent offenders to justice more quickly. A new semi-custodial sentence will be introduced for prolific criminals, allowing for a short, sharp, spell in custody to change behaviour” (Conservative Party, 2015: 60).

¹⁰⁰ Sources stated that the Home Office had envisaged that up to 5,000 people a year would be subject to an AAMR, at a cost of £15million (Wintour, 2014).

With the Conservative Party defying polls to win the 2015 general election, compulsory sobriety, alcohol tags, and ‘*swift and certain*’ punishment in the form of flash incarceration were thus all propelled onto ministerial and bureaucratic task sheets. Seemingly, subsidising MOPAC’s scheme was just the first step on what was intended to be a much longer governmental journey to tackle crime across England and Wales – a journey that was set to entail lesson-drawing from the ‘South London Model’ and further emulation of components of 24/7 Sobriety (HC Deb 16 July 2015 c6416W).

“So it’s almost as if the clouds have parted, and now everybody is now thinking, ‘hmm, actually this might be something’” (Interviewee: Kit Malthouse).

“So the concerns about it disappearing, about it being a sort of fad, have been squashed” (Interviewee: Vicki Ross).

If Kit Malthouse and Professor Humphreys will play a role in the remainder of this policy transfer story remains to be seen. However, it is apparent that both are eager to do so. Indeed, when interviewed for this study, Kit Malthouse reported that he was intending to put ‘offender pays’ on the political front burner and that as the MP for North West Hampshire he was considering establishing an all-party sobriety group to push forward national adoption of the AAMR by PCCs and to explore its potential use within the sphere of child protection. In addition, he stated that he had engaged with and sent a copy of Mark Kleiman’s (2010) book *When Brute Force Fails* (see Chapter Six, Section 6.2.1) to Michael Gove who had recently been promoted to the offices of Lord Chancellor and Secretary of State for Justice.

“I am probably the biggest single purchaser of copies of Mark Kleiman’s book because I generally buy them and send them round to people” (Interviewee: Kit Malthouse).

Likewise, when interviewed, Professor Humphreys not only maintained that he was exchanging letters with Kit Malthouse, but also that he had visited Downing Street to

speak with Max Chambers,¹⁰¹ was in touch with Blair Gibbs,¹⁰² and intended to accept an invitation that he had received to meet with Michael Gove. Of course, only time will tell if such interaction will in any way contribute to the decisions that are yet to be made with respect to the embedment of 24/7 Sobriety-inspired ideas. Nonetheless, it is fair to say that having disembarked from its transatlantic flight in 2010 in the form of a passing comment made in a policy forum, Larry Long’s ‘common-sense’ approach has gained serious traction and travelled so far as to be on the verge of revolutionising the way in which alcohol-related crime is addressed by the English and Welsh criminal justice system. To be sure, although the AAMR and sobriety tags did not explicitly feature in the 2017 Conservative Party manifesto (Conservative Party, 2017), in April 2017 permission to launch a two-year AAMR trial in the Humberside, Lincolnshire, and North Yorkshire Local Justice Areas¹⁰³ was granted by the Lord Chancellor and Secretary of State for Justice, Elizabeth Truss (2016–2017) (SI 2017/525 c.48). This pilot has been funded by the PCCs for each of the regions involved, is managed by Humberside, Lincolnshire & North Yorkshire Community Rehabilitation Company, utilises SCRAM technology, and includes domestic violence perpetrators (HLNY CRC, 2017; Humberside Police & Crime Commissioner, 2017; Lincolnshire Police & Crime Commissioner, 2017).

Apparently, Professor Caulkins is correct – sometimes a brief encounter with a stranger can have unexpected consequences.

“I often wonder whether it is a good use of society’s resources to send academics traipsing around the world giving talks. I suspect that four times out of five it really isn’t worth it. But every so often, something big comes out of those in-person connections” (Correspondence: Jonathan Caulkins).

¹⁰¹ Having left Policy Exchange in April 2014 Max Chambers was employed as a Speechwriter and Special Adviser to the Prime Minister within 10 Downing Street until July 2016.

¹⁰² Following a stint at Policy Exchange, Blair Gibbs worked as a Principal Advisor at MOPAC. He left this position in June 2015 to become a Senior Policy Advisor to Michael Gove.

¹⁰³ The following towns and cities are involved in the ‘northern’ AAMR Pilot: Boston, Grimsby, Louth, Skegness, Spalding, and York (HLNY CRC, 2017).

9.4. Chapter summary

This chapter has applied Stages Nine through to Twelve of Evans and Davies' (1999) framework to the case of MOPAC's AAMR Pilot. Focusing heavily on decision-processes and inter-organisational politics, it has examined reasons behind the government's move to introduce an AAMR amendment into the *LASPO Bill*, the choice to exclude perpetrators of domestic violence from initial trials, and the planning that led to a Piloting Order being signed. In addition, having adopted an implementation perspective, this chapter has discussed findings that relate to the first 12 months of MOPAC's compulsory sobriety pilot, drawing attention to the high compliance rate secured by the AAMR and the nominal tweaks that were made to the delivery process during the initial trial period. Finally, this chapter has highlighted recent policy developments as connected to the Conservative Party. In the following chapter, the conclusions that can be drawn from this study will be presented.

Chapter Ten

Conclusion

10.1. Introduction

The main aims of this study were to:

- a) Examine the ‘development puzzle’ (Mason, 2004) of what role, if any, the phenomenon of ‘international-subnational’ policy transfer plays in the development of crime and justice innovations in the United Kingdom (UK).
- b) Offer an insight into the ‘international-subnational’ crime and justice policy transfer process should evidence confirm its existence.
- c) Identify lessons that are applicable to the ‘world of practice’.

To meet these aims a sequence of interconnected research questions were framed as follows:

RQ1. Is ‘international-subnational’ crime and justice policy transfer occurring in the UK?

If the answer to RQ1 is ‘yes’:

RQ2. Why, when, and how does ‘international-subnational’ crime and justice policy transfer transpire?

RQ3. Who are the key agents of ‘international-subnational’ crime and justice policy transfer? What motivates them to engage in the process?

RQ4. From where do UK subnational agents transfer crime and justice policy?

RQ5. What is the nature and degree of ‘international-subnational’ crime and justice policy transfer?

RQ6. What facilitates and/or constrains the ‘international-subnational’ crime and justice policy transfer process?

It remains in this concluding chapter to provide answers to these questions and to relate the study’s main findings to the existing body of academic literature. It is important to acknowledge that as this thesis is exploratory in nature and investigates a specific instrumental case, the findings presented should not be viewed as representative, nor should they be used to predict future practice (Tracy, 2010). Indeed, it is extremely unlikely that they will hold in all times and in all places (Guba, 1981). Nevertheless, in a bid to identify findings that may be generalisable at the theoretical level, the author has developed a series of abstract and pertinent propositions¹⁰⁴ as fuelled by an understanding that the discoveries deriving from this research project may in fact be extrapolatable, applicable, and transferable to other contexts and situations (Punch, 2014; Yin, 2014). Certainly, while each case study is in some respects unique, it also possesses the potential to have wider resonance (Mason, 2011). Subsequent to discussing the key findings of this study, this chapter will move on to highlight the main empirical, methodological, and theoretical contributions made by this thesis. In addition, it will identify lessons for practice, provide recommendations for policy, forward a succinct autobiographical reflection, and outline potential directions for future research.

10.2. Main findings and discussion

10.2.1. The occurrence of ‘international-subnational’ crime and justice policy transfer

Although alternatives have been proposed by scholars,¹⁰⁵ Smith’s (2004) test will be adopted to confirm if the phenomenon of ‘international-subnational’ crime and justice policy transfer is occurring in the UK. This test contains three components as follows:

¹⁰⁴ In line with Evans’ (2004a) approach, these propositions have been stated in bold terms to permit future researchers to comment on their accuracy.

¹⁰⁵ See, for example, Evans and Davies (1999) and Bennett (1997).

Research must show similarities between policy in the importing country and policies overseas

- *The analyst must identify the agents who transferred knowledge about the policies and made policy-makers aware of them (since the latter may not have been the principal agents promoting transfer)*
- *[The analyst must show that] this knowledge about policy transfer opportunities was utilised by policy-makers during policy development (Smith, 2004: 81).*

With regard to the case of the Mayor's Office for Policing and Crime's (MOPAC) Alcohol Abstinence Monitoring Requirement (AAMR) Pilot, findings do confirm that there are sufficient similarities between the outcomes of the South Dakota and South London compulsory sobriety schemes to support the notion that a degree of policy convergence has transpired between these two subnational jurisdictions. As will be discussed in Section 10.2.2 below, such similarities are discernable with respect to 'soft' and 'hard' policy manifestations. Although such parallels could perhaps be explained via a convergence narrative that emphasises the structural-cultural transformations that have occurred in both the US and the UK (see Chapter Four, Section 4.4.2), the data collected for this study do suggest that the resemblances between South Dakota's 24/7 Sobriety Project (24/7 Sobriety) and MOPAC's AAMR Pilot are an upshot of conscious 'international-subnational' policy transfer activity. Indeed, not only does evidence reveal that mandatory sobriety developments first transpired in South Dakota (the 'exporter' jurisdiction) and that London (the 'importing' jurisdiction) followed 15 years later, but it has also led to the identification of a range of (non)state agents who have played a role in imparting information about 24/7 Sobriety and comparable US community monitoring programmes at both the subnational and national level in the UK, with knowledge of these initiatives being fed into the AAMR policy formation and implementation process by policy-makers within the Greater London Authority (GLA) and Parliament.

Box 10.1. Key finding 1

'International-subnational' crime and justice policy transfer is occurring in the UK.

10.2.2. The realities of the policy transfer process

Why, when, and how does ‘international-subnational’ crime and justice policy transfer transpire?

The findings of this study suggest that political ‘dissatisfaction with the status quo’ (Dolowitz, 2000a; Dolowitz & Marsh, 1996; 2000; Evans & Davies, 1999; Rose, 1991b) can act as a catalyst for ‘international-subnational’ crime and justice policy transfer in the UK. Certainly, case study evidence indicates that in 2010 London’s Deputy Mayor for Policing, Kit Malthouse, deemed existing approaches to reducing domestic and night-time economy violence in England’s capital to be defective – a diagnosis that was seemingly fuelled by repeated formal engagement with local police crime statistics.

Proposition 1: ‘International-subnational’ crime and justice policy transfer is instigated by the (subjective) perception of policy failure by an elite agent.

Proposition 2: Recognition of poor subnational crime performance is provoked by feedback attained via the systematic monitoring of trends.

In line with existing studies of crime and justice policy transfer (see Chapter Four, Section 4.4.3), findings reveal that, like their national-level colleagues, political subnational agents can be motivated to respond to the emergence of an undesirable crime control condition as a result of the interaction of voluntary and semi-coercive domestic drivers. In the case of the AAMR Pilot, such drivers not only included Kit Malthouse’s desire to protect citizens from harm and to fulfil job role responsibilities, but also the apparent need to act swiftly to placate low-level localised pressure and controversy so as to instil electoral confidence in the first Johnson administration’s capacity to govern effectively within the sphere of law and order. As Rose (1991b: 12) maintains, “[p]olicymakers who do not heed evidence of dissatisfaction are threatened with [...] loss of support, or even loss of public office”. Furthermore, evidence suggests that a previously unidentified contextual factor may play a role in inciting subnational agents to push an issue onto an organisation’s ‘decision agenda’ (Kingdon, 2011). That is, the external perception that a predecessor’s crime control performance was superior. Hence, the findings of this study indicate that the ‘voluntary but driven by perceived necessity’ category that features within Dolowitz and Marsh’s (2000) ‘why transfer continuum’ (see Chapter Two, Figure

2.1) should be expanded to include *'fear of being judged inferior to a predecessor'* as linked to the concept of *'comparative inadequacy'*.

Proposition 3: The decision to engage in 'international-subnational' crime and justice policy transfer is fuelled by a mixture of voluntary and semi-coercive drivers.

Proposition 4: Changes in subnational organisational leadership provide an opportunity structure for 'international-subnational' crime and justice transfer to occur.

An interesting finding that emerged from this study is that while existing empirical research indicates that UK subnational agents working in the spheres of urban regeneration (see Wolman & Page, 2002) or alcohol policy (see Gavens *et al.*, 2017) typically look to their geographic neighbours for policy ideas, or strive to read evaluation reports that appraise innovations introduced by their counterparts, evidence indicates that this did not hold true with respect to the case of the AAMR Pilot. More precisely, analysis does not confirm that staff within the GLA actively 'harvested' (Dolowitz *et al.*, 2012) policy lessons from adjacent or distant UK subnational jurisdictions via, for instance, visiting localities or consulting meta-analyses that synthesise the outcomes of innovations implemented across various sites. Arguably, this raises the question of whether GLA agents deemed London to be unique or incomparable to other domestic localities, and/or were predisposed to 'looking outward' (Page & Mark-Lawson, 2007) rather than inward for policy inspiration thus stunting local-to-local lesson-drawing (see Chapter Two, Section 2.4.1)¹⁰⁶. Certainly, while Kit Malthouse's claim that the GLA had *'scoured the world'* for promising policy solutions may have been employed as a rhetorical device to camouflage unmethodical search activity, to legitimise a decision that had already been reached (Bennett, 1991a), and to demonstrate his ingenuity and competency to the public, findings do indicate that the first Johnson administration was inclined to draw crime control ideas from subnational jurisdictions in the United States (US) and Australia (see Chapter Seven, Section 7.3.1).

¹⁰⁶ This predisposition could of course be associated with London being characterised as a 'Global City' (see McCann & Ward, 2013), which may have instilled a sense of superiority and the perception of 'London exceptionalism' or 'regional uniqueness' within the GLA.

Proposition 5: Subnational organisations explicitly acknowledge the non-indigenous source of the crime control interventions that they propose to implement.

What is particularly striking about these overseas jurisdictions is that they belong to advanced industrial states that Cavadino and Dignan (2006) categorise as neoliberal (see Chapter Four, Section 4.4.2). Indeed, although the federal nature and language of these countries may have abetted policy tourism by Boris Johnson's team, the fact these states have erected 'harsh' criminal justice systems as reinforced by a highly individualistic social ethos should not go unheeded. Indeed, findings suggest that the manner in which the GLA framed and defined the issue of interpersonal violence focused heavily on the free will of individuals; excessive or irresponsible alcohol consumption was held to be a product of choice, and if individuals were unable to exercise their autonomy without committing a crime or increasing the burden placed on statutory agencies, then their relationship with this legal drug would have to be reformed and risk would have to be managed. In effect, 'blame' for the violence occurring within homes and on the streets of Greater London was laid at perpetrators' and consumers' doors. It was immoral individual behaviour that was the target of change, not the alcohol industry or the structures that unpin domestic or night-time economy violence such as patriarchy, peer pressure, media glamorisation of drinking, and family environments (World Health Organisation, 2010). What is more, securing behavioural change was held to be achievable via imposing criminal justice sentences on offenders – sentences that would be retributive, act as a deterrent, and that the GLA was intent on shaping, irrespective of its institutional and legal remit. Interpersonal violence was thus drawn into the penal policy 'space'¹⁰⁷ rather than that of education or public health, and this seemingly influenced the nature of the interventions and decisions that Kit Malthouse was receptive to considering and making.

Proposition 6: The sharing of a common language and the federal structure of states aids 'international-subnational' crime and justice policy transfer.

¹⁰⁷ What is curious about Kit Malthouse's decision to 'pull' alcohol-related violence into the repressive 'downstream' penal sphere is that, to some extent, it conflicted with the GLA's ambition to tackle domestic and night-time economy violence 'upstream' in a preventative fashion (see Chapter Seven, Section 7.3.1).

Proposition 7: Subnational agents in the UK draw crime and justice inspiration from neoliberal subnational jurisdictions overseas.

With respect to the original source of the idea of compulsory sobriety, a further finding that emerged from this study is that a period of disciplined, rational, ‘user-pull’ (Ettelt *et al.*, 2012) problemistic search activity did not directly lead to the identification of a preferred policy solution. Effectively, Kit Malthouse ‘stumbled across’ (Dolowitz, 2003; 2006) the South Dakota model within a ‘fleeting situation’ of policy-making (McCann & Ward, 2012). While this scenario appears to be somewhat uncommon with respect to the national-level crime and justice policy process (with research suggesting that policy entrepreneurs, pressure groups, co-victims, and the media actively petition governmental actors to adopt specific innovations – see Chapter Four, Section 4.4.3), data indicate that it is not extraordinary at the subnational level as Karyn McCluskey, the Director of the Scottish Violence Reduction Unit (VRU), was also alerted to the existence of a ‘foreign’ innovation in a haphazard manner.

Proposition 8: Subnational agents learn of crime and justice innovations serendipitously and unsystematically.

Nevertheless, chiming with the academic contributions made by scholars including Wacquant (1999; 2009), Jones and Newburn (2007; also see Newburn, 2012b), and Stone (2000a; 2000b; 2004; 2012), analysis does suggest that a think tank (i.e. the Police Foundation) and US and UK academics (i.e. Professor Ian Loader, Professor David Faulkner, and Professor Jonathan Caulkins) were involved in trafficking a US crime control policy innovation into the UK. Indeed, the Oxford Policing Policy Forum (OPPF) is clearly intended to be a mechanism of transnational/inter-sectoral policy transfer and informal ‘elite networking’ (Bennett, 1991b; also see Legrand, 2012b). By inviting an academic carrier of US knowledge who was embedded within an ‘epistemic community’ (Haas, 1992) to present at the forum, OPPF organisers effectively increased the possibility of information being imparted concerning non-indigenous policy innovations – innovations that may or may not have aligned with the partisan agenda of central government. Whether these agents were aware that Professor Caulkins would mobilise and ‘pitch’ 24/7 Sobriety specifically nonetheless remains unclear. As does the weight that was placed by Kit Malthouse on Professor Caulkins’ high-level account of the ‘*swift, certain, and fair*’ criminal justice paradigm and the efficacy of programmes that adhere

to this approach. It is possible, however, that Professor Caulkins' standing and 'authority' (see Stone, 2012) as an internationally renowned and respected intellectual influenced and legitimated Kit Malthouse's receptiveness, with the cognitive-psychological heuristic of 'trust' (Wolman, 2009; Wolman & Page, 2002) being employed to transition the idea into a research phase.

Proposition 9: Think tanks and academics facilitate the diffusion of subnational crime control policies and practices.

Proposition 10: Processes of globalisation and transnational elite networking that entail the movement of people across borders provide an opportunity structure for 'international-subnational' crime and justice policy transfer.

Notably, no evidence was collected as part of this study to suggest that London City Hall staff systematically collated first-hand information concerning the delivery of 24/7 Sobriety post-OPPF. Indeed, despite being considered the 'gold standard' for international policy learning (Rose, 1993; 2005; also see Ettelt *et al.*, 2012; Hudson & Kim, 2013), no fact-finding visit was undertaken early in the policy formation process, and data do not indicate that (in)formal direct communication occurred with the elite professionals who established the South Dakota programme. In fact, despite technological advances making it easy and fast for policy-makers to interact with one another, evidence of direct engagement and consultation with Larry Long himself is entirely absent from the AAMR policy formation narrative.

Proposition 11: 'International-subnational' crime control policy transfer does not entail bilateral and horizontal exchange of information between professional and political elites.

Instead, an in-house desk-based research exercise and the insight of Professor Keith Humphreys were seemingly embraced – and relied upon – by GLA agents as substitute sources of policy information prior to the first wave of legislative lobbying occurring. Nevertheless, given the weaknesses that are associated with documents (see Chapter Five, Section 5.5.2) and the reality that Professor Humphreys visited South Dakota for just three days and may have cultivated a partial rather than complete picture of the initiative (see Hudson & Kim, 2013; Page *et al.*, 2004), questions remain unanswered concerning:

- The validity, quality, accuracy, and depth of knowledge acquired by the GLA concerning the goals, design, and operation of the South Dakota model
- If the information collected and received was subjected to review and evaluation
- The extent to which the transferability, ramifications, and limitations of the South Dakota scheme were appraised
- The type of policy-orientated learning that occurred within the GLA.

At the most basic level, it would appear that learning did move beyond that which is simple, as this would have entailed little knowledge updating and resulted in a bid to accomplish mimicry or ‘cut-and-paste’ transfer (Dolowitz, 2009; Sharman, 2010). By contrast, findings suggest that Kit Malthouse and Boris Johnson reached a point whereby they were willing to take forward an adapted version of the South Dakota programme in London, without the input of an inter-organisational ‘policy transfer network’ (Evans & Davies, 1999; also see below), without consensual knowledge diffusing across GLA departments, yet, with an understanding that further learning would be obtained via ‘doing’ (i.e. conducting a pilot) (Dolowitz, 2009).

This raises the issue of why political elites within the GLA opted to move forward with floating the idea of replicating the South Dakota model, and why this approach in particular was considered attractive. First and foremost, evidence suggests that just as Michael Howard truly believed in imprisonment as a crime reduction tool (see Chapter Four, Section 4.4.3), Kit Malthouse genuinely believed that compulsory sobriety would be an effective solution to alcohol-fuelled violence. Indeed, it is arguably appropriate to draw on Jones and Newburn’s (2007) account of the ‘New York Miracle’ narrative (see Chapter Four, Section 4.4.3), as it would appear that Kit Malthouse similarly constructed a tale of the ‘South Dakota Miracle’ as follows:

“Alcohol-related crime was reduced dramatically in South Dakota; the decrease was due in large part to the South Dakota 24/7 Sobriety Project; and if it worked there, it can work here.”

Certainly, evidence suggests that Kit Malthouse regarded Larry Long’s initiative to be a story of unequivocal ‘programmatically success’ (Fawcett & Marsh, 2012). A success that he could imitate in London if the South Dakota model was reoriented and reconfigured to focus predominantly on interpersonal violence. Still, what is noteworthy about this narrative is that the South Dakota scheme itself was unable to boast social-scientific

evidence concerning its efficacy in 2010 as proof of its outcomes were largely based on anecdotal and descriptive data. Nonetheless, findings suggest that Kit Malthouse held 24/7 Sobriety to be a tried-and-tested, common-sense, intuitively appealing approach that was not only grounded in penological theory, but that was also technically feasible and structurally compatible with London. It is crucial, however, not to overlook the political, economic, ideological, and cultural context in which this agent was operating. The clock was ticking with respect to the Johnson administration responding to alcohol-fuelled crime in a manner that assured and appealed to the public (see above). As such, an innovative, ready-made, off-the-shelf pilot that held the potential to bolster his and his boss's crime control credentials and allow him to leave a policy imprint in the sand was likely to be seductive to Kit Malthouse (Dolowitz *et al.*, 1999; Hulme, 2005; Lister & Rowe, 2015; Lynch, 2012; Strickland, 2013; also see Chapter Three, Section 3.5). Certainly, while evidence does not suggest that Kit Malthouse was engaging in purely populist and impulsive 'acting-out' behaviour when proposing compulsory sobriety as a policy solution, he may have been enticed by its ability to convey harsh symbolism, express his concerns for public safety, denounce alcohol-related crime, and demonstrate his capacity to restore "*morality, order and discipline in the face of the corrosive social changes of late modernity*" (Garland, 2002: 131; also see Bottoms, 1995; McAlinden, 2012; Muncie, 2006). Indeed, a criminal justice 'path' had been trodden for Kit Malthouse since the 1990s. His policy choices were limited. He was 'locked in' to talking tough on crime, and promoting compulsory sobriety as anything other than punitive would have been politically dangerous (see Myles & Pierson, 2001; also see Chapter Four, Section 4.4.2). In addition, the fact that compulsory sobriety ostensibly dovetailed with both the 'conservative humanitarian' (Nellis, 2000) stance adopted by the new Secretary of State for Justice and the austerity programme being implemented by the Conservative-Liberal Democrat Coalition Government (2010–2015) may have worked to reinforce its appeal at the subnational level. Seeking to 'fit' policy with that emerging from 'the centre' is easier than striving to challenge it. To be sure, when outlining the benefits of enforced alcohol abstinence, Kit Malthouse emphasised the positive impact that it could have on the state's finances. Offenders remaining at home was not primarily presented as being beneficial to lawbreakers, their families, and their communities. Rather, it was positioned as a mechanism to reduce recidivism, incarceration costs, and public sector budgets.

Proposition 12: The perceived success of a 'foreign' innovation entices subnational policy-makers, with anecdotal evidence of efficacy working to influence the receptivity of potential importers.

Proposition 13: Like their national-level colleagues, subnational policy-makers operating within the sphere of crime control are attracted to policies that permit a 'tough on crime' narrative to be articulated to the public.

Box 10.2. Key finding 2

With regard to the case of MOPAC's AAMR Pilot, the process of 'international-subnational' crime and justice policy transfer was triggered by political dissatisfaction with the status quo concerning the problem of interpersonal violence. This problem was moved onto the GLA's decision agenda due to a potent combination of voluntary and semi-coercive domestic drivers. Such drivers included Kit Malthouse's wish to reduce victimisation, his commitment to meeting the demands of his roles as London's Deputy Mayor for Policing and Chair of the Metropolitan Police Authority (MPA), and the perceived need to assure the electorate that Boris Johnson and his mayoral administration were competently addressing law and order issues so as to reduce the likelihood of defeat at the ballot box in 2012. Evidence collected does not suggest that remedies to the perceived problem of alcohol-related domestic and night-time economy violence were sought within the UK. Rather, search activity was seemingly focused on 'foreign' examples. Nonetheless, systematic searching ultimately did not lead to the identification of enforced alcohol abstinence as a solution as this was in fact located by Kit Malthouse when he attended an elite and exclusive policing policy forum and was told of the South Dakota 24/7 Sobriety Project by a US academic agent of transfer. While data is somewhat opaque with regard to the information-gathering strategy that was employed within the GLA to obtain further details about the South Dakota model, evidence does indicate that direct contact with those who had been/were involved in establishing and delivering the programme did not occur. Instead, a period of desk-based research was undertaken, with the decision to proceed with a London 'compulsory sobriety' pilot that emulated aspects of the South Dakota scheme being taken by Kit Malthouse and endorsed by Boris Johnson.

Who are the key agents of ‘international-subnational’ crime and justice policy transfer? What motivates them to engage in the process?

The findings of this study reveal that a plurality of actors are involved in the ‘international-subnational’ crime and justice policy transfer process. What is particularly conspicuous about these actors is that their remit was not confined to the subnational level. Rather, those who strived to implement a compulsory sobriety pilot in London spanned the subnational, national, or inter/transnational levels.

Proposition 14: ‘International-subnational’ crime and justice policy transfer is driven by agents that operate at different levels of political spatiality.

While almost all categories of agents that participated in the movement of mandatory alcohol abstinence from South Dakota to Greater London feature within existing policy transfer frameworks and published crime control-focused empirical studies (see Chapter Two and Chapter Four, Section 4.4.3), one type of agent that has hitherto remained absent yet recurrently made an appearance within the AAMR Pilot ‘story’ was that of ‘Special Adviser’ (SpAd)¹⁰⁸. Indeed, data suggest that two GLA SpAds and one ministerial SpAd played critical roles in the AAMR policy formation and implementation process, including that of ‘fixer’ (i.e. Joe Mitton), ‘deal broker’ (i.e. Kathryn Laing), and ‘wonk’ (i.e. Martin Tunstall) (see Marsh *et al.*, 2000; The LSE GV314 Group, 2012). Certainly, the contribution and involvement of these agents appeared to propel AAMR legislation forward, and worked to shape the pilot that was eventually implemented in South London. As such, these actors should be explicitly acknowledged and incorporated into policy transfer models going forward.

Proposition 15: SpAds are key players in the ‘international-subnational’ policy transfer process.

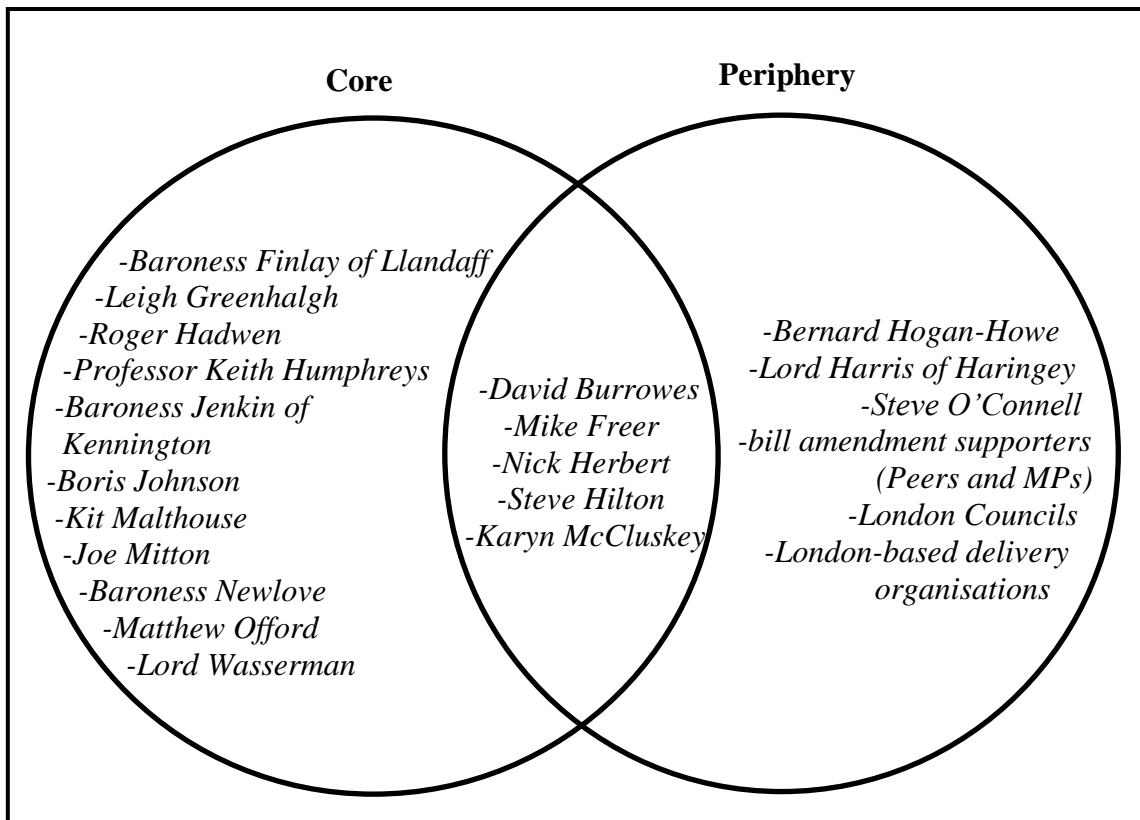
Despite the reality that a range of different actors were involved in the AAMR journey, an important finding that emerged from this study is that an inter-organisational

¹⁰⁸ Although SpAds could perhaps be situated under the ‘civil servant’ umbrella, the distinction between appointed SpAds and permanent civil servants is rather blunt as the former are temporary, permitted to act politically, and operate in areas that are ‘out of bounds’ or ‘grey areas’ for the latter (The LSE GV314 Group, 2012).

‘information feeder network’ and a ‘policy transfer network’ did not emerge at the outset of the policy development process in line with Evans and Davies’ (1999) analytical and organisational framework. Instead, as detailed above, Professor Caulkins planted a seed of policy inspiration, which subsequently led to an in-house GLA ‘information feeder network’ being established to obtain further intelligence. Knowledge was thus acquired internally, without external agents’ ‘cognitive and elite mobilisation’ skills/resources being expended, and without a voluntary ‘policy transfer network’ being assembled (see Evans & Davies, 1999). Indeed, while Evans and Davies’ (1999) framework was helpful with respect to forwarding concepts that were relevant to the case examined and was flexible enough to accommodate the insights of various policy transfer scholars, a perfect fit between the stages outlined by Evans and Davies was not achieved (also see Chapter Two, Section 2.3.3). One reason for such incompatibility stemmed from City Hall’s quest to secure new primary legislation as this produced a situation whereby the ‘client’ of transfer became central government which, in turn, imposed on the ‘neatness’ of the policy borrowing journey. A further reason for the discord identifiable between the empirical data collected and Evans and Davies’ scheme links to the vestiges of rationality that are present within the cycle that they have constructed. To expand, while Evans and Davies’ (1999) do emphasise that they wish to make no claims about the rationality of the policy transfer process (see Chapter Two, Section 2.3.3), it is clear that they envisage a sequence unfolding as follows: problem recognition → search for non-indigenous policy solutions → information gathering → evaluation of the nature/degree of transfer that should occur → decision → implementation. With respect to the AAMR Pilot, however, processes of ‘evaluation’ and ‘decision’ occurred in a repetitive fashion over several years due to the complex context in which agents of transfer were operating. Certainly, as will be discussed below, the structure of London’s proposed compulsory sobriety trial mutated and modified over time in response to agent/institutional resistance and input, and it is this recurrent policy ‘tinkering’ and revision that Evans and Davies’ (1999) framework arguably fails to capture adequately.

While a policy transfer network did not develop, the findings of this study do nonetheless indicate that a compulsory sobriety Policy Transfer Advocacy Coalition (PTAC) did materialise at the point whereby a bill amendment was sought, with ‘core’, ‘periphery’, and ‘floating’ members joining this alliance over a period of approximately 18 months (see Figure 10.1 below).

Figure 10.1. Compulsory sobriety PTAC (membership)



Source: Author's own

What is interesting about this coalition is that it does share some of the characteristics of a policy transfer network and an advocacy coalition as identified by Evans and Davies (1999) and Ladi (2005), including its reason for existence (i.e. to secure policy change) and the nature of its membership (i.e. diverse) (see Table 10.1 below). Indeed, with respect to the latter, evidence suggests that in addition to being elite, PTAC members were:

- State and non-state actors employed in various roles including elected official, SpAd, civil servant, senior practitioner, and academic
- Active at multiple levels
- Aligned to different political parties
- Not all crime control, violence, or alcohol specialists.

Like a policy transfer network, the PTAC was also ephemeral in the sense that it disbanded following the passage of the *Legal Aid Sentencing and Punishment of Offenders (LASPO) Act 2012*. Moreover, the 'glue' binding members together was a common interest in trialling an overseas penal policy innovation. A major difference between a policy transfer network and the compulsory sobriety PTAC, however, was the

point at which it emerged; with the former said to transpire at the ‘search’ phase of the policy development journey (see Evans & Davies, 1999), and the latter actually assembling at the more ‘formal’ legislative phase when policy ideas are competing for adoption. In effect, the PTAC was a lobbying rather than a knowledge gathering/sharing entity.

Table 10.1. Compulsory sobriety PTAC (characteristics)

	Policy Transfer Network	Advocacy Coalition	Policy Transfer Advocacy Coalition
Membership	Diverse	Diverse	Diverse
Cohesive factor	A common interest in policy change	Common belief system	A common interest in policy change
Permanency	Ephemeral	Long-standing	Ephemeral
Raison d’etre	Engineering policy change	Engineering policy change	Engineering policy change
Mechanism	Policy transfer	Policy-orientated learning	Lobbying

Sources: Information extracted from Evans & Davies (1999); Ladi (2005: 284)

While the PTAC did demonstrate some level of coordinated activity over time, the data collected do suggest that members did not present a united front in public arenas concerning the shape of London’s alcohol abstinence trial. Indeed, it would seem that the PTAC itself was ‘loose-knit’ with regard to its structure and that synchronisation of message was not entirely achieved. Notably, one reason for the disharmony between members looks to have stemmed from the lens through which the benefits of importing 24/7 Sobriety were viewed; whether this be reducing violent incidents in the night-time economy, tackling domestic violence, decreasing road deaths, or moving alcoholics into recovery. In effect, compulsory sobriety was embraced as a solution to a range of different problems by a variety of individuals, and this appeared to impact on the account composed by PTAC members concerning why policy change and transfer were desirable.

What is also interesting about the PTAC is that despite Benson and Jordan’s (2011) claim that scholars have successfully identified actors’ main motivations for engaging in policy transfer, a key motivation was teased out by this study that has not been fully explored

within the existing literature – that is, personal experience. To expand, several PTAC members drew on highly emotive autobiographical narratives to create an image of the ‘victims’ that they were seeking to protect, with such victims including bereaved or distressed parents, children, and London residents. Certainly, their own brushes with alcohol-fuelled crime, the suffering that this causes, and the impact of alcoholism on individuals and families were cited as major drivers of their willingness to join the compulsory sobriety alliance. In effect, their intent was not to ensure that England and Wales ranked highly on an international league table or to halt pressure being exerted by transnational corporations¹⁰⁹. Instead, it was about helping people and communities, without bargains being struck to obtain support. It was about wives, mothers, and friends taking action to prevent harm. In short, with regard to the case of the AAMR Pilot, the personal trumped the political for some agents of transfer.

Proposition 16: PTACs emerge during the ‘international-subnational’ crime and justice policy transfer process.

Proposition 17: Personal experience can be a driver for engagement in ‘international-subnational’ policy transfer activity.

Box 10.3. Key finding 3

Findings suggest that a variety of actors were involved in the ‘international-subnational’ crime and justice policy transfer process with respect to MOPAC’s AAMR Pilot. Although an ‘information feeder network’ and a ‘policy transfer network’ did not emerge at the ‘search’ stage of the policy process, a PTAC did develop at the ‘legislative’ stage in response to governmental resistance.

¹⁰⁹ This is not to say that transnational corporations were absent from the story of the AAMR entirely. Indeed, evidence suggests that Alcohol Monitoring Systems (AMS) Ltd. was ‘present’ during the time in which South London’s trial was constructed by MOPAC and its partners, and that its UK Country Manager provided advice pertaining to the US subnational sites that were visited by Martin Tunstall and Max Chambers in 2013.

From where do UK subnational agents transfer crime and justice policy?

The findings of this study do not dispute MOPAC's claim that the original idea for London's compulsory sobriety pilot derived from a subnational jurisdiction overseas – South Dakota (see Chapter Five, Section 5.4.1). Indeed, analysis confirms that Larry Long's crime control intervention acted as the 'anchor role model' (Randma-Liv & Kruusenberg, 2012) throughout the policy formation process, with the GLA and other members of the PTAC explicitly making reference to this scheme when flying the enforced alcohol abstinence kite and petitioning the government for the introduction of new legislation.

Proposition 18: When multiple versions of a similar programme exist within a country, importing subnational agents adopt one programme as their prime exemplar.

Nevertheless, evidence does indicate that a degree of familiarity with alternative US community monitoring programmes existed within City Hall as early as 2010 as a consequence of Professor Caulkins and Professor Humphreys imparting information about a range of American '*swift, certain, and fair*' initiatives. In addition, data suggest that in 2013 a commercial agent (i.e. Matthew Mitchell, AMS Ltd.) presented information to MOPAC representatives concerning US projects that were employing alcohol tags to monitor alcohol consumption, and that additional knowledge of such projects was acquired via a MOPAC SpAd who not only attended the National Association of Drug Court Professionals Annual Training Conference in Washington, DC, but who also embarked on a brief fact-finding tour of the US. While data are unable to shed considerable light on the impact that information pertaining to different US '*swift, certain, and fair*' projects had within the first Johnson administration with respect to compulsory alcohol sobriety, findings do nonetheless suggest that a further 'wave' of action-orientated policy transfer activity transpired within the GLA during Boris Johnson's second term in office, with members of Stephen Greenhalgh's team seeking to gain a deeper insight into the technicalities of implementing alcohol abstinence schemes and entertaining the notion of quasi-publically 'marking' (Garland, 2002) Greater London's alcohol offenders by attaching sobriety tags to their ankles. What is particularly interesting about such transfer activity is that aside from entailing face-to-face engagement with US academics, subnational practitioners, and commercial

representatives, it also involved interaction with subnational policy entrepreneurs who had trialled transdermal alcohol monitoring devices in the UK context (i.e. Karyn McCluskey and Judge Crichton). Lessons were thus pulled across national and subnational borders and fed into the decisions that were made with respect to the AAMR's programmatic specifications immediately prior to launch. As such, while it remains the case that the broad legislative structure for London's compulsory sobriety pilot was based on the South Dakota model, the findings of this study do indicate that the experience of domestic and international crime control agents was tapped into when plugging gaps in the AAMR Pilot's delivery framework, and that this experience partly contributed to MOPAC's decision to use alcohol tags as opposed to breathalysers to determine AAMR compliance. Hence, the empirical findings of the case selected for investigation align with contemporary academic literature that argues that policy transfer should be examined over a protracted period of time, that processes of cross-border learning can occur in a wave-like and incremental manner rather than in a 'one-off' fashion, and that 'stuff' can be indiscriminately 'nicked from all over the place' during the process in which an initiative is constructed/indigenised (see Dussauge-Laguna, 2012b; Dwyer & Ellison, 2009; Fawcett & Marsh, 2012; Hudson & Kim, 2013; Stone, 2016).

Box 10.4. Key finding 4

Although the general framework for MOPAC's AAMR Pilot was based on the South Dakota 24/7 Sobriety Project, GLA agents did draw lessons from alternative US community monitoring programmes and UK alcohol tag schemes during the pilot planning stage.

What is the nature and degree of 'international-subnational' crime and justice policy transfer?

To address the issue of what has transferred from South Dakota to South London, it is important to recognise that the South Dakota model itself has not remained static over time. Rather, as discussed in Chapter Six (Section 6.2.1), it has altered and modified since its inception in response to 'street-level bureaucrats' (Lipsky, 1979) learning and seeking to respond to programme weaknesses. Nevertheless, there are several components of 24/7 Sobriety that could be deemed fundamental, and that have remained in place despite adjustments being made.

These components are:

- Court-mandated alcohol abstinence
- A clear behavioural contract
- ‘Offender pays’ for testing
- Regular monitoring to ensure compliance
- ‘*Swift, certain, and fair*’ punishment for breach (flash incarceration).

As illustrated in Table 10.2 below, the London compulsory sobriety trial that Kit Malthouse initially proposed in 2010 not only entailed the borrowing of ‘soft’ ideas (e.g. sentencing offenders to a period of mandatory alcohol abstinence), goals (e.g. reducing alcohol-related crime; behavioural/attitudinal change), principles (e.g. consuming alcohol is a privilege not a right) and vocabulary (e.g. ‘*swift and certain*’), but also involved the mimicry of ‘harder’ delivery elements (e.g. a breathalyser testing regime; ‘offender pays’; flash incarceration). In effect, this pilot outline captured all of the fundamental components of 24/7 Sobriety, and sought to translate each of these into a penal-policy intervention that could be launched in London. Even at this early stage, however, some noteworthy elements of the South Dakota scheme were not imported. For instance, dependent drinkers were to be excluded, and drug testing to deter substance substitution, stretching the pilot to incorporate child protection cases, and adopting enforced abstinence as a condition of bail were not mooted. The degree of transfer was thus closest to that of ‘adaptation’ (Rose, 2005), with ‘localisation’ and ‘second-order change’ (Hall, 1993, also see Chapter Two, Section 2.3.3) seemingly being City Hall’s desired outcome.

Proposition 19: Subnational agents aim to achieve both ‘soft’ and ‘hard’ crime and justice policy transfer.

Table 10.2. Programme ‘snapshots’

	South Dakota 24/7 Sobriety Project	South Dakota 24/7 Sobriety Project	London Compulsory Sobriety Pilot	South London AAMR Pilot
	Snapshot 2007	Snapshot 2010	Snapshot 2010	Snapshot July 2014
Court mandated alcohol abstinence	✓	✓	✓	✓
Transparent behavioural contract	✓	✓	✓	✗
Offender pays for monitoring	✓	✓	✓	✗
Monitoring technology	Breathalysers	Breathalysers and alcohol tags *Regular drug testing*	Breathalysers	Alcohol tags
‘Swift, certain, and fair’ punishment for breach	Flash incarceration	Flash incarceration	Flash incarceration	‘Swift and certain’ notification of breach

Source: Author’s own

While all of the fundamental components of 24/7 Sobriety were embraced by the PTAC during its lobbying campaign, evidence indicates that a process of bargaining between elites resulted in two components being sacrificed by its ‘core’ members: ‘offender pays’ and flash incarceration. Such concessions consequently challenged the ‘purity’ of the ‘international-subnational’ policy transfer that occurred. Indeed, what was legislated for by the government was much less ambitious and revolutionary than City Hall and its allies had been striving to attain. Wider, radical, change to the criminal justice system was obstructed as domestic politicking unfolded. A cautious approach and tentative steps were preferred by the government. Tax-payers would continue to pay for the punishment of alcohol-fuelled offenders and existing breach processes would be followed. The outcome was that the PTAC’s delivery plans were destabilised, with the question of if, and how, flash incarceration could be successfully substituted within England and Wales’ legal framework finding no instant answer.

Proposition 20: Political bargaining results in fundamental components of an imported subnational crime control model being abandoned.

Notably, data suggest that despite MOPAC's efforts to accelerate AAMR breach processes, the closest replication of '*swift, certain, and fair*' punishment that it could achieve was '*swift and certain*' notification of breach as initially undertaken by Responsible Officers and later led by Electronic Monitoring Services (EMS) who acted in an 'assisted desistance' capacity. It is here that a further challenge to the importation of a different fundamental element of 24/7 Sobriety transpired – a transparent behavioural contract. In London, and in line with criminal justice legislation, those subject to an AAMR were able to violate the conditions of their sentence once without breach processes commencing. This was clear, and the state-offender arrangement was lucid. What was unclear, however, was how quickly the offender would return to court upon second breach, and what exactly they would be sentenced to. In effect, MOPAC's AAMR Pilot was a mixture of certainty (you will be caught) and ambiguity (when and how you will be punished is inexact). Given the high compliance rate achieved during the first twelve months of MOPAC's AAMR Pilot, it is of course possible that the validity of 24/7 Sobriety's cause-and-effect model will be called into question going forward. Indeed, perhaps it is continual monitoring that secures compliance, not the threat of a short stay in jail or the financial contribution made by offenders. Alternatively, perhaps the results of the South London pilot were achieved due to a potent blend of sufficient funding/resources, National Probation Service (NPS)/Community Rehabilitation Company (CRC) enthusiasm, discretion, and signposting; the secondment of a committed Project Manager; regular partnership meetings; alcoholics being deemed ineligible to receive the sentence; and offenders being willing to change their behaviour. This is, of course, highly speculative, and further piloting and evaluation is required to detect key mechanisms as the programme beds in. Nevertheless, the policy 'synthesis' (Rose, 2005) that materialised in South London – a synthesis that borrowed 'hard' and 'soft' elements of the South Dakota model and combined them with existing infrastructure, institutions, and practices in England and Wales – will undoubtedly be of interest to US crime control practitioners, and may lead to a fresh wave of transfer activity occurring in the opposite direction. What is more, the 'international-subnational' transfer activity that has occurred between South Dakota and England and Wales more broadly does not look set to halt. Momentum for transfer has been secured (see Evans, 2004; 2009c; 2010, also see Chapter Three, Section 3.5), with domestic violence perpetrators being included in northern

AAMR trials, and flash incarceration being proposed by the former Prime Minister, David Cameron. Indeed, it would appear that the PTAC’s efforts have left a watermark on Conservative Party policy, which could lead to further UK and US convergence going forward even as ministers and SPaDs change.

Proposition 21: ‘International-subnational’ crime and justice policy transfer can trigger further policy transfer activity (also see Chapter Three, Section 3.5).

Box 10.5. Key finding 5

Although City Hall and its allies fought hard to import all of the ‘soft’ and ‘hard’ fundamental components of the South Dakota model, MOPAC’s AAMR Pilot was ultimately a ‘synthesis’ (Rose, 2005) – an ‘assemblage’ of old and new ideas, goals, principles, vocabulary, technology, and practices (Prince, 2010). Indeed, as a consequence of political, cultural, legal, and institutional constraints, flash incarceration, ‘offender pays’, and ‘swift, certain, and fair’ punishment were not implemented in South London, with the AAMR Pilot having a decidedly ‘British flavour’ as an upshot of sensitive localisation (see Jones & Newburn, 2007).

What facilitates and/or constrains the ‘international-subnational’ crime and justice policy transfer process?

A series of eclectic factors that facilitated and/or constrained the ‘international-subnational’ crime and justice policy transfer process are identifiable with respect to the case of MOPAC’s AAMR Pilot. As illustrated in Table 10.3 below, these factors can be conceptualised within a multi-level schema.

Table 10.3. Facilitating and/or constraining factors

Global and Inter/transnational Level
<p>(*) Global communication technologies</p> <ul style="list-style-type: none"> • The Internet enabled policy tourism within City Hall
<p>(*) New crime control technology</p> <ul style="list-style-type: none"> • Transdermal alcohol monitoring devices were commercially available in the UK

<p>(#) Policy ‘harmonisation’/international treaties</p> <ul style="list-style-type: none"> Flash incarceration → alleged to be discordant with the European Convention on Human Rights
<p>Macro-State Level</p>
<p>(#) Global financial crisis</p> <ul style="list-style-type: none"> Government austerity programme → no slack resources to fund a compulsory sobriety pilot
<p>(* Size of prison population</p> <ul style="list-style-type: none"> Incarceration costs pose a challenge to the state’s budget
<p>(* English and Welsh penal culture/ideology and public opinion</p> <ul style="list-style-type: none"> Neoliberal political economy; positive attitude of London residents concerning the notion of mandatory alcohol abstinence and ‘offender pays’
<p>(#) Centralisation</p> <ul style="list-style-type: none"> Central government is responsible for formulating English and Welsh penal policy
<p>(#) Past policies/compatibility with importing legal system</p> <ul style="list-style-type: none"> New primary legislation was required No flexibility → adherence to existing breach processes; hostility from Whitehall officials towards introducing an ‘offender pays’ component into the criminal justice system
<p>Central government agenda/policy</p> <ul style="list-style-type: none"> Alcohol-related crime had been elevated to the ‘problem’ sphere (*) ‘Localism’ was a government policy initiative (*) Implementation priorities (e.g. Transforming Rehabilitation) (#)
<p>Meso-Level</p>
<p>(* Political party in power</p> <ul style="list-style-type: none"> Conservative-Liberal Democrat Coalition Government; Conservative Mayor of London
<p>(* Mobilisation of elite policy transfer allies</p> <ul style="list-style-type: none"> Compulsory sobriety PTAC
<p>(* Influence and location of the primary agent of transfer</p> <ul style="list-style-type: none"> GLA → Situated within a site of political power (London); visible and high profile figurehead who is responsible for a large geographical area

<p>Professional, political, and media receptivity</p> <ul style="list-style-type: none"> • VAWG community resistance to mandating perpetrators of domestic violence not to consume alcohol (#) • Judges unwilling to prioritise AAMR cases (breach) (#) • Ineffective opposition from alcohol experts/charities (*) • No significant media backlash (*)
<p>(*) (#) Political ‘games’/strategies</p> <ul style="list-style-type: none"> • Parliamentary ‘whipping’; media engagement; policy bargaining; breaking promises; binding hands of successor; stalling; thwarting implementation
<p>Micro-Level</p>
<p>(#) Ministerial receptivity</p> <ul style="list-style-type: none"> • Secretary of State for Justice and Lord Chancellor → legislative territoriality; anti-localism; cynicism regarding the 24/7 Sobriety cause-and-effect model and its transferability (perceived cultural incompatibility); attitude and values • Home Secretary → legislative territoriality; concerns pertaining to the burden that would be placed on the police
<p>(#) Whitehall receptivity and culture (Ministry of Justice (MoJ) / Home Office)</p> <ul style="list-style-type: none"> • Aversion to risk/radical policy change; reluctance to introduce new sentences • Prejudice concerning US crime control policy innovations • Legislative territoriality; questioning who is ‘the expert’ • Scepticism concerning the GLA’s motives (gimmicky/faddish proposal) • Dismissal of the 24/7 Sobriety evidence base; lack of intellectual seduction
<p>(*) (#) Leadership changes</p> <ul style="list-style-type: none"> • Key agents left their positions within the MoJ and MOPAC
<p>(*) (#) Personality traits and qualities of agents</p> <ul style="list-style-type: none"> • Stubbornness; determination; passion; tenacity
<p>Key: * Facilitator # Constraint</p>

Source: Author’s own

Although all of these factors were seemingly important in relation to the development of the AAMR, it is arguable that two factors are worthy of further elaboration due to their complex entanglement with other factors and the significance of their impact with regard to policy formation and delivery processes.

The first factor is ‘timing’. Certainly, throughout the AAMR journey the particular point or period of time in which events occurred appeared to enable or restrain policy borrowing activity. Examples of the role played by specific ‘types of time’ and their relationship to the ‘international-subnational’ crime and justice policy transfer process are provided below.

‘Calendar time’:

- Professor Caulkins was scheduled to be in Europe in February 2010 (thus abetting his attendance at the OPPF), while Professor Humphreys was visiting the UK when Kit Malthouse’s ‘compulsory sobriety’ article was printed in *The Times* (hence alerting him to the potential for policy emulation in the UK).

‘Employment time’:

- Professor Humphreys’ sabbatical at the Office of National Drug Control Policy (ONDCP) at the White House was coming to an end in 2010, therefore freeing him to engage in policy lobbying in London.

‘Crisis time’:

- Alcohol-related crime was perceived by political elites to be a problem not a major crisis. A media storm had not materialised, a high-profile victim was not identifiable, and a central government ‘operational spasm’ (Marsh *et al.*, 2000) was not deemed to be required. The AAMR was a reaction, not reactive.

‘Parliamentary time’:

- Two pertinent Government Bills were moving, or being considered, when GLA staff began petitioning ministers, civil servants, and SpAds to introduce compulsory sobriety clauses.
- Baroness Finlay of Llandaff’s intention to re-introduce AMR amendments into the *LASPO Bill* occurred at a time when the Coalition Government had already experienced nine defeats in the House of Lords. Seeking to shape the AMR/AAMR was ostensibly a more pragmatic strategy for the government than sticking rigidly to its position and experiencing a further defeat (also see Kingdon, 2011).

‘Networking time’:

- Joe Mitton and Baroness Jenkin of Kennington attended the same luncheon which led to her becoming aware of the PTAC’s efforts to secure primary legislation.

‘Electoral time’:

- The London Mayoral election was looming at the point of Oliver Letwin’s intervention (a ‘win’ for Boris Johnson would also be a ‘win’ for the Conservative Party). In addition, David Cameron was eager to introduce an automatic punitive component into community sentences to prevent them being viewed as lenient by the electorate.

Proposition 22: The timing of events plays a crucial role in facilitating or constraining the ‘international-subnational’ crime and justice policy transfer process.

The second factor is ‘relationships’. Indeed, although the existing literature has drawn attention to the relationships that developed between US and UK national-level administrations and its associated ideational policy transfer activity (see Chapter Three, Section 3.5), in the case of the AAMR Pilot findings indicate that interpersonal tensions and friendships between individual elites may have worked their way into the policy process at the development and adoption stages. For instance:

- Kit Malthouse’s existing relationship with Steve Hilton seemingly facilitated access to 10 Downing Street.
- Dynamics between senior Conservative Party politicians and Boris Johnson did not expedite acceptance of a Greater London compulsory sobriety pilot.
- Kit Malthouse’s friendship with Lord Wasserman played a role in the latter acquiring knowledge of the PTAC’s efforts.
- Professor Humphreys’ acquaintance with David Burrowes provided the PTAC with a line of communication to Oliver Letwin.

Proposition 23: Relationships between elite agents enable or restrict ‘international-subnational’ crime and justice policy transfer activity.

Box 10.6. Key finding 6

A plethora of factors facilitated and/or constrained the ‘international-subnational’ crime and justice policy transfer process with regard to MOPAC’s AAMR Pilot. These factors span the global and inter/transnational, macro, meso, and micro levels. Two factors that seemingly played a critical role, however, were ‘timing’ and ‘relationships’.

Source: Author’s own

10.3. Original contributions

This thesis makes a series of contributions that fall within the empirical, methodological, and theoretical domains.

10.3.1. Empirical contributions

With regard to the empirical domain, this is the first comprehensive study to explore the process of ‘international-subnational’ crime and justice policy transfer with respect to (purported) UK importation. In achieving this, this thesis has sought to provide a multi-level examination of the emergence, development, adoption, and implementation of MOPAC’s AAMR Pilot, with analysis being conducted through the lens of the policy transfer framework. The case itself is highly significant, being the first compulsory sobriety scheme to be launched in the UK, and the first of its kind in Europe to combine mandatory alcohol abstinence with transdermal alcohol monitoring devices (Pepper & Dawson, 2016). Engagement with this subnational policy innovation has permitted a plethora of interesting and unique insights to be gained into the policy borrowing and development journey – a journey which has hitherto evaded scrutiny. Moreover, investigation into this case has not only shed light on the complex political activities and ambitions of agents aligned to a specific office within a particular administrative body (i.e. that of the Mayor of London within the GLA), but has also increased understanding of the role played by policy transfer within the neglected and niche issue area of violence reduction. Certainly, a recent search of the literature exposed just two policy transfer studies that are situated within this arena (see Bissessar, 2000; DeKeseredy, 2009). Finally, this thesis has worked to tilt the balance of the academic scales towards robust empirical research that seeks to determine if policy transfer has occurred and what it ‘looks like’, as opposed to that which is heavily theoretical or conceptual yet lacks

persuasive evidentiary content or the views of those who were directly involved in the process (see Bennett, 1997; Canton & McFarlane, 2014).

10.3.2. Methodological contributions

With respect to the methodological domain, this project contributes to existing knowledge concerning the practice of conducting policy transfer research. Indeed, besides demonstrating that potential case studies can be identified and selected via the adoption of a systematic procedure, this study has also confirmed that elite agents can be successfully accessed and encouraged to cooperate with social scientific research. In addition, this study has applied the arts-based data collection tool of qualitative timeline interviewing to a new population (i.e. elites directly involved in, or who have an informed opinion about, the process of developing subnational crime and justice innovations) to explore a specific phenomenon (i.e. ‘international-subnational’ policy transfer). This tool proved to be valuable both in relation to mapping out meso-level policy formation events, and capturing data pertaining to the broader macro and micro political and environmental structures or processes that may have impacted on the strategies, intentions, and actions of agents or obstructed transfer activity. When used face-to-face, it was also effective in jolting participant’s recollections, building trust, and improving rapport. Moreover, the author’s experience of employing this technique suggests that elite individuals were not disconcerted or fazed by their ‘story’ being captured in a creative way. Instead, they expressed their satisfaction at having a visual sketch of their professional efforts unfold before their eyes, with several requesting copies for their own records. Given its advantages with regard to facilitating a meaningful partnership between the researcher and informants, qualitative timeline interviewing could thus be a welcome addition to policy transfer analysts’ methodological toolbox, or for others seeking to trace sequences of events over time in a manner that does assume linearity or rationality.

Furthermore, this study has drawn attention to the fact that even when satisfactory access to those who are able to forward first-hand testimonies of the policy development process is achieved, the quality and quantity of the data collected may ultimately be inadequate to generate a thorough account of policy change. To be sure, the abandonment of the Street Pastors as a case at the analysis stage of this project highlights the perils of striving to reconstruct the (alleged) ‘international-subnational’ crime and justice policy transfer

process more than a decade after its occurrence and where reliance on documentary archiving is demanded.

10.3.3. Theoretical contributions

In presenting an analysis of the genesis, evolution, and implementation of MOPAC's AAMR Pilot, this thesis not only contributes to a growing yet still rather scant crime and penal policy-making literature (see Newburn *et al.*, 2017; Tonry, 2015), but also offers an insight into the murky and multifaceted process of policy change as it unfolds at the subnational level in the UK. In addition, this study has sought to answer – admittedly in an initiatory manner – ‘*when, why, how, who, and what*’ questions pertaining to the movement of subnational crime control innovations across international borders. In doing so, the roles and relationships between key agents of ‘international-subnational’ crime and justice policy transfer have been mapped, and the author has proposed that Police and Crime Commissioners (PCCs) are likely to become important policy importers in England and Wales going forward. Moreover, this study has recommended that revisions are made to existing policy transfer frameworks to accommodate the findings that have emerged from the empirical data collected. Such revisions include expanding the concept of ‘comparative inadequacy’, recognising the contribution made to the policy transfer process by SpAds, and positioning personal experience as a policy transfer driver and mechanism of receptivity. Finally, as the first study to apply Evans and Davies’ (1999) under-utilised policy transfer schema to an under-explored policy transfer pathway, this thesis has commented on the value and precision of this model, with the author also drawing on the characteristics of a ‘policy transfer network’ and ‘advocacy coalition’ to outline the key features of a compulsory sobriety PTAC.

10.4. Lessons for practice

As discussed in Chapter Four (Section 4.4.1), policy transfer analysts have been reprimanded for failing to make their research action-based and relevant to practice (see Evans, 2004d; 2006; 2009b; 2009c; 2010). In seeking to evade this criticism and to build a bridge between social scientific enquiry and public policy making, the author has endeavoured to identify ‘lessons’ that emerged from this study that are directly pertinent to subnational policy practitioners, including PCCs and elected Mayors. It is important to note that in presenting these lessons below, it is not the author’s intention to provide a

step-by-step or prescriptive policy transfer instruction guide as this task has already been attempted by government officials (see Cabinet Office, 2002) and scholars (see Canton; 2009; Common, 2004a; Dolowitz, 2003; Lightfoot, 2003; Mossberger & Wolman, 2003; Rose, 2005; Wolman, 1992; 2009; Wolman & Page, 2002). Likewise, it is not the author's ambition to forward an exhaustive list of practice-based recommendations that are, in part, constructed upon weak evidence. Instead, the lessons forwarded are empirically derived observations, with a series of suggested '*don'ts*' being presented alongside a series of '*do's*' (Stanley, 2014).

10.4.1. A (not-so) quick fix

Evidence indicates that as opposed to being an 'in process' case, MOPAC's AAMR Pilot came dangerously close to being one of blocked 'international-subnational' crime and justice policy transfer at several points during its development journey. In addition, the two further instances of (claimed) policy borrowing that are embedded within this study's findings chapters (that is, the domestic violence proximity tagging trials being lobbied for by the PCCs for Northumbria and Cheshire, and the enforced alcohol sobriety pilot pursued by the VRU) are, at the time of writing, being hampered by political elites. While such findings raise important questions about a) the ease of importing innovations that involve a novel technological component (see Tonry (2015) for a more detailed discussion on this topic), and b) whether subnational attempts to transfer crime control policies from abroad are being habitually choked by ministers in public and/or subterranean spheres, arguably a major lesson that should be drawn from this is that seeking to utilise a 'ready-made solution' (Dolowitz *et al.*, 1999; Lynch, 2012) from overseas to address a crime control problem should not be considered a 'quick fix' to mollify pressure (Bennett, 1991a; Hulme, 2005; Muncie, 2001). Indeed, although imitating an intervention from abroad may be more efficient than constructing a home-grown venture from scratch (Clarke & Osborne, 2014) and may shorten learning curves (Peck & Theodore, 2015), the story of the AAMR Pilot reveals that years can pass before a transferred idea transitions into the realm of 'street-level bureaucrats' (Lipsky, 1979). More precisely, 1,634 days elapsed between Kit Malthouse's attendance at the eighth OPPF and the fitting of a mandatory alcohol tag on a South London resident. The policy emergence, development, adoption, and implementation process was sluggish not speedy, shaky not smooth. Furthermore, the launch of the AAMR Pilot did not occur on Kit

Malthouse's 'watch', thus indicating that kudos for achieving policy change may not be received at an opportune time for politicians, such as prior to an election campaign.

10.4.2. Resilient champions

Connected to the lesson above, the data collected for this study reveal that attempting to move a crime and justice innovation internationally from one subnational jurisdiction to another can be a challenging and exasperating experience for agents of transfer. In the face of strong opposition, those who instigated or belonged to the compulsory sobriety PTAC expended a considerable amount of time and energy keeping the flame of their policy alight, with Stephen Greenhalgh and his team inheriting a dimly lit AAMR torch following the 2012 London Mayoral election. Political determination, persistence, and tenacity at both the micro- and meso- levels were essential to reach the point where a 'Londonised' version of South Dakota's 24/7 Sobriety Project actually materialised. Champions, and their willingness to exploit their professional networks, truly mattered. Indeed, it is important to remember that it is agents who lobby for innovations and generate legislation, not economic forces, social structures, and cultural sensibilities (Jones & Newburn, 2004; also see Hudson, 1996). The actions, decisions, and acumen of people can alter policy trajectories. Notably, given that Kit Malthouse and his colleagues began campaigning for an enforced alcohol abstinence pilot prior to the inaugural PCC elections, it will be interesting to see if, going forward, these directly elected individuals and their equivalents will regularly unite in a cross-party fashion to bulldoze through ministerial and bureaucratic opposition to subnational crime and justice innovation. Kit Malthouse's role was unique, but the political/institutional landscape and the influential voices reverberating across it has now altered. Lobbying coalitions may not have to be assembled entirely from scratch. One letter signed by a collective of PCCs may be the catalyst for policy change.

10.4.3. Not letting perfect be the enemy of the good

A key, yet perhaps unsurprising, lesson that can also be drawn from this thesis is that negotiation and compromise may be required to reach the point whereby a non-indigenous subnational practice is trialled. To be sure, if members of the PTAC and those responsible for designing MOPAC's AAMR Pilot had not let some elements of their preferred scheme slide, it is highly unlikely that legislation would have been secured and

that a Piloting Order would have been issued. Indeed, *'aim high; shoot low'* may be a sensible mantra to adopt, particularly for those subnational agents who are pursuing a 'hard' transfer that demands permission from national-level policy-makers. It is important to note, however, that compromise should not entail abandoning attempts to reproduce the cause-and-effect model that underpins the 'foreign' innovation of interest, nor should compromise involve dismissing important contextual differences between jurisdictions (see Rose, 2005) as joining the *'it'll do'* club may have undesirable consequences that breach the responsibility of policy-makers to act in the public interest and improve the well-being of society. For instance, the policy may not achieve its intended objectives. In turn, this could jeopardise premeditated attempts to move closer to the 'real thing' (see Chapter Nine, Section 9.2.2) over time, have negative implications for intended policy beneficiaries, and/or harm the reputation of the original policy. Attaching an ostensibly vague policy label to a crime and justice innovation should not be done lightly – 'failure' is 'sticky' and sloppy imitation may hinder the international diffusion of trial-worthy ideas.

10.4.4. Policy shopping

Although Kit Malthouse's first encounter with 24/7 Sobriety was somewhat serendipitous, it was not entirely accidental. He accepted an invitation to contribute to a forum, and in doing so was 'exposed' (Ettelt *et al.*, 2012) to a novel crime and justice intervention. What this scenario arguably highlights is not only the benefit of policy-makers and practitioners embracing opportunities to debate (and learn), but also the importance of forsaking parochialism and ethnocentrism in favour of being alert and receptive to crime control approaches that have emerged in overseas jurisdictions, including those that are not 'in vogue' or that have not gone viral (see Geiran, 2017; Tonry, 2015). Seemingly, subnational policy inspiration can be drawn from a range of sources, some of which may be accessed when completing routine job-related duties (such as keeping up to date with current developments or networking), while others may be tapped while engaging in down-time activities (such as reading lifestyle magazines or inadvertently keeping abreast of celebrity gossip – see Chapter Nine, Section 9.2.3). When and where a 'lightbulb moment' will strike is, of course, unpredictable. Nonetheless, consciously and continuously 'shopping' (Pakes, 2010) for policy ideas and encouraging those who surround you to do the same surely must increase the probability of it occurring, whether instantly or at later point in time when an idea that has laid

dormant in the mind is reawakened. Policy-making should be a true vocation, not a nine-to-five job.

10.4.5. A multi-agency partnership approach

Although the policy transfer ‘success or failure’ question has not been directly addressed by this study for several reasons (see Chapter Five, Section 5.8), data collected do indicate that actively involving delivery partners in the micro-political process of translating an imported subnational programme may ease implementation. MOPAC did not impose the AAMR Pilot on local criminal justice agencies or construct it unilaterally. Rather, MOPAC agents secured ‘buy in’ and worked closely with partners to design an intervention that was deliverable at an operational level both prior to, and after, launch. All partners had a vested interest in taking the time to structure the scheme appropriately, the division of labour was understood, and inter-organisational tension and power struggles were (professedly) evaded. In short, the AAMR Pilot was done ‘with’ not ‘to’ London public sector bodies and there was no major rush to get it off the ground. These are research findings that should not go unnoticed.

10.4.6. Detouring

A further practical lesson that emerged from this study concerns the importance of being content to alter the route taken to secure policy objectives. For instance, when ministers refused to support City Hall’s request for new powers, Kit Malthouse and his staff sought guidance from Lord Justice Brian Leveson concerning potential government circumnavigation and heeded advice from the GLA’s Government Relations Team with regard to seeking to secure a bill amendment. Moreover, when the VRU was instructed to cease trialling alcohol tags, its Director responded by disseminating the organisation’s compulsory sobriety research and planning documents to London-based agencies in an attempt to stir interest. When path A was obstructed, path B was identified and trodden. Defeat was not admitted, the ‘battle’ was simply extended. In addition, new ‘soldiers’ were deliberately enlisted in a bid to ensure that hard-won AAMR ground was not lost. As Kit Malthouse and his SpAd retreated to the sphere of business and enterprise, Stephen Greenhalgh and his team were moved to the front line. Manoeuvring in a strategic and tactical fashion, it would seem, are crucial.

10.5. Recommendations for policy

In addition to offering lessons for practice, the data collected for this study also give rise to a number of policy recommendations that are worthy of consideration. Given that the AAMR itself has only been trialled protractedly in one subnational jurisdiction to date and requires additional appraisal and scrutiny, these recommendations do not directly engage with this new sentencing requirement, nor do they respond to the Conservative Party manifesto (2017: 47) pledge to create a national sentencing framework that includes orders that are designed to tackle alcohol abuse. Rather, the recommendations forwarded are broader in nature, and predominately address matters pertaining to the future formation and direction of crime and justice policy and delivery in England and Wales.

10.5.1. Central-local relations

Although granted that governmental interference with regard to the GLA's compulsory sobriety pilot plans was primarily an upshot of the AMR/AAMR being a new criminal justice intervention that required appropriate legislation, the fact remains that top-down input and decision-making continued to impact on subnational agency following the passage of the *LASPO Act 2012*, with both the MoJ and the Home Office demonstrating an unwillingness to relinquish full control and permit a regional organisation to take forward a crime control innovation on its own terms. Seemingly, unless a genuine shift occurs at 'the centre', this scenario has the potential to unfold indefinitely. Of course, it is imperative that the government works to drive up standards, augment public confidence, and ensure that action undertaken at all levels of political spatiality is conducted in a manner that is lawful. Nevertheless, if PCCs, elected Mayors, and responsible authorities are expected to reduce (re)offending and disorder within communities and work to improve the efficiency and effectiveness of the wider criminal justice system (see Chapter Three, Section 3.3), then arguably they should also be permitted sufficient freedom to construct schemes without unnecessary interference. In effect, the central apparatus of the modern 'hollowed-out' (Rhodes, 1994) British state needs to not only stop 'rowing' but, to a certain extent, also needs to stop 'steering' at the local level (Osborne & Gaebler, 1992). More precisely, the government should act as a 'current' that takes subnational crime control models forward via empowering and facilitating rather than hindering. Indeed, it was hardly fair for ministers to instruct Whitehall officials to collaborate closely with MOPAC and its partners to develop the

AAMR Pilot, subsequently approve its launch, yet all the while uphold that the government would not be held responsible for its outcomes (see Chapter Nine, Section 9.2.3). To be clear, however, in suggesting that subnational jurisdictions should be granted genuine ownership of – and authorisation to shape – local crime control measures, the author is certainly not calling for penal policy to be decentralised in England and Wales. The heralding of a sentencing postcode lottery is far from an attractive prospect. Moreover, PCCs as an institution lack maturity, experience, and formalised relationships with regard to this domain, and learning has yet to be acquired from Greater Manchester’s ‘justice devolution’ (see Chapter Three, Section 3.4). Instead, it is the author’s contention that a suitable balance needs to be struck between the localisation and centralisation of criminal justice policy-making, with grey areas being identified and remedied. Ultimately, subnational agents need to recognise the importance of ensuring sentencing consistency, while ministers and civil servants should defer to local knowledge and capabilities where possible, offer guidance as and when requested, and regard the reduction in their hegemony to be an opportunity for policy progression as opposed to an unwelcome threat.

10.5.2. Funding innovation

Crucially, in fulfilling an enabling role the government should also strive to make adequate funding available to support the realisation of subnational visions, and certainly not break the financial promises that it has made. Indeed, as discussed in Chapter Nine (Section 9.2.3), it was the GLA’s money that was eventually deployed to establish an AAMR Pilot in South London. Given that crime and justice agencies are navigating choppy economic waters at present it is highly unlikely that all jurisdictions will have cash reserves that can be tapped unexpectedly in the same manner. In addition, not all crime reduction initiatives are led by the police, thus eliminating the Police Innovation Fund and the police council tax precept as potential sources of semi-rapid capital. If the government is truly committed to stimulating pockets of policy creativity at the local level, then it either needs to provide PCCs with new revenue raising powers (see Chambers *et al.*, 2013 for a similar recommendation) or ring-fence funding that can be accessed by subnational consortia on an ad hoc basis.

10.5.3. Organisational prejudice

An important finding that emerged from this study is that MoJ and Home Office civil servants may be prejudiced with respect to importing US policy models. It is imperative that such prejudice is addressed. Indeed, while concerns surrounding ideological/cultural incompatibility and inadequate programme details are arguably reasonable grounds on which to resist ‘international-subnational’ crime and justice policy transfer, doing so based on an engrained negative predisposition is not acceptable. As discussed in Chapter Four (Section 4.4.2), the federal structure of the US abets the trialling of crime control policies. Hence, the fact that a policy idea was ‘born in the USA’ should not trigger instant scepticism. Instead, what ought to be contemplated is whether an overseas innovation holds the potential to meet crime reduction and public safety objectives. Ultimately, senior Whitehall bureaucrats are far from passive and continue to play a pivotal and influential role within the policy-making process (Wincup, 2013). Consideration needs to be given as to how they are trained and supervised to ensure that the objective analysis of US exemplars is not routinely suffocated and that the will of those who are democratically elected is not haphazardly curbed.

10.5.4. Experimentation

Linked to the above point, the findings from this study suggest that encouraging experimentation may increase the volume of crime and justice policy-orientated learning secured in the UK. Certainly, although expert knowledge should be respected and valued by policy-makers, the reality remains that the transferability of a non-indigenous subnational practice cannot be determined until a pilot is conducted and an independent evaluation is completed. Seeking to confine decision-making to solutions that have a robust existing evidence-base could potentially stifle innovation and fails to recognise that the collation of such evidence relies on jurisdictions pioneering and emulating practices – leaders, trailblazers, and early-adopters are essential. Demanding credible evidence yet failing to endorse the systematic gathering of evidence traps policy-makers in a vicious and unproductive cycle. Moreover, questions surrounding the quality, quantity, and type of evidence that needs be collated to assure cynics that testing an imported idea is a ‘low risk’ enterprise require deliberation (see Hudson & Lowe, 2009). Should policy-makers refuse to take forward a project until something mimicking a ‘scientific’ randomised control trial (RCT) has been conducted in the originating

subnational jurisdiction? And how valuable are such trials to importers and policy intermediaries given that no two subnational jurisdictions are identical and that some form of social, cultural, institutional, and/or historical contextual adaptation is likely to be required when moving a policy across a border? Ultimately, governmental trends towards transferring policy need to be combined with a willingness to accept the uncertainty of programme consequences and impact. Agents of change should not be (in)directly coerced into abandoning an imported idea in a bid to evade blame or damage to their career, nor should those who hold a (sinking) policy ship steady be commended for doing so. Just as different nations have much to learn from one another's disappointments, so too do subnational agents operating within the same country (Canton & McFarlane, 2014).

10.5.5. The luxury of tweaking

A modest finding that emerged from this study was that while MOPAC's AAMR Pilot was carefully planned, minor tweaks were nevertheless made during the implementation process to iron out kinks. Arguably, permitting incremental refinements to be made to trial initiatives should be a norm not a luxury, even for those emulation projects that are facing time and resource pressure to demonstrate their (in)effectiveness. Policy-makers need to exercise patience, and accept that a 'live' scheme may not prove to be a silver bullet and that structural corrections and fine-tuning may be required on an on-going basis if multi-agency 'reflection-in-action' (de Jong, 2009) and communication is integrated into delivery. Faults should be exposed and addressed, not buried and ignored. It is vital to acknowledge, however, that recommending that sufficient flexibility is granted to implementers to make small adjustments is not analogous to recommending that pilots are conducted for an indeterminate period in the hope that favourable results will eventually be achieved (see Ritter & Lancaster, 2013). Determining that an intervention does not 'work' is surely as helpful as learning that it does.

10.6. Autobiographical reflection

Undertaking this study has been an invaluable learning experience, and one that has unquestionably equipped the author with the skills, knowledge, and attitude required to embark on a longer academic journey. Indeed, transitioning from an employment role that demanded the rapid completion of privately commissioned team-based research projects

to one that required long-haul independent study has greatly enhanced the author's ability to problem-solve and persevere. Moreover, completing this project has boosted the author's understanding of the exhilarating and often unpredictable nature of qualitative fieldwork, generated a deeper appreciation of the art and craft of writing, and provided reassurance that 'the research blues' are a recurring yet ultimately fleeting phenomena. Although the methodological limitations of this thesis have been outlined in Chapter Five (Section 5.8) and the 'generalisability/external validity question' has been addressed above (see Section 10.1), it arguably remains appropriate to acknowledge what the author would do differently if given the opportunity to conduct this study over again. First and foremost, rather than collecting data for both cases concurrently, the author would have staggered fieldwork. Earlier recognition of the breadth, depth, and intricacy of the data obtained in relation to the AAMR Pilot perhaps would have roused the author to modify the design of the research from that of a multiple-case to that of a single-case at an earlier stage. With the benefit of hindsight, the author also would have sourced funding to travel to South Dakota to observe the 24/7 Sobriety programme in action and to directly engage with those involved in its formulation and delivery. Not only would this have enriched and strengthened the account of the history of the initiative provided in Chapter Six (Section 6.2.1) and circumvented dependence on documentary materials, but in addition it would have enhanced the study's findings via offering an insight into the 'fungibility' (Rose, 1993) of the South Dakota model from the 'lender's' perspective. Notably, such a visit was seriously contemplated following the selection of the AAMR Pilot as a case to be investigated. However, arrangements were not made due to insufficient monies and the author being ineligible for an Economic and Social Research Council (ESRC) Overseas Fieldwork Grant.

10.7. Potential directions for future research

The dearth of published research that examines the phenomenon of crime and justice policy transfer in relation to the UK unquestionably makes it an area of study that is ripe for the stimulation of academic curiosity (see Gough, 2011) as well as further empirical exploration. Such exploration could entail examining alternative policy transfer pathways, investigating the validity of the claims of policy transfer presented in Chapter Four (Figure 4.1) and Appendix B, and/or further assessing the utility of existing policy transfer theoretical frameworks as applied to the sphere of crime control.

Moreover, while this thesis has sought to make significant contributions to knowledge, there still remains much to be learned about ‘international-subnational’ crime and justice policy transfer. For instance, future research could not only test the propositions outlined in Section 10.2.2 above, but also study different ‘borrowing’ jurisdictions, primary agents of transfer, types of crime, and forms of intervention as this may reveal contrary findings. Furthermore, scholars could concentrate their efforts on identifying and analysing the intentional imitation of policies from subnational ‘lending’ jurisdictions that fall outside of the US border. Indeed, as discussed in Chapter Five (Section 5.6), the author’s attempt to move beyond the US-UK policy exportation-importation relationship via reconstructing the development of the Street Pastors initiative was thwarted by methodological issues. As such, securing an understanding of, for example, the attraction and the constraints that surround the transfer of policies from non-US subnational sites has yet to be achieved. Notably, subsequent research projects could also strive to gather data that illuminate aspects of ‘international-subnational’ crime and justice policy transfer that were involuntarily under-addressed by this study. For instance, it would arguably be beneficial to both policy-makers and academics if further evidence was obtained that identified: when and how subnational agents engage in lesson-drawing activity; what sources they ‘trust’; in what ways, at what time, and to what extent, the transferability and prospective impact of overseas policy ‘commodities’ (Newburn & Sparks, 2004a) is assessed by potential importers/exporters; and if government-issued or academic policy transfer toolkits are consulted by agents of change.

With regard to the specific case of the AAMR Pilot, a number of findings and tangential matters of interest emerged from the data collected that could perhaps be examined in a more comprehensive manner going forward. These include the political, economic, legal and/or sociocultural factors that underpinned a) Kenny MacAskill’s ban on trialling enforced sobriety in Scotland (see Chapter Nine, Section 9.2.3) and, b) Home Office resistance to the idea of tracking the movement of domestic violence perpetrators on a compulsory basis using Global Proximity System (GPS) devices (see Chapter Nine, Section 9.2.1). Capturing the opinions of a broad range of stakeholders concerning the expansion of the AAMR across the whole of England and Wales, the deployment of AAMRs with respect to domestic violence cases, and the (dis)advantages of incorporating an AAMR-style condition into child protection arrangements are also research projects that warrant consideration. In addition, the question of whether the AAMR impacts positively on recidivism rates, statutory services, and familial relationships requires

attention in the form of an impact evaluation. Finally, seeking to understand the views held by crime and justice policy architects concerning the perils and rewards of overseas agents attempting to emulate their innovation(s) is undoubtedly an area that is worthy of inquiry. A common view expressed within the academic literature is that they will be flattered by outside interest and are likely to promote the strengths of their programme while concurrently downplaying its weaknesses (see Chapter Two, Section 2.3.3; also see Cabinet Office, 2002; Dolowitz, 2003). Whether or not subnational policy architects are actually as wary of policy copiers as policy copiers should (supposedly) be of them is a gap in knowledge that has yet to be plugged.

APPENDICES

Appendix A:

The Dolowitz and Marsh policy transfer conceptual framework

<i>Why Transfer? Continuum</i>	<i>Want To</i>	<i>Voluntary</i>	Lesson Drawing (Perfect Rationality)				
	<i>Have To</i>	<i>Mixtures</i>	Lesson Drawing (Bounded Rationality)	International Pressures (Image) (Consensus) (Perceptions)	Externalities	Conditionality (Loans) (Conditions Attached To Business Activity)	Obligations
		<i>Coercive</i>	Direct Imposition				
<i>Who Is Involved?</i>	Elected Officials Bureaucrats/ Civil Servants Policy Entrepreneurs/ Experts Consultants/ Think Tanks Transnational Corporations Supranational Institutions Political Parties Pressure Groups						

<i>What Is Transferred?</i>	Policies (Goals) (Content) (Instruments) Programmes Institutions Ideologies Attitudes/Cultural Values Negative Lessons					
<i>From Where</i>	<i>Past</i>	Internal Global				
	<i>Within-a-nation</i>	State Governments City Governments Local Authorities				
	<i>Cross-national</i>	International Organisations Regional State Local Governments				
<i>Degrees Of Transfer</i>	Copying Emulation Mixtures Inspiration					

<i>Constraints On Transfer</i>	Policy Complexity	Past Policies	Structural/ Institutional	Feasibility (Ideology) (Cultural Proximity) (Technology) (Economic) (Bureaucratic)	Language	Past Relations
<i>How To Demonstrate Policy Transfer</i>	Media (Newspaper) (Magazine) (TV) (Radio)	Reports (Commissioned) (Uncommissioned)	Conferences	Meetings/ Visits	Statements (Written) (Verbal)	
<i>How Transfer Leads To Policy Failure</i>	Uninformed Transfer	Incomplete Transfer	Inappropriate Transfer			

Source: Adapted from Dolowitz & Marsh (2000: 9)

Appendix B:

Innovations that have purportedly travelled to the UK (expanded)

- | | |
|--|---|
| <ul style="list-style-type: none">• Anti-corruption practices• Bail information schemes• Chicago style policing based on neighbourhood focus groups• Child safety orders• Cognitive-behavioural programmes• Community (neighbourhood) policing• Community service programmes• COMPSTAT• Crime Prevention through Environmental Design• Drug Abuse Resistance Education• Drug decriminalisation• Drug trafficking / user strategies• Electronic monitoring (including the extension to 10-15 year olds)• Family group conferences• Honesty in sentencing• Intensive Supervision and Surveillance Programme• Mandatory minimum sentencing• Mandatory drug testing for arrestees• Naming and shaming of young offenders• Night and evening courts to deliver ‘instant justice’ | <ul style="list-style-type: none">• Offender employment programmes• On-the-spot fines for anti-social behaviour• Pro-social modelling• Problem-orientated policing• Privatisation of criminal justice agencies (including prisons)• Problem-orientated policing• Proof concerning assets (organised crime)• Records management• Referral Orders• Remand homes for young offenders• Safer Cities• Situational crime prevention• Street wardens• Strict controls over parents (Parenting Orders)• Structured assessments• Taking previous offences into account• The use of science in investigations• ‘What works’• Widening ‘whole of life imprisonment’ to include the murder of police officers and prison officers |
|--|---|

Sources: Aas (2013); Barton & Johns (2013); Cavadino & Dignan (2006); Cook (n.d.); Crews (2013); Dolowitz *et al.*, (1999); Earle *et al.*, (2002); Garland (2002); Grapes (2014); Gregory (2012); James (2013); Jones & Newburn (2006, 2007, 2013); Koemans (2010); McAlinden (2012); Muncie (2001, 2005, 2006); Nellis (2000); Newburn (2002); Newburn & Jones (2007a); Pettigrew (2016); Schachter (1991); Stenson & Edwards (2004); Tilley (2009); Tonry (2004, 2007, 2015); Wacquant (2009); Wincup (2013); Xenakis & Ivanov (2016)

Appendix C:

Existing empirical studies – overview (UK importation)

<i>Author(s)</i>	<i>Year</i>	<i>Type</i>	<i>Title</i>	<i>Study synopsis</i>
Schachter, H. L.	1991	Journal article	<i>Bail interviewing: a case study of cross-national policy transfer</i>	Explores how the practice of bail interviewing was imported into the English and Welsh criminal justice system from Manhattan, New York City, United States (US) via the assistance of the Vera Institute of Justice. An explanation is provided as to why an initial attempt to transfer this policy failed in the mid-1970s yet succeeded post-1985.
Nellis, M.	2000	Book chapter	<i>Law and order: the electronic monitoring of offenders</i>	Analyses the process of policy transfer via reference to the electronic monitoring of offenders – an innovation that developed in the US and was introduced as a practice in England in 1989.
Jones, T. & Newburn, T.	2007	Book	<i>Policy transfer and criminal justice</i>	Examines the degree of convergence between US and United Kingdom (UK) penal policy, and ascertains the extent to which processes of policy transfer have contributed to this. Case histories that focus on three high-profile policy developments that emerged during the 1990s are presented: - the privatisation of corrections (including electronic monitoring).

				<ul style="list-style-type: none"> - mandatory minimum sentences for certain categories of repeat offence ('two/three strikes') and 'honesty in sentencing' (removing the automatic right to early release). - zero tolerance policing.
<i>Newburn, T.</i>	2012	Journal article	<i>Police and Crime Commissioners: the Americanisation of policing or a very British reform?</i>	Investigates the origins of the Conservative–Liberal Democrat Coalition Government’s proposal to introduce directly elected Police and Crime Commissioners, and scrutinises the extent to which this proposal was based on an American policing model.
<i>Jones, T. & Newburn, T.</i>	2013	Journal article	<i>Policy convergence, politics and comparative penal reform: sex offender notification schemes in the UK and the USA</i>	Analyses attempts to transfer Megan’s Law (US legislation that allows public access and dissemination of sex offender registration information) into the UK following two waves of high-profile campaigning spearheaded by the News of the World newspaper. The first campaign was launched following the abduction and murder of eight-year old Sarah Payne in 2000, while the second was launched in 2006 due to the newspaper learning that a significant number of sex offenders were living in hostels located near schools.

Sources: Information extracted from Jones & Newburn (2007; 2013); Nellis (2000); Newburn (2012b); Schachter (1991)

Appendix D:

Existing empirical studies – policy transfer narratives (UK importation)

Bail interviewing

First Attempt	
<i>Early 1970s</i>	- Prison overcrowding is partly caused by pre-trial remand. Reform groups criticise its excessive use (also see King, 1971). As part of a package of responses, the Home Office establishes a working party to review bail procedures and recommend legal changes.
<i>1974</i>	- At the request of the Home Secretary, the Vera Institute of Justice sends staff to England to support the introduction of a bail interviewing pilot as based on its Manhattan Bail Project. Funding is provided by the United Kingdom (UK) and United States (US) governments, and the Ford Foundation (also see Vera Institute of Justice, 1977). The Inner London Probation and After-Care Service (ILPAS) is selected as the pilot headquarters, in part due to the enthusiasm of its assistant chief probation officer (Graham Smith).
<i>1975</i>	- Consistent with the Manhattan model, prearraignment interviews are conducted with all newly arrested defendants. Due to resource constraints, ILPAS staff are later substituted for volunteers. Interviews are eventually limited to those who have been denied bail. - The Home Office praises the pilot and recommends roll-out. A conference is held.
<i>1976</i>	- London schemes are established. Despite the efforts of Graham Smith, wider dissemination does not occur due to a) the opposition of the National Association of Probation Officers (NAPO) and, b) the lack of support received from other criminal justice agencies.

	- The <i>Bail Act 1976</i> receives royal assent (establishes a general right to bail).
[...]	- Advocates including Graham Smith continue championing bail interviewing.
Second Attempt	
1985	- The <i>Prosecution of Offences Act 1985</i> creates the Crown Prosecution Service (CPS). To prevent over-reliance on the police, the CPS is required to obtain information from multiple sources to determine which cases should go to trial and which bail objections should be forwarded. A bail interviewing position paper is drafted by a representative from the Vera Institute of Justice and five senior probation officials. It is sponsored by the Association of Chiefs of Probation (ACOP). The paper argues that the <i>Bail Act 1976</i> has not solved England and Wales' remand problem and that courts are not receiving objective information concerning a defendant's risks of absconding.
1986	- ACOP sponsor a bail interviewing seminar. The Home Office agrees to fund further pilots and to pay for a representative from the Vera Institute of Justice to provide technical assistance.
1987	- Six localities launch bail interviewing pilots. In line with Home Office requirements, interviews are conducted by probation officers, with a one-page bail information form being given to CPS prosecutors. NAPO remain opposed, yet posts are filled.
1990	- 59 courts house bail information work.

Source: Extracted from Schachter (1991)

Electronic monitoring

<i>Late 1980s</i>	<p>- Electronic monitoring is utilised in the US, Australia's Northern and Southern Territories, Vancouver, British Columbia, and Singapore. The English Probation Service is largely unaware of this development, and the network of actors that seek to influence English and Welsh criminal justice policy (e.g. think tanks, pressure groups, academics, newspapers) do not discuss it.</p>
<i>1981</i>	<p>- Tom Stacey, a novelist, former Sunday Times newspaper foreign correspondent, and 'conservative humanitarian' arrives independently at the idea of electronic monitoring. Having spent time in a foreign jail and having visited a prison in the UK he had developed a hatred for incarceration.</p>
<i>1982</i>	<p>- Tom Stacey founds the Offender Tag Association (OTA): a politically unaligned pressure group. A small number of individuals join.</p>
<i>[...]</i>	<p>- Tom Stacey's idea is not taken seriously. Two Home Secretaries rebuff his approaches, funding is not secured to develop the technology at Kent University, and established penal reform groups show no interest.</p> <p>- The OTA gains new elite 'conservative humanitarian' members.</p>
<i>1987</i>	<p>- An OTA publication persuades the House of Commons Home Affairs Committee (HAC) to examine the potential use of tagging. Addressing prison overcrowding is the HAC's priority. Lord Caithness and John Wheeler (Member of Parliament (MP)) embark on a fact-finding tour of the US.</p> <p>- Leicester Polytechnic's School of Law host an electronic monitoring conference. US correctional staff and academics attend, as do three US electronic monitoring manufacturing companies who exhibit equipment.</p>

- 1988**
- Under the leadership of the Home Secretary Douglas Hurd (1985–1989), The Home Office launch a new ‘punishment in the community’ strategy. Its aim is to reduce judicial reliance on imprisonment via making community penalties tougher. The strategy incorporates curfew tagging. The reason as to why is unclear.
 - Douglas Hurd announces that electronic monitoring trials will begin in summer 1989. New legislation is not required as the tags are to be employed at the pre-trial stage as a means of enforcing bail rather than at the sentencing stage.

Implementation: First Attempt

- 1989**
- Tagging is introduced as a practice in England. Three trials commence with fanfare. Six-month duration. Electronic monitoring contracts are awarded to British firms. Unlike some US schemes, no ‘social work’ help is provided. The public are sceptical. The trials are not a great success: taggee targets are not met; the equipment fails; and a high number of violations are recorded (also see Windlesham, 1993).
- 1992**
- The ‘curfew tagging’ section of the *Criminal Justice Act 1991* is not implemented due to concerns surrounding technical efficacy and continued resistance from the Probation Service.
- 1993**
- Backlash against the *Criminal Justice Act 1991* → it is portrayed as the ‘criminal’s charter’ by sentencers, the police, and some sections of the media due to it seeking to reduce incarceration.
 - Jamie Bulger’s murder heightens public anger about crime. An ideological shift to the right occurs in the Conservative Party. Home Office Ministers are replaced. Michael Howard becomes Home Secretary (1993–1997): declares that ‘prison works’. Attempts are made to enhance the pain of community sentences.

1994	- <i>The Criminal Justice and Public Order Act 1994</i> establishes the legal framework for ‘curfew tagging’ in England and introduces the curfew order as a sentence in its own right. Reasons: personal interest (Michael Howard); ‘home confinement’ was considered punitive; tagging could be used as a stand-alone penalty without links to the Probation Service; steady increase in interest tagging in other European countries.
Implementation: Second Attempt	
1995/6	- Curfew trials begin in three different jurisdictions. Contracts are awarded to two British firms (one of which is supplied with tags from a US corporation). Slow start. High-profile failures. Sceptical media. OTA seek to boost confidence. The Home Office announce a 12-month extension prior to the conclusion of the trials. The idea of tagging paedophiles, those who commit minor offences, and fine defaulters is floated by the Home Office, as is the notion of curfew tagging unruly children aged under 10 years.
1997	<ul style="list-style-type: none"> - Trials are extended and expanded. Plans are made by the Conservative Government to commence nationwide coverage in 1998. - The Conservative Party lose the 1997 general election. - The new Labour Government announce that it will honour the Conservative Party’s commitment to launching electronic monitoring in four new areas and to tagging offenders under the age of 16. It also announces that 3,000 non-violent prisoners will be released on ‘tags’. - Tagging is distanced from its US origins and secures more supporters.
1998	- The <i>Crime and Disorder Act 1998</i> → introduces the home detention curfew scheme to permit early release. The scheme becomes operational in January 1999 and covers the whole of England and Wales.

Sources: Extracted from Jones & Newburn (2007) and Nellis (2000)

Prison privatisation

1984	- The 'contracting out' of prisons and remand centres to commercial providers is promoted by the Adam Smith Institute (ASI). The idea is not taken seriously in mainstream political circles.
1985- [...]	<ul style="list-style-type: none">- The HAC begins an inquiry into the issues facing the prison system in England and Wales. HAC committee members visit US correctional facilities, including several prisons operated by Corrections Corporation of America. Senior Conservative politicians such as Sir Edward Gardner (Chairman of the HAC) and Sir John Wheeler express support for 'contracting out'. Members of the Labour Party strongly object.- A short HAC report is produced (recommends that the government trial the 'contracting out' of a remand institution).- The ASI publish a further report that draws on positive US experience of 'contracting out'.- Junior Home Office Minister Lord Windlesham lobbies the Prime Minister (Margaret Thatcher, 1979–1990), to consider the development of a commercially contracted remand centre (also see Windlesham, 1993). Margaret Thatcher's response is not positive.- The Home Office minister Lord Caithness visits the US to examine evidence on prison privatisation.
1988- 1990	<ul style="list-style-type: none">- Green Paper: <i>Private Sector Involvement in the Remand System</i>. Commercial lobbying increases. Various consortia form.- The remand population is falling. The Home Office remain disinclined to include 'contracting out' in the <i>Criminal Justice Bill</i>. As a result of pressure from the Number 10 Policy Unit (and seemingly the Prime Minister) a clause is included in the Bill that would permit the 'contracting out' of newly built facilities for remand prisoners (also see Windlesham, 1993).

	- Amendments orchestrated by Conservative Party backbenchers and Home Office junior ministers extend the power to ‘contract out’ to facilities for sentenced offenders and to existing prisons and remand centres (also see Cavadino & Dignan, 2002; Windlesham, 1993).
1991	- Contract details are announced for two privately contracted penal establishments: a remand centre (Humberside) and a prison (Blakenhurst). There is strong criticism from opposition MPs.
1993	- The Home Secretary, Michael Howard, announces government plans to contract out 10 percent of the English and Welsh prison system.
1994	- A third contract for a privately managed prison is awarded (Doncaster). A list of 20 prisons to be market tested is published by the government but is swiftly withdrawn due to a complaint being lodged by the Prison Officers Association to the Central Arbitration Committee. Moreover, under the European Commission’s <i>Acquired Rights Directive</i> , commercial contractors would have to maintain existing jobs and conditions in respect of any new contracts secured, thus reducing the potential savings to could be made from privatisation (also see Cavadino & Dignan, 2002).
[...]	- Six new penal institutions are planned under the government’s Private Finance Initiative.
1996	- A government White Paper outlines plans to privately finance and construct a further 12 prisons from 2001/2002.
1997	- The HAC publishes findings from a further prison service inquiry. The report considers ‘contracting out’ in more depth and reports favourably on the English and Welsh experience and recommends further market-testing within the prison service As part of the inquiry, six HAC members (including the chairman Sir Ivan Lawrence) visit publicly and commercially run prisons in the US. The HAC also receives evidence from commercially run prisons in Australia and the US. The Howard League for Penal Reform, the Prison Reform Trust, and the Prison Officers Association forward critiques.

	- The Labour Government enter office. Despite having criticised ‘contracting out’, the Home Secretary Jack Straw (1997–2001) renews contracts and confirms arrangements for two privately financed, designed, constructed, and managed prisons.
1998	- Jack Straw announces that all new prisons in England and Wales will be privately built and operated (with the Prison Service also permitted to tender for contracts).
2006	- Commercial companies are running 11 prison establishments in England and Wales, and one in Scotland. - Penal groups continue to lobby against private prisons.

Source: Extracted from Jones & Newburn (2007)

'Three strikes' and mandatory sentencing

Early 1990s	- There is a shift away from just-deserts influenced sentencing towards increasingly 'populist punitive' policies (also see Bottoms, 1995). Judges and magistrates are criticised for being too lenient. At the Conservative Party conference in 1993, Michael Howard (Home Secretary, 1993–1997) signals a significant change in penal policy by announcing that 'prison works'.
1995	- Michael Howard calls for a) 'honesty in sentencing' (proposes to terminate automatic early release and increase time served) and, b) a variant of 'two and three strikes' sentencing policies that had emerged in the US (N.B. he did not use the slogan). There is an immediate backlash from penal reform groups and senior judiciary. A public battle ensues between the government and the latter.
1996	- A White Paper is published. It proposes an automatic life sentence for those convicted of a second serious violent or sexual offence; a minimum seven-year sentence for those convicted of a second Class A drug dealing offence; and an automatic three-year sentence for a third conviction of domestic burglary → unless there are 'genuinely exceptional circumstances'. The Paper also proposes the abolition of early release and parole (prisoners would have to earn time off their sentences). The Penal Affairs Consortium condemns the proposals and proceeds to lobby against them. <i>The Crime (Sentences) Bill</i> begins its passage through Parliament. With a general election looming, the Labour party adopts an equivocal stance to avoid being labelled 'soft on crime'. Liberal Democrat, Plaid Cymru, and backbench Conservative MPs intervene at the Committee stages. There is considerable opposition in the House of Lords → Peers introduce amendments extending the 'exceptional circumstances' clause to allow judges to have regard to a) 'specific circumstances' relating to the offence and/or the offender and, b) that would render the minimum custodial sentences for drug dealing and burglary unjust.

1997	- March: a general election is announced. The Liberal Democrats threaten to keep the Report stage going, which would result in the Bill being abandoned. Michael Howard negotiates an agreement not to overturn the Lords amendments in the House of Commons (thus effectively ‘watering-down’ the Bill). The <i>Crime (Sentences) Act 1997</i> receives Royal Assent before the general election. The three sets of mandatory sentences are introduced along with ‘honesty in sentencing’ provisions (the latter was never enacted – also see Faulkner, 2001). The burglary sentence is left dormant on the statute book (also see Dunbar & Langdon, 1998).
1999	- The Home Secretary, Jack Straw (1997–2001), announces plans to implement the ‘three strikes’ burglary sentence.
2000	- The <i>Human Rights Act 1998</i> becomes operational. The Lord Chief Justice reinterprets and widens the meaning of the ‘exceptional circumstances’ clause in the ‘two strikes’ penalty for serious and/or violent offenders.
2003	- The <i>Criminal Justice Act 2003</i> → repeals the ‘two strikes’ clause for automatic life imprisonment.

Source: Extracted from Jones & Newburn (2007)

Zero tolerance policing

- 1992** - The 'Zero Tolerance Campaign' (focused on the issue of male violence against women) is launched in Edinburgh by the City Council's Women's Committee. In 1995 the Zero Tolerance Charitable Trust is established and is adopted nationally and internationally.
-
- Early 1990s - 1996**
- During the early 1990s crime rates fall dramatically in New York City. This becomes a major news story across the globe. The message conveyed is that the crime drop is associated with reformed policing practices.
 - British politicians, civil servants, and senior representatives from the police service visit New York City.
 - Jack Straw (Shadow Home Secretary, 1994–1997) is the first to use the language of zero tolerance. Tony Blair (Leader of the Opposition, 1994–1997) begins using the term zero tolerance in a broader manner to signify a style in which New Labour would operate if it formed a government.
 - Zero tolerance looks likely to become a main plank of any new government's thinking on the future of policing (also see Weatheritt, 1998). Strong opposition to its principles and practices is vocalised by most senior British police officers.
 - Localised experiments with so-called zero tolerance policing take place in the UK:
 - a) Metropolitan Police in Kings Cross: officers are instructed to focus as much on minor infractions and incivilities as major crimes. Example → 'Operation Zero Tolerance' (six weeks; clamp down on all crimes).
 - b) Hartlepool: Detective Superintendent Ray Mallon embraces the idea of zero tolerance.
 - c) Glasgow: Operation Spotlight → massively increased arrests for drunkenness and public order offences in a bid to reduce late

night disorder issues. Strathclyde Police disassociate themselves from the idea of zero tolerance (also see Orr, 1997).

1997
- [...]

- Tony Blair and Jack Straw heavily employ the rhetoric of zero tolerance in the run-up to the 1997 general election and in parliamentary debates during the six months after.
- New Labour adopt a particular reading of Wilson and Kelling's (1982) 'broken windows' thesis (to have an impact on serious crime it is important to tackle low-level disorder). This is visible in the *Crime and Disorder Act 1998* and the *Anti-Social Behaviour Act 2003* (also see Burney, 2005; Squires & Stephen, 2005).

Source: Extracted from Jones & Newburn (2007)

Sex offender notification schemes

1988	- The British Association of Social Workers proposes the idea of a sex offender register.
[...]	- Concerns are voiced about child sexual abuse (organised abuse and abuse by parents/carers) and the difficulties encountered when attempting to keep track of known offenders.
1996	- A public consultation document is published. Strong support is expressed for the introduction of sex offender registration.
1997	- <i>Sex Offenders Act 1997</i> → requires some sex offenders to notify the police of their name and home address (and any subsequent changes). The purpose of the register is to support agencies in managing ‘risk’. No public access is permitted.
1998	- <i>The Crime and Disorder Act 1998</i> → prohibits those on the sex offenders register from engaging in specific activities.
2000	- Eight-year-old Sarah Payne is abducted and murdered by a sex offender who had recently been released from prison. The ‘Sarah’s Law’ campaign is launched (demands full public rights of access to the sex offender register). - The News of the World newspaper (Sunday tabloid/circulation 3.3 million) manages a high-profile campaign using Sarah Payne’s parents as figureheads. Its general aims and nomenclature mirror those of successful US campaigns for notification schemes. Convicted sex offenders are ‘named and shamed’ via the printing of pictures. This causes outbreaks of vigilantism which triggers criticism from the government as well as the police and probation services. The campaign creates momentum. Sarah Payne’s bereaved parents emerge from a meeting with a junior minister stating that they were assured that there will be a Sarah’s Law. The police and probation services are alarmed. The Home Secretary announces that he does not support such proposals, but that he would be putting the police and

	<p>probation services under a new statutory duty to establish risk assessment and monitoring programmes for violent and sex offenders released into the community.</p> <p>- <i>Criminal Justice and Court Services Act 2000</i> → establishes Multi-Agency Public Protection Arrangements (MAPPA).</p>
2003	- <i>Sexual Offences Act 2003</i> → introduces the Sexual Offences Prevention Order and the Risk of Sexual Harm Order.
2006	- The News of the World discovers that convicted sex offenders are living in probation hostels near to schools – further campaigning ensues. The Home Secretary John Reid (2006–2007) announces a policy review. An official ministerial visit to the US is undertaken (also see Lipscombe, 2012).
2007	- The review is published. It considers the (dis)advantages of ‘Megan’s Law’ notification arrangements and recommends that the government explore an increase in ‘controlled disclosure’ via MAPPA (i.e. informing those who need to know) and via piloting a scheme whereby members of the public can request information if they have concerns.
2008	- A 12-month pilot scheme is launched (four police force areas).
2010	- A positive process evaluation is published (also see Kemshall & Wood, 2010). The government announces that the scheme will be rolled out to 20 further police force areas.
2011	- The scheme (still known as Sarah’s Law) is rolled out across all police forces in England and Wales.

Source: Extracted from Jones & Newburn (2013)

Police and Crime Commissioners

2003	- The Labour Government is concerned about the effectiveness of local arrangements for police governance. A consultation on police reform commences. Policy Exchange moots the idea of introducing American-style democratically elected officials to oversee local police forces. The idea of ‘sheriffs’ finds some traction with the Conservative Party.
2004	- White Paper → the Government shies away from radical proposals to change Police Authorities. The Conservative Party presses for ‘democratic accountability’. In discussing the source of the Party’s inspiration, the shadow Home Secretary references locally elected mayors (i.e. Rudy Giuliani (Mayor of New York City, 1994–2001) and Ray Mallon (Mayor of Middlesbrough, 2002–2015)) and their ‘successful’ policing approach (i.e. zero tolerance). No mention is made of ‘sheriffs’.
2005	- The Conservative Party manifesto pledges to introduce genuine local accountability through elected police commissioners. No further details are provided. Policy Exchange issues a report calling for reform of local police accountably.
2006	- The Leader of the Opposition David Cameron (2005–2010) criticises the visibility and strength of Police Authorities. He commits to either replacing them with a directly elected individual or reforming them via ensuring that all members are elected. Policy Exchange releases a report favouring the former.
2007	- The shadow Minister for Police Reform publishes a report advocating for police commissioners, as well as for the use of COMPSTAT as associated with the New York Police Department. Policy Exchange remain ‘on message’.

2008	- Green Paper → the Government proposes the introduction of elected ‘crime and policing representatives’ who would make up a majority on Police Authorities and chair Crime and Disorder Reduction Partnerships. Criticism is forwarded by the Local Government Association and the Police Federation. Following a meeting held between the Mayor of London Boris Johnson (2008–2016) and the Metropolitan Police Commissioner Sir Ian Blair (2005–2008), the latter resigns. Concerns are raised about the politicisation of the police. Clauses pertaining to elected police and crime representatives are dropped from the <i>Policing and Crime Bill</i> .
2009	- A report produced by the former Home Secretary rejects the idea of elected police commissioners. By contrast, Policy Exchange and the Conservative Party embrace the notion.
2010	- The Conservative Party manifesto includes a promise to ‘introduce measures to make the police more accountable through oversight by a directly elected individual, who will be subject to strict checks and balances by locally elected representatives’. The proposals survive the Coalition Agreement. A consultation document is released – the title ‘Police and Crime Commissioner’ is employed.

Source: Extracted from Newburn (2012b)

Appendix E:

Existing empirical studies – agents of crime and justice policy transfer

	Agents	Example(s)
Borrower	<i>Politicians</i>	<ul style="list-style-type: none"> • Prime Ministers – Tony Blair; Margaret Thatcher (via Number 10 Policy Unit). • Home Office Ministers and Home Secretaries – Douglas Hurd; Roy Jenkins; Michael Howard; John Reid; Lord Caithness; Lord Windlesham; Jack Straw. • Official Opposition Shadow Cabinet Members – Tony Blair; Jack Straw; Ann Widdecombe. • Backbench Members of Parliament.
	<i>Political parties</i>	<ul style="list-style-type: none"> • The Conservative Party.
	<i>Civil servants</i>	<ul style="list-style-type: none"> • Huge Marriage (Deputy Head of the Probation Unit).
	<i>Practitioners/professionals</i>	<ul style="list-style-type: none"> • Senior police officers; Her Majesty’s Inspector of Constabulary. • Graham Smith (Assistant Chief Probation Officer).
	<i>Professional associations</i>	<ul style="list-style-type: none"> • Association of Chiefs of Probation.
	<i>The media</i>	<ul style="list-style-type: none"> • News of the World newspaper.
Lender	<i>Non-profit organisations</i>	<ul style="list-style-type: none"> • The Vera Institute of Justice.
	<i>Politicians</i>	<ul style="list-style-type: none"> • Rudy Giuliani, Mayor of New York City.

	<i>Practitioners</i>	<ul style="list-style-type: none"> • William (Bill) Bratton, Commissioner of the New York Police Department. • United States (US) correctional staff with experience of electronic monitoring.
	<i>Academics</i>	<ul style="list-style-type: none"> • US electronic monitoring programme evaluators.
	<i>Corporations</i>	<ul style="list-style-type: none"> • American and Australian corrections corporations.
Intermediary	<i>National governments</i>	<ul style="list-style-type: none"> • The Federal Government of the United States (part-funded the UK's first bail interviewing pilot).
	<i>Embassies</i>	<ul style="list-style-type: none"> • British Embassy – Washington DC.
	<i>Parliamentary Committees</i>	<ul style="list-style-type: none"> • Members of the House of Commons Home Affairs Committee – Sir Ivan Lawrence; Sir Edward Gardner; Sir John Wheeler.
	<i>Academics</i>	<ul style="list-style-type: none"> • Ken Russell. Leicester Polytechnic's School of Law.
	<i>Think tanks</i>	<ul style="list-style-type: none"> • UK – Policy Exchange; the Institute of Economic Affairs; Adam Smith Institute. • US – The Manhattan Institute; the Heritage Foundation; the Cato Institute.
	<i>Policy entrepreneurs</i>	<ul style="list-style-type: none"> • Tom Stacey.
	<i>Pressure groups</i>	<ul style="list-style-type: none"> • Offender Tag Association.
	<i>Private foundations</i>	<ul style="list-style-type: none"> • The Ford Foundation, New York City (part-funded the UK's first bail interviewing pilot).
	<i>Co-victims</i>	<ul style="list-style-type: none"> • Bereaved parents of Sarah Payne.

Sources: Information extracted from Jones & Newburn (2007; 2013); Nellis (2000); Newburn (2012b); Schachter (1991)

Appendix F:

Existing empirical studies – constraining and/or facilitating factors (UK importation)

‘Harmonisation’	<p><i>Constraint:</i> Incorporation of the <i>European Convention on Human Rights</i> into British domestic law in the <i>Human Rights Act 1998</i> acted as a judicial lever to widen the meaning of the mandatory minimum sentencing ‘exceptional circumstances’ clause.</p> <p><i>Constraint:</i> Under the European Commission’s <i>Acquired Rights Directive</i>, commercial organisations would have to maintain existing personnel and conditions with regard to any new contracts that they secured, thus reducing the savings that could be achieved via the ‘contracting out’ of prisons (also see Cavadino & Dignan, 2002).</p>
Legislation	<p><i>Facilitator:</i> New legislation was not required to pilot electronic monitoring as a means of enforcing a bail curfew.</p>
Ideology	<p><i>Facilitator:</i> Tagging appealed to both ‘conservative humanitarians’ (see Chapter Four, Section 4.4.3) and punitive Home Office ministers.</p> <p><i>Facilitator:</i> Although initially restricted to the economic sphere and several areas of social policy, the Thatcher Administration’s broad ideological liberalisation programme (tantamount to a ‘policy shift’) ultimately provided fertile ground for the rooting of ideas about criminal justice market-based reforms – ideas that, in due course, moved into the substantive domain with the emergence of prison privatisation in the early 1990s.</p>

New institution	<i>Facilitator:</i> The newly created Crown Prosecution Service favoured the (re)introduction of bail interviewing in the mid-1980s as it was felt that it would lead to reduced reliance on information provided by the police.
Mandate	<i>Constraint:</i> The Conservative Party's 2003 American-inspired police accountability reform proposals were little more than kite flying exercises given the second Blair Government's overall majority in the House of Commons.
Political culture	<i>Constraint:</i> There is a deep scepticism in the United Kingdom (UK) about using victims as figureheads upon which to base a political campaign (also see Rock, 1990; 1998).
Elite intervention/restraint	<i>Facilitator:</i> The Number 10 Policy Unit, acting on behalf of the Prime Minister Margaret Thatcher (1979–1990), intervened in the policy-process to establish the principle of 'contracting out' within the penal sphere, while Conservative Party backbenchers and junior Home Office ministers introduced a bill amendment that stretched privatisation legislation. <i>Facilitator:</i> Senior Prison Officers Association officials opted not to take industrial action against prison privatisation.
Constitutional doctrine	<i>Constraint:</i> Both the terminology and the practice of zero tolerance policing were largely eschewed by senior British police officers during the 1990s not only because of concerns surrounding the wasting of police time and the antagonism of ethnic minorities, but also because this policing strategy shared characteristics with Swamp 81: an aggressive and heavy-handed policing operation that sparked civil disturbances in Brixton, South London, during the early 1980s. In effect, zero tolerance policing stood in direct contrast to the dominant community-orientated philosophy and post-Scarman report consensus (see Reiner, 1991) embraced by Chief Constables – that is, agents who were able to resist political pressure to engage in policy borrowing via exercising their autonomy under the constitutional doctrine of 'constabulary independence'.

	<i>Constraint:</i> ‘Judicial independence’ combined with the inclusion of an ‘exceptional circumstances’ clause permitted judges to limit the practical impact of the mandatory minimum sentencing provisions contained within the <i>Crime (Sentences) Act 1997</i> .
Timing	<i>Facilitator:</i> Due to the impending 1997 general election, the Labour Party adopted a vague stance on the Home Secretary’s mandatory minimum sentencing proposals, while the Home Secretary himself was forced to accept House of Lords’ ‘exceptional circumstances’ amendments to prevent the <i>Crime (Sentences) Bill</i> being abandoned.
Events	<i>Constraint:</i> Proposals to introduce directly elected crime and policing representatives to Police Authorities were removed from the <i>Policing and Crime Bill</i> due to fears being raised about the politicisation of the police following the alleged interference of Boris Johnson (Mayor of London, 2008–2016) in the resignation of Sir Ian Blair (Metropolitan Police Commissioner, 2005–2008).
Lobbying	<p><i>Facilitator:</i> The News of the World’s Sarah’s Law campaigns captured the attention of political elites.</p> <p><i>Facilitator:</i> American corporations <i>may</i> have petitioned the Home Office to introduce electronic monitoring.</p> <p><i>Constraint:</i> As criminal justice agencies could function without bail interviewing no natural bureaucratic constituency emerged to support the introduction of this practice, which in turn negatively impacted on its diffusion across England and Wales following an initial small-scale pilot. Similarly, the police, judges/magistrates, lawyers, right-wing think tanks, and liberal penal reform groups did not vocalise their demand or unequivocal support for tagging, while the liberal-left press were openly hostile to this American innovation thus creating an unfavourable climate.</p>
Public opinion	<i>Facilitator:</i> The News of the World’s campaigns for Sarah’s Law secured strong public support.

**Unintended
consequences**

Constraint: The New of the World's 'naming and shaming' activity that entailed printing pictures of convicted sex offenders during 2000 proved to be counter-productive as it provided ammunition for politicians and professionals mobilising in opposition to the introduction of UK sex offender public notification schemes.

Sources: Information extracted from Jones & Newburn (2007; 2013); Nellis (2000); Newburn (2012b); Schachter (1991)

Appendix G:

Case study identification – discarded initiatives

Innovation	Police and Crime Commissioner Plan
Theme: Domestic and Sexual Violence	
<p>1. Multi Agency Risk Assessment Conference (MARAC) A forum in which agencies share information and agree actions to reduce future harm to high risk victims of domestic violence and their children.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>The first MARAC was held in Cardiff in 2003 and was attended by 16 agencies. MARACs now operate across the United Kingdom (UK).</p>	Multiple

<p>2.</p> <p>Domestic Abuse Referral Team (DART)</p> <p>A multi-agency team who are co-located but remain employed by their individual agencies (i.e. police, health service, local authority). The DART responds to cases of domestic violence where there are children, pregnant women, or vulnerable adults involved.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>The first DART was established in Nottingham in 2012.</p>	<p>Nottinghamshire</p>
<p>3.</p> <p>Independent Domestic Violence Advisor (IDVA)</p> <p>A single point of contact for high risk victims of domestic violence who are involved in court proceedings.</p> <p>4.</p> <p>Independent Sexual Violence Advisor (ISVA)</p> <p>A single point of contact for victims of rape or sexual assault who are involved in court cases.</p> <p>IDVAs and ISVAs keep victims safe from harm and provide emotional/practical support.</p>	<p>Multiple</p>

<p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>The ISVA role was commissioned by Baroness Scotland via the Home Office Violent Crime Unit in 2005. The origins of the IDVA service are unknown.</p>	
<p>5.</p> <p>Sexual Assault Referral Centre</p> <p>A location where victims of rape and serious sexual assault receive medical care, counselling, and undergo a forensic examination.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>The first Sexual Assault Referral Centre in England and Wales was established in 1986 at St Mary’s Hospital in Manchester. Similar models operate in Western countries including the United States (US), Canada, and Australia.</p>	Multiple
<p>6.</p> <p>Domestic Violence Protection Order (DVPO)</p> <p>An immediate civil justice remedy that protects victims of domestic violence by preventing the perpetrator from contacting the victim, removing the perpetrator from the household, and/or stopping them from returning to the household for up to 28 days.</p>	Multiple

<p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>DVPOs are a similar approach to ‘go’ or ‘removal’ orders that operate across Europe and were commended in the Council of Europe Istanbul convention. DVPOs were recommended in a 2008 report published by the House of Commons Home Affairs Committee, with momentum building following a 2009 Association of Chief Police Officer’s review commissioned by the government. DVPOs were piloted in 2011/12 in Greater Manchester, West Mercia, and Wiltshire.</p>	
<p>7.</p> <p>Project CARA (Conditional Cautioning and Relationship Abuse)</p> <p>Randomised control trial to ascertain if low-risk perpetrators of domestic violence who attend offending workshops are less likely to reoffend.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>The project has been operating in Hampshire Constabularys Western Area since August 2012.</p>	<p>Hampshire and Isle of Wight</p>
<p>8.</p> <p>Theatre In Education</p> <p>A ‘Power of Love’ production performed to secondary school children aged 13–15 years in Wiltshire in 2009. The play explored domestic violence within a young person’s relationship, and was followed by a workshop session.</p>	<p>Wiltshire and Swindon</p>

<p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>The performance was designed by South Wiltshire Domestic Abuse Forum and a local script writer.</p>	
<p>Theme: Acquisitive Crime</p>	
<p>9.</p> <p>Operation Tornado</p> <p>Requires anyone selling scrap metal to dealers to provide photographic proof of identity.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>Operation Tornado was spearheaded by the Association of Chief Police Officers; the British Metals Recycling Association; the Home Office; the British Transport Police; and Northumbria, Durham and Cleveland Police.</p>	<p>Durham</p>
<p>Theme: Hate Crime</p>	
<p>10.</p> <p>Safe Reporting Centres</p> <p>Third Party Reporting Centres</p> <p>Hate Incident Reporting Centres</p> <p>Safe and neutral ‘centres’ that enable victims or witnesses to report hate crime without contacting the police directly.</p>	<p>Multiple</p>

<p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>Reporting Centres were developed in response to Lord Macpherson’s inquiry into the death of Stephen Lawrence.</p>	
<p>Theme: Night Time Economy & Alcohol-Related Crime</p>	
<p>11.</p> <p>Taxi Marshals</p> <p>Marshals facilitate orderly queuing at taxi ranks, check that people are fit to travel, and ensure the safety of taxi drivers. Schemes are implemented in a bid to reduce violence and anti-social behaviour.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>The first UK taxi and bus marshal scheme was launched in Bristol in 2004. It won the ‘innovation’ award at the Local Government Chronicle Awards in 2007.</p>	<p>Gloucestershire</p>
<p>12.</p> <p>Safe Bus/SOS Bus</p> <p>The SOS Bus is a multi-agency night-time initiative to meet the needs of any person whose well-being is threatened by an inability to return to their home, illness or injury, distress, or other vulnerability.</p>	<p>Multiple</p>

<p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>The UK's first SOS Bus was established in Norwich in 2001 by police officer Colin Lang following a local newspaper's 'Safe and Sound' campaign. The campaign was initiated in response to the death of two young people who drowned in a river following consumption of alcohol in Norwich's clubland area.</p>	
<p>13.</p> <p>Best Bar None</p> <p>National award scheme that rewards alcohol-licensed premises that provide responsible management, reduce 'binge-drinking', and prevent alcohol-related crime /disorder.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>The initiative was developed by the Manchester City Centre Safe project in 2003 to address alcohol-related crime, particularly anti-social behaviour and violence. Best Bar None is supported by the Home Office and operates across the UK and internationally (Canada and British Columbia).</p>	<p>Suffolk</p>

<p>14. Late Night Levy/‘Polluter Pays’ A discretionary power conferred on licensing authorities in England and Wales to enable them to charge those who sell alcohol late at night. The levy is a mechanism for raising a contribution towards policing the night-time economy. <u>No Evidence of International-Subnational Policy Transfer Located</u> Appears to be a central government initiative contained within the <i>Police Reform and Social Responsibility Act 2011</i>. Newcastle was the first jurisdiction to introduce the levy (2013).</p>	<p>Multiple</p>
<p>15. Operation Protect A communications/poster campaign that aims to reduce alcohol-related violent crime (including sexual violence). <u>No Evidence of International-Subnational Policy Transfer Located</u> The scheme was developed by Dorset Police. It was voted Best Campaign at the Association of Police Communicators Awards in 2011.</p>	<p>Dorset</p>

<p>16.</p> <p>Designated Public Place Order (DPPO)</p> <p>Alcohol Free Zones</p> <p>DPPOs permit local authorities in England and Wales to combat alcohol-related disorder or nuisance by designating places where restrictions on public consumption of alcohol apply.</p> <p><u>No Evidence Of International-Subnational Policy Transfer Located</u></p> <p>DPPO provisions are contained within the Criminal Justice and Police Act 2001 and the <i>Violent Crime Reduction Act 2006</i>. Origins unknown.</p>	<p>Multiple</p>
<p>17.</p> <p>Drink Banning Orders (DBOs)</p> <p>DBOs are civil orders intended to address disorderly behaviour and criminal offences committed by individuals while under the influence of alcohol. Those given a DBO may not be allowed to buy alcohol, consume/possess alcohol in public, or enter particular premises that serve alcohol. DBOs can be issued by magistrates, county, or criminal courts in England and Wales and last between two months and two years.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>DBO provisions are contained in the <i>Violent Crime Reduction Act 2006</i>. Origins unknown.</p>	<p>Lincolnshire</p>

Theme: Mental Health	
<p>18.</p> <p>Street Triage</p> <p>NHS mental health practitioners accompany police officers when responding to incidents where it is believed that individuals require immediate out of hours' mental health support. The aim is to reduce the number of people who are detained under Section 136 of the <i>Mental Health Act 1983</i>.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>The scheme was initially trialled in Leicestershire and Cleveland in 2012. The concept has been backed by the Home Office and additional pilots have been rolled out.</p>	<p>Leicester, Leicestershire and Rutland</p>
Theme: Anti-Social Road Use	
<p>19.</p> <p>Safe Driving with Age</p> <p>Provides mature drivers with coaching support to enable them to continue driving for as long as it is safe for them to do so.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>Award winning education/screening programme designed by Gloucestershire Road Safety Partnership. The scheme has been introduced in other parts of the UK.</p>	<p>Gloucestershire</p>

<p>20.</p> <p>Operation Crackdown</p> <p>Scheme that enables members of the public to report anti-social driving and abandoned vehicles.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>Launched in 2007, Operation Crackdown is a joint initiative managed by Sussex Police and the Sussex Safer Roads Partnership.</p>	<p>Sussex</p>
<p>21.</p> <p>Community Speed Watch</p> <p>Community members monitor vehicle speed using detection devices. The registered owners of vehicles exceeding the speed limit are sent a warning letter by the police. Persistent offenders may be visited by officers and further action may be taken.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>The UK's first Community Speed Watch scheme was trialled in the Somerset Village of Ash in 2001.</p>	<p>Multiple</p>
<p>22.</p> <p>Community Concern Speed Enforcement Programme</p> <p>Local residents raise concerns about speeding at a Parish Council or Partners and Communities Together meeting. The Safer Roads Partnership then determines if there is an enforceable speeding problem at the site.</p>	<p>West Mercia</p>

<p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>Launched in West Mercia in September 2009. Origins unknown. A similar scheme is also operating in South Yorkshire.</p>	
<p>Theme: Technology</p>	
<p>23.</p> <p>Automatic Number Plate Recognition</p> <p>Closed-Circuit Television (CCTV) Network that enables vehicle movements to be tracked by the police and security services in real-time.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>Automatic Number Plate Recognition was invented in 1976 by the Police Scientific Development Branch (UK).</p>	<p>Multiple</p>
<p>24.</p> <p>Cars Behind Bars</p> <p>Crackdown on uninsured drivers using Automatic Number Plate Recognition (see above)</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>The scheme was instigated by Matthew Ellis – Police and Crime Commissioner for Staffordshire.</p>	<p>Staffordshire</p>

<p>25.</p> <p>Electronic Witness Statements</p> <p>Evidential standard electronic witness statements and digital signatures developed by Panasonic Toughbook (computers) and Airpoint (mobile application).</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>Hampshire Constabulary were the first force in the UK to introduce Electronic Witness Statements. They are one of 22 forces involved in the Digital Pathfinder Programme.</p>	<p>Hampshire and Isle of Wight</p>
<p>26.</p> <p>Mobile Finger Printing</p> <p>Handheld biometric fingerprint scanners that allow police officers to conduct identity checks on individuals.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>The Lantern Mobile Fingerprinting Project commenced in 2006 in 20 policing areas. It was initiated in response to the Automatic Number Plate Recognition Steering Group requesting that officers be equipped with technology to enable them to identify drivers ‘on the spot’ rather than at a police station. Project Lantern was managed by the National Policing Improvement Agency.</p>	<p>Hampshire and Isle Of Wight</p>

<p>27.</p> <p>Global Positioning System (GPS) Tagging</p> <p>Pinpoints the location of electronically tagged individuals.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>Bedfordshire Police trialled a voluntary scheme with 14 offenders connected with 459 crimes before they were tagged. The offenders were linked to three offences following the fitting of the device. In 2013, 26 Police and Crime Commissioners petitioned the Ministry of Justice to roll-out GPS tagging on a compulsory basis, using Bedfordshire’s pilot as a model. The government awarded GPS tagging contracts to four companies in 2014 to monitor the movements of high-risk and persistent offenders as well as those given temporary release from prison.</p>	<p>Multiple</p>
<p>28.</p> <p>Virtual Courts</p> <p>Entails a secure video link being set up between a police station and a court in order to conduct a defendant’s first hearing.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>Virtual courts appear to be a Ministry of Justice initiative. A prototype was trialled in London in 2007 and a pilot was undertaken in 2009 in magistrate’s courts in London and North Kent.</p>	<p>Hertfordshire</p>

<p>29.</p> <p>Body Worn Video Camera</p> <p>A type of Closed-Circuit Television (CCTV) recording system mounted to the head that captures video and sound evidence of police interactions with the public.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>First trail led by Danish Police (Copenhagen). A UK pilot was conducted by Devon and Cornwall Constabulary in 2005/6 (the Plymouth BCU Head Camera Project).</p>	<p>Hampshire and Isle Of Wight</p>
<p>30.</p> <p>‘Mosquito’ Device</p> <p>An ultrasonic sound device that encourages young people to disperse. The alarm has been installed at more than 3,500 sites across the UK and is sold in several other Western countries.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>The Mosquito was invented in 2005 by Howard Stapleton, a former British Aerospace engineer. He developed the device after his daughter was intimidated by a group of young men congregating outside of shops. The technology was tested in Barry, South Wales. An investigation conducted by The Council of Europe in 2010 stated that the device should be banned as it infringes legislation prohibiting torture.</p>	<p>Bedfordshire</p>

<p>31.</p> <p>Project Athena</p> <p>A collaborative ‘one stop’ IT framework that enables information and resources to be shared across police forces.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>The following police forces were early adopters: Bedfordshire, Cambridgeshire, Essex, Hertfordshire, Kent, Norfolk, and Suffolk.</p>	<p>Multiple</p>
<p>32.</p> <p>Touch2id</p> <p>Proof-of-identity technology. Identifies reference points on a fingerprint to store a unique binary code onto a plastic card or a sticker which can be attached to a mobile phone. The scheme has been developed to address the issue of under-age drinking and associated violent crimes/anti-social behaviour.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>The scheme was founded by Giles Sergeant – Managing Director of Touch2id. It was piloted in Trowbridge in 2010.</p>	<p>Wiltshire and Swindon</p>

<p>33.</p> <p>Community Crime Alerts</p> <p>Members of the public sign-up to receive automated police alerts that detail local crime incidents, trends, and prevention advice. Neighbourhood Watch Coordinators are the primary target users and subscribers of the scheme.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>Schemes operate across England and Wales. Cumbria Neighbourhood Watch was shortlisted for a T4G award in 2013 for its work on the Cumbria Community Messaging system.</p>	<p>Wiltshire and Swindon</p>
<p>Theme: Justice</p>	
<p>34.</p> <p>Victim's Surcharge</p> <p>A fine payable by those sentenced. The money raised is used to fund victim's services.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>The victim's surcharge is a Home Office initiative contained within the <i>Domestic Violence, Crime and Victims Act 2004</i>. It was implemented in April 2007.</p>	<p>Cumbria</p>

<p>35.</p> <p>Youth Caution</p> <p>An out-of-court disposal used as an alternative to prosecution for young people (aged 10–17 years) in certain circumstances.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>Youth Cautions were introduced in section 135 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012. This Act abolished reprimand and warnings that were known as the Final Warning Scheme.</p>	<p>Nottinghamshire</p>
<p>36.</p> <p>Project Daedalus</p> <p>A pilot project that involved 220 first-time young offenders serving their sentence in the Heron Unit (a separate wing of Feltham Young Offenders Institute) where they received guidance to enable them to return to education or enter the workplace. Each young person was assigned a ‘resettlement broker’ to support them after their release.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>A multi-agency project funded by the Greater London Authority, London Development Agency, Youth Justice Board, and the European Social Fund. It was implemented between 2009 and 2012.</p>	<p>MOPAC</p>

<p>37.</p> <p>Intensive Alternative To Custody Pilots</p> <p>This programme ran from 2008/09 to 2010/11 and trialled the use of intensive community orders to divert offenders from short-term custodial sentences.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>A Ministry of Justice initiative. Seven pilot areas → Derbyshire, West Yorkshire, South Wales, Dyfed-Powys, Humberside, Merseyside, Manchester and Salford.</p>	<p>Greater Manchester</p>
<p>38.</p> <p>Neighbourhood Resolution Panels</p> <p>Neighbourhood Justice Panels</p> <p>A restorative justice approach to respond to low-level crime within a local community. The victim and the wrongdoer communicate (either face to face or through a trained volunteer facilitator) to agree an action plan to be completed by the harmer.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>The first Neighbourhood Justice Panel was pioneered in the UK in Chard and Ilminster (Somerset) in 2005.</p>	<p>Multiple</p>

<p>39.</p> <p>Acceptable Behaviour Contracts</p> <p>Voluntary agreements made between local agencies and young people or adults involved in anti-social behaviour. The contract outlines the behaviour that an individual will cease to partake in as well as a range of positive activities to be pursued.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>Acceptable Behaviour Contracts were pioneered by Paul Dunn – a police sergeant employed by Islington Borough Police (North London) in response to problems caused by young people aged 10–17 years on a challenging estate.</p>	<p>Derbyshire</p>
<p>40.</p> <p>Community Payback (Community Service)</p> <p>Unpaid work such as removing graffiti, clearing wasteland, and decorating public buildings. Offenders can be sentenced to complete 40–300 hours of Community Payback as part of an order issued by a magistrate or a judge. Those engaged in the scheme must wear a high visibility orange vest.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>Community service was created by members of a sub-committee of the Advisory Council on the Penal System who were inspired by a newspaper article about a criminal court judge in Darmstadt (Germany) who sentenced an offender convicted of dangerous driving to work for a period of time in an Accident and Emergency hospital in the 1950s.</p>	<p>Multiple</p>

<p>Six probation areas piloted the concept. Community Service was rolled-out across England and Wales in 1977.</p>	
<p>41. Victim Impact Statements Victim Personal Statements <u>No Evidence of International-Subnational Policy Transfer Located</u> Victim impact statements were first deployed in California in 1976. All US States now afford victims the right to be heard at sentencing. New Zealand introduced victim impact statements in 1987 and Canada followed in 1988. The victim personal statement scheme was launched by the UK government in 2001.</p>	<p>Multiple</p>
<p>Theme: Multi-Agency Partnerships</p>	
<p>42. Multi Agency Public Protection Arrangements (MAPPAs) MAPPAs support the assessment and management of sexual and violent offenders. <u>No Evidence of International-Subnational Policy Transfer Located</u> MAPPAs were established in England and Wales in 2001 under the <i>Criminal Justice and Court Services Act 2000</i>. The process evolved from professional practice during the 1990s.</p>	<p>Multiple</p>

<p>43.</p> <p>Anti-social Behaviour Risk Assessment Conference</p> <p>Identifies and supports vulnerable victims of anti-social behaviour.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>Anti-social Behaviour Risk Assessment Conferences were developed following the deaths of Fiona and Francesca Pilkington in 2007. They are based on the MARAC model (see above).</p>	<p>Wiltshire and Swindon</p>
<p>44.</p> <p>Project AURORA</p> <p>A partnership between Nottinghamshire Police and Nottingham City Council to create a single uniformed enforcement service, with police officers working alongside City Council Community Protection Officers.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>The project was pioneered in Nottingham and has been highlighted as an example of best practice by HM Inspectorate of Constabulary.</p>	<p>Nottinghamshire</p>

Theme: Volunteering/Community Engagement	
<p>45.</p> <p>Animal Welfare Visitors Scheme</p> <p>Individuals and relevant organisations observe and report on the conditions under which police dogs are housed, trained, and transported.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>The scheme was introduced by the Association of Chief Police Officers General Policing Committee following the death of a police dog in Essex in 1997 and the prosecution of officers involved.</p>	<p>Multiple</p>
<p>46.</p> <p>Independent Custody Visiting Scheme</p> <p>Local community members voluntarily check on the welfare of detainees in police custody by visiting police stations unannounced.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>Lay visiting was initially recommended in the Scarman Report which was produced following the 1981 Brixton Riots. Independent Custody Visiting has been a statutory requirement in England and Wales since the introduction of the <i>Police Reform Act 2002</i>.</p>	<p>Multiple</p>

<p>47.</p> <p>Independent CCTV Monitoring Scheme</p> <p>Volunteers view footage from Closed-Circuit Television (CCTV) cameras positioned in public places to ensure that relevant legislation and codes of practice are being adhered to.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>The scheme was initiated by the Sussex Police Authority. Sussex Police, and Sussex Police Authority were heavily involved in the production of a Charter developed by the European Forum for Urban Security. The Charter promises to utilise CCTV in a transparent, accountable, and responsible fashion.</p>	<p>Sussex</p>
<p>48.</p> <p>Mystery Shoppers</p> <p>Typically utilised to improve the quality of customer service provided by the police (e.g. front desks; non-emergency telephone number).</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>Possibly an instance of private/public cross-sectoral learning. Several Police and Crime Commissioners have launched ‘mystery shopper’ initiatives.</p>	<p>Surrey</p>

<p>49.</p> <p>Police and Crime Commissioner Advocate</p> <p>Unpaid voluntary advocates recruited to address a particular community issue, support the work of a Police and Crime Commissioner, and drive forward change.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>The concept is being trialled in Dorset.</p>	<p>Dorset</p>
<p>50.</p> <p>Neighbourhood Action Groups</p> <p>Neighbourhood Action Panels</p> <p>Police and Community Together</p> <p>Multi-agency problem solving bodies dedicated to addressing the crime reduction priorities of local communities. They are an important element of Neighbourhood Policing. Members include volunteers (residents) and representatives from organisations including the police, schools, local authorities, and businesses.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>Origins unknown. Possibly a UK initiative linked to Neighbourhood Policing.</p>	<p>Multiple</p>

Theme: Children and Young People	
<p>51.</p> <p>Positive Futures</p> <p>A programme targeted at 10–19 year olds in deprived communities in England and Wales. 91 local projects were delivered to prevent young people becoming involved in crime, drugs, and alcohol misuse. Positive Futures was funded by the Home Office until March 2013. 60 percent of projects now receive funding from Police and Crime Commissioners and local agencies.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>Central government youth crime prevention programme. Origins unknown.</p>	<p>Multiple</p>
<p>52.</p> <p>Night Challenge</p> <p>An overnight orienteering activity for young people aged 13-17 years. Partners include the Police; Fire and Rescue Service; Maritime and Coastguard Agency; Humberside and Lincolnshire Orienteering Club, and HM Prison Service.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>Night Challenge originated as ‘Nite Pilot’ in the 1980s. The event was reintroduced in 2007. Origins unknown.</p>	<p>Humberside</p>

<p>53.</p> <p>Lifestyle</p> <p>Challenges young people aged 10–18 years to form teams and engage in activities that improve their local community during the school summer holidays. Prizes are awarded to successful teams, including a trip to Disney World (Florida).</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>The initiative was established in 1989 by two police inspectors – Peter Wilshaw and Julian Rice. The scheme is now operating in South Yorkshire and West Mercia. Interest has also been expressed by European police forces and departments in the US and South Africa.</p>	<p>Humberside</p>
<p>54.</p> <p>INSPIRE Programme</p> <p>A Sussex Police education programme designed to prevent young people becoming perpetrators or victims of crime. The programme is delivered by Neighbourhood Schools Officers.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>INSPIRE was jointly developed by Sussex Police and East and West Sussex Fire and Rescue Services.</p>	<p>Sussex</p>

<p>55.</p> <p>Crucial Crew</p> <p>A multi-agency interactive event held annually for Year 6 pupils who are educated on a series of community safety topics including road safety, fire safety, anti-social behaviour, rail safety, recycling, and smoking.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>The idea originated from Joe Lynch – a Crime Prevention Officer based at Shooters Hill (near Greenwich). The first initiative introduced was called The Junior Citizen Award Scheme and was sponsored by the Kingfisher group. The scheme was rebranded as Crucial Crew to make it more appealing to young people and is now delivered across the UK.</p>	<p>Essex</p>
<p>56.</p> <p>It's That Easy</p> <p>An educational project delivered to Year 9 pupils. It encourages them to understand the consequences of their actions and to appreciate how easy it is to become involved with the criminal justice system. Partners include Lincolnshire Police, North Kesteven District Council, Fire and Rescue, Lincolnshire Road Safety Partnership, and Lincolnshire Cooperative.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>The project was developed by Inspector Mike Jones - Lincolnshire Police. It was piloted in secondary schools in North Kesteven in 2012.</p>	<p>Lincolnshire</p>

<p>57.</p> <p>Terriers</p> <p>A theatre performance delivered to primary and secondary school children to show the reality of becoming involved with gangs and guns.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>The show was commissioned by Merseyside Police in 2008 using partnership funding. It was written by Maurice Bessman.</p>	<p>Merseyside</p>
<p>58.</p> <p>Triage Programme</p> <p>Identifies young people at an early stage of offending and seeks to divert them from the youth justice system. The ‘triage’ process has been formalised via reference to a set of criteria that a young person must meet to receive support.</p> <p><u>No Evidence Of International-Subnational Policy Transfer Located</u></p> <p>‘Triage’ was first implemented by Southend Police and Youth Offending Service.</p>	<p>Essex</p>

<p>59.</p> <p>SHARP System</p> <p>The School Help Advice Reporting (web)Page (SHARP) is a 24/7 system that allows young people to report incidents that occur within school or the local community in a confidential manner.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>SHARP was developed by Tony Carr (Police Constable) and Tropica Web Design. It was launched by Merseyside Police in 2007 and is now available in Manchester and London.</p>	<p>Merseyside</p>
<p>60.</p> <p>CitySafe</p> <p>Provides ‘safe havens’ for young people in London who feel that they are in danger or being threatened.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>The scheme commenced following the murder of Jimmy Mizen in Lewisham in 2008. It is organised by Citizens UK and London Citizens.</p>	<p>MOPAC</p>

Theme: Miscellaneous	
<p>61.</p> <p>Community Trigger</p> <p>A means for victims of persistent anti-social behaviour (including individuals, businesses, and community groups) to request a review of actions taken by agencies where it is felt that these have been insufficient to resolve issues.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>A Home Office initiative contained within the <i>Anti-social Behaviour, Crime and Policing Act 2014</i>. Trials were undertaken during 2012 in Manchester, Brighton and Hove, West Lindsey, Boston (Lincolnshire), and the London Borough of Richmond upon Thames.</p>	Multiple
<p>62.</p> <p>Reservist Force of Police Officers</p> <p>Up to 200 ‘on call’ reservists will work alongside police officers (approximately 20 days per year).</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>The scheme was proposed by Adam Simmonds – Police and Crime Commissioner for Northamptonshire. He claims that he was inspired by models operating in Northern Ireland and the Territorial Army.</p>	Northamptonshire

<p>63.</p> <p>Community Safety Accreditation Scheme</p> <p>Enables Police Constables to confer police powers to the employees of external organisations in order to improve community safety.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>A Home Office initiative. Origins unknown.</p>	<p>Multiple</p>
<p>64.</p> <p>Community Safety Ambassadors</p> <p>Act as the ‘eyes and ears’ of the Police and Crime Commissioners in local communities. In Warwickshire, Community Safety Ambassadors are paid £950 per annum to fulfil their duties which include attending local forums and producing reports.</p> <p><u>No Evidence of International-Subnational Policy Transfer Located</u></p> <p>This initiative appears to have been pioneered by Ron Ball – Police and Crime Commissioner for Warwickshire.</p>	<p>Warwickshire</p>

<p>65.</p> <p>Neighbourhood Security Interviews</p> <p>Community engagement methodology that integrates the principles of cognitive interviewing into a qualitative GIS approach.</p> <p><u>No Evidence Of International-Subnational Policy Transfer Located</u></p> <p>The i-NSI was developed as part of the National Reassurance Policing Programme launched by the Home Office and Association of Chief Police Officers in 2003.</p>	<p>South Wales</p>
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Appendix H:

Case study identification – discarded case candidates

The HOPE Probation Programme

Jurisdiction: The Mayor’s Office for Policing and Crime (MOPAC).

Claims presented within MOPAC’s Police and Crime Plan (2013–2016):

- *‘MOPAC will develop a drugs strategy for London, aligned to the Government’s strategy, to reduce demand, restrict supply and build recovery. This will put more responsibility on offenders to overcome dependency, learning from the HOPE programme in the USA which requires offenders to report daily and participate in random drug tests’* (page 53).
- *‘MOPAC will develop plans for a ground-breaking pilot of the HOPE probation programme to tackle substance-misuse, potentially commissioned using a Social Impact Bond Vehicle’* (page 66).

Research: Hawaii’s Opportunity Probation with Enforcement (HOPE) is an intensive supervision programme that was piloted in October 2004. It was initiated by Judge Steven S. Alm for the First Judicial Circuit in Honolulu to reduce probation violations by drug-involved offenders and others at high risk of recidivism (Bartels, 2015; Hawaii State Judiciary, n.d.; Hawken & Kleiman, 2009). In developing HOPE, Judge Alm was allegedly inspired by a presentation delivered by David M. Kennedy during the mid-1990s which detailed the supervision aspects of Operation Ceasefire (also known as the Boston Gun Project) (Rosen, 2010). HOPE-style probation programmes now operate in 160 locations across 21 states (Bartels, 2015).

In adopting a ‘good parenting model’, HOPE commences with a 15–20 minute formal Warning Hearing held by a judge in an open court. During this hearing groups of offenders with criminogenic risk factors are directly and explicitly informed that every probation violation that they commit will result in an immediate yet brief stint in jail, but that everyone around them wants them to succeed (Hawken, 2007; Hawken & Kleiman, 2009; Institute for Behavior and Health, 2015). Offenders are then given a colour code. Each morning they must telephone a hotline to hear which colour has been selected for that day. If their colour is called they must present at the probation office before 1.00pm

for a drug test (Institute for Behavior and Health, 2015). Offenders are randomly tested at least once per week during their first two months of enrolment on the programme. However, if they comply and produce negative drug tests they are allocated a new colour that entails less frequent testing (Hawken & Kleiman, 2009). Participants receive swift, predictable (certain), and immediate sanctions for any violation, whether this involves testing positive for drug use, missing an appointment with a probation officer, or failing to provide a urine test (Bartels, 2015; Hawaii State Judiciary, n.d.). Indeed, upon detection of a violation the probation officer completes a Motion to Modify Probation Form which is faxed to the judge's chambers (Hawken & Kleiman, 2009). A hearing is then held (typically within 72 hours), with the offender being confined in the intervening period (Hawken & Kleiman, 2009). If they are found to have violated the conditions of their probation an offender will typically be sentenced to a short jail stay (two–15 days). The number of days to be served can escalate depending on the nature and severity of the offence, and the extent to which the offender takes responsibility for their actions (Hawken, 2007; Hawken & Kleiman, 2009; Institute for Behaviour and Health, 2015). Shorter sentences may be served over the weekend if the offender is in employment (National Institute of Justice, 2012). Once released the offender continues to participate in the HOPE programme (Hawken & Kleiman, 2009).

Unlike drug courts and other drug diversion schemes, HOPE does not impose treatment on all participants (Hawken, 2007; Hawken & Kleiman, 2009). Rather, a 'behavioural triage' method is adopted in which drug treatment is provided at the request of an offender or is mandated where multiple violations occur (Caulkins & Dupont, 2010; Hawken & Kleiman, 2009). The outcome of such economising is that only a fraction of HOPE probationers receive compulsory treatment, meaning that the programme can afford to direct financial resources towards intensive treatment (for instance, long-term residential care) as opposed to outpatient drug-free counselling (National Institute of Justice, 2012).

A randomised control trial (RCT) of HOPE as assisted by the National Institute of Justice and funded by the Smith Richardson Foundation was launched in 2007 (Hawken & Kleiman, 2009). The RCT placed 330 drug-involved offenders at high risk of probation violation into HOPE, while 163 offenders were placed under routine probation with officers trained in Cognitive Behavioural Therapy and motivational interviewing (Hawken & Kleiman, 2009). Domestic violence perpetrators and those who committed sex offences were excluded from the study (Hawken & Kleiman, 2009). Evaluation

results revealed that after one year HOPE probationers were 55 percent less likely than the control group to be arrested for a new crime; 72 percent less likely to use illegal drugs; 61 percent less likely to miss appointments with their probation officer; and 53 percent less likely to have their probation revoked (Bartels, 2015; National Institute of Justice, 2012). As a consequence, those enrolled in the HOPE programme served or were sentenced to 48 percent fewer days in prison (National Institute of Justice, 2012).

In 2014, HOPE received an Outstanding Criminal Justice Program Reward from the National Criminal Justice Association (Bartels, 2015).

Home Watch (Neighbourhood Watch)

Jurisdiction: Multiple.

Research: The Neighbourhood Watch initiative emerged as part of a community response to the rape and murder of Kitty Genovese in Queens, New York, in 1964 (Neighbourhood and Home Watch Network, n.d.).

Research suggests that the concept of Neighbourhood Watch was imported from the United States (US) into the UK by a group of police officers who, when visiting Chicago, saw the benefits that Neighbourhood Watch schemes were having in the community (Leicestershire North Neighbourhood Watch Association, n.d.).

The United Kingdom's (UK) first neighbourhood watch scheme (branded Home Watch) was piloted in the village of Mollington, Cheshire, in 1982 (Neighbourhood Watch Association, n.d.). It was initiated after Harold Cooper (the Chairman of the Mollington Residents Association) approached Chester Crime Prevention Office about a spate of burglaries. Inspector Grahame Andrews (Crime Prevention Sergeant) had been given US Neighbourhood Watch documents by George Fenn (the Chief Constable of Cheshire Constabulary) (Jones, 2012). The Mollington scheme involved neighbours agreeing to 'keep their eyes open' and work with the police to report crime and suspicious incidents (Metropolitan Police, n.d.).

Although varying in size from a small number of houses to several streets, the philosophy of contemporary Neighbourhood Watch schemes centres on building community spirit

and bringing residents together to tackle crime, disorder, and issues that cause concern (North Yorkshire Police, n.d.). Schemes are typically supervised by a volunteer coordinator who liaises between members and the police. Regular meetings are held in which members discuss ways that they can reduce low-level problems affecting their community. This may include running crime prevention campaigns, such as highlighting the importance of ensuring that windows and doors are securely locked (West Yorkshire Police, n.d.).

Appendix I:

Information sheet (face-to-face interviews)

UNIVERSITY *of York*

Research study on the crime & criminal justice policy transfer process

You are being invited to take part in a research study being conducted by Laura Bainbridge, a Doctoral Researcher in the Department of Social Policy and Social Work at the University of York (UK). The study is dedicated to reconstructing and exploring the process in which crime and criminal justice policies are transferred from one subnational jurisdiction to another in a different country.

Who is funding the research?

The study is funded by the Economic and Social Research Council (ESRC).

Why have I been approached?

You have been contacted because I understand that you have been involved to some extent in the process of developing [innovation] which is reportedly modelled on a project operating in [subnational jurisdiction]. Although documents will be collected as part of the research a key objective is to hear first-hand accounts of how policy transfer unfolds from those who have engaged in the process. As such, your participation is completely invaluable and I would be incredibly grateful if you could take the time to support the study. The personal benefits that you may experience through taking part include having the opportunity to share your specialist knowledge, feeling that your views as an expert are valued, and perhaps helping to inform future policy development.

What would taking part involve?

I would like to conduct a face-to-face interview with you at a mutually agreeable time and place. It is anticipated that the interview will last approximately 60 minutes.

Before the interview begins there will be further opportunity for you to ask questions and raise concerns. If you are still happy to go ahead I will ask you to complete a consent form – a copy of which will be given to you for your own records. With your permission, the interview will be digitally recorded and later transcribed so that I have an accurate record of our conversation. During the interview you will be asked questions about the process of developing and/or implementing [innovation]. Together, we will also construct a chronological timeline that explores key events and traces the role that you played within the policy transfer process.

What will happen after the interview?

I will send you a copy of your interview transcript to enable you to check this for accuracy and edit any information that you provided. If you would like to receive a copy of the physical timeline produced during the interview please do not hesitate to ask. The data collected will be analysed and used in my PhD thesis and associated research outputs such as articles, conference papers, and web pages.

You will be given two options concerning how your words will be quoted within research outputs: A) you may use my name and my job title or, B) you may not use my name or my job title. If you select option B you will be allocated a pseudonym. Due to the impracticality of disguising [innovation] it will be explicitly named in research outputs. This produces a situation in which a cascade of interviewee identification could potentially occur. For example, readers of research outputs may be able to identify you due to your association with [innovation] or because of the distinctive insights that you forward. As such, it is important to be aware that absolute anonymity cannot be guaranteed in relation to this study even if you request a pseudonym.

To meet ESRC funding requirements all research outputs will be ‘Open Access’ which means that they will be freely available to all online.

With your permission, your anonymised research data will be archived at the UK Data Archive three months following the completion of this study. The data will therefore be available to other genuine researchers in line with current data sharing practices.

How will my details be kept confidential?

The research has been approved by the Social Policy and Social Work Departmental Ethics Committee at the University of York.

All information that is collected during the study will be kept confidential in line with the *Data Protection Act (1998)*. Audio recordings and written transcripts will be stored securely at the University of York and will only be accessible to myself and my supervisor (Dr Lisa O'Malley).

If you tell me that you or someone else is at risk of harm then I will take advice from my supervisor and may have to tell someone about it. This would be discussed with you first.

Do I have to take part?

No, it is entirely your decision whether you want to participate in the research. If you do decide to participate you can withdraw at any time without giving a reason.

Who can I contact for more information?

If you have any questions about the research please contact:

Laura Bainbridge

(Doctoral Researcher)

Research Centre for Social Sciences

6 Innovation Close

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Appendix J: Interview guide (face-to-face and telephone interviews)

UNIVERSITY *of York*

Research study on the crime & criminal justice policy transfer process

Administration

- Introductions
- Reiterate the purpose of the research
- Invite interviewee to ask any questions that they may have
- Check how much time the interviewee is prepared to spare

‘Opening Development Phase’

- Q1. Would you mind giving me a very brief overview of your current role?
- Q2. What is or was your role in relation to the development and/or implementation of [innovation]?
- Q3. Do you know what motivated the introduction of [innovation]?
- Q4. How did the idea for [innovation] emerge?

‘Central Core Phase’ – Chronological Timeline

Face-To-Face Interview: Physical Timeline Activity

Ask the interviewee when they believe the policy development process commenced and mark the month/year on one end of the timeline. If they are uncertain, ask them to identify the month/year of their first contact with [innovation]. Note the date of the interview towards the other end of the timeline, leaving space to map the future. Encourage the interviewee to talk the interviewer through the key ‘events’ (actions, decisions, meetings and so on) that led to the introduction of [innovation] and mark these on the timeline as appropriate.

Telephone Interview: Mental Timeline

Encourage the interviewee to talk the interviewer through the key ‘events’ (actions, decisions, meetings and so on) that led to the introduction of [innovation].

- Probe and prompt.
- Tease out how ‘wider world’ events and/or processes at different levels of political spatiality impacted on the process.

‘Closure Phase’

Q5. In your opinion, what transferred from [jurisdiction X] to [jurisdiction X]?

Probe:

- a) Were any elements of [innovation] borrowed from past experience?*
- b) Were any elements of [innovation] innovative?*
- c) Were any elements of [transferred policy] discarded or filtered out?*

Q6. What lessons did you learn when developing and/or implementing [innovation]?

Probe: If you could go back in time, would you do anything differently?

Q7. Would you like to clarify or expand on anything that you have said?

Q8. Is there anything else that you would like to cover before the interview concludes?

Administration

- Ask the interviewee to nominate prospective interviewees and seek recommendations concerning approach/access.
- Request relevant documentary materials.
- Confirm that the interviewee will receive a verbatim transcript of their interview.
- Thank interviewee for their time and contribution.

Appendix K:

Combined information sheet and consent form (observation)

UNIVERSITY *of York*

Research study on the crime & criminal justice policy transfer process

You are being invited to take part in a research study being conducted by Laura Bainbridge, a Doctoral Researcher in the Department of Social Policy and Social Work at the University of York (UK). The study is dedicated to reconstructing and exploring the process in which crime and criminal justice policies are transferred from one subnational jurisdiction to another in a different country. One of my case studies is Street Pastors, which is reportedly inspired by projects operating in Kingston (Jamaica) and Boston (United States).

Who is funding the research?

The study is funded by the Economic and Social Research Council (ESRC).

What would taking part involve?

I would like to observe your work as a Street Pastor. Although documents will be collected and interviews will be conducted as part of my study I would like to gain a picture of what happens during a Street Pastors shift via watching what you do, listening to what you say, and occasionally seeking clarification. I will not directly participate in Street Pastors activities; I will simply shadow the team and be as unobtrusive as possible. At the end of the shift I will write field notes which may be used as data. Your participation in the research is thus completely invaluable and the personal benefits that you may experience through taking part include having the opportunity to share your specialist skills and experiences and perhaps helping to inform future policy development.

What will happen after the observation?

The field notes will be analysed and may be used in my PhD thesis and associated research outputs such as articles, conference papers, and web pages. To meet ESRC funding requirements all research outputs will be 'Open Access' which means that they will be freely available to all online.

How will my details be kept confidential?

The research has been approved by the Social Policy and Social Work Departmental Ethics Committee at the University of York.

The location, the date/time of the observed Street Pastors shift and your name will not feature within any research outputs. All information that is collected during the study will be kept confidential in line with the *Data Protection Act (1998)*. Field notes will be stored securely at the University of York and will only be accessible to myself and my supervisor (Dr Lisa O'Malley).

If you tell me that you or someone else is at risk of harm then I will take advice from my supervisor and may have to tell someone about it. This would be discussed with you first.

Do I have to take part?

No, it is entirely your decision whether you want to participate in the research. If you do decide to participate you can withdraw at any time without giving a reason.

Who can I contact for more information?

If you have any questions about the research please contact:

Laura Bainbridge

(Doctoral Researcher)

Research Centre For Social Sciences

6 Innovation Close

Lisa O'Malley

(Supervisor)

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Telephone: 01904 XXXXXXX
Email: lisa.omalley@york.ac.uk

Consent

- I have read the information about the research above and have had time to consider it.
- I have had the opportunity to ask questions and have had these answered satisfactorily.
- I feel that I understand what the study involves and agree to take part in the research.
- I understand that my participation in the research is voluntary and that I can withdraw at any time without giving a reason.
- I understand that all research outputs that emerge from this study will be Open Access.
- I understand that the location, the date/time of the observed Street Pastors shift and my name will not feature within any research outputs.
- I understand that the researcher may have to speak to another person if I tell her that I or someone else is at risk of harm.
- I understand that the information I give to the researcher will be treated in strict confidence according to the *Data Protection Act (1998)*.

Date:

Signatures:

Participant.....

Participant.....

Participant.....

Participant.....

Participant.....

Participant.....

Appendix L:

Consent form (face-to-face interviews)

UNIVERSITY *of York*

Research study on the crime & criminal justice policy transfer process

Please tick the appropriate boxes

	Yes	No
I agree to take part in the research.		
I have been given an information sheet about the research and have had time to consider it.		
I have had the opportunity to ask questions about the research and have had these answered satisfactorily. I feel that I understand what the study involves.		
I understand that my participation in the research is voluntary and that I can withdraw at any time without giving a reason.		
I understand that the researcher may have to speak to another person if I tell her that I or someone else is at risk of harm.		
I am happy for the interview to be digitally recorded so that a written transcript can be produced.		
I understand that I will receive a copy of the interview transcript and will be given the opportunity to edit any information that I provide.		
I understand that the timeline produced during the interview belongs to the researcher and that I can request a copy.		
I agree to assign the copyright I hold in any materials related to this project to Laura Bainbridge.		
I understand that the information I give to the researcher will be treated in strict confidence according to the <i>Data Protection Act (1998)</i> .		
I understand that [innovation] will be named in the researcher's PhD thesis and associated research outputs such as articles, conference papers, and web pages.		
I understand that my words may be quoted in research outputs.		

<p>Please choose <u>one</u> of the following options concerning how you would like your words to be quoted in research outputs. Please note that if you select option B you will be allocated a pseudonym.</p> <p>a) You may use my name and my job title <input type="checkbox"/></p> <p>b) You may <u>not</u> use my name or my job title <input type="checkbox"/></p>		
<p>I understand that even if I am allocated a pseudonym my absolute anonymity cannot be guaranteed.</p>		
<p>I understand that all research outputs that emerge from this study will be Open Access.</p>		
<p>I agree for the data I provide to be archived at the UK Data Archive. I understand that other genuine researchers will have access to this anonymised data and may use my words only if they agree to preserve the confidentiality of the information as requested in this form.</p>		

Name: _____ Signature: _____

Date: _____

Email Address: _____ Telephone Number: _____

Appendix M:

Alcohol and drug policies

The Drink Banning Order

Similar to the Anti-Social Behaviour Order, the Drink Banning Order (DBO) was introduced by the Labour Government in 2009 and permitted civil courts to prohibit an individual from possessing alcohol in public, purchasing alcohol, and/or entering premises that serve alcohol within a specific vicinity (Institute of Alcohol Studies, 2010). DBO's could last from two months to two years, with breach resulting in a fine of up to £2,500 (Institute of Alcohol Studies, 2010). DBO's were non-enforceable and did not halt alcohol abuse (HL Deb 7 February 2012, v735 c187-201). The DBO was replaced by the Criminal Behaviour Order which came into force in October 2014 (Crown Prosecution Service, n.d.).

Alcohol Arrest Referral Trials

Intended as a means to tackle the link between alcohol and disorder, particularly that which occurs within the night-time economy, the first Alcohol Arrest Referral (AAR) trials commenced in 2007 and entailed trained alcohol counsellors offering brief advice and information to those identified by police officers as being under the influence alcohol, with interaction typically occurring on a voluntary basis (Blakeborough & Richardson, 2012; McCracken, 2012). The aim of the schemes was to test if this type of approach – which research had proven to be beneficial within the healthcare sector with respect to reducing alcohol consumption – could be extended to criminal justice settings and impact positively on re-offending (Blakeborough & Richardson, 2012; McCracken, 2012). In total, twelve police force areas established AAR projects across two pilot phases, with funding ceasing in September 2010 (Blakeborough & Richardson, 2012; McCracken, 2012). A research report published in 2012 that detailed the findings from two AAR evaluations stated that the schemes did not reduce re-arrests overall and that most schemes did not break-even financially (Blakeborough & Richardson, 2012).

The Drug Interventions Programme

The Drug Interventions Programme (DIP) was introduced in 2003–2004 as part of the Labour Government’s strategy for tackling problematic drug use (Collins *et al.*, 2016). The DIP entails individuals who have been arrested for ‘trigger offences’ (for instance, drug dealing/possession) being saliva tested in a police custody suite for the presence of cocaine and/or opiate metabolites (Collins *et al.*, 2016). If the individual tests positive, they are subsequently referred to drug treatment services (Collins *et al.*, 2016). The DIP was included within the Conservative–Liberal Democrat Coalition Government’s 2010 Drug Strategy (see HM Government, 2010).

Sobriety Conditional Caution Scheme

A ‘proof of concept’ Sobriety Conditional Caution (SCC) scheme was conducted by the Home Office between May 2012 and January 2013 as a way of addressing low-level alcohol-related crime and disorder. Domestic violence offences and hate crimes were excluded (Home Office, 2013). The aim was to test whether out-of-court SCC’s were practicable and feasible in a UK context given that alcohol abstinence had largely been used to address drink-driving in the US (Home Office, 2013). The disposal was voluntary, and had to be authorised by the Crown Prosecution Service (Home Office, 2013). Non-dependent drinkers who participated in the scheme had to completely abstain from consuming alcohol on specific days (for example, Friday and Saturday) and were tested via breathalyser at a set time at a police station to ensure compliance. An agreement not to re-offend was also built in to the disposal; as was attendance at an alcohol project or reparative activity where appropriate (Home Office, 2013). Breach without a reasonable excuse had the potential to result in prosecution for the original offence (Home Office, 2013). Five areas took part: Cardiff, Hull, Plymouth, St. Helens, and Westminster (Home Office, 2013). The scheme was monitored by the Home Office for six months, during which one site did not commence their pilot, and two did not issue any SCC’s. Just ten offenders started the disposal – one opted out, three breached (non-attendance), and six completed (Home Office, 2013). 68 eligible offenders did not consent to the SCC, the majority of whom were given a Penalty Notice for Disorder (Home Office, 2013).

Appendix N:

Concerns and objections articulated by the Violence Against Women and Girls Community

Theme	Concerns and objections
Messaging and causality	<ul style="list-style-type: none">• Patriarchy is the cause of domestic violence, not alcohol. Sobriety should not be adopted as a panacea as it will not address the root causes of a perpetrator's behaviour.• Perpetrators may blame alcohol for their actions rather than taking responsibility for their own thoughts and choices.• The Alcohol Abstinence Monitoring Requirement (AAMR) will send a message to victims that the criminal justice system is concerned with legal behaviour (i.e. drinking alcohol) as opposed to criminal behaviour (i.e. domestic violence).
Risk	<ul style="list-style-type: none">• A victim may choose not to adopt particular measures or flee from a life-threatening situation due to the mistaken belief that they are safer because their partner is not consuming alcohol.• The AAMR will simply produce a 'sober abuser' who is still capable of inflicting physical, emotional, psychological, sexual, and financial abuse.• Alcohol abstinence may increase a perpetrator's stress levels, thus reducing the safety of victims.• Perpetrators may seek revenge on victims for their sentence.• AAMR breach consequences are unlikely to be adequate – incarceration is a more appropriate sanction to prevent harm.• The use of alcohol within relationships is complicated. Victims can be forced to drink or may drink as a coping strategy. If two parties are intoxicated, it may be difficult to discern who is the victim and who is the perpetrator.

<p>Politics</p>	<ul style="list-style-type: none"> • The AAMR is a ‘quick fix’. • Those who belong to certain socio-economic classes or ethnic groups are more likely to be sentenced to an AAMR due to the unequal nature of policing and/or the spheres that are policed. • How ‘success’ was defined and measured in South Dakota may be problematic as the voices of marginalised populations may not have been heard. • Criminalisation and increased surveillance may not be the best way to reduce offending.
<p>Support services</p>	<ul style="list-style-type: none"> • The AAMR does not include provision for the delivery of support services for victims. • Although using an AAMR in conjunction with a perpetrator programme is preferable to employing it as a standalone requirement, several problems exist. For example: <ul style="list-style-type: none"> - Judges are reluctant to impose multiple requirements for domestic violence offences. - Long waiting lists mean that perpetrator programmes are unlikely to be delivered in tandem with an AAMR. - Perpetrator programmes only accept individuals if they have been ‘clean’ for 24 hours.
<p>Transferability</p>	<ul style="list-style-type: none"> • Robust evidence had not emerged confirming that the South Dakota 24/7 Sobriety Project had reduced domestic violence. • Populations in London and South Dakota are dissimilar.

Sources: AVA *et al.*, (2012); Humphreys (2012a); Interviewee: Kit Malthouse; Interviewee: MOPAC Representative -2; Interviewee – Anon: 8; Interviewee – Anon: 20; Interviewee – Anon: 26; VAWG Panel Meeting (2012)

Appendix O:

MOPAC's AAMR Pilot implementation plan (July 2014)

Outline

- Pilot length: Approximately 12 months.
- Aims: To test how widely courts use the Alcohol Abstinence Monitoring Requirement (AAMR), and the technical processes within the criminal justice system. To evidence compliance rates with the AAMR. To evidence the effectiveness of transdermal tags in monitoring alcohol abstinence.
- Cost: Up to £260,000. Funding: Mayor's Office for Policing and Crime (MOPAC) via unallocated Local Crime Prevention Fund monies.
- Number of offenders: 100–150.
- Location: South London Local Justice Area. Boroughs: Croydon, Lambeth, Southwark, and Sutton.
- Coordination:
 - AAMR Pilot Project Manager: Amit Sethi (seconded from the National Probation Service (NPS)).
 - MOPAC Programme Manager: Naomi Simpson (succeed Roger Hadwen).
 - AAMR Programme Board (senior officials within partnership agencies).
 - AAMR Local Implementation Group (local-level practitioners).
- Evaluation: MOPAC's Evidence and Insight Unit (reports to be externally peer-reviewed).

Criminal Justice Sentence

- Type: Community or Suspended Sentence Order. Punitive requirement: Standalone or combined with other requirements.
- AAMR duration: 120 days maximum (recommended 90–120 days, depending on the seriousness of the offence committed)
- Supervision: A small number of Responsible Officers within the NPS or the London Community Rehabilitation Company (CRC) as determined by an offender's risk level.
- Treatment: Responsible Officers to deliver Identification and Brief Advice and signpost to service providers as appropriate.

Alcohol Monitoring

- Equipment: Alcohol tags (see Chapter Six, Section 6.2.1 for further information).
- Providers:
 - Alcohol Monitoring Systems (AMS) Ltd.
Role and responsibilities: manufacturing SCRAM equipment; delivering training sessions; monitoring compliance in real-time; transferring information concerning (non)compliance to Electronic Monitoring Services; producing data in court where necessary.
 - (Capita) Electronic Monitoring Services (EMS).
Role and responsibilities: visiting an offender's address to fit the tag and Base Unit within 24 hours of an Order being made (N.B. offenders to select their fitting window from three options; breath testing to be conducted prior to fitting to confirm sobriety and to calibrate the tag); explaining the terms and conditions of the Order to the offender; providing Responsible Officer's with (non)compliance reports received from AMS; forwarding statistical reports to MOPAC; removing the tag and Base Unit.

Breach

- Violations: Refusal to have the tag fitted; consuming alcohol; tampering with or damaging the monitoring equipment; not reporting to the Base Unit for 48 hours; failure to be present for a scheduled visit or permit access; unacceptable behaviour towards an officer facilitating the Order.
- Breach processes (standard):
 - First breach → First Warning: Responsible Officer to query non-compliance via telephone and issue a Breach Notice Letter. Should an offender fail to provide a reasonable excuse or supporting evidence for their non-compliance within five days this would be recorded as a breach. First warning to be bypassed following a single failure to comply if the incident is deemed ‘so serious’ or risk dictates that immediate action is required.
 - Second breach → Breach Proceedings Commence: The Order will be made more onerous by extending it or imposing additional requirements. Alternatively, an offender could be fined, have their Community Order revoked (thus resulting in resentencing for the original offence), or have the custodial element of their Suspended Sentence Order activated.

Target Offenders

- Geographic remit: Adults who reside within, and who commit an alcohol-related crime within, one of the four pilot boroughs.
- Crime committed: Judicial decision. However, violent individuals, night-time economy offenders, and drink-drivers to be highlighted as potential targets. Ineligible offenders: Domestic violence perpetrators; dependent drinkers (as identified during pre-court alcohol screening via the Alcohol Use Disorder Identification Test tool; those with specific medical conditions).

Sources: Interviewee: Amit Sethi; Interviewee – Anon: 23; Lamb (2013); London Assembly (2014); MOPAC (n.d.(c); n.d.(d)); Pepper & Dawson (2016)

Appendix P:

The Northamptonshire Sobriety Pilot

Between May 2014 and May 2015, the Office of the Northamptonshire Police and Crime Commissioner worked with local partners to deliver a pilot in Northampton that combined alcohol tags (see Chapter Six, Section 6.2.2) with Conditional Cautions as an alternative to a Penalty Notice for Disorder (Lawrence, 2014; Simmonds, 2014). The pilot was the first in the United Kingdom (UK) to employ alcohol tags as a criminal justice intervention and targeted ‘binge-drinking’ offenders, particularly those who were committing low-level violent offences (McCormick, 2014; Northamptonshire Herald & Post, 2014; Police Professional, 2014). Evidence confirms that by December 2014 just nine individuals had been tagged by the police, with the majority of eligible offenders refusing the sanction (Interviewee: Vicki Ross; Lawrence, 2014; Simmonds, 2014).

It is important to acknowledge that this Northampton pilot was in fact intended as a precursor to the launch of a Northamptonshire Alcohol Abstinence Monitoring Requirement (AAMR) trial (Interviewee: Vicki Ross; Simmonds, 2014). Indeed, having become aware of continuous alcohol monitoring technology and British developments with regard to the *Legal Aid, Sentencing and Punishment of Offenders Act 2012*, Northamptonshire’s first Police and Crime Commissioner, Adam Simmonds, along with the county’s Chief Constable, had initially approached the Ministry of Justice (MoJ) to express interest in Northamptonshire becoming an AAMR pilot site (Interviewee: Vicki Ross; Simmonds, 2014).

“I think our Commissioner had come across it, and was really excited. He [Adam Simmonds] spends a lot of time looking at criminal justice systems around the globe, and this was one of the areas that had really peaked his interest [...] I know he has a lot of contacts in the States around criminal justice and he has various contacts who he speaks to fairly regularly. It is probably something that he encountered along his travels” (Interviewee: Vicki Ross).

Due to being approximately six months behind the Mayor’s Office for Policing and Crime (MOPAC) with respect to planning and partner engagement however, the MoJ purportedly encouraged Simmonds’ team to undertake a voluntary pilot instead – a pilot

that would effectively act as a stepping stone towards the submission of a formal AAMR pilot application which was eventually tendered in March 2014 (Interviewee: Vicki Ross).

“The MoJ weren’t that keen on doing anything but sort of the primary testing with London [...] the intention of our pilot was to convince [delivery] partners in the county and collect evidence for our [AAMR] submission” (Interviewee: Vicki Ross).

After a little ‘pushing and shoving’, Northamptonshire agents were reportedly granted ministerial permission to begin designing their AAMR pilot in September 2015 (Interviewee: Vicki Ross). This decision seemingly hinged on an understanding that Northamptonshire’s pilot would be locally funded and not replicate MOPAC’s, with key differences such as pilot duration (18–24 months); geography (rural county); evaluation (Institute for Public Safety, Crime and Justice); and offenders (the inclusion of domestic violence perpetrators) all being mooted (Interviewee: Charlotte McLeod; Interviewee: Vicki Ross). While interview evidence does indicate that MOPAC officials went on to share their AAMR specifications with their counterparts in Northamptonshire to ensure that the wheel was not re-invented, the status of Northamptonshire’s compulsory sobriety pilot is – at the time of writing – unknown, as Adam Simmonds chose not to stand for re-election in May 2016 (Interviewee: Vicki Ross).

“MOPAC have been really helpful. I think sometimes there is an unhelpful notion that public sector authorities don’t want to share information but that hasn’t been my experience with this. No-one has been precious about it. Everyone has said ‘absolutely, this is how we have gone about it, happy to share our documents with you, happy to have a conversation with you, and help you out’” (Interviewee: Vicki Ross).

Abbreviations

AAMR	Alcohol Abstinence Monitoring Requirement
AAR	Alcohol Arrest Referral
ACOP	Association of Chiefs of Probation
AMR	Alcohol Monitoring Requirement
AMS	Alcohol Monitoring Systems
ASI	Adam Smith Institute
ATR	Alcohol Treatment Requirement
CAST	Centre for Applied Science and Technology
COMPSTAT	COMPARE STATistics
CCTV	Closed-Circuit Television
CRC	Community Rehabilitation Company
CSP	Community Safety Partnership
CPS	Crown Prosecution Service
DART	Domestic Abuse Referral Team
DBO	Drink Banning Order
DIP	Drug Interventions Programme
DPPO	Designed Public Place Order
DUI	Driving Under the Influence
DVPO	Domestic Violence Protection Order
EBP	Evidence-Based Practice
EMS	Electronic Monitoring Services
ESRC	Economic and Social Research Council
EU	European Union
GLA	Greater London Authority
GMCA	Greater Manchester Combined Authority
GPS	Global Positioning System
HAC	Home Affairs Committee
HLNY CRC	Humberside, Lincolnshire & North Yorkshire Community Rehabilitation Company
HOPE	Hawaii's Operation with Enforcement (Programme)
IDVA	Independent Domestic Violence Advisor
ILPAS	Inner London Probation and After-Care Service

IMF	International Monetary Fund
ISVA	Independent Sexual Violence Advisor
LASPO (Act)	Legal Aid, Sentencing and Punishment of Offenders
MAPPA	Multi Agency Public Protection Arrangements
MARAC	Multi Agency Risk Assessment Conference
MoJ	Ministry of Justice
MOPAC	Mayor's Office for Policing and Crime
MP	Member of Parliament
MPA	Metropolitan Police Authority
MPS	Metropolitan Police Service
NADCP	National Association of Drug Court Professionals
NAPO	National Association of Probation Officers
NHS	National Health Service
NPAMC	National Partnership on Alcohol Misuse
NPS	National Probation Service
NYPD	New York Police Department
OECD	Organisation for Economic Cooperation and Development
ONDPC	Office of National Drug Control Policy
OPPF	Oxford Policing Policy Forum
OTA	Offender Tag Association
PCC	Police and Crime Commissioner
PHP	Physician Health Programmes
PRSR (Act)	Police Reform and Social Responsibility
PTAC	Policy Transfer Advocacy Coalition
RCT	Randomised Control Trial
SCC	Sobriety Conditional Caution
SCRAM	Secure Continuous Remote Alcohol Monitoring
SHARP	School Help Advice Reporting (web)Page
SpAd	Special Adviser
SPSW	Social Policy and Social Work
UK	United Kingdom
UKDPC	UK Drug Policy Commission
US	United States
VAWG	Violence Against Women and Girls
VRU	Violence Reduction Unit

References

- Aas, K. F. (2013). *Globalization & crime*. London: Sage Publications.
- Aberbach, J. F. & Rockman, B. A. (2002). Conducting and coding elite interviews. *PS: Political Science and Politics*, 35(4), 673-676. [Online]. Available at: <http://journals.cambridge.org/action/displayAbstract?fromPage=online&aid=134499&fileId=S1049096502001142> [Last accessed 5 February 2015].
- Adler, A. P. & Adler, P. (1998). Observational techniques. In Denzin, N. K. & Lincoln, Y. S. (Eds). *Collecting and interpreting qualitative materials*. London: Sage Publications.
- Adler, E. & Haas, P. (1992). Conclusion: epistemic communities, world order, and the creation of a reflective research program. *International Organization*, 46(1), 367-390. [Online]. Available at: https://www.jstor.org/stable/2706960?seq=1#page_scan_tab_contents [Last accessed 7 September 2017].
- Adriansen, H. K. (2012). Timeline interviews: a tool for conducting life history research. *Qualitative Studies*, 3(1), 1-16. [Online]. Available at: <http://ojs.statsbiblioteket.dk/index.php/qual/article/view/6272> [Last accessed 8 February 2015].
- Alcohol Monitoring Systems Inc. (n.d.). *South Dakota 24/7 Sobriety Project*. [Online]. Available at: <https://www.scramsystems.com/programs/drunk-driving/24-7-sobriety/> [Last accessed 9 May 2016].
- Alcohol Policy UK (2012). *Mayor announces London sobriety scheme for offenders will go ahead*. 22 February 2012. [Online]. Available at: <http://www.alcoholpolicy.net/2012/02/london-pilots-new-sobriety-focused-offender-scheme.html> [Last accessed 8 November 2016].

Alcohol Policy UK (2015). *Main party manifestos quiet on alcohol policy and minimum pricing*. 16 April 2015. [Online]. Available at:
<http://www.alcoholpolicy.net/2015/04/main-party-manifestos-quiet-on-alcohol-policy-and-minimum-pricing-.html> [Last accessed 16 January 2017].

Allen, J. & Cochrane, A. (2007). Beyond the territorial fix: regional assemblages, politics and power. *Regional Studies*, 41(9), 1161-1175. [Online]. Available at:
<http://www.tandfonline.com/doi/abs/10.1080/00343400701543348#.VMdmlsn9aak>
[Last accessed 27 January 2015].

Anti-social Behaviour Act 2003 [Online]. Available at:
<http://www.legislation.gov.uk/ukpga/2003/38/contents> [Last accessed 13 July 2017].

Anti-social Behaviour, Crime and Policing Act 2014 [Online]. Available at:
<http://www.legislation.gov.uk/ukpga/2014/12/contents/enacted> [Last accessed 13 July 2017].

Arksey, H. & Knight, P. (1999). *Interviewing for social scientists: an introductory resource with examples*. London: Sage Publications.

Arksey, H. & O'Malley, L. (2007). Scoping studies: towards a methodological framework. *International Journal of Social Research Methodology*, 8(1), 19-32. [Online]. Available at:
<http://www.tandfonline.com/doi/pdf/10.1080/1364557032000119616> [Last accessed 24 June 2014].

Ashworth, A. (2001). The decline of English sentencing and other stories. In Tonry, M. & Frase, R. (Eds). *Sentencing and sanctions in Western Countries*. Oxford: Oxford University Press.

Association of Police Authority Chief Executives (APACE). (n.d.). *Police and Crime Plans. Guidance and Practice Advice. Version 2.0*. [Online]. Available at:
<http://apccs.police.uk/wp-content/uploads/2013/11/Police-and-Crime-Plans-16-05-2012.pdf> [Last accessed 1 April 2015].

Atkinson, P. & Coffey, A. (2004). Analysing documentary realities. In Silverman, D. (Ed). *Qualitative research: theory, method and practice*. London: Sage Publications.

Austen, L. (2015). Police and Crime Commissioners: emerging “drug policy actors”? *Safer Communities*, 15(1), 4-10. [Online]. Available at:
<http://www.emeraldinsight.com/doi/abs/10.1108/SC-08-2015-0030?journalCode=sc>
[Last accessed 12 March 2017].

AVA, Barnet Domestic Violence Support Services, Eaves, Housing For Women, Imkaan, Nia Project., Refuge, Respect, Rights of Women, Stand Together Against Domestic Violence, Solace Women’s Aid, National Women’s Aid & University of Bedfordshire. (2012). *Joint Statement: Compulsory Alcohol Sobriety Orders and Domestic Violence*. [Personal Correspondence].

Bagnoli, A. (2009). Beyond the standard interview: the use of graphic elicitation and arts-based methods. *Qualitative Research*, 9(5), 547-570. [Online]. Available at:
<http://qrj.sagepub.com/content/9/5/547.abstract> [Last accessed 19 February 2015].

Bail Act 1976 [Online]. Available at:
<http://www.legislation.gov.uk/ukpga/1976/63> [Last accessed 12 July 2017].

Bailey, R. (2015). Policing the Police and Crime Commissioners (PCCs): An examination of the current statutory and political frameworks for holding to PCCs to account – a case study of the Surrey Police and Crime Panel. *Policing*, 9(4), 305-313. [Online]. Available at:
<https://academic.oup.com/policing/article-abstract/9/4/305/2362877/Policing-the-Police-and-Crime-Commissioners-PCCs?redirectedFrom=fulltext> [Last accessed 3 March 2017].

Barrows, R. (2014). Towards a clearer vision – reflections on policy transfer in penal reform. In McFarlane, M. A. & Canton, R. (Eds). *Policy transfer in criminal justice. Crossing cultures, breaking barriers*. Basingstoke: Palgrave Macmillan.

Bartels, L. (2015). Swift and certain sanctions: Is it time for Australia to bring some HOPE into the criminal justice system? *Criminal Law Journal*, 39(1), 1-14. [Online]. Available at:
[http://www.hopehawaii.net/assets/sac-in-oz-\(2015\).pdf](http://www.hopehawaii.net/assets/sac-in-oz-(2015).pdf) [Last accessed 16 January 2016].

Barton, A. & Johns, N. (2013). *The policy-making process in the criminal justice system*. London: Routledge.

BBC News (2009a). *Cash for new rape crisis centre*. 3 August 2009. [Online]. Available at:
<http://news.bbc.co.uk/1/hi/england/london/8181166.stm> [Last accessed 4 August 2016].

BBC News (2009b). *Dangerous dog seizures 'may rise'*. 2 June 2009. [Online]. Available at:
<http://news.bbc.co.uk/1/hi/england/london/8080073.stm> [Last accessed 15 July 2016].

BBC News (2010). *'24/7 sobriety' or jail scheme may be piloted in London*. 27 October 2010. [Online]. Available at:
<http://www.bbc.co.uk/news/uk-england-london-11633677> [Last accessed 15 August 2016].

BBC News (2011). *'Sobriety bracelets': Met Police consider criminal tags*. 13 December 2011. [Online]. Available at:
<http://www.bbc.co.uk/news/uk-16172131> [Last accessed 21 October 2016].

BBC News (2012). *London mayor Boris Johnson 'to work his socks off'*. 5 May 2012. [Online]. Available at:
<http://www.bbc.co.uk/news/uk-england-london-17967659> [Last accessed 29 November 2016].

BBC News (2014). *Nick Clegg calls PCCs a 'failed experiment'*. 4 October 2014. [Online]. Available at:
<http://www.bbc.co.uk/news/uk-england-south-yorkshire-29481328> [Last accessed 23 February 2017].

BBC News (2015). *'Sobriety tag' scheme to be extended for six months*. 27 July 2015. [Online]. Available at:
<http://www.bbc.co.uk/news/uk-england-london-33675874> [Last accessed 12 January 2017].

BBC News (2016a). *Corbyn: Labour would keep police and crime commissioners*. 25 February 2016. [Online]. Available at:
<http://www.bbc.co.uk/news/uk-politics-35661775> [Last accessed 3 March 2017].

BBC News (2016b). *'Sobriety tags' rollout as 92% comply in pilot schemes*. 25 February 2016. [Online]. Available at:
<http://www.bbc.co.uk/news/uk-england-london-35660946> [Last accessed 12 January 2017].

BBC News (2016c). *Q&A: Police and Crime Commissioners*. 21 April 2016. [Online]. Available at:
<http://www.bbc.co.uk/news/uk-politics-19504639> [Last accessed 23 February 2017].

BBC Radio 4 (2010). *Today*. 27 October 2010.

Beamer, G. (2002). Elite interviews and state politics research. *State Politics and Policy Quarterly*, 2(1), 86-96. [Online]. Available at:
http://www.jstor.org/stable/40421450?seq=1#page_scan_tab_contents [Last accessed 4 January 2016].

Becker, S., Bryman, A. & Ferguson, H. (Eds). (2012). *Understanding research for social policy and social work: themes, methods and approaches*. Bristol: Policy Press.

Belfast Telegraph (2010). *UK trial for sobriety scheme urged*. 27 October 2010. [Online]. Available at:
<http://www.belfasttelegraph.co.uk/news/uk/uk-trial-for-sobriety-scheme-urged-28567132.html> [Last accessed 15 August 2016].

Bennett, C. J. (1991a). How states utilize foreign evidence. *Journal of Public Policy*, 11(01), 31-54. [Online]. Available at:
<http://www.jstor.org/discover/10.2307/4007337?uid=3738032&uid=2129&uid=2&uid=70&uid=4&sid=21103311773671> [Last accessed 19 December 2013].

Bennett, C. J. (1991b). What is policy convergence and what causes it? *British Journal of Political Science*, 21(2), 215-233. [Online]. Available at:
<http://www.jstor.org/discover/10.2307/193876?uid=3738032&uid=2129&uid=2&uid=70&uid=4&sid=21103311773671> [Last accessed 18 December 2013].

Bennett, C. J. (1997). Understanding ripple effects: the cross-national adoption of policy instruments for bureaucratic accountability. *Governance: An International Journal of Policy and Administration*, 10(3), 213-233. [Online]. Available at:
<http://onlinelibrary.wiley.com/doi/10.1111/0952-1895.401997040/abstract>
[Last accessed 4 February 2014].

Benson, D. & Jordan, A. (2011). What have we learned from policy transfer research? Dolowitz and Marsh revisited. *Political Studies Review*, 9(3), 366-378. [Online]. Available at:
<http://onlinelibrary.wiley.com/doi/10.1111/j.1478-9302.2011.00240.x/full>
[Last accessed 11 March 2014].

Benson, D. & Jordan, A. (2012). Policy transfer research; still evolving, not yet through? *Political Studies Review*, 10(3), 333-338. [Online]. Available at:
<http://onlinelibrary.wiley.com/doi/10.1111/j.1478-9302.2012.00273.x/full>
[Last accessed 27 January 2015].

Berends, L. (2011). Embracing the visual: using timelines with in-depth interviews on substance use and treatment. *The Qualitative Report*, 16(1), 1-9. [Online]. Available at:
<http://nsuworks.nova.edu/tqr/vol16/iss1/1/> [Last accessed 12 January 2016].

Berman, G., Coleman, C. & Taylor, M. (2012). Police and Crime Commissioner Elections, 2012. *House of Commons Library. Research Paper 12/73*. [Online]. Available at:

<http://researchbriefings.parliament.uk/ResearchBriefing/Summary/RP12-73>

[Last accessed 23 February 2017].

Berridge, D. (2013). Policy transfer, social pedagogy and children's residential care in England. *Child & Family Social Work*, 21(1), 76-84. [Online]. Available at:

<http://onlinelibrary.wiley.com/doi/10.1111/cfs.12112/full> [Last accessed 13 June 2014].

Berry, J. M. (2002). Validity and reliability issues in elite interviewing. *Political Science & Politics*, 35(4), 679-682. [Online]. Available at:

<http://journals.cambridge.org/action/displayIssue?jid=PSC&volumeId=35&seriesId=0&issueId=04> [Accessed 8 February 2015].

Bewley-Taylor, D. R. (2014). Legitimacy and modernity via policy transfer: The utility of the 2003 Afghan National Drug Control Strategy. *International Journal of Drug Policy*, 25(5), 1009-1018. [Online]. Available at:

<http://www.sciencedirect.com/science/article/pii/S0955395914000784> [Last accessed 9 December 2014].

Biersteker, T. (1992). The 'triumph' of neoclassic economics in the developing world: policy convergence and the bases of governance in the international economic order. In Rosenau, J. N. & Czempiel, E. N. (Eds). *Governance Without Government: Order and Change In World Politics*. Cambridge: Cambridge University Press.

Bissessar, A. M. (2000). Policy transfer and implementation failure: a review of the policy of domestic violence in Trinidad and Tobago. *Caribbean Journal of Criminology and Social Psychology*. 5(1-2), 346-361. [Online]. Available at:

<https://www.ncjrs.gov/App/Publications/abstract.aspx?ID=190214> [Last accessed 9 October 2017].

Blakeborough, L. & Richardson, A. (2012). *Summary of findings from two evaluations of Home Office Alcohol Arrest Referral pilot schemes*. Research Report 60. Home Office, UK. [Online]. Available at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/116525/ho_rr60.pdf [Last accessed 13 July 2016].

Bochel, H. & Duncan, S. (Eds). (2007). *Making policy in theory and practice*. Bristol: The Policy Press.

Boris Keep Your Promise (n.d.). *There is only one remaining rape crisis centre for the whole of London*. [Online]. Available at:

<http://www.boriskeyourpromise.org.uk/> [Last accessed 4 August 2016].

Borland, B. (2012). *Sobriety tag big to curb drunken crime in Scotland*. Express. 11 November 2012. [Online]. Available at:

<http://www.express.co.uk/news/uk/357511/Sobriety-tag-bid-to-curb-drunken-crime-in-Scotland> [Last accessed 9 December 2016].

Bottoms, A. E. (1995). The philosophy and politics of punishment and sentencing: the politics of sentencing reform. In Clarkson, C. M. V. & Morgan, R. (Eds). *The politics of sentencing reform*. Oxford: Oxford University Press.

Bovens, M., t'Hart, P. & Kuipers, S. (2006). The politics of policy evaluation. In Moran, M., Rein, M. & Goodwin, R. E. (Eds). *Oxford handbook of public policy*. Oxford: Oxford University Press.

Brain, T. (2014). Police and Crime Commissioners: the first twelve months. *Safer Communities*, 13(1), 40-50. [Online]. Available at:

<http://www.emeraldinsight.com/doi/abs/10.1108/SC-09-2013-0020?journalCode=sc> [Last accessed 1 March 2017].

Brown, A. M. (2010). *Daily testing will not deter problem drinkers*. The Telegraph. 27 October 2010.

Bryman, A. (2008). *Social research methods*. Third edition. Oxford: Oxford University Press.

Bryman, A. (2012). *Social research methods*. Fourth edition. Oxford: Oxford University Press.

Bulmer, S., Dolowitz, D., Humphreys, P. & Padgett, S. (2007). *Policy transfer in European Union governance: regulating the utilities*. London: Routledge.

Burney, E. (2005). *Making people behave: Anti-social behaviour, politics and policy*. Cullumpton: Willan.

Burnham, P., Lutz, K. G. & Layton-Henry, Z. (2008). *Research methods in politics*. Basingstoke: Palgrave Macmillan.

Butler, S. (2013). The symbolic politics of the Dublin drug court: The complexities of policy transfer. *Drugs: Education, Prevention and Policy*, 20(1), 5-14. [Online]. Available at:
<http://informahealthcare.com/doi/abs/10.3109/09687637.2012.740524> [Last accessed 24 September 2014].

Byrne, J. M., Petersilia, J. & Lurigio, A. J. (Eds). (1992). *Smart sentencing: the emergence of immediate sanctions*. London: Sage Publications.

Byron, M. (1993). Using audio-visual aids in geography research: questions of access and responsibility. *Area*, 25(4), 379-385. [Online]. Available at:
http://www.jstor.org/stable/20003344?seq=1#page_scan_tab_contents [Last accessed 8 March 2016].

Cabinet Office (2002). *Beyond the horizon: using international comparisons in policy making*. London: HMSO.

Cabinet Office (2008). *Engaging communities in fighting crime: a review by Louise Casey*. [Online]. Available at:

http://news.bbc.co.uk/1/shared/bsp/hi/pdfs/18_06_08_caseyreport.pdf [Last accessed 3 March 2017].

Cachia, M. (2015). The lifeline technique: Its usefulness in the exploration of processes. Paper presented at *BPS Qualitative Methods in Psychology Section Conference*, Anglia Ruskin University, Cambridge, 2-4 September 2015.

Cairney, P. (2009). The role of ideas in policy transfer: the case of UK smoking bans since devolution. *Journal of European Public Policy*, 16(3), 471-488. [Online]. Available at:

<http://www.tandfonline.com/doi/abs/10.1080/13501760802684718#.U2z1pYXsttg> [Last accessed 16 April 2014].

Canton, R. (2009). Taking probation abroad. *European Journal of Probation*, 1(1), 66-78. [Online]. Available at:

<http://ejp.sagepub.com/content/1/1/66.short> [Last accessed 1 September 2014].

Canton, R. & McFarlane, M. A. (2014). Introduction. In McFarlane, M. A. & Canton, R. (Eds). *Policy transfer in criminal justice. Crossing cultures, breaking barriers*. Basingstoke: Palgrave Macmillan.

Capita (2010). *Capita acquired SunGard Public Sector Ltd*. 23 December 2010. [Online]. Available at:

<http://www.capita.com/news/news/2010/capita-acquires-sungard-public-sector-ltd/> [Last accessed 15 August 2016].

Carswell, D. (2002). Direct democracy. Empowering people to make their lives better. *Cchange*. [Online]. Available at:

<http://www.douglascarswell.com/downloads/upload12.pdf> [Last accessed 3 March 2017].

Caulkins, J. P. (2010). Policing drugs and alcohol: Is harm reduction the way forward? [PowerPoint Presentation]. Presented at the *Oxford Policing Policy Forum*, All Souls College, Oxford, 8 February 2010. [Personal Correspondence].

Caulkins, J. P. & DuPont, R. L. (2010). Is 24/7 sobriety a good goal for repeat driving under the influence (DUI) offenders? *Addiction*, 105(4), 575-577. [Online]. Available at: <http://www.ncbi.nlm.nih.gov/pubmed/20403007> [Last accessed 2 May 2016].

Caulkins, J. P. & Reuter, P. (2009). Towards a harm-reduction approach to enforcement. *Safer Communities*, 8(1), 9-23. [Online]. Available at: http://www.ukdpc.org.uk/wp-content/uploads/Article%20-%20Safer%20Communities%20Special%20Issue_%20Law%20enforcement%20to%20reduce%20drug%20harms.pdf [Last accessed 23 June 2016].

Cavadino, M. & Dignan, J. (Eds) (2002). *The penal system: An introduction*. London: Sage Publications.

Cavadino, M. & Dignan, J. (2006). *Penal systems: A comparative approach*. London: Sage Publications.

Chambers, M. (Ed). (2013). The pioneers. Police and Crime Commissioners, one year on. A collection of essays. *Policy Exchange*. [Online]. Available at: <https://policyexchange.org.uk/> [Last accessed 12 March 2017].

Chambers, M., Davis, R. & McLeod, C. (2013). Power down. A plan for a cheaper, more effective justice system. *Policy Exchange*. [Online]. Available at: <https://policyexchange.org.uk/wp-content/uploads/2016/09/power-down-1.pdf> [Last accessed 21 June 2017].

Chambers, S. J. (2014). Who is policing the Police and Crime Commissioners. *Safer Communities*, 13(1), 32-39. [Online]. Available at: <http://www.emeraldinsight.com/doi/abs/10.1108/SC-07-2013-0012> [Last accessed 22 February 2017].

Chapman, J. (2012). *Lindsay Lohan 'sobriety tags' and no TVs: Cameron orders Clarke to end 'soft justice'*. Daily Mail. 17 March 2012. Available at:
www.dailymail.co.uk/news/article-2116243/Curfews-tags-TVs-Cameron-orders-Clarke-end-soft-justice-emhpasis-punishment.html [Last accessed 17 November 2012].

Christie, N. (2004). *Crime control as industry*. London: Routledge.

Clark, J. (1985). Policy diffusion and program scope: research directions. *Publius*, 15(4), 1009-1018. [Online]. Available at:
<http://publius.oxfordjournals.org/content/15/4/61.short> [Last accessed 7 March 2014].

Clarke, D. & Osborne, E. (2014). Developing national standards with the Turkish Probation Service. In McFarlane, M. A. & Canton, R. (Eds). *Policy transfer in criminal justice. Crossing cultures, breaking barriers*. Basingstoke: Palgrave Macmillan.

Clarke, K. (2010a). *Ministry of Justice keynote speech*. 30 June 2010. [Online]. Available at:
aym.org.uk/wp-content/uploads/2015/10/id138.doc [Last accessed 21 September 2016].

Clarke, K. (2010b). *Speech to Conservative Party Conference*. 5 October 2010. [Online]. Available at:
<http://www.ukpol.co.uk/tag/2010-conservative-party-conference> [Last accessed 21 September 2016].

Clarkson, C. M. V. & Morgan, R. (Eds). (1995). *The politics of sentencing reform*. Oxford: Oxford University Press.

Coleman, W. (1994). Policy convergence in banking: a comparative study. *Political Studies*, 42(2), 274-292. [Online]. Available at:
<http://onlinelibrary.wiley.com/doi/10.1111/j.1467-9248.1994.tb01912.x/abstract> [Last accessed 8 March 2014].

Collins, B. J., Cuddy, K. & Martin, A. P. (2016). Assessing the effectiveness and cost-effectiveness of drug interventions programs: UK case study. *Journal of Addictive Diseases*, 0(0), 5-13. [Online]. Available at:

<http://www.tandfonline.com/doi/pdf/10.1080/10550887.2016.1182299?needAccess=true&instName=University+of+York> [Last accessed 25 August 2016].

Common, R. (2001). *Public management and policy transfer in Southeast Asia*. Aldershot: Ashgate.

Common, R. (2004a). Organisational learning in a political environment: improving policy-making in UK government. *Policy Studies*, 25(1), 35-49. [Online]. Available at: <http://www.tandfonline.com/doi/abs/10.1080/0144287042000208224#.UxyYToX4wuM> [Last accessed 9 March 2014].

Common, R. (2004b). Public management and policy transfer in South-East Asia. In Evans, M. (Ed). *Policy transfer in global perspective*. Aldershot: Ashgate.

Conservative Party (2015). *The Conservative Party Manifesto 2015*. [Online]. Available at:

<https://www.conservatives.com/manifesto> [Last accessed 15 January 2016].

Conservative Party (2017). *The Conservative and Unionist Party Manifesto 2017*. [Online]. Available at:

<https://www.conservatives.com/manifesto> [Last accessed 19 June 2017].

Cook, I. (n.d.). *Influences from elsewhere on UK prostitution policy*. Available at:

<https://collab.northumbria.ac.uk/coo/2013/07/influences-from-elsewhere-in-uk-prostitution-policy/> [Last accessed 15 March 2017].

Cordon, A. & Sainsbury, R. (2006). *Using verbatim quotations in reporting qualitative social research: researchers' views*. [Online]. Available at:

<https://pdfs.semanticscholar.org/152c/18ca1d9d54b52ace444da34c50a378a859df.pdf> [Last accessed 2 February 2016].

Cordon, A. & Sainsbury, R. (2012). Using verbatim quotations in writing up applied qualitative research. In Becker, S., Bryman, A. & Ferguson, H. (Eds). *Understanding research for social policy and social work: themes, methods and approaches*. Bristol: Policy Press.

Crawford, A. (Ed). (2009). *Crime prevention policies in comparative perspective*. Cullompton: Willan.

Crawford, A. & Evans, K. (2016). Crime prevention and community safety. In Leibling, A., Maruna, S. & McAra, L. (Eds). *Oxford Handbook of Criminology*. Oxford: Oxford University Press.

Crerar, P. (2015). *Sobriety tags' on London's worst lager louts will alert probation officers if they drink too much*. Evening Standard. 27 July 2015. [Online]. Available at: <http://www.standard.co.uk/news/london/tags-on-londons-worst-lager-louts-will-alert-probation-officers-if-they-drink-too-much-10418285.html> [Last accessed 12 January 2017].

Crews, A. W. (2013). The growth of the supermax option in Britain. In Ross, J. I. (Ed). *The globalization of supermax prisons*. London: Rutgers University Press.

Crime (Sentences) Act 1997 [Online]. Available at: <http://www.legislation.gov.uk/ukpga/1997/43/contents> [Last accessed 12 July 2017].

Crime and Disorder Act 1998 [Online]. Available at: <http://www.legislation.gov.uk/ukpga/1998/37/contents> [Last accessed 12 March 2017].

Criminal Justice Act 1991 [Online] Available at: <http://www.legislation.gov.uk/ukpga/1991/53/contents> [Last accessed 12 July 2017].

Criminal Justice Act 1993 [Online]. Available at: <http://www.legislation.gov.uk/ukpga/1993/36/contents> [Last accessed 12 July 2017].

Criminal Justice Act 2003 [Online]. Available at: <http://www.legislation.gov.uk/ukpga/2003/44/contents> [Last accessed 12 July 2017].

Criminal Justice and Court Services Act 2000 [Online]. Available at:
<http://www.legislation.gov.uk/ukpga/2000/43> [Last accessed 12 March 2017].

Criminal Justice and Public Order Act 1994 [Online]. Available at:
<http://www.legislation.gov.uk/ukpga/1994/33/section/63> [Last accessed 12 July 2017].

Crowhurst, L. (2016). Reducing crime through innovation: the role of PCCs. *The Police Foundation, Barrow Cadbury Fund*. [Online]. Available at:
<http://www.police-foundation.org.uk/news/237/22/Reducing-crime-through-innovation-the-role-of-PCCs/d,News-main> [Last accessed 3 March 2017].

Crown Prosecution Service (CPS) (2010). *Drink Banning Orders (DBOs)*, Sections 1-14 Violent Crime Reduction Act 2006. [Online]. Available at:
http://www.cps.gov.uk/legal/d_to_g/drinking_banning_orders/ [Last accessed 15 July 2016].

Cummings, W. K. (1989). The American perception of Japanese education. *Comparative Education*, 25(3), 293-302. [Online]. Available at:
<http://www.jstor.org.ezproxy.york.ac.uk/stable/pdf/3099203.pdf> [Last accessed 27 September 2016].

Cummings, W. K., Beauchamp, E. R., Ichikawa, S., Kobayashi, V. N. & Ushioji, M. (1986). *Educational policies in crisis. Japanese and American Perspectives*. London: Praeger.

Cusick, J. (2015). *Police chief's call to decriminalise people who grow small amounts of cannabis met with warm response from campaigners*. The Independent. 22 July 2015. [Online]. Available at:
<http://www.independent.co.uk/news-14-1/police-chiefs-call-to-decriminalise-people-who-grow-small-amounts-of-cannabis-met-with-warm-response-10408459.html> [Last accessed 12 March 2017].

Data Protection Act 1998 [Online]. Available at:
<http://www.legislation.gov.uk/ukpga/1998/29/contents> [Last accessed 1 August 2017].

Daguerre, A. & Taylor-Gooby, P. T. (2004). Neglecting Europe: Explaining the predominance of American ideas of New Labour's welfare policies since 1997. *Journal of European Social Policy*, 14(1), 23-39. [Online]. Available at: <http://journals.sagepub.com/doi/abs/10.1177/0958928704039786> [Last accessed 2 June 2014].

Davenport, J. & Sands, S. (2011). *Met chief to 'tag and test' drinkers in crime drive*. Evening Standard. 15 September 2011. [Online]. Available at: <http://www.standard.co.uk/news/met-chief-to-tag-and-test-drinkers-in-crime-drive-6443813.html> [Last accessed 21 October 2016].

Davies, H., Nutley, S. & Smith, P. (Eds). (2000). *What works? Evidence-based policy and practice in public service policy*. Bristol: Policy Press.

Davies, M. & Johnson, J. (2016). Navigating the one-on-one model of accountability: lessons for Police and Crime commissioners and Chief Constables through the lens of principal-agent theory. *Policing*, 10(3), 278-287. [Online]. Available at: <https://academic.oup.com/policing/article-abstract/10/3/278/1753612/Navigating-the-One-on-One-Model-of-Accountability> [Last accessed 3 March 2017].

Davies, P. H. J. (2001). Spies as informants: triangulation and the interpretation of elite interview data in the study of the intelligence and security services. *Politics*, 21(1), 73-80. [Online]. Available at: <http://onlinelibrary.wiley.com/doi/10.1111/1467-9256.00138/abstract> [Last accessed 14 December 2015].

De Jong, M. (2009). Rose's '10 steps': why process, messiness, history and culture are not vague and banal. *Policy & Politics*, 37(1), 145-150. [Online]. Available at: <http://www.ingentaconnect.com/content/tpp/pap/2009/00000037/00000001/art00009> [Last Accessed 10 February 2014].

Deacon, A. (2000). Learning from the US? The influence of American ideas upon 'new labour' thinking on welfare reform. *Policy & Politics*, 28(1), 5-18. [Online]. Available at: <http://www.ingentaconnect.com/content/tpp/pap/2000/00000028/00000001/art00002> [Last accessed 22 February 2015].

Deakin, H. & Wakefield, K. (2013). Skype interviewing: reflections of two PhD researchers. *Qualitative Research*, 14(5), 603-616. [Online]. Available at: <http://qrj.sagepub.com/content/early/2013/05/24/1468794113488126.abstract> [Last accessed 4 March 2016].

Dean, J. & Whyte, W. (1958). How do you know if the informant is telling the truth? *Human Organization*, 17(2), 34-38. [Online]. Available at: <http://www.sfaajournals.net/doi/abs/10.17730/humo.17.2.55385ht75n416qp5?code=apan-site> [Last accessed 8 January 2017].

DeKeseredy, W. S. (2009). Canadian crime control in the new millennium: the influence of neo-conservative US policies and practise. *Police Practice and Research: An International Journal*, 10(4), 305-316. [Online]. Available at: <http://www.tandfonline.com/doi/abs/10.1080/15614260802586301?journalCode=gppr20> [Last accessed 4 July 2017].

Dempsey, N. (2016). Police and Crime Commissioner Elections: 2016. *House of Commons Library. Briefing Paper CBP07595*. [Online]. Available at: <http://researchbriefings.parliament.uk/ResearchBriefing/Summary/CBP-7595> [Last accessed 3 March 2017].

Dennis, N. (Ed). (1997). *Zero tolerance: policing a free society*. London: Institute for Economic Affairs.

Denzin, N. K. & Lincoln, Y. S. (Eds). (1998). *Collecting and interpreting qualitative materials*. London: Sage Publications.

Denzin, N. K. & Lincoln, Y. S. (Eds). (2000). *The handbook of qualitative research*. London: Sage Publications.

Denzin, N. K. & Lincoln, Y. S. (Eds). (2005). *The SAGE handbook of qualitative research*. London: Sage Publications.

Dewsbury, R. & Walker, K. (2012). *Is that it? All over in 15 minutes ... Queen's Speech sets out new laws for flexible leave for new parents, flat rate pension and a crackdown on banks but Cameron admits Clegg is stopping him from being a real Tory*. Daily Mail. 9 May 2012. [Online]. Available at:

<http://www.dailymail.co.uk/news/article-2141695/Queens-Speech-2012-Family-friendly-policies-heart-Government-plans.html> [Last accessed 13 December 2016].

Dexter, L. A. (Ed). (1970). *Elite and specialised interviewing*. Evanston: Northwestern University Press.

Dixon, B. (2007). Globalising the local: a genealogy of sector policing in South Africa. *International Relations*, 21(2), 502-520. [Online]. Available at:

<http://onlinelibrary.wiley.com/doi/10.1111/j.1468-2311.2006.00440.x/abstract?deniedAccessCustomisedMessage=&userIsAuthenticated=false> [Accessed 6 October 2014].

Dixon, D. & Maher, L. (2005). Policing, crime and public health: Lessons for Australia from the 'New York miracle'. *Criminal Justice*, 5(2), 115-143. [Online]. Available at: https://www.hri.global/files/2011/08/08/4.07_Dixon_-_Policing_.pdf [Last accessed 10 April 2017].

Dolowitz, D. P. (1997). British employment policy in the 1980s: learning from the American experience. *Governance: An International Journal of Policy and Administration*, 10(01), 23-42. [Online]. Available at:

<http://onlinelibrary.wiley.com/doi/10.1111/0952-1895.271996027/abstract> [Accessed 6 May 2014].

Dolowitz, D. P. (1998). *Learning from America: policy transfer and the development of the British Workfare State*. Portland: Sussex Academic Press.

Dolowitz, D. P. (2000a). Policy transfer: a new framework of policy analysis. In Dolowitz, D. P., Hulme, R., Nellis, M. and O'Neill, F. (Eds). *Policy transfer and British social policy*. Buckingham: Open University Press.

Dolowitz, D. P. (2000b). Welfare: Child Support Agency. In Dolowitz, D. P., Hulme, R., Nellis, M. & O'Neill, F. (Eds). *Policy transfer and British social policy*. Buckingham: Open University Press.

Dolowitz, D. P. (2001). The British child support agency: did American origins bring failure? *Environment and Planning C: Government and Policy*, 19(3), 373-389. [Online]. Available at:
<http://envplan.com/epc/fulltext/c19/c11c.pdf> [Accessed 9 January 2014].

Dolowitz, D. P. (2003). A policy-maker's guide to policy transfer. *The Political Quarterly*, 74(1), 101-108. [Online]. Available at:
<http://onlinelibrary.wiley.com/doi/10.1111/1467-923X.t01-1-00517/abstract> [Last accessed 3 June 2017].

Dolowitz, D. P. (2006). Bringing back the states: Correcting for the omissions of globalization. *International Journal of Public Administration*, 29(4-6), 263-280. [Online]. Available at:
<http://www.tandfonline.com/doi/abs/10.1080/01900690500437162>
[Last accessed 3 August 2016].

Dolowitz, D. P. (2009). Learning by observing: surveying the international arena. *Policy & Politics*, 37(3), 274-292. [Online]. Available at:
<http://www.ingentaconnect.com/content/tpp/pap/2009/00000037/00000003/art00002>
[Last accessed 3 March 2014].

Dolowitz, D. P., Greenwold, S. & Marsh, D. (1999). Policy transfer: something old, something new, something borrowed, but why red, white and blue? *Parliamentary Affairs*, 52(4), 719-730. [Online]. Available at:
<http://pa.oxfordjournals.org/content/52/4/719.extract> [Last accessed 25 February 2014].

Dolowitz, D. P., Hulme, R., Nellis, M. & O'Neill, F. (Eds). (2000). *Policy transfer and British social policy*. Buckingham: Open University Press.

Dolowitz, D. P., Keeley, M., & Medearis, D. (2012). Stormwater management: can we learn from others? *Policy Studies*, 33(6), 5-23. [Online]. Available at: <http://onlinelibrary.wiley.com/doi/10.1111/0952-1895.00121/abstract> [Last accessed 9 January 2015].

Dolowitz, D. P. & Marsh, D. (1996). Who learns what from whom? A review of the policy transfer literature. *Political Studies*, 44(2), 343-357. [Online]. Available at: <http://onlinelibrary.wiley.com/doi/10.1111/j.1467-9248.1996.tb00334.x/full> [Last accessed 25 February 2014].

Dolowitz, D. P. & Marsh, D. (2000). Learning from abroad: the role of policy transfer in contemporary policy-making. *Governance: An International Journal of Policy and Administration*, 13(1), 5-23. [Online]. Available at: <http://onlinelibrary.wiley.com/doi/10.1111/0952-1895.00121/abstract> [Last accessed 18 February 2014].

Dolowitz, D. P. & Marsh, D. (2012). The future of policy transfer research. *Political Studies Review*, 10(3), 339-345. [Online]. Available at: <http://onlinelibrary.wiley.com/doi/10.1111/j.1478-9302.2012.00274.x/full> [Last accessed 27 January 2014].

Dougherty, D.M., Charles, N. E., Acheson, A., John, S. & Furr, R. M. (2012). Comparing the detection of transdermal and breath alcohol concentrations during periods of alcohol consumption ranging from moderate drinking to binge drinking. *Experimental and Clinical Psychopharmacology*, 20(5), 373-381. [Online]. Available at: <http://www.ncbi.nlm.nih.gov/pubmed/22708608> [Last accessed 3 May 2016].

Downes, D. (1996). Law and order futures. *Criminal Justice Matters*, 26, 3-5. [Online]. Available at: <https://www.crimeandjustice.org.uk/sites/crimeandjustice.org.uk/files/09627259608553345.pdf> [Last accessed 2 June 2017].

Downes, D. (2011). Against penal inflation: comment on Nicola Lacey's The Prisoner's Dilemma. *Punishment and Society*, 13(1), 114-120. [Online]. Available at: <http://eprints.lse.ac.uk/32522/> [Last accessed 4 February 2015].

Duffin, C. (2014). *First offender fitted with stay-sober ankle tag*. The Telegraph. 31 July 2014. Available at:

<http://www.telegraph.co.uk/news/uknews/law-and-order/11003775/First-offender-fitted-with-stay-sober-ankle-tag.html> [Last accessed 10 January 2017].

Dunbar, I. & Langdon, A. J. (1998). *Tough justice: sentencing and penal policies in the 1990s*. London: Blackstone Press.

DuPont, R. L. & Humphreys, K. (2011). A new paradigm for long-term recovery. *Substance Abuse*, 32(1), 1-6. [Online]. Available at:

<http://www.ncbi.nlm.nih.gov/pubmed/21302178> [Last accessed 18 May 2016].

DuPont, R. L. & Wish, E. D. (1992). Operation Tripwire revisited. *The Annals of the American Academy of Political and Social Science*, 521(1), 91-111. [Online]. Available at:

<http://ann.sagepub.com/content/521/1/91> [Last accessed 10 May 2016].

Dussauge-Laguna, M. I. (2012a). On the past and future of policy transfer research: Benson and Jordan revisited. *Political Studies Review*, 10(3), 313-324. [Online]. Available at:

<http://onlinelibrary.wiley.com/doi/10.1111/j.1478-9302.2012.00275.x/abstract> [Last accessed 7 February 2014].

Dussauge-Laguna, M. I. (2012b). The neglected dimension: bringing time back into cross-national policy transfer studies, *Policy Studies*, 33(6), 567-585. [Online]. Available at:

<http://www.tandfonline.com/doi/abs/10.1080/01442872.2012.728900#.U15991eSpSA> [Last accessed 7 February 2014].

Dussauge-Laguna, M. I. (2013). *Cross-national policy learning and administrative reforms. The making of 'management for results' policies in Chile and Mexico*. PhD Thesis. London School of Economics and Political Science.

Dwyer, P. & Ellison, N. (2009). 'We nicked stuff from all over the place': policy transfer or muddling through? *Policy & Politics*, 37(3), 389-407. [Online]. Available at: <http://www.ingentaconnect.com/content/tpp/pap/2009/00000037/00000003/art00006> [Last accessed 23 February 2015]

Earle, R., Newburn, T. & Crawford, A. (2002). Referral orders: some reflections on policy transfer and 'what works'. *Youth Justice*, 2(3), 141-150. [Online]. Available at: <http://yj.sagepub.com/content/2/3/141.short> [Last accessed 1 September 2014].

Easton, D. (1965). *A framework for political analysis*. London: Prentice-Hall International.

Eccleston, R. (2006). Whose idea was it anyway? The dynamics of international policy transfer and the case of consumption tax reform. Paper presented at *Australasia Political Studies Association Conference*, Newcastle, England, 25-27 September.

Eckstein, H. (1975). Case study and theory in political science. In Greenstein, F.I. & Polsby, N.W. (Eds). *Strategies of inquiry*. Reading, MA: Addison-Wesley.

Edwards, A. & Hughes, G. (2005). Editorial. *Theoretical Criminology*, 9(3), 259-263. [Online]. Available at: <http://journals.sagepub.com/toc/tcra/9/3> [Last accessed 9 September 2016].

Ellison, G. & O'Reilly, C. (2008). From Empire to Iraq and the 'war on terror'. The transplantation and commodification of the (Northern) Irish policing experience. *Police Quarterly*, 11(4), 396-426. [Online]. Available at: <http://pqx.sagepub.com/content/11/4/395.short> [Last accessed 19 January 2016].

Esping-Anderson, G. (1990). *The three worlds of welfare capitalism*. Cambridge: Polity Press.

Ettelt, S., Mays, N. & Nolte, E. (2012). Policy learning from abroad: why it is more difficult than it seems. *Policy & Politics*, 40(4), 291-304. [Online]. Available at: <http://www.ingentaconnect.com/content/tpp/pap/2012/00000040/00000004/art00003> [Last accessed 1 August 2017].

Evans, M. (2004a). In conclusion – policy transfer in global perspective. In Evans, M. (Ed.). *Policy transfer in global perspective*. Aldershot: Ashgate.

Evans, M. (2004b). Introduction: Is policy transfer rational policy-making? In Evans, M. (Ed.). *Policy transfer in global perspective*. Aldershot: Ashgate.

Evans, M. (2004c). Policy transfer in a competition state: Britain's New Deal. In Evans, M. (Ed.). *Policy transfer in global perspective*. Aldershot: Ashgate.

Evans, M. (2004d). Understanding policy transfer. In Evans, M. (Ed.). *Policy transfer in global perspective*. Aldershot: Ashgate.

Evans, M. (2005). Neoliberalism and policy transfer in the British competition state: the case of welfare reform. In Soederberg, S., Menz, G. & Cerny, P.G. (Eds). *Internalizing globalization: the rise of neoliberalism and the decline of national varieties of capitalism*. Basingstoke: Palgrave Macmillan.

Evans, M. (2006). At the interface between theory and practice – policy transfer and lesson-drawing. *Public Administration*, 84(2), 479-489. [Online]. Available at: <http://onlinelibrary.wiley.com/doi/10.1111/j.1467-9299.2006.00013.x/full> [Last accessed 14 February 2014].

Evans, M. (2009a). New directions in the study of policy transfer. *Policy Studies*, 30(3), 237-241. [Online]. Available at: <http://www.tandfonline.com/doi/full/10.1080/01442870902863810#.U2zn1YXsttg> [Last accessed 11 November 2013].

Evans, M. (2009b). Parting shots. *Policy Studies*, 30(3), 397-402. [Online]. Available at: <http://www.tandfonline.com/doi/full/10.1080/01442870902863943#.U2zoKoXsttg> [Last accessed 11 November 2013].

Evans, M. (2009c). Policy transfer in critical perspective. *Policy Studies*, 30(3), 243-268. [Online]. Available at: <http://www.tandfonline.com/doi/abs/10.1080/01442870902863828#.U2zogoXsttg> [Last accessed 11 November 2013].

Evans, M. (2010). Understanding policy transfer in the competition state. In Fenwick, J. & McMillan, J. (Eds). *Public management in the postmodern era: challenges and prospects*. Cheltenham: Edward Elgar Publishing.

Evans, M. & Barakat, S. (2012). Post-war reconstruction, policy transfer and the World Bank: the case of Afghanistan's National Solidarity Programme, *Policy Studies*, 33(6), 531-565. [Online]. Available at:
<http://www.tandfonline.com/doi/pdf/10.1080/01442872.2012.722293> [Last accessed 6 November 2014].

Evans, M. & Cerny, P.G. (2004). Globalisation and public policy under New Labour. *Policy Studies*, 25(1), 51-65. [Online]. Available at:
<http://www.tandfonline.com/doi/abs/10.1080/01442870420002081242#.U3DBCYXsttg> [Last accessed 4 December 2013].

Evans, M. & Davies, J. (1999). Understanding policy transfer: A multi-level, multi-disciplinary perspective. *Public Administration*, 77(2), 361-385. [Online]. Available at:
<http://onlinelibrary.wiley.com/doi/10.1111/1467-9299.00158/full> [Last accessed 11 March 2014].

Evans, M. & McComb, P. (1999). Policy transfer networks and collaborative government: the case of social security fraud. *Public Policy and Administration*, 14(30), 30-48. [Online]. Available at:
<http://ppa.sagepub.com/content/14/2/30.short> [Last accessed 16 December 2013].

Evans, M. with McComb, P. (2004). Policy transfer networks: an insider perspective. In Evans, M. (Ed.) *Policy transfer in global perspective*. Aldershot: Ashgate.

Evening Standard (2011a). *Breath tests for criminals must start now, insists Boris*. 20 September 2011. [Online]. Available at:
<https://www.standard.co.uk/news/mayor/breath-tests-for-criminals-must-start-now-insists-boris-6445177.html> [Last accessed 20 October 2016].

Evening Standard (2011b). *Government blocks bid to keep drunks out of jail*. 19 September 2011. [Online]. Available at:
<http://www.standard.co.uk/news/politics/government-blocks-bid-to-keep-drunks-out-of-jail-6444868.html> [Last accessed 20 October 2016].

Evening Standard (2012a). *Bracelet scheme for drink offenders*. 10 February 2012. [Online]. Available at:
<http://www.standard.co.uk/newsheadlines/bracelet-scheme-for-drink-offenders-7442017.html> [Last accessed 8 November 2016].

Evening Standard (2012b). *Thugs to be tagged in US-style trial to tackle drunken crime*. 10 February 2012. [Online]. Available at:
<http://www.standard.co.uk/news/crime/thugs-to-be-tagged-in-us-style-trial-to-tackle-drunken-crime-7441839.html> [Last accessed 8 November 2016].

Evening Standard. (2014). *Sobriety tags could curb crime levels*. 31 July 2014. [Online]. Available at:
<http://www.standard.co.uk/comment/evening-standard-comment-sobriety-tags-could-curb-crime-levels-9639737.html> [Last accessed 10 January 2017].

Express (2010). *UK trial for sobriety scheme urged*. 27 October 2010. [Online]. Available at:
<http://www.express.co.uk/news/uk/207866/UK-trial-for-sobriety-scheme-urged> [Last accessed 15 August 2016].

Eyestone, R. (1977). Confusion, diffusion and innovation. *American Political Science Review*, 71(2), 441-447. [Online]. Available at:
<http://www.jstor.org/stable/1978339> [Last accessed 17 June 2014].

Faulkner, D. (2001). *Crime, state, and citizen: a full field of folk*. Winchester: Waterside Press.

Fawcett, P. & Marsh, D. (2012). Policy transfer and policy success: The case of the Gateway Review Process (2001–10). *Government and Opposition*, 47(2), 162-185. [Online]. Available at:

<http://onlinelibrary.wiley.com/doi/10.1111/j.1477-7053.2011.01358.x/full>.

[Last accessed 11 March 2014].

Fenwick, J. & McMillan, J. (Eds). (2010). *Public management in the postmodern era: challenges and prospects*. Cheltenham: Edward Elgar Publishing.

Finegold, D., McFarland, L. & Richardson, W. (Eds). *Something borrowed, something learned? The transatlantic connection in education and training reform*. Washington: Brookings Institution Press.

Fisher, D. A., McKnight, A. S. & Fell, J. C. (2013). *Intensive DWI supervision in urban areas – feasibility study*. Washington, DC: National Highway Traffic Safety Administration. [Online]. Available at:

www.nhtsa.gov/staticfiles/nti/pdf/811861.pdf [Last accessed 31 May 2016].

Fixing America's Surface Transportation (FAST) Act [Online]. Available at:

<https://transportation.house.gov/fast-act/> [Last accessed 16 July 2016].

Flango, V. E. & Cheesman, F. (2007). When should judges use alcohol monitoring as a sentencing option in DWI cases? *Court Review*, 44(3), 102-106. [Online]. Available at: <http://digitalcommons.unl.edu/ajacourtreview/273/> [Last accessed 9 May 2016].

Flick, E. (2014). *An introduction to qualitative research*. London: Sage Publications.

Flores-Crespo, P. (2004). Transferring higher education policies to Mexico: The case of the technological universities. In Evans, M. (Ed). *Policy transfer in global perspective*. Aldershot: Ashgate.

Fox, A. & Lockhart, G. (2011). From the ground up. Promising criminal justice projects in the US and the UK. *Policy Exchange*. [Online]. Available at:

http://www.courtinnovation.org/sites/default/files/documents/From_the_Ground_Up_-_Nov__11.pdf [Last accessed 14 June 2017].

- Funk, P. (2010). *UK trial for sobriety scheme urged*. *Evening Standard*. 27 October 2010. [Online]. Available at:
<http://www.standard.co.uk/newsheadlines/uk-trial-for-sobriety-scheme-urged-6529061.html> [Last accessed 15 August 2016].
- Furlong, P. & Marsh, D. (2010). A skin not a sweater: ontology and epistemology in political science. In Marsh, D. & Stoker, G. (Eds). *Theory and methods in political science*. Basingstoke: Palgrave Macmillan.
- Gallegher J. J. (1997). *Project Sentry final program report*. Lansing, Michigan: Project Sentry.
- Garland, D. (2002). *The culture of control. Crime and social order in contemporary society*. Oxford: Oxford University Press.
- Garrett, P. M. (2008). Learning from the ‘Trojan horse’? The arrival of ‘Anti-Social Behaviour Orders’ in Ireland. *European Journal of Social Work*, 10(4), 497-511. [Online]. Available at:
<http://www.tandfonline.com/doi/abs/10.1080/13691450701357117?src=recsys&journalCode=cesw20> [Last accessed 4 July 2017].
- Gavens, L., Holmes, J., Buykx, P., de Vocht, F., Egan, M., Grace, D., Lock, K., Mooney, J. D. & Brennan, A. (2017). Processes of local alcohol policy-making in England. Does the theory of policy transfer provide useful insights into public health decision making? *Health & Place*. [In Press, Corrected Proof]. [Online]. Available at:
<http://www.sciencedirect.com/science/article/pii/S1353829216302428?via%3Dihub> [Last accessed 1 August 2017].
- Geiran, V. (2017). Penal reform and probation in Europe: positive change of direction, ‘nudges to the rudder’; or ‘steady as she goes’. *The Howard Journal of Crime and Justice*, 56(1), 72-91. [Online]. Available at:
<http://onlinelibrary.wiley.com/doi/10.1111/hojo.12192/abstract> [Last accessed 3 June 2017].

Gibbs, B. (2010). *The welcome arrival of elected Police & Crime Commissioners*. The Spectator. 1 December 2010. [Online]. Available at:
<http://blogs.spectator.co.uk/2010/12/the-welcome-arrival-of-elected-police-and-crime-commissioners/> [Last accessed 5 March 2017].

Gilbert, N. (Ed). (1992). *Researching social life*. London: Sage Publications.

Gillham, B. (2000). *Case study research methods*. London: Continuum 2000.

Gillham, B. (2005). *Research interviewing: The range of techniques*. Maidenhead: Open University Press.

Gilmore, M. (2012a). Electing Police and Crime Commissioners. *The RUSI Journal*, 157(5), 6-11. [Online]. Available at:
<http://www.tandfonline.com/doi/abs/10.1080/03071847.2012.733093> [Last accessed 9 March 2017].

Gilmore, M. (2012b). Poll reflects public concerns about Police and Crime Commissioners. *The RUSI Journal*, 157(5), 12-15. [Online]. Available at:
<https://rusi.org/publication/rusi-journal/poll-reflects-public-concerns-about-police-and-crime-commissioners> [Last accessed 22 February 2017].

Gold, R. L. (1958). Roles in sociological field observations. *Social Forces*, 36(3), 217-223. [Online]. Available at:
http://www.jstor.org/stable/2573808?seq=1#page_scan_tab_contents [Last accessed 22 May 2015].

Goldstein, K. (2002). Getting in the door: Sampling and completing elite interviews. *Political Science & Politics*, 35(4), 669-672. [Online]. Available at:
<http://journals.cambridge.org/action/displayAbstract?fromPage=online&aid=134497&fileId=S1049096502001130> [Last accessed 8 February 2015].

Goodall, C. A., Neville, F. G., Williams, D. J., Donnelly, P. D. & McCluskey, K. (2015). Preliminary research informing policy perspectives on alcohol monitoring in criminal justice in Scotland. [Poster]. Presented at the *American Public Health Association Annual Meeting*. Chicago, United States. 31 October-4 November 2015.

Goodall, C. A., Neville, F. G., Williams, D. J., Gavine, A. J. & Donnelly, P. D. (2014). 'Can I dance in high heels in this?' [Poster]. Presented at the *American Public Health Association Annual Meeting*. New Orleans, United States. 15 November-19 December 2014.

Gough, D. (2011). Probation in the Republic of Korea: A compressed journey to public protection. *Probation Journal*, 58(4), 372-285. [Online]. Available at: <http://journals.sagepub.com/doi/abs/10.1177/0264550511422738> [Last accessed 2 December 2014].

Gramling, L. F. & Carr, R. L. (2004). Lifelines: a life history methodology. *Nursing Research*, 53(3), 207-210. [Online]. Available at: <http://www.ncbi.nlm.nih.gov/pubmed/15167509> [Last accessed 13th January 2015].

Grapes, T. (2014). Developing national standards with the Turkish Probation Service. In McFarlane, M. A. & Canton, R. (Eds). *Policy transfer in criminal justice. Crossing cultures, breaking barriers*. Basingstoke: Palgrave Macmillan.

Gray, V. (1973). Innovation in the states: a diffusion study. *American Political Science Review*, 67(4), 1174-1185. [Online]. Available at: <http://www.jstor.org/discover/10.2307/1956539?uid=3738032&uid=2&uid=4&sid=21103609612987> [Last accessed 7 March 2014].

Grayling, C. (2013). *Letter to Boris Johnson re. London Sobriety Pilot*, 28 February 2013.

Grayling, C. (2014). *Letter to Boris Johnson re. AAMR Pilot*, 2 April 2014.

Greater London Authority (GLA) (2010). *The way forward. Taking action to end violence against women and girls. Final strategy, 2010-2013*. [Online]. Available at: https://www.london.gov.uk/sites/default/files/the_way_forward_-_strategy.pdf [Last accessed 4 August 2016].

Greater London Authority (GLA) (2011). Police Reform and Social Responsibility Bill. *Memorandum submitted by the Greater London Authority (PR 58)*. Prepared 19 January 2011. [Online]. Available at: <http://www.publications.parliament.uk/pa/cm201011/cmpublic/policerreform/memo/pr58.htm> [Last accessed 16 October 2016].

Greater London Authority (GLA) (2012). *Mayor welcomes new approach to alcohol related crime in London – but says more is needed*. 10 February 2012. [Online]. Available at: <https://www.highbeam.com/doc/1G1-279622672.html> [Last accessed 8 November 2016].

Greater London Authority (GLA) (2016). *How we work for London*. [Online]. Available at: <https://www.london.gov.uk/about-us/how-we-work-london> [Last accessed 31 May 2016].

Greater Manchester Combined Authority (GMCA) (n.d.). *Justice devolution*. [Online]. Available at: https://www.greatermanchester-ca.gov.uk/info/20101/justice_devolution [Last accessed 3 March 2017].

Greener, I. (2001). Social learning and macroeconomic policy in Britain. *Journal of Public Policy*, 21(2), 133-52. [Online]. Available at: <http://journals.cambridge.org/action/displayAbstract;jsessionid=73D46583C692E60918BB543CEFB95555.journals?fromPage=online&aid=94351> [Last accessed 9 March 2014].

Greener, I. (2002). Understanding NHS reform: the policy-transfer, social learning, and path-dependency perspectives. *Governance: An International Journal of Policy and Administration*, 15(2), 161-183. [Online]. Available at: <http://onlinelibrary.wiley.com/doi/10.1111/1468-0491.00184/abstract> [Last accessed 8 April 2014].

Greenstein, F. I. & Polsby, N. W. (Eds.). (1975). *Strategies of inquiry*. Reading, MA: Addison-Wesley.

Gregory, L. (2012). Time and punishment: A comparison of UK and US time bank use in criminal justice systems. *Journal of Comparative Social Welfare*, 28(3), 195-208. [Online]. Available at: <http://www.tandfonline.com/doi/abs/10.1080/17486831.2012.742452#.VO8LoC62rGw> [Last accessed 26 February 2015].

Griffiths, W. (1997). Zero tolerance: a view from London. In Dennis, N. (Ed.). *Zero tolerance: Policing a free society*. London: Institute for Economic Affairs.

Grix, J. (2010). *The foundations of research*. New York: Palgrave Macmillan.

Guba, E. G. (1981). Criteria for assessing the trustworthiness of naturalistic inquiries. *Educational Communication and Technology*, 29(2), 75-91. [Online]. Available at: <http://link.springer.com/article/10.1007/BF02766777> [Last accessed 9 January 2016].

Gubrium, J. F. & Holstein, J. A. (Eds.) (2002). *Handbook of interview research: Context and method*. London: Sage Publications.

Haas, P. M. (1992). Introduction: epistemic communities and international policy coordination. *International Organization*, 46(1), 1-35. [Online]. Available at: https://www.jstor.org/stable/2706951?seq=1#page_scan_tab_contents [Last accessed 21 April 2017].

Hall, P. (1993). Policy paradigms, social learning and the state: the case of economic policy-making in Britain. *Comparative Politics*, 25(3), 275-296. [Online]. Available at: https://www.jstor.org/stable/422246?seq=1#page_scan_tab_contents [Last accessed 6 May 2014].

Hamilton, R. J. & Bowers, B. J. (2006). Internet recruitment and e-mail interviews in qualitative studies. *Qualitative Health Research*, 16(6), 821-835. [Online]. Available at: <http://qhr.sagepub.com/content/16/6/821.short> [Last accessed 4 January 2016].

Handy, C. B. (1994). *The empty raincoat: making sense of the future*. London: Arrow Business.

Hansard HC Deb. c6416W, 16 July 2015. [Online]. Available at: <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2015-07-09/6416/> [Last accessed 16 January 2017].

Hansard HC Deb. v.552. c238W, 31 October 2012. [Online]. Available at: <http://www.publications.parliament.uk/pa/cm201213/cmhansrd/cm121031/text/121031w0001.htm#12103179000034> [Last accessed 30 November 2016].

Hansard HC Deb. v.554, c878W, 6 December 2012. [Online]. Available at: <http://www.publications.parliament.uk/pa/cm201213/cmhansrd/cm121206/index/121206-x.htm> [Last accessed 30 November 2016].

Hansard HC Notices of Amendments, 17 October 2011. [Online]. Available at: <http://www.publications.parliament.uk/pa/bills/cbill/2010-2012/0235/amend/psc2351710a.3513-3518.html> [Last accessed 16 October 2016].

Hansard HC Police Reform and Social Responsibility Public Bill Committee Deb. c721-727, 17 February 2011. [Online]. Available at: <http://www.publications.parliament.uk/pa/cm201011/cmpublic/policereform/110217/pm/110217s01.htm> [Last accessed 16 October 2016].

Hansard HL Deb. cWA288, 18 December 2012. [Online]. Available at:
<http://www.publications.parliament.uk/pa/ld201213/ldhansrd/text/121218w0001.htm#12121852000197> [Last accessed 30 November 2016].

Hansard HL Deb. v.727 c139, 27 April 2011. [Online]. Available at:
<https://www.publications.parliament.uk/pa/ld201011/ldhansrd/text/110427-0001.htm#11042773000346> [Last accessed 22 February 2017].

Hansard HL Deb. v727 c215, 27 April 2011. [Online]. Available at:
<http://www.publications.parliament.uk/pa/ld201011/ldhansrd/text/110427-0003.htm>.
[Last accessed 16 October 2016].

Hansard HL Deb. v.728 c 436-450, 9 June 2011. [Online]. Available at:
<http://www.publications.parliament.uk/pa/ld201011/ldhansrd/text/110609-0002.htm>
[Last accessed 16 October 2016].

Hansard HL Deb. v.729 c901-917, 14 July 2011. [Online]. Available at:
<http://www.publications.parliament.uk/pa/ld201011/ldhansrd/text/110714-0002.htm>
[Last accessed 16 October 2016].

Hansard HL Deb. v734 c1667-1670, 2 February 2012. [Online]. Available at:
<http://www.publications.parliament.uk/pa/ld201212/ldhansrd/text/120202-0001.htm#12020238000525> [Last accessed 21 October 2016].

Hansard HL Deb. v.735 c187-201, 7 February 2012. [Online]. Available at:
<http://www.publications.parliament.uk/pa/ld201212/ldhansrd/text/120207-0001.htm#12020769000417> [Last accessed 7 November 2016].

Hansard HL Deb. v.736 c802-815, 20 March 2012. [Online]. Available at:
<http://www.publications.parliament.uk/pa/ld201212/ldhansrd/text/120320-0002.htm#12032082000182> [Last accessed 17 November 2016].

Hansard HL Division 3. Division on Amendment 306ZC, 14 July 2011 [Online]. Available at:

<https://hansard.parliament.uk/Lords/2011-07-14/division/HOLDT20110714DIV3/PoliceReformAndSocialResponsibilityBill?outputType=Party> [Last accessed 16 October 2016].

Hansard HL Marshalled list of Amendments to be moved in Committee, 8 June 2011. [Online]. Available at:

<http://www.publications.parliament.uk/pa/ld201011/ldbills/062/amend/ml062-vr.htm> [Last accessed 16 October 2016].

Hansard HL Marshalled list of Amendments to be moved in Committee, 7 February 2012. [Online]. Available at:

<http://www.publications.parliament.uk/pa/bills/lbill/2010-2012/0109/amend/ml109-viiiir.htm> [Last accessed 7 November 2016].

Hansard HL Marshalled list of Amendments to be moved in Report, 13 July 2011. [Online]. Available at:

<http://www.publications.parliament.uk/pa/bills/lbill/2010-2012/0077/amend/ml077-v.htm> [Last accessed 16 October 2016].

Harlow, E., Berg, E., Barry, J. & Chandler, J. (2012). Neoliberalism, managerialism and the reconfiguring of social work in Sweden and the United Kingdom. *Organization*, 20(4), 534-550. [Online]. Available at:

<http://org.sagepub.com/content/20/4/534.short> [Last accessed 11 August 2016].

Harris, T. (2010). *In praise of sobriety - Kit Malthouse and the City Hall Tories lead the way*. 28 October 2010. Lord Toby Harris's weblog. [Online]. Available at:

<http://www.lordtobyharris.org.uk/index.php> [Last accessed 15 August 2016].

Harris, T. (2012). *Government finally accepts case for sobriety testing*. 26 March 2012. Lord Toby Harris's weblog. [Online]. Available at:

<http://www.lordtobyharris.org.uk/government-finally-accepts-case-for-sobriety-testing/> [Last accessed 21 November 2016].

Harrison, L. (2001). *Political research: An introduction*. London: Routledge.

Harvey, W. S. (2009). Methodological approaches for junior researchers interviewing elites: a multi-disciplinary perspective. *Economic Geography Research Group*, Working Paper Series No. 01.09. [Online]. Available at:

http://www.egrg.rgs.org/wp-content/uploads/2014/02/egrg_wp0109-Harvey.pdf

[Last accessed 4 January 2016].

Harvey, W. S. (2011). Strategies for conducting elite interviews. *Qualitative Research*, 11(4), 431-441. [Online]. Available at:

<http://qrj.sagepub.com/content/11/4/431.short> [Last accessed 4 January 2016].

Hawaii State Judiciary (n.d.). *Hope Probation*. [Online]. Available at:

http://www.courts.state.hi.us/special_projects/hope/about_hope_probation.html [Last

accessed 22 January 2016].

Hawken, A. (2007). *H.O.P.E. for Reform*. The American Prospect, 10 April 2007.

[Online]. Available at:

<http://prospect.org/article/hope-reform> [Last accessed 7 May 2016].

Hawken, A. & Kleiman, M. (2009). *Managing drug involved probationers with swift and certain sanctions: Evaluating Hawaii's HOPE*. Washington, D.C: National Institute of Justice. [Online]. Available at:

<https://www.ncjrs.gov/pdffiles1/nij/grants/229023.pdf> [Last accessed 15 April 2017].

Heclo, H. (1974). *Modern social politics in Britain and Sweden: From relief to income maintenance*. London: Yale University Press.

Herbert, N. (2014). *Boris Orders Sobriety*. 31 July 2014. Nick Herbert MP's blog. [Online]. Available at:

<https://nickherbert.net/2014/07/31/boris-orders-sobriety/> [Last accessed 21 November 2016].

Herriott, R. E. & Firestone, W. A. (1983). Multisite qualitative policy research: Optimizing description and generalizability. *Educational Researcher*, 12(2), 14-19. Available at:
<http://edr.sagepub.com/content/12/2/14.extract> [Accessed 8 February 2015].

Hertz, R. & Imber, J. (Eds). (1995). *Studying elites using qualitative methods*. Thousand Oaks: Sage Publications.

Hibell, B., Guttormsson, U., Ahlström, S., Balakireva, O., Bjarnason, T., Kokkevi, A. & Kraus, L. (2007). *The 2007 ESPAD report. Substance use among students in 35 European countries*. [Online]. Available at:
<http://www.ias.org.uk/uploads/pdf/News%20stories/espad-report-mar09.pdf>
[Last accessed 23 January 2017].

Hipple, N. K., McGarrell, E. F. with Bynum, T. S., Perez, H. A., Corsaro, N. & Garmo, M. (2012). *Bureau of Justice Assistance, Drug Market Initiative, Implementation Guide and Lessons Learned*. Michigan; Michigan State University. [Online]. Available at:
http://dmimsu.com/content/resources/lessons_learned.pdf [Last accessed 19 June 2016].

HM Government (2010). *Drug strategy 2010. Reducing demand, restricting supply, building recovery: supporting people to live a drug free life*. [Online]. Available at:
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/98026/drug-strategy-2010.pdf [Last accessed 25 August 2010].

HM Government (2012). *The Government's Alcohol Strategy*. [Online]. Available at:
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/224075/alcohol-strategy.pdf [Last accessed 21 November 2016].

Hobbs, S. & Hamerton, C. (2014). *The making of criminal justice policy*. Oxon: Routledge.

Hoberg, G. (1991). Sleeping with an elephant: the American influence of Canadian environmental regulation. *Journal of Public Policy*, 11(01), 107-131. [Online]. Available at:

<http://www.jstor.org/discover/10.2307/4007340?uid=3738032&uid=2&uid=4&sid=21103510061491> [Last accessed 9 March 2014].

Hodgson, S. & Irving, Z. (Eds). (2007). *Policy reconsidered: meanings, politics and practices*. Bristol: Policy Press.

Holden, C. (2009). Exporting public-private partnerships in healthcare: export strategy and policy transfer. *Policy Studies*, 30(3), 313-332. [Online]. Available at:

http://www.tandfonline.com/doi/abs/10.1080/01442870902863885#.U_dkMGOOrBU [Last accessed 22 August 2014].

Holt, A. (2010). Using the telephone for narrative interviewing: a research note. *Qualitative Research*, 10(1), 113-121. [Online]. Available at:

<http://qrj.sagepub.com/content/10/1/113.full.pdf+html> [Last accessed 15 January 2016].

Home Office (2009). *Impact Assessment of a mandatory code of practice for alcohol retailers and allowing licensing authorities to act as interested parties*. [Online]. Available at:

<http://webarchive.nationalarchives.gov.uk/20130314024249/http://www.ialibrary.bis.gov.uk/uploaded/IA%20Alcohol%20Mandatory%20code.pdf> [Last accessed 21 November 2016].

Home Office (2010a). *Policing in the 21st century: Reconnecting police and the people*. [Online]. Available at:

<https://www.gov.uk/government/publications/policing-in-the-21st-century-reconnecting-police-and-the-people> [Last accessed 3 March 2017].

Home Office (2010b). *Rebalancing the Licensing Act: a consultation on empowering individuals, families and local communities to shape and determine local licensing*. [Online]. Available at:

<https://www.gov.uk/government/consultations/rebalancing-the-licensing-act-a-consultation-on-empowering-individuals-families-and-local-communities-to-shape-and-determine-local-licensing>

[Last accessed 21 September 2016].

Home Office (2013). *Using Conditional Cautions with Sobriety Requirements – Guidance*. [Online]. Available at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/256678/Using_conditional_cautions_with_sobriety_requirements.pdf

[Last accessed 13 November 2016].

Home Office (2016). *Have you got what it takes? Community Safety*. [Online]. Available at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/511368/community-safety.pdf

[Last accessed 5 March 2017].

House Bill 1067 [Online]. Available at:

http://sdlegislature.gov/Legislative_Session/Bills/Bill.aspx?Bill=1067&Session=2017

[Last accessed 4 July 2016].

House Bill 1072 [Online]. Available at:

http://sdlegislature.gov/legislative_session/bills/Bill.aspx?Bill=1072&Session=2017

[Last accessed 4 July 2016].

Howlett, M. (2000). Beyond legalism? Implementation styles and emulation-based convergence in Canadian and US environmental policy. *Journal of Public Policy*, 20(03), 305-329. [Online]. Available at:

<http://journals.cambridge.org/action/displayAbstract?fromPage=online&aid=67269>

[Last accessed 9 March 2014].

Hornsby-Smith, M. (1992). Gaining access. In Gilbert, N. (Ed). *Researching social life*. London: Sage Publications.

Hudson, B. (1996). *Understanding justice: An introduction to ideas, perspectives and controversies in modern penal theory*. Buckingham: Open University Press.

Hudson, J. & Kim, B. Y. (2013). Policy transfer using the ‘gold standard’: exploring policy tourism in practice. *Policy and Politics*, 42(4), 495-511. [Online]. Available at: <http://www.ingentaconnect.com/content/tpp/pap/2014/00000042/00000004/art00002> [Last accessed 23 February 2015].

Hudson, J. & Lowe, S. (2009). *Understanding the policy process*. Bristol: Policy Press.

Huerta-Melchor, O. (2006). *Understanding international agents of policy transfer: the case of the OECD and Mexican administrative reform*. PhD Thesis, University of York.

Hulme, R. (2005). Policy transfer and the internationalisation of social policy. *Social Policy and Society*, 4(04), 417-425. [Online]. Available at: <http://journals.cambridge.org/action/displayFulltext?type=1&fid=340974&jid=SPS&volumeId=4&issueId=04&aid=340973> [Last accessed 8 May 2014].

Hulme, R. (2006). The role of policy transfer in assessing the impact of American ideas on British social policy. *Global Social Policy*, 6(2), 173-195. [Online]. Available at: <http://journals.sagepub.com/doi/abs/10.1177/1468018106065365> [Last accessed 4 February 2017].

Human Rights Act 1998 [Online]. Available at:

<http://www.legislation.gov.uk/ukpga/1998/42/contents> [Last accessed 12 July 2017].

Humberside, Lincolnshire & North Yorkshire Community Rehabilitation Company (HLNY CRC) (2017). *Pilot scheme launched in region to reduce alcohol-related crime*. 11 June 2017. Available at:

<http://www.hlnycrc.co.uk/pilot-scheme-launched-humberside-reduce-alcohol-related-crime/> [Last accessed 19 June 2017].

Humberside Police & Crime Commissioner. (2017). *Pilot scheme launched to reduce alcohol-related crime*. 12 June 2017. [Online]. Available at:

<http://www.humberside-pcc.gov.uk/News-and-Events/News-Archive/2017/Pilot-Scheme-launched-to-reduce-alcohol-related-crime.aspx> [Last accessed 19 June 2017].

Humphreys, K. (n.d.). *Curriculum Vitae*. [Online]. Available at:

https://cap.stanford.edu/profiles/viewCV?facultyId=4381&name=Keith_Humphreys [Last accessed 5 January 2017].

Humphreys, K. (2010a). *24/7 Sobriety is saving lives in South Dakota: Why not everywhere else?* 28 August 2010. The Reality-Based Community. [Online]. Available at:

<http://www.samefacts.com/2010/08/drug-policy/247-sobriety-is-saving-lives-in-south-dakota-why-not-everywhere-else/> [Last accessed 21 November 2016].

Humphreys, K. (2010b). *British drug and alcohol policy: II Your chance for input into a new alcohol policy*. 9 September 2010. The Reality-Based Community. [Online]. Available at:

<http://www.samefacts.com/2010/09/drug-policy/british-drug-and-alcohol-policy-ii-your-chance-for-input-into-a-new-alcohol-policy/> [Last accessed 21 November 2016].

Humphreys, K. (2010c). *British drug and alcohol policy, Coda: Question time*. 27 September 2010. The Reality-Based Community. [Online]. Available at:

<http://www.samefacts.com/2010/09/drug-policy/british-drug-and-alcohol-policy-coda-question-time/> [Last accessed 21 November 2016].

Humphreys, K. (2011a). *A new paradigm for responding to substance-involved offenders*. [PowerPoint Presentation]. London Drug and Alcohol Policy Forum. 8 February 2011. [Personal Correspondence].

Humphreys, K. (2011b). *Coerced abstinence and substance involved-offenders: A new paradigm*. 30 January 2011. The Reality-Based Community. [Online]. Available at:

<http://www.samefacts.com/2011/01/drug-policy/coerced-abstinence-and-substance-involved-offenders-a-new-paradigm/> [Last accessed 21 November 2016].

Humphreys, K. (2012a). *Alcohol as a non-exculpatory facilitator of violence against women*. 19 November 2012. The Reality-Based Community. [Online]. Available at: <http://www.samefacts.com/2012/11/drug-policy/alcohol-as-a-non-exculpatory-facilitator-of-violence-against-women/> [Last accessed 21 November 2016].

Humphreys, K. (2012b). *Bringing swift and certain justice to the UK*. 13 July 2012. The Reality-Based Community. [Online]. Available at: <http://www.samefacts.com/2012/07/everything-else/bringing-swift-and-certain-justice-to-the-uk/> [Last accessed 21 November 2016].

Humphreys, K. (2012c). *David Cameron endorses minimum pricing of alcohol*. 23 March 2012. The Reality-Based Community. [Online]. Available at: <http://www.samefacts.com/2012/03/drug-policy/cameron-and-may-endorse-minimum-pricing-of-alcohol/> [Last accessed 21 November 2016].

Humphreys, K. (2014a). *Britain's streets are now booze-soaked war zones*. The Telegraph. 31 July 2014. [Online]. Available at: <http://www.telegraph.co.uk/news/uknews/crime/11003592/Britains-street-are-now-booze-soaked-war-zones.html> [Last accessed 21 November 2016].

Humphreys, K. (2014b). *Three misunderstandings about 2/7 Sobriety for alcohol-involved offenders*. 31 July 2014. The Reality-Based Community. [Online]. Available at: <http://www.samefacts.com/2014/08/drug-policy/three-misunderstandings-about-247-sobriety-for-alcohol-involved-offenders/> [Last accessed 21 November 2016].

Humphreys, K. (2015). *Disseminating sobriety of alcohol-involved offenders in the UK*. 5 August 2015. The Reality-Based Community. [Online]. Available at: <http://www.samefacts.com/2015/08/britain/disseminating-sobriety-monitoring-of-alcohol-involved-offenders-in-the-u-k/> [Last accessed 21 November 2016].

Humphreys, K. & Caulkins, J. (2012). *Towards a smarter drugs policy*. The Guardian. 6 January 2012. [Online]. Available at: <https://www.theguardian.com/commentisfree/cifamerica/2012/jan/06/towards-smarter-drugs-policy> [Last accessed 24 August 2016].

Humphreys, K. & Kleiman, M. A. R. (2010). *South Dakota: Drunken-driving fatalities down*. Newsweek. 28 August 2010. [Online]. Available at:
<http://europe.newsweek.com/south-dakota-drunken-driving-fatalities-down-71685?rm=eu> [Last accessed 24 August 2016].

Hunter, A. (1995). Local knowledge and local power. Notes on the ethnography of local community elites. In Hertz, R. & Imber, J. (Eds). *Studying elites using qualitative methods*. Thousand Oaks: Sage Publications.

Ikenberry, J.G. (1990). The international spread of privatization policies: inducements, learning, and “policy bandwagoning”. In Suleiman, E. & Waterbury, J. (Eds). *The political economy of public sector reform and privatization*. Boulder: Westview Press.

Innes, M. (2011). Doing less with more. The ‘new’ politics of policing. *Public Policy Research*, 18(2), 73-80. [Online]. Available at:
<http://onlinelibrary.wiley.com/doi/10.1111/newe.2011.18.issue-2/issuetoc>
[Last accessed 2 February 2017].

Institute of Alcohol Studies (IAS) (2010). *Stay sober or else*. Alcohol Alert, Issue 3. [Online]. Available at:
<http://www.ias.org.uk/What-we-do/Alcohol-Alert/Issue-3-2010/Stay-sober-or-else.aspx>
[Last accessed 15 July 2016].

Institute of Behavior and Health (2015). State of the Art of HOPE Probation. [Online]. Available at:
https://static1.squarespace.com/static/575830e0b09f958d96b6e4df/t/5759a58bf8baf31aa1968ec3/1465492923500/HOPE_State_of_the_Art_of_HOPE_Probation.pdf {Last accessed 15 October 2016}.

Irish Times (2010). *Criminals to sober up or face jail under new scheme*. 28 October 2010. [Online]. Available at:
<http://www.irishtimes.com/news/criminals-to-sober-up-or-face-jail-under-new-scheme-1.669210> [Last accessed 24 August 2016].

Irvine, A. (2011). Duration, dominance and depth in telephone and face-to-face interviews: a comparative exploration. *International Journal of Qualitative Methods*, 10(3), 202-220. [Online]. Available at: <http://ijq.sagepub.com/content/10/3/202.short> [Last accessed 4 January 2016].

Irvine, A. (2012). Telephone interviewing in qualitative research. In Becker, S., Bryman, A. and Ferguson, H. (Eds). *Understanding research for social policy and social work*. Bristol: Policy Press.

Isaac, L. (2006). Memorandum submitted by the Ascension Trust. *Select Committee on Home Affairs Written Evidence*. [Online]. Available at: <https://www.publications.parliament.uk/pa/cm200607/cmselect/cmhaff/181/181we04.htm> [Last accessed 1 February 2017].

Isaac, L. & Davies, R. (2009). *Street Pastors*. Eastbourne: David C. Cook.

Isaac, L. & Davies, R. (2015). *Faith on the Streets*. London: Hodder & Stoughton.

Ivanova, V. & Evans, M. (2004). Policy transfer in a transition state: the case of local government reform in the Ukraine. In Evans, M. (Ed). *Policy transfer in global perspective*. Aldershot: Ashgate.

Jacobson, M. (2006). Reversing the punitive turn: The limits and promise of current research. *Criminology and Public Policy*, 5(2), 277-284. [Online]. Available at: onlinelibrary.wiley.com/doi/10.1111/j.1745-9133.2006.00377.x/abstract [Last accessed 19 June 2015].

James, A. (2013). *Examining intelligence-led policing*. Basingstoke: Palgrave Macmillan.

James, O. & Lodge, M. (2003). The limitations of 'policy transfer' and 'lesson drawing' for public policy research. *Political Studies Review*, 1(2), 179-193. [Online]. Available at: <http://onlinelibrary.wiley.com/doi/10.1111/1478-9299.t01-1-00003/full> [Last accessed 9 May 2014].

Janghorban, R., Roudsari, R. L. & Taghipour, A. (2014). Skype interviewing: The new generation of online synchronous interview in qualitative research. *International Journal of Qualitative Studies on Health and Wellbeing*, 9, 1-3. [Online]. Available at: <http://europepmc.org/articles/pmc3991833> [Last accessed 4 January 2016].

Jenkin, A. (2012). Lady Jenkin: The Government should allow Boris Johnson to introduce a compulsory sobriety scheme in London. *Conservative Home*. 14 March 2012. [Online]. Available at: <http://www.conservativehome.com/platform/2012/03/in-the-deluge-of-proposed-amendments-to-the-legal-aid-sentencing-and-punishment-of-offenders-bill-currently-going-through-th.html> [Last accessed 23 November 2016].

Jenkins, P. (1987). *Mrs Thatcher's revolution: the ending of the socialist era*. London: Cape.

Johns, N., Squire, G. & Barton, A. (2009). Street Pastors: From crime prevention to re-moralisation. *Papers from the British Criminology Conference*. [Online]. Available at: <http://eprints.brighton.ac.uk/8756/> [Last accessed 1 February 2017].

Johnson, B. (2008). *Making London safer*. [Online]. Available at: http://image.guardian.co.uk/sysfiles/Guardian/documents/2009/04/27/crime_manifesto_complete_final_final.pdf [Last accessed 24 August 2016].

Johnson, B. (2011a). *Britain should bang up the trouble-makers, but let's turn them around too*. The Telegraph. 19 September 2011. [Online]. Available at: <http://www.telegraph.co.uk/comment/columnists/borisjohnson/8772730/Britain-should-bang-up-the-trouble-makers-but-lets-turn-them-round-too.html> [Last accessed 20 October 2016].

Johnson, B. (2011b). Legal Aid, Sentencing and Punishment of Offenders Bill. *Memorandum submitted by the Mayor of London (LA 49)*. Prepared 7 September 2011. [Online]. Available at: <http://www.publications.parliament.uk/pa/cm201011/cmpublic/legalaid/memo/la49.htm> [Last accessed 20 October 2016].

Johnson, B. (2012). *Fighting crime in London*. [Online]. Available at: <http://www.london.gov.uk/sites/default/files/Boris-Johnson-2012-Crime-Manifesto.pdf> [Last accessed 3 June 2016].

Johnson, B. (2013). *Letter to Chris Grayling re. London Sobriety Pilot*, 29 April 2013.

Jones, L. (2012). Crime busting scheme still going strong. *The Chester Standard*. 30 March 2012. [Online]. Available at: <http://www.chesterstandard.co.uk/news/111697/crime-busting-scheme-still-going-strong.aspx> [Last accessed 12 March 2016].

Jones, T. & Newburn, T. (2002a). Learning from Uncle Sam? Exploring US influences on British crime control policy. *Governance: An International Journal of Policy, Administration and Institutions*, 15(1), 97-119. [Online]. Available at: <http://onlinelibrary.wiley.com/doi/10.1111/1468-0491.00181/abstract> [Last accessed 4 September 2014].

Jones, T. & Newburn, T. (2002b). Policy convergence and crime control in the USA and the UK: streams of influence and levels of impact. *Criminology and Criminal Justice*, 2(2), 173-203. [Online]. Available at: <http://crj.sagepub.com/content/2/2/173.short> [Last accessed 2 September 2014].

Jones, T. & Newburn, T. (2004). The convergence of US and UK crime control policy: exploring substance and process. In Newburn, T. & Sparks, R. (Eds). *Criminal justice and political cultures*. Cullompton: Willan.

Jones, T. & Newburn, T. (2006). Three strikes and you're out. Exploring symbol and substance in American and British crime control politics. *The British Journal of Criminology*, 46(5). 781-802. [Online]. Available at: <http://bjc.oxfordjournals.org/content/46/5/781.short> [Last accessed 13 August 2014].

Jones, T. & Newburn, T. (2007). *Policy transfer and criminal justice*. Maidenhead: Open University Press.

Jones, T. & Newburn, T. (2013). Policy convergence, politics and comparative penal reform: sex offender notification schemes in the USA and UK. *Punishment & Society*, 15(5), 439-467. [Online]. Available at:
<http://pun.sagepub.com/content/15/5/439.short> [Last accessed 28 August 2014].

Joyce, P. (2011). Police reform: from police authorities to police and crime commissioners. *Safer Communities*, 10(4), 5-13. [Online]. Available at:
<http://www.emeraldinsight.com/doi/abs/10.1108/17578041111185677> [Last accessed 22 February 2017].

@kitmalthouse (2011). @rosie_angel sadly they ran out of time, didn't get to knife crime stuff either. Now onto the lords where good chance. Tks for interest. 4 November 2011. Available at:
<https://twitter.com/kitmalthouse/status/132561695779463168> [Last accessed 21 October 2016].

Karstedt, S. (2001). Comparing cultures, comparing crime: challenges, prospects and problems for a global criminology. *Crime, Law and Social Change*, 36(3), 285-308. [Online]. Available at:
<http://link.springer.com/article/10.1023/A:1012223323445> [Last accessed 2 June 2014].

Keating, M., Cairney, P. & Hepburn, E. (2012). Policy convergence, transfer and learning in the UK under devolution. *Regional & Federal Studies*, 22(3), 289-307. [Online]. Available at:
<https://www.stir.ac.uk/research/hub/publication/9083> [Last accessed 15 July 2014].

Kemshall, H. & Wood, J. (2010). *Child sex offender review public disclosure pilots: a process evaluation*. Research Report 32. London: Home Office.

Kilmer, B. & Humphreys, K. (2013). Losing your “license to drink”: The radical South Dakota approach to heavy drinkers who threaten public safety. *The Brown Journal of World Affairs*, 20(1), 267-277. [Online]. Available at:
<https://www.brown.edu/initiatives/journal-world-affairs/201/losing-your-license-drink-radical-south-dakota-approach-heavy-drinkers-who-threaten-public-safet> [Last accessed 22 May 2016].

Kilmer, B., Nicosia, N., Heaton, P. & Midgette, G. (2013). Efficacy of frequent monitoring with swift, certain and modest sanctions for violations: Insights from South Dakota's 24/7 Sobriety Project. *American Journal of Public Health*, 103(1), 37-43. [Online]. Available at:

http://www.rand.org/pubs/external_publications/EP51155.html [Last accessed 9 May 2016].

King, M. (1971). *Bail or custody?* London: Cobden Trust.

Kingdon, J. W. (2011). *Agendas, alternatives, and public policies*. London: Longman.

Kirkland, C. (2015). PCC elections as a 'failed experiment': What lessons can be learned? *The Political Quarterly*, 86(3), 403-410. [Online]. Available at:

<http://onlinelibrary.wiley.com/doi/10.1111/1467-923X.12181/abstract> [Last accessed 23 February 2017].

Kleiman, M. A. R. (2010). *When brute force fails. How to have less crime and less punishment*. Woodstock, Oxfordshire: Princeton University Press.

Kleiman, M. A. R., Kilmer, B. & Fisher, D. T. (2014). Theory and evidence on the swift-certain-fair approach to enforcing conditions of community supervision. *Federal Probation*, 78(2), 71-74. [Online]. Available at:

http://www.rand.org/pubs/external_publications/EP50665.html [Last accessed 15 May 2016].

Koemans, M. (2010). The war on street 'terror'. Why tackle anti-social behaviour? *Crime, Law and Social Change*, 53(5), 477-491. [Online]. Available at:

<http://link.springer.com/article/10.1007/s10611-010-9237-6> [Last accessed 19 September 2014].

Kolar, K., Ahmad, F., Chan, L. & Erickson, P.G. (2015). Timeline mapping in qualitative interviews: a study of resilience with marginalized groups. *International Journal of Qualitative Methods*, 14(3), 13-32. [Online]. Available at:

<http://ijq.sagepub.com/content/14/3/13.short> [Last accessed 12 January 2016].

Kvale, S. & Brinkmann, S. (2009). *Interviews: Learning the craft of qualitative research interviewing*. London: Sage Publications.

Ladi, S. (1999). Globalization, think tanks and policy transfer. Paper presented at *World Bank Conference of the Global Development Network*, Bonn, Germany, 5-9 December.

Ladi, S. (2000). Globalisation, think-tanks and policy transfer. In Stone, D. (Ed). *Banking on knowledge: The Genesis of the GDN*. London: Routledge.

Ladi, S.(2002). *Globalisation, europeanisation and policy transfer: a comparative study of knowledge institutions*. PhD Thesis, University of York.

Ladi, S. (2004). Environmental policy transfer in Greece and Germany. In Evans, M. (Ed). *Policy transfer in global perspective*. Aldershot: Ashgate.

Ladi, S. (2005). *Globalisation, policy transfer and policy research institutes*. Cheltenham: Edward Elgar.

Ladi, S. (2007). Europeanization and policy transfer: a comparative study of policy change in Greece and Cyprus. Paper presented at *57th Political Studies Association Annual Conference*, Bath, UK, 11-13 April.

Lamb, L. (2013). *Alcohol Abstinence and Monitoring (AAMR) – MOPAC London Pilot. Privacy Impact Assessment Report*. London: Ministry of Justice.

Lana, X. & Evans, M. (2004). Policy transfer between developing countries: the transfer of the Bolsa-Escola Programme to Ecuador. In Evans, M. (Ed.) *Policy transfer in global perspective*. Aldershot: Ashgate.

Lawrence, J. (2014). *Northamptonshire Police wants to make sobriety bracelets permanent in the county*. Northamptonshire Herald & Post. 10 December 2014. [Online]. Available at: www.northampton-news-hp.co.uk/ [Last accessed 12 December 2016].

Leech, B. L. (2002). Interview methods in political science. *Political Science and Politics*, 35(4), 663-664. [Online]. Available at:
<http://journals.cambridge.org/action/displayAbstract?fromPage=online&aid=134493&fileId=S1049096502001117> [Last accessed 7 March 2016].

Leffingwell, T. R., Cooney, N. J., Murphy, J. G., Luczak, S., Rosen, G., Dougherty, D. M. & Barnett, N. P. (2013). Continuous objective monitoring of alcohol use: Twenty-first century measurement using transdermal sensors. *Alcoholism: Clinical and Experimental Research*, 37(1), 16-22. [Online]. Available at:
<http://www.ncbi.nlm.nih.gov/pubmed/22823467> [Last accessed 15 May 2016].

Legal Aid, Sentencing and Punishment of Offenders Act 2012. [Online]. Available at:
<http://www.legislation.gov.uk/ukpga/2012/10/contents/enacted> [Last accessed 3 June 2016].

Legal Aid, Sentencing and Punishment of Offenders Act 2012 (Alcohol Abstinence Monitoring Requirement, Piloting Order 2014, SI 2014/1777 c.77. [Online]. Available at:
http://www.legislation.gov.uk/uksi/2014/1777/pdfs/uksi_20141777_en.pdf [Last accessed 3 June 2016].

Legal Aid, Sentencing and Punishment of Offenders Act 2012 (Alcohol Abstinence Monitoring Requirement, Piloting Order 2017, SI 2017/525 c.48. [Online]. Available at:
<http://legislation.data.gov.uk/cy/uksi/2017/525/made/data.htm?wrap=true> [Last accessed 19 June 2017].

Legal Aid, Sentencing and Punishment of Offenders Act 2012 (Alcohol Abstinence Monitoring Requirement, Piloting Order 2014, SI 2015/1480 c.86. [Online]. Available at:
http://www.legislation.gov.uk/uksi/2015/1480/pdfs/uksi_20151480_en.pdf [Last accessed 3 June 2016].

Legrand, T. (2012a). Overseas and over here: policy transfer and evidence-based policy making. *Policy Studies*, 33(4), 329-348. [Online]. Available at: <http://www.tandfonline.com/doi/abs/10.1080/01442872.2012.695945#.VIWQ6MnejBU> [Last accessed 25 November 2014].

Legrand, T. (2012b). The merry mandarins of Windsor: policy transfer and transgovernmental networks in the Anglosphere. *Policy Studies*, 33(6), 523-540. [Online]. Available at: <http://www.tandfonline.com/doi/abs/10.1080/01442872.2012.722290#.U2oHHoXsttg> [Last accessed 7 May 2014].

Legrand, T. (2016). Elite, exclusive and elusive: transnational policy networks and iterative policy transfer in the Anglosphere. *Policy Studies*, 37(5), 440-455. [Online]. Available at: <http://www.tandfonline.com/doi/abs/10.1080/01442872.2016.1188912?journalCode=cp os20> [Last accessed 8 June 2017].

Leibling, A., Maruna, S. & McAra, L. (Eds). (2016). *Oxford Handbook of Criminology*. Oxford: Oxford University Press.

Leicestershire North Neighbourhood Watch Association (n.d.). *Leicestershire Neighbourhood Watch*. [Online]. Available at: <http://www.nhwleicsnorth.org/11177.html> [Last accessed 12 March 2016].

Lendvai, N. & Stubbs, P. (2007). Policies as translation: situation transnational social policies. In Hodgson, S. & Irving, Z. (Eds). *Policy reconsidered: meanings, politics and practices*. Bristol: Policy Press.

Levac, D., Colquhoun, H. & O'Brien, K. K. (2010). Scoping studies: advancing the methodology. *Implementation Science*, 5(69), 1-9. [Online]. Available at: <http://link.springer.com/article/10.1186%2F1748-5908-5-69> [Last accessed 24 June 2014].

Lichtman, A. & French, V. (1978). *Historians and the living past*. Arlington Heights: AHM Publishing Corporation.

Lightfoot, E. (2003). The policy transfer model. *The Social Policy Journal*, 2(1), 21-34. [Online]. Available at: http://www.tandfonline.com/doi/pdf/10.1300/J185v02n01_03 [Last accessed 15 December 2014].

Lijphart, A. (1975). The comparable-cases strategy in comparative research. *Comparative Political Studies*, 8(2), 158-177. [Online]. Available at: <http://cps.sagepub.com/content/8/2/158.extract> [Last accessed 24 January 2015].

Lilleker, D. G. (2003). Interviewing the political elite: navigating a potential minefield. *Politics*, 23(3), 207-214. [Online]. Available at: <http://onlinelibrary.wiley.com/doi/10.1111/1467-9256.00198/abstract;jsessionid=8CEA8DEF0F6512F9319A795B02AB6C57.f03t03?userIsAuthenticated=false&deniedAccessCustomisedMessage=> [Last accessed February 4 January 2016].

Lilly, J. R. & Knepper, P. (1993). The corrections-commercial complex. *Crime & Delinquency*, 39(2), 150-166. [Online]. Available at: <http://journals.sagepub.com/doi/abs/10.1177/0011128793039002002> [Last accessed 2 July 2017].

Lincolnshire Police & Crime Commissioner (2017). *Sobriety tags being launched in Lincolnshire*. 12 June 2017. [Online]. Available at: <https://lincolnshire-pcc.gov.uk/news-archive/2017/sobriety-tags/> [Last accessed 19 June 2017].

Lindblom, C. E. (1979). Still muddling, not yet through. *Public Administration Review*, 39(6), 517-526. [Online]. Available at: <http://www.jstor.org/stable/976178> [Last accessed 10 January 2014].

Lipscombe, S. (2012). *Sarah's Law: The child sex offender disclosure scheme*. House of Commons Library Note. (SN/HA/1692). 6 March 2012. [Online]. Available at: <http://researchbriefings.parliament.uk/ResearchBriefing/Summary/SN01692> [Last accessed 12 July 2017].

Lipsky, M. (1979). *Street-Level bureaucracy*. New York: Russell Sage Foundation.

Lister, S. (2013). The new politics of the police: Police and Crime Commissioners and the 'Operational Independence' of the police. *Policing*, 7(3), 239-247. [Online]. Available at:

<https://academic.oup.com/policing/article-abstract/7/3/239/1525860/The-New-Politics-of-the-Police-Police-and-Crime> [Last accessed 1 March 2017].

Lister, S. (2014). Scrutinising the role of the Police and Crime Panel in the new era of police governance in England and Wales. *Safer Communities*, 13(1), 22-31. [Online]. Available at:

<http://www.birmingham.ac.uk/Documents/college-social-sciences/business/economics/events/2014/pcc-workshop/scrutinising-police-crime-panels.pdf> [Last accessed 1 March 2017].

Lister, S. & Rowe, M. (2015). Electing police and Crime Commissioners in England and Wales: prospecting for the democratisation of policing. *Policing and Society*, 25(4), 358-377. [Online]. Available at:

<http://www.tandfonline.com/doi/abs/10.1080/10439463.2013.868461?journalCode=gpas20> [Last accessed 1 March 2013].

Lloyd, T. (2016). *Mayor to lead on justice devolution*. GMPCC, 17 March 2016. [Online]. Available at:

<https://www.gmpcc.org.uk/news/mayor-to-lead-on-justice-devolution/> [Last accessed 3 March 2017].

Loader, I. (2014). Why do the police matter? Beyond the myth of crime fighting. In Brown, J. M. (Ed). *The future of policing*. London: Routledge.

Loader, I. & Muir, R. (2016). Embracing Police and Crime Commissioners: Lessons from the past, directions for the future. *The Police Foundation*. [Online]. Available at:

<http://www.police-foundation.org.uk/publications/police-and-crime-commissioners-3/embracing-pccs-lessons-from-the-past-directions-for-the-future> [Last accessed 23 February 2017].

Local Government Association (2011). *Police and Crime Panels: Guidance on role and composition*. [Online]. Available at:

http://www.local.gov.uk/c/document_library/get_file?uuid=8f16dd65-7fde-4792-8578-fa955263931e&groupId=10180 [Last accessed 5 May 2017].

Lofland, J. & Lofland, L. H. (1984). *Analysing social settings: a guide to qualitative observation*. Belmont, CA: Wadsworth.

London Assembly (2011). *36th Mayor's Report to the Assembly*. 14 December 2011. [Online]. Available at:

http://london.gov.uk%2FLLDC%2Fdocuments%2Fs7060%2F03a%252036th%2520Mayors%2520Report%2520-%25203%2520-%252030%2520November.rtf%3FCT%3D2&usg=AFQjCNF033iUl4NsJ_upc_khmrWQY_SgIA [Last accessed 21 October 2016].

London Assembly (2014). *24th Mayor's Report to the Assembly*. 17 September 2014. [Online]. Available at:

<https://www.london.gov.uk/about-us/mayor-london/mayors-reports-assembly#acc-i-43284> [Last accessed 6 December 2016].

London Councils (n.d.). *Who we are*. [Online]. Available at:

<http://www.londoncouncils.gov.uk/who-we-are> [Last accessed 7 November 2011].

London Crime Reduction Board (2011). Item 3.3: Health Engagement and Crime Reduction. *Minutes of London Crime Reduction Board Meeting 6 December 2011*, City Hall, GLA. [Online]. Available at:

https://www.london.gov.uk/sites/default/files/gla_migrate_files_destination/LCRB%20Minutes%20-%206%20December%202011.pdf [Last accessed 20 October 2016].

Long, L. (2009). The 24/7 Sobriety Project. *The Public Lawyer*, 17(2), 2-5. [Online]. Available at:

http://www.americanbar.org/publications/government_public_sector_periodicals/public_lawyer_index.html [Last accessed 10 May 2016].

Long, L. (2016). Overview of the first 24/7 program in South Dakota. In The National 24/7 Sobriety Advisory Council. *24/7 Sobriety Program: essential elements and best practices*. [Online]. Available at:

<https://www.scramsystems.com/images/uploads/general/downloads/24-7-sobriety-program-essential-elements-best-practices.pdf> [Last accessed 3 June 2016].

Long, L., Talpins, S. K. & DuPont, R. L. (n.d.). *The South Dakota 24/7 Sobriety Project: A summary report*. [Online]. Available at:

http://leg.mt.gov/content/Committees/Interim/2009_2010/Law_and_Justice/Meeting_Documents/Apr2010/IBH%20Commentary%2024-7%20Program.pdf [Last accessed 23 May 2016].

Longstaff, A. (2010). *Report of the eighth Oxford Policing Policy Forum*. [Online]. Available at:

<http://www.police-foundation.org.uk/events/oxford-policing-policy-forum> [Last accessed 19 June 2016].

Loudenburg, R., Bathke, J. & Drube, G. (2012). *Analysis of parolee SCRAM participation*. Mountain Plains Evaluation, LLC. [Online]. Available at:

<http://apps.sd.gov/atg/dui247/ParoleeBehaviorSCRAM.pdf> [Last accessed 22 May 2016].

Loudenburg, R., Drube, G. & Leonardson, G. (2011). *South Dakota 24/7 Sobriety Program evaluation findings report*. Mountain Plains Evaluation, LLC. [Online]. Available at:

<http://apps.sd.gov/atg/dui247/AnalysisSD24.pdf> [Last accessed 22 May 2016].

Loudenburg, R., Drube, G., Leonardson, G. & Bathke, J. (2012). *South Dakota 24/7 Sobriety Program evaluation supplemental findings report*. Mountain Plains Evaluation, LLC. [Online]. Available at:

<http://apps.sd.gov/atg/dui247/AnalysisSupplementalSD24.pdf> [Last accessed 22 May 2016].

Loudenburg, R., Drube, G. & Young, L. (2013). *Analysis of 24/7 Sobriety Program SCRAM participant DUI offence recidivism*. Mountain Plains Evaluation, LLC. [Online]. Available at:

https://nnscommunities.org/uploads/2013_SCRAM_Analysis.pdf [Last accessed 24 May 2016].

Loveday, B. (2013a). *Despite the manner of their election, Police and Crime Commissioners are bringing about a significant change in the governance of the police*. Democratic Audit Blog, 23 July. [Online]. Available at:

<http://eprints.lse.ac.uk/53037/> [Last accessed 23 February 2017].

Loveday, B. (2013b). Police and Crime Commissioners: the changing landscape of police governance in England and Wales: their potential impact on local accountability, police service delivery and community safety. *International Journal of Police Science and Management*, 15(1), 22-29. [Online]. Available at:

<http://journals.sagepub.com/doi/abs/10.1350/ijps.2013.15.1.298?journalCode=psma> [Last accessed 3 March 2017].

Loveday, B. & Reid, A. (2003). Going local. Who should run Britain's police? *Policy Exchange*. [Online]. Available at:

<http://www.localis.org.uk/wp-content/uploads/2003/01/Going-Local-Who-should-run-Britains-police.pdf> [Last accessed 3 March 2017].

Lukes, S. (1974). *Power: a radical view*. London: The Macmillan Press Ltd.

Lynch, N. (2012). Playing catch-up? Recent reform of New Zealand's youth justice system. *Criminology and Criminal Justice*, 12(5), 507-525. [Online]. Available at:

<http://journals.sagepub.com/doi/abs/10.1177/1748895811432013> [Last accessed 17 March 2017].

Mabry, A. (n.d.). *South Dakota 24/7 Sobriety Program*. [PowerPoint Presentation]. [Online]. Available at:

<http://apps.sd.gov/atg/dui247/247ppt.pdf> [Last accessed 20 May 2016].

Macaskill, M. (2014). *Barlinnie's ankle tag drink study causes headache*. The Sunday Times. 20 April 2014. [Online]. Available at:
http://www.thesundaytimes.co.uk/sto/news/uk_news/scotland/article1401980.ece [Last accessed 9 December 2016].

Madoc-Jones, I., Hughes, C. & Humphreys, K. (2015). Where next for victim services in England and Wales? *The Journal of Adult Protection*, 17(4), 245-257. [Online]. Available at:
<http://www.emeraldinsight.com/doi/abs/10.1108/JAP-07-2014-0024> [Last accessed 3 March 2017].

Mair, G. & Mortimer, E. (1996). *Curfew orders and electronic monitoring*. Home Office Research Study 163. London: HMSO.

Makse, T. & Volden, C. (2011). The role of policy attributes in the diffusion of innovations. *The Journal of Politics*, 73(1), 108-124. [Online]. Available at:
<http://journals.cambridge.org/action/displayAbstract?fromPage=online&aid=7975037&fileId=S0022381610000903> [Last accessed 26 September 2014].

Malthouse, K. (2009). *My dawn raid on the dogs that menace London*. Evening Standard. 17 July 2009. [Online]. Available at:
<http://www.standard.co.uk/news/my-dawn-raid-on-the-dogs-that-menace-london-6709626.html> [Last accessed 15 July 2016].

Malthouse, K. (2010). *The South Dakota cure for our drink problem*. The Times. 2 August 2010. [Online]. Available at:
<http://www.thetimes.co.uk/tto/opinion/columnists/article2668918.ece> [Last accessed 15 August 2016].

Malthouse, K. (2011). *Kit Malthouse: Today, MP's have a chance to help clean up town and city centres, by voting for "compulsory sobriety"*. Conservative Home. 2 November 2011. [Online]. Available at:
<http://www.conservativehome.com/platform/2011/11/kit-malthouse-today-mps-have-a-chance-to-help-clean-up-town-and-city-centres-by-voting-for-compulsor.html> [Last accessed 7 November 2016].

Malthouse, K. (2016). *Sobriety tags to be rolled out across all London courts*. 26 February 2016. [Online]. Available at:
<http://kitmalthouse.com/2016/sobriety-tags-to-be-rolled-out-across-all-london-courts/>
[Last accessed 21 November 2016].

Manwaring, R. (2016). The Big Society in Australia: A case of ‘non’-policy transfer? *Australian Journal of Public Administration*, 75(2), 191-201. [Online]. Available at:
<http://onlinelibrary.wiley.com/doi/10.1111/1467-8500.12164/abstract> [Last accessed 1 August 2017].

Marcoux, J. & Letourneau, L. (2014). Examining the Canadian Government’s resistance to including socioeconomic concerns in genetically modified seed regulation: a policy transfer and multilevel approach. *Review of Policy Research*, 31(2), 105-124. [Online]. Available at:
<http://onlinelibrary.wiley.com/doi/10.1111/ropr.12057/full> [Last accessed 23 February 2015].

Marnoch, G. & Boyd, G. (2014). Capacity building and the Afghan National Police. Views from the frontline. *The Selected Works of Gordon Marnoch*. [Online]. Available at:
https://works.bepress.com/gordon_marnoch/22/ [Last accessed 24 March 2017].

Marques, P. R. & McKnight, A. S. (2009). Field and laboratory alcohol detection with 2 types of transdermal devices. *Alcoholism: Clinical and Experimental Research*, 33(4), 703-711. [Online]. Available at:
<http://www.ncbi.nlm.nih.gov/pubmed/19170663> [Last accessed 23 May 2016].

Marsh, D. & Evans, M. (2012). Policy transfer: coming of age and learning from the experience. *Policy Studies*, 33(6), 477-481. [Online]. Available at:
<http://www.tandfonline.com/doi/abs/10.1080/01442872.2012.736795#.VMdwAsn9aqq>
[Last accessed 27 January 2015].

Marsh, D. & Furlong, P. (2002). A skin, not a sweater: ontology and epistemology in political science. In Marsh, D. & Stoker, G. (Eds). *Theory and methods in political science*. Basingstoke: Palgrave Macmillan.

Marsh, D., Richards, D. & Smith, M. J. (2000). Re-assessing the role of Departmental Cabinet Ministers. *Public Administration*, 78(2), 305-236. [Online]. Available at: <http://onlinelibrary.wiley.com/doi/10.1111/1467-9299.00207/abstract> [Last accessed 15 June 2017].

Marsh, D. & Sharman, J. C. (2009). Policy diffusion and policy transfer. *Policy Studies*, 30(3), 269-288. [Online]. Available at: <http://www.ingentaconnect.com/content/routledg/cpos/2009/00000030/00000003/art00003> [Last accessed 19 January 2016].

Marsh, D. & Stoker, G. (Eds). (2002). *Theory and methods in political science*. Second Edition. Basingstoke: Palgrave Macmillan.

Marsh, D. & Stoker, G. (Eds). (2010). *Theory and methods in political science*. Third Edition. Basingstoke: Palgrave Macmillan.

Mason, J. (2004). *Qualitative researching*. First Edition. London: Sage Publications.

Mason, J. (2011). *Qualitative researching*. Second Edition. London: Sage Publications.

Matthews, B. & Ross, L. (2010). *Research methods. A practical guide for the social sciences*. Essex: Pearson Education Limited.

Maume, C. (2014). Anti-alcohol ankle tags: they didn't work for Lindsay Lohan and they won't work for us. *The Independent*. 31 July 2014. [Online]. Available at: <http://www.independent.co.uk/voices/comment/anti-alcohol-ankle-tags-they-didnt-work-for-lindsey-lohan-and-they-wont-work-for-us-9640907.html> [Last accessed 10 January 2017].

Mawby, R. I. (2011). A letter from Cyprus: Migration, policy transference and the piloting of neighbourhood watch. *Crime Prevention and Community Safety: An International Journal*, 13(3), 148-152. [Online]. Available at: <https://link.springer.com/article/10.1057/cpcs.2011.1> [Last accessed 4 July 2017].

Mawby, R. I. & Smith, K. (2013). Accounting for the police: The new police and crime commissioners in England and Wales. *The Police Journal*, 86(2), 143-157. [Online]. Available at:
<http://journals.sagepub.com/doi/abs/10.1350/pojo.2013.86.2.610> [Last accessed 1 March 2017].

May, P. J. (1992). Policy learning and failure. *Journal of Public Policy*, 12(04), 331-354. [Online]. Available at:
<http://journals.cambridge.org/action/displayAbstract?fromPage=online&aid=2751144>
[Last accessed 9 March 2014].

May, T. (1997). *Social research: issues, methods and process*. Buckingham: Open University Press.

Mayor's Office for Policing and Crime (MOPAC) (n.d.(a)). *Alcohol Abstinence Monitoring Requirement. Frequently Asked Questions*. [Online]. Available at:
https://www.london.gov.uk/sites/default/files/aamr_faq_sheet_clean_version.pdf [Last accessed 3 June 2016].

Mayor's Office for Policing and Crime (MOPAC) (n.d.(b)). *Briefing*. London: MOPAC.

Mayor's Office for Policing and Crime (MOPAC) (n.d.(c)). *Leaflet - Compulsory Sobriety Pilot*. London: MOPAC.

Mayor's Office for Policing and Crime (MOPAC) (n.d.(d)). *Functional Specification. Alcohol Abstinence Monitoring Requirement Request for Quote*. London: MOPAC.

Mayor's Office for Policing and Crime (MOPAC) (n.d.(e)). *Monitoring and Evaluation Specification. Compulsory Sobriety*. London: MOPAC.

Mayor's Office for Policing and Crime (MOPAC) (2013a). *Police and Crime Plan 2013-2016*. [Online]. Available at:
<http://www.london.gov.uk/sites/default/files/PoliceCrimePlan%202013-16.pdf>
[Last accessed 31 May 2016].

Mayor's Office for Policing and Crime (MOPAC) (2013b). *Request for DMPC Decision, DMPCD 2013 194*. [Online]. Available at:

<https://www.london.gov.uk/what-we-do/mayors-office-policing-and-crime-mopac/governance-and-decision-making/mopac-decisions-0?order=DESC>

[Last accessed 13 December 2016].

Mayor's Office for Policing and Crime (MOPAC) (2014a). *Alcohol Abstinence Monitoring Requirement, Toolkit. Version 2*. [Online]. Available at:

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

[Last accessed 31 May 2016].

Mayor's Office for Policing and Crime (MOPAC) (2014b). *Request for DMPC Decision, DMPCD 2014 62* [Online]. Available at:

<https://www.london.gov.uk/what-we-do/mayors-office-policing-and-crime-mopac/governance-and-decision-making/mopac-decisions-0?order=DESC>

[Last accessed 13 December 2016].

Mayor's Office for Policing and Crime (MOPAC) (2014c). *Tagging Equipment Specification Matrix, 18 March 2014*. [Personal correspondence].

Mayor's Office for Policing and Crime (MOPAC) (2015a). *About MOPAC*. [Online]. Available at:

<https://www.london.gov.uk/priorities/policing-crime/about-mopac> [Last accessed 2 June 2015].

Mayor's Office for Policing and Crime (MOPAC) (2015b). *Deputy Mayor unveils interim results for sobriety tag pilot*. [Online]. Available at:

<https://www.london.gov.uk/priorities/policing-crime/whats-happening/2015/03/deputy-mayor-unveils-interim-results-for-sobriety-tag-pilot> [Last accessed 5 May 2016].

Mayor's Office for Policing and Crime (MOPAC) (2015c). *Request for DMPC Decision, DMPCD 2015 142*. [Online]. Available at:

https://www.london.gov.uk/sites/default/files/dmpcd_2015_142_compulsory_sobriety_pilot_-_pan-london_expansion.pdf [Last accessed 13 December 2016].

Mayor's Office for Policing and Crime (MOPAC) (2016a). *Our code of governance*. [Online]. Available at:
<https://www.london.gov.uk/what-we-do/mayors-office-policing-and-crime-mopac/about-mayors-office-policing-and-crime-mopac/our-1> [Last accessed 31 May 2016].

Mayor's Office for Policing and Crime (MOPAC) (2016b). *The Deputy Mayor for Policing and Crime*. [Online]. Available at:
<https://www.london.gov.uk/what-we-do/mayors-office-policing-and-crime-mopac/about-mayors-office-policing-and-crime-mopac-3> [Last accessed 31 May 2016].

Mayor of London (2014) *News release: Mayor of London launches UK's first compulsory sobriety 'tag' scheme for binge drinkers*. 31 July 2014. [Online]. Available at:
<https://www.london.gov.uk/press-releases-6249> [Last accessed 11 January 2017].

Mayor of London (2015). *News release: Mayor extends sobriety tag pilot, following 91 percent success rate*. 27 July 2015. [Online]. Available at:
<https://www.london.gov.uk/press-releases/mayoral/sobriety-tags-extension>
[Last accessed 12 January 2017].

Mayor of London (2016). *News release: 'Sobriety tags' rolled out across London*. 25 February 2016. [Online]. Available at:
<https://www.gov.uk/government/news/sobriety-tags-rolled-out-across-london>
[Last accessed 13 January 2017].

McAlinden, A. M. (2012). The governance of sexual offending across Europe: penal policies, political economies and the institutionalization of risk. *Punishment & Society*, 14(2), 166-192. [Online]. Available at:
<http://pun.sagepub.com/content/14/2/166.short> [Last accessed 22 August 2014].

McCaffrey, D. (2014). *Boozy criminals get tags that detect alcohol*. Sky News. 17 November 2014. [Online]. Available at:
<http://news.sky.com/story/boozy-criminals-get-tags-that-detect-alcohol-10394758> [Last accessed 10 January 2017].

McCann, E. & Ward, K. (2012). Policy assemblages, mobilities and mutations: towards a multidisciplinary conversation. *Political Studies Review*, 10(3), 325-332. [Online]. Available at:

<http://onlinelibrary.wiley.com/doi/10.1111/j.1478-9302.2012.00276.x/full>

[Last accessed 27 January 2015].

McCann, E. & Ward, K. (2013). A multi-disciplinary approach to policy transfer research: geographies, assemblages, mobilities and mutations. *Policy Studies*, 34(1), 2-18. [Online]. Available at:

<http://www.tandfonline.com/doi/abs/10.1080/01442872.2012.748563#.VMdpfcn9aqk>

[Last accessed 27 January 2015].

McClain, P. D. (Ed). *Minority group influence: agenda setting, formulation and public policy*. New York: Greenwood Press.

Mccormick, K. (2014). Alcohol-detection tags piloted in Northamptonshire. *Matrix Diagnostics*. May 2014. [Online]. Available at:

<http://www.matrixdiagnostics.co.uk/alcohol-detection-tags-piloted-in-northamptonshire/> [Last accessed 12 December 2016].

McCracken, K. (2012). Evaluation of Alcohol Arrest Referral Pilot Schemes (Phase 2). Occasional Paper 102. *Home Office*. [Online]. Available at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/116267/occ102.pdf [Last accessed 13 July 2016].

McDevitt, J. & Miliano, R. (1992). Day reporting centers: an innovative concept in intermediate sanctions. In Byrne, J. M., Petersilia, J. & Lurigio, A.J. (Eds). *Smart sentencing: the emergence of immediate sanctions*. London: Sage Publications.

McFarlane, M. A. & Canton, R. (Eds). (2014). *Policy transfer in criminal justice. Crossing cultures, breaking barriers*. Basingstoke: Palgrave Macmillan.

Melossi, D. (2004). The cultural embeddedness of social control: reflections on the comparison of Italian and North-American cultures concerning punishment. In Newburn, T. & Sparks, R. (Eds). *Criminal justice and political cultures*. Cullompton: Willan.

Mental Health Act 1983 [Online]. Available at:

<https://www.legislation.gov.uk/ukpga/1983/20/contents> [Last accessed 3 June 2017].

Metro (2010). *Problem drinkers face 'sobriety tests' or jail in a bid to reduce offences*.

28 October 2010. [Online]. Available at:

<http://metro.co.uk/2010/10/28/sobriety-tests-for-problem-drinkers-in-bid-to-reduce-offences-564923/> [Last accessed 15 August 2016].

Metropolitan Police (n.d.). *Neighbourhood Watch*. [Online]. Available at:

http://content.met.police.uk/Article/NeighbourhoodWatch/1400023234297/1400023234297?scope_id=1257246764121 [Last accessed 12 March 2016].

Metropolitan Police Authority (MPA) Web Archive (2010). *Transcript of the meeting of the Metropolitan Police Authority*. Thursday 29 October 2010. [Online]. Available at:

<http://policeauthority.org/metropolitan/downloads/committees/mpa/101028-transcript.pdf> [Last accessed 15 August 2016].

Metropolitan Police Authority (MPA) Web Archive (2011). *Transcript of the meeting of the Metropolitan Police Authority*. 24 February 2011. [Online]. Available at:

<http://policeauthority.org/metropolitan/downloads/committees/mpa/110224-transcript.pdf> [Last accessed 15 August 2016].

Metropolitan Police Authority (MPA) Web Archive (2012). *Kit Malthouse*. [Online]. Available at:

<http://policeauthority.org/metropolitan/about/people/members/01malthouse/index.html> [Last accessed 4 August 2016].

Midwest Monitoring & Surveillance (2014). *SCRAM*. [Online]. Available at:

<http://www.midwestmonitoring.com/index.php/products-services/scramx/> [Last accessed 10 April 2017].

Miles, M. B. & Huberman, A. M. (1994). *Qualitative data analysis: An expanded sourcebook*. London: Sage Publications.

Miles, M. B., Huberman, A. M. & Saldana, J. (2014). *Qualitative data analysis: A methods sourcebook*. London: Sage Publications.

Ministry of Justice (MoJ) (2010). *Breaking the cycle: Effective punishment, rehabilitation and sentencing of offenders*. [Online]. Available at:
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/185936/breaking-the-cycle.pdf [Last accessed 21 September 2016].

Ministry of Justice (MoJ) (2012a). *Impact Assessment – LASPO amendments – Alcohol Abstinence Monitoring Requirement*. [Online]. Available at:
<https://www.justice.gov.uk/downloads/legislation/bills-acts/legal-aid-sentencing/laspo-sobriety-ia.pdf> [Last accessed 17 November 2016].

Ministry of Justice (MoJ) (2012b). *Equality Impact Assessment – LASPO Bill – Alcohol Abstinence Monitoring Requirement*. [Online]. Available at:
<https://www.london.gov.uk/sites/default/files/laspo-sobriety-eia.pdf> [Last accessed 17 November 2016].

Ministry of Justice (MoJ) (2012c). *Swift and Sure Justice: The Government's plans for reform of the criminal justice system*. [Online]. Available at:
<https://www.gov.uk/government/publications/swift-and-sure-justice> [Last accessed 21 November 2016].

Mitchell, K. (2010). Ungoverned space: Global security and the geopolitics of broken windows. *Political Geography*, 29(5), 289-297. Available at:
https://www.researchgate.net/publication/232407339_Ungoverned_space_Global_security_and_the_geopolitics_of_broken_windows [Last accessed 11 July 2017].

Mitchell, M. (2016). *Today's ten minute topics*. [PowerPoint Presentation]. [Online]. Available at:
<http://trackingpeople.leeds.ac.uk/2016/08/tracking-people-scoping-the-landscape-and-debates-across-domains/> [Last accessed 13 January 2016].

Mokhtar, K. S. (2001). *Policy transfer in critical perspective: the case of the privatisation of Malaysian Airlines*. PhD Thesis, University of York.

Mokhtar, K. S. & Haron, M. S. (2007). Lesson drawing: the congruence of policy transfer and benchmarking. *Asia-Pacific Social Science Review*, 7(1), 65-76[Online]. Available at:

<http://xsite.dlsu.edu.ph/research/journals/apssr/pdf/200712/5Mokhtar.pdf> [Accessed 23 February 2015].

Monahan, T. & Fisher, J. A. (2014). Strategies for obtaining access to secretive or guarded organisations. *Journal of Contemporary Ethnography*, 44(6), 709-736. [Online]. Available at:

<http://jce.sagepub.com/content/early/2014/09/24/0891241614549834.abstract> [Last accessed 13 February 2014].

Moran, M., Rein, M. & Goodwin, R. E. (2007). *Oxford handbook of public policy*. Oxford: Oxford University Press.

Morris, N. (2012). *Sobriety bracelets head wave of new penalty enforcements*. The Independent. 17 March 2012. [Online]. Available at:

<http://www.independent.co.uk/news/uk/politics/sobriety-bracelets-head-wave-of-new-penalty-enforcements-7575911.html> [Last accessed 17 November 2016].

Morrissey, C (1970). On oral history interviewing. In Dexter, L. A. (Ed). *Elite and specialised interviewing*. Evanston: Northwestern University Press.

Mossberger, K. (2000). *The politics of ideas and the spread of enterprise zones*. Washington: Georgetown University Press.

Mossberger, K. & Wolman, H. (2003). Policy transfer as a form of prospective policy evaluation: challenges and evaluation. *Public Administration Review*, 63(4), 428-440). [Online]. Available at:

<http://onlinelibrary.wiley.com/doi/10.1111/1540-6210.00306/abstract> [Last accessed 3 June 2017].

Muir, R. & Loader, I. (2011). Progressive Police and Crime Commissioners: an opportunity for the centre-left. *Institute for Public Policy Research*. [Online]. Available at:

<http://www.ippr.org/news-and-media/comment/progressive-police-and-crime-commissioners-an-opportunity-for-the-centre-left> [Last accessed 22 February 2017].

Mulcahy, A. (2005). The ‘other’ lessons from Ireland?: Policing, political violence and policy transfer. *European Journal of Criminology*, 2(2), 185-209. [Online]. Available at: <http://euc.sagepub.com/content/2/2/185.short> [Last accessed 2 September 2014].

Mulholland, H. (2010). *Boris Johnson calls for ‘24/7 sobriety’ scheme to combat drink-fuelled crime*. The Guardian. 27 October 2010. [Online]. Available at:

<http://www.theguardian.com/politics/2010/oct/27/boris-johnson-london-24-7-sobriety-south-dakota> [Last accessed 15 August 2016].

Mulholland, H. (2012). *Boris Johnson gives Tories a boost with London mayoral win*. The Guardian. 5 May 2012. [Online]. Available at:

<https://www.theguardian.com/politics/2012/may/05/boris-johnson-london-win> [Last accessed 29 November 2012].

Mulholland, H. & Agencies. (2011). *Met chief: force criminals to wear US-style ‘sobriety bracelets’*. The Guardian. 13 December 2011. [Online]. Available at:

<https://www.theguardian.com/uk/2011/dec/13/met-chief-us-sobriety-bracelets> [Last accessed 21 October 2016].

Muncie, J. (2001). Policy transfers and ‘what works’: Some reflections on comparative youth justice. *Youth Justice*, 1(3), 28-35. [Online]. Available at:

<http://journals.sagepub.com/doi/pdf/10.1177/147322540100100304> [Last accessed 18 April 2017].

Muncie, J. (2005). The globalization of crime control – the case of youth and juvenile justice: neo-liberalism, policy convergence and international conventions. *Theoretical Criminology*, 9(1), 35-64. [Online]. Available at:

<http://journals.sagepub.com/doi/abs/10.1177/1362480605048942> [Last accessed 18 April 2017].

Muncie, J. (2006). Re-penalisation and rights: exploration in comparative youth criminology. *The Howard Journal of Criminal Justice*, 45(1), 42-70. [Online]. Available at:

<http://onlinelibrary.wiley.com/doi/10.1111/j.1468-2311.2006.00403.x/abstract> [Last accessed 13 August 2013].

Myles, J. & Pierson, P. (2001). The comparative political economy of pension reform. In Pierson, P. (Ed.). *The new politics of the welfare state*. Oxford: Oxford University Press.

National Association of Drug Court Professionals. (NADCP). (n.d.). *NADCP rock's nation's capital*. [Online]. Available at:

<http://www.nadcp.org/2013-training-conference> [Last accessed 15 December 2016].

National Institute of Justice (n.d.). *Program profile: South Dakota's 24/7 Sobriety Project*. [Online]. Available at:

<http://www.crimesolutions.gov/ProgramDetails.aspx?ID=404> [Last accessed 19 May 2016].

National Institute of Justice (2012). "Swift and certain" sanctions in probation are highly effective: *Evaluation of the HOPE program*. [Online]. Available at:

<http://www.nij.gov/topics/corrections/community/drug-offenders/pages/hawaii-hope.aspx> [Last accessed 19 May 2016].

National Offender Management Service (NOMS) (2014). *Supporting community order treatment requirements*. [Online]. Available at:

<https://www.gov.uk/guidance/healthcare-for-offenders> [Last accessed 2 June 2016].

National Partnership on Alcohol Misuse and Crime (NPAMC) (2009). *South Dakota 24/7 Sobriety Project*. [Online]. Available at:

http://www.alcoholandcrime.org/images/uploads/pdf_tools/sd_program.pdf
[Last accessed 19 May 2016].

Nedley, A. (2004). Policy transfer and the developing country experience gap: Taking a southern perspective. In Evans, M. (Ed). *Policy transfer in global perspective*. Aldershot: Ashgate.

Neighbourhood and Home Watch Network (n.d.). *About Us*. [Online]. Available at: <http://www.ourwatch.org.uk/about-us/#history-section> [Last accessed 12 March 2016].

Nelken, D. (2010). *Comparative criminal justice*. London: Sage Publications.

Nellis, M. (2000). Law and order: the electronic monitoring of offenders. In Dolowitz, D. P., Hulme, R., Nellis, M. & O'Neill, F. (Eds). *Policy transfer and British social policy*. Buckingham: Open University Press.

Neville, F. G., Williams, D. J., Goodall, C.A., Murer, J. S. & Donnelly, P. D. (2013). An experimental trial exploring the impact of continuous transdermal alcohol monitoring upon alcohol consumption in a cohort of male students. *PLOS One*, 8(6), e67386. [Online]. Available at: <http://journals.plos.org/plosone/article?id=10.1371/journal.pone.0067386> [Last accessed 8 December 2016].

Neville, F. G. (2014). Electronic alcohol monitoring and violence prevention. *Scottish Institute for Policing Research, Annual Report 2013*. [Online]. Available at: http://www.sipr.ac.uk/downloads/SIPR_Annual_Report_13.pdf [Last accessed 8 December 2016].

Newburn, T. (2002). Atlantic crossings: 'policy transfer' and crime control in the USA and Britain. *Punishment & Society*, 4(2), 165-194. [Online]. Available at: <http://pun.sagepub.com/content/4/2/165.short> [Last accessed 8 September 2014].

Newburn, T. (2012a). Elected Police and Crime Commissioners: some caution is certainly required. *British Politics and Policy at LSE, 12 September, Blog Entry*. [Online]. Available at: http://eprints.lse.ac.uk/48606/1/blogs.lse.ac.uk-Elected_Police_and_Crime_Commissioners_some_caution_is_certainly_required.pdf [Last accessed 22 February 2017].

Newburn, T. (2012b). Police and Crime Commissioners: The Americanization of policing or a very British reform? *International Journal of Law, Crime and Justice*, 40(1), 31-46. [Online]. Available at:
<http://eprints.lse.ac.uk/40340/> [Last accessed 1 March 2017].

Newburn, T. (2017). *Criminology*. Oxon: Routledge.

Newburn, T. & Jones, T. (2005). Symbolic politics and penal populism: the long shadow of Willie Horton. *Crime, Media, Culture: An International Journal*, 1(1), 72-87. [Online]. Available at:
<http://cmc.sagepub.com/content/1/1/72.short> [Last accessed 2 September 2014].

Newburn, T. & Jones, T. (2007a). A very special relationship? *Criminal Justice Matters*, 67(1), 12-47. [Online]. Available at:
<http://www.tandfonline.com/doi/pdf/10.1080/09627250708553202> [Last accessed 2 September 2014].

Newburn, T. & Jones, T. (2007b). Symbolising crime control. Reflections on zero tolerance. *Theoretical Criminology*, 11(2), 221-243. [Online]. Available at:
<http://tcr.sagepub.com/content/11/2/221.short> [Last accessed 3 September 2014].

Newburn, T. R., Jones, T. & Blaustein, J. (2017). Policy mobilities and comparative penalty. *Theoretical Criminology*, 1-19. [Online]. Available at:
<http://journals.sagepub.com/doi/full/10.1177/1362480617713985> [Last accessed 4 September 2017].

Newburn, T. & Sparks, R. (2004a). Criminal justice and political cultures. In Newburn, T. & Sparks, R. (Eds). *Criminal justice and political cultures*. Cullompton: Willan.

Newburn, T. & Sparks, R. (Eds) (2004b). *Criminal justice and political cultures*. Cullompton: Willan.

Newlove, H. (2012). Helen Newlove: The Government's new alcohol fund will help reduce the impact of underage and binge drinking. *Conservative Home*. 12 March 2012. [Online]. Available at:

<http://www.conservativehome.com/platform/2012/03/from-helennewlove-the-governments-new-alcohol-fund-will-help-reduce-the-impact-of-underage-and-binge.html> [Last accessed: 7 November 2016].

Nicosia, N., Kilmer, B. & Heaton, P. (2016). Can a criminal justice alcohol abstinence programme with swift, certain, and modest sanctions (24/7 Sobriety) reduce population mortality? A retrospective observational study. *Lancet Psychiatry*, 3(3), 226-232. [Online]. Available at:

<http://www.sciencedirect.com/science/article/pii/S2215036615004162> [Last accessed 27 May 2016].

Northamptonshire Herald & Post (2014). *Northamptonshire Police are first force in country to trial Alcohol Detection Tags*. 12 May 2014. [Online]. Available at: <http://www.northampton-news-hp.co.uk/northamptonshire-police-country-trial-alcohol-detection-tags/story-21669194-detail/story.html> [Last accessed 12 December 2016].

North Yorkshire Police (n.d.). *Neighbourhood Watch*. [Online]. Available at: <http://www.northyorkshire.police.uk/nhw> [Last accessed 12 March 2016].

Nutley, S., Downe, J., Martin, S. & Grace, C. (2012). Policy transfer and convergence within the UK: the case of local government performance improvement regimes. *Policy & Politics*, 40(2), 193-209. [Online]. Available at: <http://www.ingentaconnect.com/contentone/tpp/pap/2012/00000040/00000002/art00003> [Last accessed 10 July 2017].

Nye, C. (2010). *South Dakota alcohol projects inspires copycats*. BBC News. 27 October 2010. [Online]. Available at: <http://www.bbc.co.uk/news/world-us-canada-11506181> [Last accessed 24 August 2016].

Nye, C. (2012). *US-style alcohol tests to be used for problem drinkers*. BBC News. 10 February 2012. [Online]. Available at:
<http://www.bbc.co.uk/news/uk-england-london-16970501> [Last accessed 8 November 2016].

O'Connell, S. (2011). *Letter to the Evening Standard re. Sobriety*. 21 September 2011. [Online]. Available at:
<http://steveoconnell.org/index.php/letters/543-sobriety> [Last accessed 21 October 2016].

O'Hare, P. (2012). *Violence cop demands booze-fuelled thugs are banned for drinking*. Daily Record. 14 January 2012. [Online]. Available at:
<http://www.dailyrecord.co.uk/news/uk-world-news/top-violence-cop-demands-booze-fuelled-1113792> [Last accessed 11 December 2016].

O'Neil, A. (2016). Fraternal foreign policy transfer? Evaluating the case of Australian Labor and British Labour. *Policy Studies*, 37(5), 456-470. [Online]. Available at:
<http://www.tandfonline.com/doi/abs/10.1080/01442872.2016.1188909?journalCode=cp os20> [Last accessed 2 February 2017].

O'Neill, F. (2000). Education: post-compulsory education in England and Wales. In Dolowitz, D. P., Hulme, R., Nellis, M. & O'Neill, F. (Eds). *Policy transfer and British social policy*. Buckingham: Open University Press.

Odendahl, T. & Shaw, A. M. (2002). Interviewing elites. In Gubrium, J. F. & Holstein, J. A. (Eds). *Handbook of interview research: Context and method*. London: Sage Publications.

Office of Northamptonshire Police and Crime Commissioner (2016). *Twenty-eight police forces to visit Northamptonshire to learn how the county has revolutionised its Special Constabulary*. 26 January 2016. [Online]. Available at:
<http://www.northantspcc.org.uk/press-releases/1756/> [Last accessed 9 March 2017].

Ogg, J. T. (2015). *Preventative justice & the power of policy transfer*. Basingstoke: Palgrave Macmillan.

Orr, D. (2014a). *Don't worry, everyone, sobriety bracelets are here*. The Guardian. 17 November 2014. [Online]. Available at: <https://www.theguardian.com/commentisfree/2014/nov/17/cameron-sobriety-bracelets-progressive-jail-minor-crimes> [Last accessed 10 January 2017].

Orr, D. (2014b). *Sobriety tags might prove better than prison at helping the alcohol-dependent*. The Guardian. 1 August 2014. [Online]. Available at: <https://www.theguardian.com/commentisfree/2014/aug/01/sobriety-tags-might-prove-better-than-prison> [Last accessed 10 January 2017].

Orr, J. (1997). Strathclyde's Spotlight Initiative. In Dennis, N. (Ed). *Zero tolerance: policing a free society*. London: Institute for Economic Affairs.

Osborne, D. & Gaebler, T. (1992). *Reinventing government*. Reading, MA: Addison-Wesley.

Ostrander, S. A. (1995). 'Surely you're not in this just to be helpful'. Access, rapport, and interviews in three studies of elites. In Hertz, R. & Imber, J. (Eds). *Studying elites using qualitative methods*. Thousand Oaks: Sage Publications.

Padgett, S. (2003). Between synthesis and emulation: EU policy transfer in the power sector. *Journal of European Public Policy*, 10(2), 227-245. [Online]. Available at: http://www.tandfonline.com/doi/abs/10.1080/1350176032000059017#.U_dl2WOOrBU [Last accessed 22 August 2014].

Page, E. C. (2000). Future governance and the literature on policy transfer and lesson-drawing. Paper prepared for the *ESRC Future Governance Programme Workshop on Policy Transfer*, Britannia House, London, 28 January.

Page, E. C. & Mark-Lawson, J. (2007). Outward-looking policy making. In Bochel, H. & Duncan, S. (Eds). *Making policy in theory and practice*. Bristol: Policy Press.

Page, E., Wolman, H. & Connolly, D. (2004). Policy study visits: policy transfer in practice. Paper prepared for the *Annual Meeting of the American Science Association*, 2-5 September.

- Pakes, F. J. (2010). *Comparative criminal justice*. London: Routledge.
- Pal, L. A. (2012). *Frontiers of governance: The OECD and Global Public Management Reform*. Basingstoke: Palgrave Macmillan.
- Pantazis, C. & Pemberton, S. (2009). Policy transfer and the UK's 'war on terror': a political economy approach. *Policy & Politics*, 37(3), 363-387. [Online]. Available at: <http://www.ingentaconnect.com/content/tpp/pap/2009/00000037/00000003/art00005> [Last accessed 17 September 2014].
- Patterson, M. L., Markey, M. A. & Somers, J. M. (2012). Multiple paths to just ends: using narrative interviews and timelines to explore health equity and homelessness. *International Journal of Qualitative Methods*, 11(2), 132-151. [Online]. Available at: <http://ejournals.library.ualberta.ca/index.php/IJQM/article/view/9963> [Last accessed 12 January 2016].
- Pawson, R. (2002). Evidence and policy and naming and shaming. *Policy Studies*, 23(3), 211-230. [Online]. Available at: http://www.tandfonline.com/doi/abs/10.1080/0144287022000045993#.UxyW_YX4wuM [last accessed 9 March 2014].
- Peck, J. & Theodore, N. (2010). Mobilizing policy: models, methods and mutations. *Geoforum*, 41(2), 169-174. [Online]. Available at: <http://www.sciencedirect.com/science/article/pii/S0016718510000047> [Last accessed 27 January 2015].
- Peck, J. & Theodore, N. (2015). *Fast policy*. London: University of Minnesota Press.
- Pepper, M. & Dawson, P. (2015). *Alcohol Abstinence Monitoring Requirement. A mid-point process review of the proof of concept pilot – summary*. London: MOPAC. [Online]. Available at: https://www.london.gov.uk/sites/default/files/aamr_summary_report.pdf [Last accessed 1 June 2016].

Pepper, M. & Dawson, P. (2016). *Alcohol Abstinence Monitoring Requirement. A process review of the proof of concept pilot*. London: MOPAC. [Online]. Available at: https://www.london.gov.uk/sites/default/files/aamr_final.pdf [Last accessed 13 January 2017].

Peters, G. B. (1997). Policy transfers between governments: The case of administrative reforms. *West European Politics*, 20(4), 71-88. [Online]. Available at: <http://www.tandfonline.com/doi/abs/10.1080/01402389708425218#.Uw4HbrSO5tg> [Last accessed 26 February 2013].

Pettigrew, M. (2016). American politics, British policy: whole of life imprisonment and transatlantic influence. *International Journal of Comparative and Applied Criminal Justice*, 40(3), 263-273. [Online]. Available at: <http://www.tandfonline.com/doi/abs/10.1080/01924036.2016.1184173?journalCode=rcac20> [Last accessed 15 March 2017].

Phillips, D. & Ochs, K. (2004). Researching policy borrowing: some methodological challenges in comparative education. *British Educational Research Journal*, 30(6), 773-784. [Online]. Available at: <http://onlinelibrary.wiley.com/doi/10.1080/0141192042000279495/abstract> [Last accessed 25 January 2016].

Pierson, C. (2003). Learning from Labor? Welfare policy transfer between Australia and Britain. *Commonwealth & Comparative Politics*, 41(1), 77-100. [Online]. Available at: <http://www.tandfonline.com/doi/abs/10.1080/713999604#.U2z35oXsttg> [Last accessed 20 February 2014].

Pierson, P. (Ed). (2001). *The new politics of the welfare state*. Oxford: Oxford University Press.

Police Act 1964 [Online]. Available at: <http://www.legislation.gov.uk/ukpga/1964/48/contents> [Last accessed 3 March 2017].

Police Professional (2014). *Securing sobriety*. 22 May 2014. [Online]. Available at: <https://www.scramsystems.com/images/uploads/general/media-pdf/2014/PoliceProfessional-SobrietyTags-UK.pdf> [Last accessed 12 December 2016].

Police Reform and Social Responsibility Act 2011 [Online]. Available at: <http://www.legislation.gov.uk/ukpga/2011/13/contents/enacted> [Last accessed 1 April 2015].

Policing and Crime Act 2017 [Online]. Available at: <http://www.legislation.gov.uk/ukpga/2017/3/contents/enacted> [Last accessed 5 May 2017].

Pollitt, C. (2001). Convergence: The Useful Myth? *Public Administration*, 79(4), 933-947. [Online]. Available at: <http://onlinelibrary.wiley.com/doi/10.1111/1467-9299.00287/abstract> [Last accessed 22 February 2015].

Prince, R. (2010). Policy transfer as policy assemblage: making policy for the creative industries in New Zealand. *Environment and Planning A*, 42(1), 169-186. [Online]. Available at: <http://envplan.com/epa/fulltext/a42/a4224.pdf> [Last accessed 27 January 2015].

Prior, L. (2007). Documents. In Seale, C., Gobo, G., Gubrium, J. F. & Silverman, D. (Eds). *Qualitative research practice*. London: Sage Publications.

Prosecution of Offences Act 1985 [Online]. Available at: <http://www.legislation.gov.uk/ukpga/1985/23/contents> [Last accessed 20 July 2017].

Punch, K. P. (2014). *Introduction to social research*. London: Sage Publications.

Raine, J. W. & Keasey, P. (2012). From police authorities to police and crime commissioners: might policing become more publically accountable? *International Journal of Emergency Services*, 1(2), 122-134. [Online]. Available at: <http://www.emeraldinsight.com/doi/abs/10.1108/20470891211275911> [Last accessed 3 March 2017].

Randhawa, K. (2010). *Persistent drunks face two breath tests a day*. Evening Standard. 27 October 2010. [Online]. Available at:
<http://www.standard.co.uk/news/persistent-drunks-face-two-breath-tests-a-day-6529067.html> [Last accessed 15 August 2016].

Randma-Liiv, T. & Kruusenberg, R. (2012). Policy transfer in immature policy environments: motives, scope, role models and agents. *Public Administration and Development*, 32(2), 154-166. [Online]. Available at:
<http://onlinelibrary.wiley.com/doi/10.1002/pad.1609/abstract> [Last accessed 2 May 2014].

Rawlinson, K. (2011). *Criminals could be made to wear 'sobriety tags'*. The Independent. 14 December 2011. [Online]. Available at:
<http://www.independent.co.uk/news/uk/crime/criminals-could-be-made-to-wear-sobriety-tags-6276635.html> [Last accessed 21 October 2016].

Reiner, R. (1991). *Chief constables: bobbies, bosses or bureaucrats?* Oxford: Oxford University Press.

Reiner, R. (2013). Who governs? Democracy, plutocracy, science and prophecy in policing. *Criminology & Criminal Justice*, 13(2), 161-180. [Online]. Available at:
<http://journals.sagepub.com/doi/abs/10.1177/1748895812474282> [Last accessed 1 March 2017].

Rhodes, R. A. W. (1994). The hollowing-out of the state: the changing nature of the public service in Britain. *The Political Quarterly*, 65(2), 138-151. [Online]. Available at:
<http://onlinelibrary.wiley.com/doi/10.1111/j.1467-923X.1994.tb00441.x/full>
Last accessed 12 May 2014].

Rhodes, R. A. W. (1996). The new governance, governing without government. *Political Studies*, 44(4), 652-667. [Online]. Available at:
<http://onlinelibrary.wiley.com/doi/10.1111/j.1467-9248.1996.tb01747.x/full>
[Last accessed 12 May 2014].

Rhodes, R. A. W. & Marsh, D. (1992). New directions in the study of policy networks. *European Journal of Political Research*, 21, 181-205. [Online]. Available at: <http://onlinelibrary.wiley.com/doi/10.1111/j.1475-6765.1992.tb00294.x/pdf> [Last accessed 7 September 2017].

Richards, D. (1996). Elite interviewing: approaches and pitfalls. *Politics*, 16(3), 199-204, [Online]. Available at: <http://onlinelibrary.wiley.com/doi/10.1111/j.1467-9256.1996.tb00039.x/abstract;jsessionid=9E8D731636FB30E390D7801C838B8859.f02t04> [Last accessed 5 February 2015].

Ritter, A. & Lancaster, K. (2013). Illicit drugs, policing and the evidence-based policy paradigm. *Evidence & Policy*, 9(4), 457-472. [Online]. Available at: <http://www.ingentaconnect.com/content/tpp/ep/2013/00000009/00000004/art00002> [Last accessed 1 August 2017].

Roberts, L. (2010). *Problem drinkers could face compulsory alcohol tests*. The Telegraph. 27 October 2010. [Online]. Available at: <http://www.telegraph.co.uk/news/uknews/law-and-order/8089259/Problem-drinkers-could-face-compulsory-alcohol-tests.html> [Last accessed 15 August 2016].

Robertson, A. (2005). Criminal justice policy transfer to post-soviet states: two case studies of police reform in Russia and Ukraine. *European Journal on Criminal Policy and Research*, 11(1), 1-28. [Online]. Available at: <https://link.springer.com/article/10.1007/s10610-005-2290-5> [Last accessed 2 July 2017].

Robertson, D. B. (1991). Political conflict and lesson drawing. *Journal of Public Policy*, 11(1), 55-78. [Online]. Available at: http://www.jstor.org/stable/4007338?__redirected [Last accessed 12 May 2014].

Robertson, D. B. & Waltman, J. L. (1993). The politics of policy borrowing. In Finegold, D., McFarland, L. & Richardson, W. (Eds). *Something borrowed, something learned? The transatlantic connection in education and training reform*. Washington: Brookings Institution Press.

Robinson, M. (2012). *Criminals convicted of drink-related offences will be forced to wear Lindsay Lohan-style 'sobriety bracelets*. The Daily Mail. 12 February 2012. [Online]. Available at:

<http://www.dailymail.co.uk/news/article-2099404/Criminals-convicted-drink-related-offences-forced-wear-Lindsay-Lohan-style-sobriety-bracelets.html>

[Last accessed 8 November 2016].

Rock, P. (1990). *Helping victims of crime*. Oxford: Clarendon Press.

Rock, P. (1998). *After homicide: practical and political responses to bereavement*. Oxford: Clarendon Press.

Rogers, C. (2013). The Commissioner cometh: The challenge for democratic policing in England and Wales. *International Journal of Law, Crime and Justice*, 41(2), 132-143. [Online]. Available at:

<http://www.sciencedirect.com/science/article/pii/S1756061613000116> [Last accessed 1 March 2017].

Rose, R. (Ed). (1974). *Lessons from America. An exploration*. London: Wiley.

Rose, R. (1991a) Introduction: lesson-drawing across nations. *Journal of Public Policy*, 11(01), 1-2. [Online]. Available at:

<http://journals.cambridge.org/action/displayAbstract?fromPage=online&aid=2751232&fulltextType=RA&fileId=S0143814X00004906> [Last accessed 19 December 2013].

Rose, R. (1991b). What is lesson-drawing? *Journal of Public Policy*, 11(01), 3-30. [Online]. Available at:

<http://journals.cambridge.org/action/displayAbstract?fromPage=online&aid=2751244&fulltextType=RA&fileId=S0143814X00004918> [Last accessed 7 November 2013].

Rose, R. (1993). *Lesson-drawing in public policy: a guide to learning across time and space*. Chatham: Chatham House Publishers.

Rose, R. (2005). *Learning from comparative public policy: a practical guide*. London: Routledge.

Rosen, J. (2010). *Prisoners of parole*. The New York Times Magazine. 8 January. [Online]. Available at: http://www.nytimes.com/2010/01/10/magazine/10prisons-t.html?_r=2&pagewanted=all [Last accessed 16 January 2016].

Rosenau, J. N. & Czempiel, E. N. (Eds). (1992). *Governance Without Government: Order and Change In World Politics*. Cambridge: Cambridge University Press.

Ross, J. I. (Ed). (2013). *The globalization of supermax prisons*. London: Rutgers University Press.

Rubin, H. J. & Rubin, I. (1995). *Qualitative interviewing: the art of hearing data*. Thousand Oaks: Sage Publications.

Sampson, F. (2012). ‘Hail to the Chief?’ – How far does the introduction of elected police commissioners herald a US-style politicization of policing for the UK? *Policing*, 6(1), 4-15. [Online]. Available at: <https://academic.oup.com/policing/article-abstract/6/1/4/1457701/Hail-to-the-Chief-How-far-does-the-Introduction-of> [Last accessed 3 March 2017].

Schachter, H.L. (1991). Bail interviewing: a case of cross-national policy transfer. *International criminal justice review*, 1(1), 21-34. [Online]. Available at: <http://journals.sagepub.com/doi/pdf/10.1177/105756779100100103> [Last accessed 28 April 2017].

Schneider, A. & Ingram, H. (1988). Systematically pinching ideas: a comparative approach to policy design. *Journal of Public Policy*, 8(01), 61-80. [Online]. Available at: <http://journals.cambridge.org/action/displayFulltext?type=1&fid=2757548&jid=PUP&volumeId=8&issueId=01&aid=2757540> [Last accessed 11 March 2014].

Scott, J. (1990). *A matter of record: documentary sources in social research*. Cambridge: Policy Press.

SCRAM Systems. (n.d.). *24/7 Sobriety Programs*. [Online]. Available at: <https://www.scramsystems.com/programs/drunk-driving/24-7-sobriety/> [Last accessed 19 May 2016].

Seale, C., Gobo, G., Gubrium, J. F. & Silverman, D. (Eds). (2007). *Qualitative research practice*. London: Sage Publications.

Seeliger, R. (1996). Conceptualizing and researching policy convergence. *Policy Studies*, 24(2), 287-306. [Online]. Available at: <http://onlinelibrary.wiley.com/doi/10.1111/j.1541-0072.1996.tb01629.x/abstract> [Last accessed 8 March 2014].

Sethi, A. & Mitchell, M. (2016). *London's Compulsory Sobriety Pilot*. [PowerPoint Presentation]. September / October 2016. [Personal correspondence].

Sex Offenders Act 1997 [Online]. Available at: <http://www.legislation.gov.uk/ukpga/1997/51/enacted> [Last accessed 12 July 2017].

Sexual Offences Act 2003 [Online]. Available at: <http://www.legislation.gov.uk/ukpga/2003/42/contents> [Last accessed 12 July 2017].

Sharman, J. C. (2008). Power and discourse in policy diffusion: anti-money laundering in developing states. *International Studies Quarterly*, 52(3), 635-656. [Online]. Available at: <http://onlinelibrary.wiley.com/doi/10.1111/j.1468-2478.2008.00518.x/full> [Last accessed 22 February 2015].

Sharman, J. C. (2010). Dysfunctional policy transfer in national tax blacklists. *Governance: An International Journal of Policy and Administration*, 23(4), 623-639. [Online]. Available at: <http://onlinelibrary.wiley.com/doi/10.1111/j.1468-0491.2010.01501.x/full> [Last accessed 12 June 2014].

Shaw, D., McCluskey, K., Linden, W. & Goodall, C. (2012). Reducing the harmful effects of alcohol misuse: the ethics of sobriety testing in criminal justice. *Journal of Medical Ethics*, 38(11), 669-671. [Online]. Available at: <http://jme.bmj.com/content/38/11/669.full> [Last accessed 8 December 2016].

Shaw, M. (2009). International models of crime prevention. In Crawford, A. (Ed). *Crime prevention policies in comparative perspective*. Cullompton: Willan.

Shenton, A. K. (2004). Strategies for ensuring trustworthiness in qualitative research projects. *Education for Information*. 22(2), 63-75. [Online]. Available at: <http://content.iospress.com/articles/education-for-information/efi00778> [Last accessed 12 January 2016].

Sheridan, J., Chamberlain, K. & Dupuis, A. (2011). Timelining: visualizing experience. *Qualitative Research*, 11(5), 552-569. [Online]. Available at: <http://qrj.sagepub.com/content/11/5/552.short> [Last accessed 12 January 2016].

Shuy, R. W. (2002) In-person versus telephone interviewing. In Gubrium, J. F. & Holstein, J. A. (Eds). *Handbook of interview research: context and method*. London: Sage Publications.

Siegel, R. L. & Weinberg, L. B. (1977). *Comparing public policies: United States, Soviet Union and Europe*. Homewood: Dorsey Press.

Silverman, D. (2004). *Qualitative research: theory, method and practice*. London: Sage Publications.

Silverman, D. (2013). *Doing qualitative research*. London: Sage Publications.

Silverman, J. & Wilson, D. (2002). *Innocence betrayed: Paedophilia, the media and society*. Cambridge: Polity Press.

Simon, H. A. (1957). *Administrative behaviour: a study of decision-making processes in administrative organization*. New York: The Macmillan Company.

- Simmonds, A. (2014). *Northamptonshire Police & Crime Panel, Report by the Police and Crime Commissioner*. 16th December 2014. [Online]. Available at: <http://cmis.northamptonshire.gov.uk> [Last accessed 12 December 2016].
- Simon, J. (2008). Review. Policy transfer and criminal justice: exploring US influence over British crime control policy. *The British Journal of Criminology*, 48(2), 251-254. [Online]. Available at: <https://academic.oup.com/bjc/article-abstract/48/2/251/424120/Policy-Transfer-and-Criminal-Justice-Exploring-US?redirectedFrom=fulltext> [Last accessed 8 May 2017].
- Sloam, J. (2005). West European social democracy as a model for transfer. *Journal of Communist Studies and Transition Politics*, 21(1), 67-83. [Online]. Available at: <http://www.tandfonline.com/doi/abs/10.1080/13523270500055421#.VOsbqy62rGw> [Last accessed 23 February 2015].
- Smith, A. (2004). Policy transfer in the development of UK climate policy. *Policy & Politics*, 32(1), 79-93. [Online]. Available at: <http://www.ingentaconnect.com/content/tpp/pap/2004/00000032/00000001/art00006> [Last accessed 8 August 2014].
- Snell, C. (2007). *Fort Bend County Community Supervision and Corrections Special Sanction Court Program*. Fort Bend County, Texas: Unpublished Evaluation Report.
- Social Research Association (SRA) (n.d.). *A code of practice for the safety of social researchers*. [Online]. Available at: http://the-sra.org.uk/wp-content/uploads/safety_code_of_practice.pdf [Last accessed February 2015].
- Soederberg, S., Menz, G. & Cerny, P. G. (Eds). (2005). *Internalizing globalization: the rise of neoliberalism and the decline of national varieties of capitalism*. Basingstoke: Palgrave Macmillan.

South Dakota Attorney General (2015). *News release: SD 24/7 Sobriety Program featured in US DOJ Database*. 18 May 2015. [Online]. Available at: <http://atg.sd.gov/News/NewsReleases/NewsReleasesView/tabid/441/itemID/3605/moduleID/719/view/597/Default.aspx> [Last accessed 23 May 2015].

Sprott, J. B. (2011). US youth justice policy transfer in Canada: we'll take the symbols but not the substance. In Crawford, A. (Ed). *International and comparative criminal justice and urban governance in global, national and local settings*. Cambridge: Cambridge University Press.

Squires, P. & Stephen, D. (2005). *Rougher justice: Anti-social behaviour and young people*. Cullompton: Willan.

Stacey, T. (1989). Why tagging should be used to reduce incarceration. *Social Work Today*, 20 April 1989.

Stake, R. E. (2000). Case Studies. In Denzin, N. K. & Lincoln, Y. S. (Eds). *The handbook of qualitative research*. London: Sage Publications.

Stake, R. E. (2005). Qualitative case studies. In Denzin, N. K. & Lincoln, Y. S. (Eds). *The SAGE handbook of qualitative research*. London: Sage Publications.

Stanley, S. (2014). Developing systems for research, monitoring and evaluation. In McFarlane, M. A. & Canton, R. (Eds). *Policy transfer in criminal justice. Crossing cultures, breaking barriers*. Basingstoke: Palgrave Macmillan.

Steiner-Khamsi, G. (2016). New directions in policy borrowing research. *Asia Pacific Education Review*, 17(3), 381-390. [Online]. Available at: <https://link.springer.com/article/10.1007/s12564-016-9442-9> [Last accessed 18 April 2017].

Stenson, K. & Edwards, A. (2004). Policy transfer in local crime control: beyond naïve emulation. In Newburn, T. & Sparks, R. (Eds). *Criminal justice and political cultures*. Cullompton: Willan.

Stephens, N. (2007). Collecting data from elites and ultra-elites: telephone and face-to-face interviews with macroeconomists. *Qualitative Research*, 7(2), 203-216. [Online]. Available at:

<http://qrj.sagepub.com/content/7/2/203.short> [Last accessed 4 January 2016].

Stone, D. (1996). *Capturing the political imagination: think tanks and the policy process*. London: Frank Cass.

Stone, D. (1999). Learning lessons and transferring policy across time, space and disciplines. *Politics*, 19(1), 51-59. [Online]. Available at:

<http://onlinelibrary.wiley.com/doi/10.1111/1467-9256.00086/abstract> [Last accessed 26 February 2014].

Stone, D. (Ed). (2000a). *Banking on knowledge: The genesis of the GDN*. London: Routledge.

Stone, D. (2000b). Non-governmental policy transfer: the strategies of independent research institutes. *Governance*, 13(01), 45-70. [Online]. Available at:

<http://onlinelibrary.wiley.com/doi/10.1111/0952-1895.00123/abstract> [Last accessed 13 May 2014].

Stone, D. (2004). Transfer agents and global networks in the 'transnationalisation' of policy. *Journal of European Public Policy*, 11(3), 545-566. [Online]. Available at:

<http://www.tandfonline.com/doi/abs/10.1080/13501760410001694291?journalCode=rjpp20#.U152eFeSpSA> [Last accessed 28 April 2014].

Stone, D. (2012). Transfer and translation of policy. *Policy Studies*, 33(6), 483-499. [Online]. Available at:

<http://www.tandfonline.com/doi/full/10.1080/01442872.2012.695933#.U154VVeSpSA> [Last accessed 28 April 2014].

Stone, D. (2016). Understanding the transfer of policy failure: bricolage, experimentalism and translation. *Policy & Politics*, 45(1), 1-22. [Online]. Available at:

<http://www.ingentaconnect.com/content/tpp/pap/2017/00000045/00000001/art00004> [Last accessed 15 July 2017].

Stone, J. (2015). David Cameron's former guru Steve Hilton attacks Tories on immigration. *The Independent*. 8 October 2015. [Online]. Available at: <http://www.independent.co.uk/news/uk/politics/david-camerons-former-guru-steve-hilton-attacks-tories-on-immigration-a6685746.html> [Last accessed 22 September 2016].

Strauss, A. L., Schatzmann, L., Bucher, R., Ehrlich, D. & Sabshin, M. (1964). *Psychiatric ideologies and institutions*. New York: Free Press.

Street, A. (2004). Policy transfer in Kyrgyzstan: the case of general practitioner fundholding. In Evans, M. (Ed.). *Policy transfer in global perspective*. Aldershot: Ashgate.

Street Pastors (n.d.). *About us*. [Online]. Available at: <http://www.streetpastors.org/> [Last accessed 2 December 2016].

Strickland, P. (2013). Police and Crime Commissioners. *House of Commons Library*. [Online]. Available at: <http://researchbriefings.parliament.uk/ResearchBriefing/Summary/SN06104> [Last accessed 23 February 2017].

Studlar, D. (1991). Ethnic minority groups, agenda-setting and policy borrowing in Britain. In McClain, P. D. (Ed). *Minority group influence: agenda setting, formulation and public policy*. New York: Greenwood Press.

Sturges, J. E. & Hanrahan, K. (2004). Comparing telephone and face-to-face qualitative interviewing: a research note. *Qualitative Research*, 4(1), 107-118. [Online]. Available at: <http://qrj.sagepub.com/content/4/1/107.short?rss=1&ssource=mfc> [Last accessed 15 January 2016].

Suleiman, E. & Waterbury, J. (Eds). (1991). *The political economy of public sector reform and privatization*. Boulder: Westview Press.

Surrey Police Authority (2011). Police Reform and Social Responsibility Bill. *Memorandum submitted by the Surrey Police Authority (PR 41)*. Last updated 7 November 2013. [Online]. Available at:
<https://www.publications.parliament.uk/pa/cm201011/cmpublic/policerreform/memo/pr41.htm> [Last accessed 23 February 2017].

Swift, R. M. (2003). Direct measurement of alcohol and its metabolites. *Addiction*, 98(Supp 2), 43-78. [Online]. Available at:
<http://www.ncbi.nlm.nih.gov/pubmed/14984244> [Last accessed 23 May 2016].

Swinford, S. (2014). *Alcohol offenders to be given 'sober bracelets'*. The Telegraph. 17 November 2014. [Online]. Available at:
<http://www.telegraph.co.uk/news/uknews/law-and-order/11234978/Alcohol-offenders-to-be-given-sober-bracelets.html> [Last accessed 11 January 2014].

Talpins, S. K., Voas, R. B., DuPont, R. L. & Shea, C. L. (2010). Smart justice for DWI offenders: Cost effective solutions that reduce recidivism and promote public safety. *The Journal of Offending Monitoring*, 23(1), 107-118. [Online]. Available at:
http://www.civicresearchinstitute.com/online/article_abstract.php?pid=13&iid=1098&aid=7210 [Last accessed 18 May 2016].

Tansey, O. (2007). Process tracing and elite interviewing: a case for non-probability sampling. *PS: Political Science and Politics*, 40(4), 765-772. [Online]. Available at:
<http://journals.cambridge.org/action/displayAbstract?fromPage=online&aid=1356660&fileId=S1049096507071211> [Last accessed 23 March 2015].

Temenos, C. & McCann, E. (2013). Geographies of policy mobilities. *Geography Compass*, 7(5), 344-357. [Online]. Available at:
<http://onlinelibrary.wiley.com/doi/10.1111/gec3.12063/abstract> [Last accessed 27 January 2015].

The LSE GV314 Group (2012). New life at the top: Special Advisers in British Government. *Parliamentary Affairs*, 65(4), 715-732. [Online]. Available at:
<https://academic.oup.com/pa/article-abstract/65/4/715/1461356/New-Life-at-the-Top-Special-Advisers-in-British?redirectedFrom=fulltext> [Last accessed 14 April 2017].

The National 24/7 Sobriety Advisory Council (2016). *24/7 Sobriety Program. Essential elements and best practices*. [Online]. Available at:

<https://www.scramsystems.com/images/uploads/general/downloads/24-7-sobriety-program-essential-elements-best-practices.pdf> [Last accessed 3 June 2016].

The New York Times (2014a). *Hobbled but sober in London*. 31 July 2014. [Online]. Available at:

<https://www.nytimes.com/2014/08/04/opinion/hobbled-but-sober-in-london.html> [Last accessed 10 January 2017].

The New York Times (2014b). *London has plans for rowdy drunks*. 31 July 2014. [Online]. Available at:

https://www.nytimes.com/2014/08/01/world/europe/london-warns-rowdy-drinkers-were-watching-you.html?_r=0 [Last accessed 10 January 2017].

The Police Foundation (2016a). *History*. [Online]. Available at:

<http://www.police-foundation.org.uk/about-us/history> [Last accessed 19 June 2016].

The Police Foundation (2016b). *Oxford Policing Policy Forum*. [Online]. Available at:

<http://www.police-foundation.org.uk/events/oxford-policing-policy-forum> [Last accessed 19 June 2016].

Theodore, N. & Peck, J. (2012). Framing neoliberal urbanism: translating ‘common sense’ urban policy across the OECD zone. *European Urban and Regional Studies*, 19(1), 20-41. [Online]. Available at:

<http://eur.sagepub.com/content/19/1/20> [Last accessed 27 January 2015].

Thomas, R. J. (1995). Interviewing important people in big companies. In Hertz, R. & Imber, J. (Eds). *Studying elites using qualitative methods*. Thousand Oaks: Sage Publications.

Tilley, N. (1996). Demonstration, exemplification, duplication and replication in evaluation research. *Evaluation*, 2(1), 35-50. [Online]. Available at:

<http://evi.sagepub.com/content/2/1/35.short> [Last accessed 1 September 2014].

Tilley, N. (2009). *Handbook of crime prevention and community safety*. Cullompton: Willan.

Time Out (2013). *Amsterdam*. London: Ebury Publishing.

Tison, J., Nichols, J. L., Casanova-Powell, T. & Chaudhary, N. K. (2015). Comparative study and evaluation of SCRAM use, recidivism rates, and characteristics. *Washington, D.C: National Highway Traffic Safety Administration*. [Online]. Available at: www.nhtsa.gov/staticfiles/nti/pdf/812143-SCRAMRecidivismRatesReport.pdf [Last accessed 10 May 2016].

Tobin, J. J. (1986). American images of Japanese secondary and higher education. In Cummings, W. K., Beauchamp, E. R., Ichikawa, S., Kobayashi, V. N. & Ushioji, M. (Eds). *Educational policies in crisis. Japanese and American Perspectives*. London: Praeger.

Tonry, M. (2001). Symbol, substance and severity in western penal policies. *Punishment and Society*, 3(4), 517-536. [Online]. Available at: <http://journals.sagepub.com/doi/abs/10.1177/14624740122228401> [Last accessed 18 April 2017].

Tonry, M. (2004). *Punishment and politics: evidence and emulation in the making of English crime control policy*. Cullompton: Willan.

Tonry, M. (2007). Book review: policy transfer and criminal justice: Exploring US influence over British crime control policy. *Criminology and Criminal Justice*, 7(3), 310-313. [Online]. Available at: <http://crj.sagepub.com/content/7/3/310.extract> [Last accessed 14 August 2014].

Tonry, M. (2013). Legal and ethical issues in the prediction of recidivism. *Legal Studies Research Paper Series Research Paper No. 13-51*, 1-21. [Online]. Available at: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2329849 [Last accessed 24 May 2016].

Tonry, M. (2015). Is cross-national and comparative research on the criminal justice system useful? *European Journal of Criminology*, 12(4), 505-516. [Online]. Available at: <https://experts.umn.edu/en/publications/is-cross-national-and-comparative-research-on-the-criminal-justic> [Last accessed 18 April 2017].

Tonry, M. & Frase, R. (Eds). (2001). *Sentencing and sanctions in Western Countries*. Oxford: Oxford University Press.

Tracy, S. H. (2010). Qualitative quality: Eight “big-tent” criteria for excellent qualitative research. *Qualitative Inquiry*, 16(10), 837-851. [Online]. Available at: <http://qix.sagepub.com/content/16/10/837.short> [Last accessed 9 January 2016].

Travis, A. & Mulholland, H. (2010). *Prison system failing to tackle reoffending, says Ken Clarke*. The Guardian. 7 December 2010. [Online]. Available at: <https://www.theguardian.com/politics/2010/dec/07/prison-failing-tackle-reoffending-ken-clarke> [Last accessed 21 September 2016].

Treadwell, J. & Gooch, K. (2015). An ASBO for violent gangsters or just continuing criminalisation of young people? Thinking about the value of the “Gangbo”. *Papers from the British Criminology Conference*. Volume 15. [Online]. Available at: http://www.britisocrim.org/wp-content/uploads/2016/01/pbcc_2015_wholevolume.pdf#page=60 [Last accessed 23 March 2017].

Tsebelis, G. (2002). *Veto players: how political institutions work*. Oxford: Princeton University Press.

UK Drug Policy Commission (UKDPC) (2009). *Refocusing drug-related law enforcement to address harms*. [Online]. Available at: <http://www.ukdpc.org.uk/publication/refocusing-drug-law-to-address-harms/> [Last accessed 20 May 2016].

Umoquit, M. J., Dobrow, M. J., Lemieux-Charles, L., Ritvo, P.G., Urbach, D.R. & Wodchis, W.P. (2008). The efficiency and effectiveness of utilizing diagrams in interviews: an assessment of participatory diagramming and graphic elicitation. *BMC Medical Research Methodology*, 8(53), 1-12. [Online]. Available at: <http://bmcmmedresmethodol.biomedcentral.com/articles/10.1186/1471-2288-8-53> [Last accessed 12 January 2016].

Vallance, C. (2013). Are ankle tags the answer for tackling parents with drink problems? *BBC News*. 22 March 2013. [Online]. Available at: <http://www.bbc.co.uk/news/uk-21882189> [Last accessed 9 December 2016].

Van den Eynden, V., Corti, L., Woollard, M. Bishop, M. and Horton, L. (2011). *Managing and sharing data. Best practice for researchers*. UK Data Archive: Colchester.

Vanderstaay, S. L. (1994). Stories of (social) distress: Applied narrative analysis of public policy for the homeless. *Journal of Social Distress and The Homeless*, 3(4), 299-314. [Online]. Available at: <http://link.springer.com/article/10.1007/BF02091835> [Last accessed 12 January 2016].

Vaz, K. (2013). *National register essential to prevent maverick decision-making by PCCs*. [Online]. Available at: <http://www.parliament.uk/business/committees/committees-a-z/commons-select/home-affairs-committee/news/130523-pcc-rpt-published/> [Last accessed 3 March 2017].

Vera Institute of Justice (1977). *Further work in criminal justice reform*. New York: Vera Institute of Justice.

Violence Against Women and Girls Panel Meeting (2011a). *Minutes – 16 February 2011*. [Online]. Available at: https://www.london.gov.uk/sites/default/files/minutes_16_feb_2011.pdf [Last accessed 5 January 2017].

Violence Against Women and Girls Panel Meeting (2011b). *Minutes – 18 May 2011*. [Online]. Available at:
https://www.london.gov.uk/sites/default/files/minutes_18_may_2011.pdf [Last accessed 5 January 2017].

Violence Against Women and Girls Panel Meeting (2012). *Minutes – 14 March 2012*. [Online]. Available at:
https://www.london.gov.uk/sites/default/files/vawg_minutes_14_march_2012.pdf [Last accessed 5 January 2017].

Violence Reduction Unit (n.d.) *About the Violence Reduction Unit*. [Online]. Available at:
<http://www.actiononviolence.org.uk/about-us> [Last accessed 9 December 2016].

Voas, R. B., DuPont, R. L., Talpins, S. K. & Shea, C. L. (2011). Towards a national model for managing impaired driving offenders. *Addiction*, 106(7), 1221-1227. [Online]. Available at:
<http://onlinelibrary.wiley.com/doi/10.1111/j.1360-0443.2010.03339.x/abstract> [Last accessed 14 May 2016].

Wacquant, L. (1999). How penal common sense comes to Europeans. *European Societies*, 1(3), 319-352. [Online]. Available at:
<http://www.tandfonline.com/doi/abs/10.1080/14616696.1999.10749936> [Last accessed 24 April 2017].

Wacquant, L. (2001). The penalisation of poverty and the rise of neo-liberalism. *European Journal on Criminal Policy and Research*, 9(4), 401-412. [Online]. Available at:
<https://link.springer.com/article/10.1023/A:1013147404519> [Last accessed 6 September 2016].

Wacquant, L. (2009). *Prisons of poverty*. London: University of Minnesota Press.

Walby, K. & Lippert, R. K. (2014). Community safety officers in Western Canada: Reassurance policing as the next British invasion. *International Criminal Justice Review*, 24(4), 345-359. [Online]. Available at: <http://journals.sagepub.com/doi/abs/10.1177/1057567714547131> [Last accessed 30 June 2017].

Walker, J. L. (1969). The diffusion of innovations among American states. *American Political Science Review*, 63(3), 880-889. [Online]. Available at: <http://www.jstor.org/stable/1954434> [Last accessed 30 January 2014].

Walker, P. (2014). 'Sobriety tags' for people who commit alcohol-linked crimes get London trial. *The Guardian*. 31 July 2014. [Online]. Available at: <https://www.theguardian.com/uk-news/2014/jul/31/sobriety-tags-people-alcohol-linked-crimes-london-trial> [Last accessed 10 January 2017].

Waltman, J. L. (1980). *Copying other nations' policies*. Cambridge, MA: Schenkman.

Watt, N. (2012). 'Sobriety bracelets' to monitor offenders in alcohol-related cases. *The Guardian*. 17 March 2012. [Online]. Available at: <https://www.theguardian.com/law/2012/mar/17/sobriety-bracelets-alcohol-related-crimes> [Last accessed 17 November 2016].

Weatheritt, M. (Ed). (1998). *Zero Tolerance Policing: What does it mean and is it right for policing In Britain?* London: The Police Foundation.

Wells, H. (2016). PCCs, roads policing and the dilemmas of increased democratic accountability. *British Journal of Criminology*, 56(2), 274-292. [Online]. Available at: <https://academic.oup.com/bjc/article-abstract/56/2/274/2462282/PCCs-Roads-Policing-and-the-Dilemmas-of-Increased?redirectedFrom=fulltext> [Last accessed 3 March 2017].

Wells, P. (2007). New Labour and evidence-based policy making. *People, Place & Policy Online*, 1(1), 22-29. [Online]. Available at: http://extra.shu.ac.uk/pponline/wpcontent/uploads/2013/06/new_labour_evidence_base_1997-2007.pdf [Last accessed 1 October 2014].

Welshman, J. (2010). From Head Start to Sure Start: reflections on policy transfer. *Children & Society*, 24(2), 88-89. [Online]. Available at: <http://onlinelibrary.wiley.com/doi/10.1111/j.1099-0860.2008.00201.x/full> [Last accessed 26 February 2015].

West Yorkshire Police (n.d.). *What is Neighbourhood Watch?* [Online]. Available at: <http://www.westyorkshire.police.uk/help-advice/crime-prevention/neighbourhood-watch/what-neighbourhood-watch> [Last accessed 12 March 2016].

Westney, D. E. (1987). *Imitation and innovation: the transfer of western organizational patterns to Meiji Japan*. Cambridge: Harvard University Press.

Weyland, K. G. (2005). Theories of policy diffusion: lessons from Latin American pension reform. *World Politics*, 57(2), 262-295. [Online]. Available at: <http://muse.jhu.edu/journals/wp/summary/v057/57.2weyland.html> [Last accessed 4 February 2014].

Whitman, J. Q. (2003). *Harsh justice: criminal punishment and the widening divide between America and Europe*. New York: Oxford University Press.

Wiles, R. (2013). *What are qualitative research ethics?* Bloomsbury: London.

Williams, Z. (2010). *Drinking alcohol is not a crime, even for prisoners on parole*. The Guardian. 27 October 2010. [Online]. Available at: <https://www.theguardian.com/commentisfree/cifamerica/2010/oct/27/alcohol-south-dakota-prisoners-parole> [Last accessed 15 August 2016].

Wilson, J. Q. & Kelling, G. L. (1982). Broken windows. *The Atlantic* (March). [Online]. Available at: <https://www.theatlantic.com/magazine/archive/1982/03/broken-windows/304465/> [Last accessed 13 July 2017].

Wilson, P. (2010). On patrol with the Street Pastors. *Conservative Home*. 19 December 2010. [Online]. Available at:

<http://www.conservativehome.com/localgovernment/2010/12/on-patrol-with-the-street-pastors.html> [Last accessed 4 April 2015].

Wincup, E. (2013). *Understanding crime and social policy*. Bristol: Policy Press.

Windlesham, Lord. (1993). *Responses to crime: volume 2: Penal Policy in the making*. Oxford: Clarendon Press.

Winnett, R. (2012a). *Steve Hilton leaves Number 10 to spend a year in the US*. The Telegraph. 2 March 2012. [Online]. Available at:

<http://www.telegraph.co.uk/news/politics/9119178/Steve-Hilton-leaves-Number-10-to-spend-a-year-in-US.html> [Last accessed 22 September 2016].

Winnett, R. (2012b). *Tough new community sentences unveiled by David Cameron*. The Telegraph. 17 March 2012. [Online]. Available at:

<https://uk.search.yahoo.com/search?fr=mcafee&type=C111GB885D20150530&p=Tough+new+community+sentences+unveiled+by+David+Cameron> [Last accessed 17 November 2016].

Wintour, P. (2010). *Jail problem drinkers for 24 hours, says senior Tory*. The Guardian. 27 August 2010. [Online]. Available at:

<https://www.theguardian.com/uk/2010/aug/02/jail-problem-drinkers> [Last accessed 15 August 2016].

Wintour, P. (2014). *Tories plan sobriety bracelet punishment for alcohol-related crimes*. The Guardian. 17 November 2014. [Online]. Available at:

<https://www.theguardian.com/politics/2014/nov/17/tories-sobriety-bracelet-alcohol-crimes> [Last accessed 11 January 2017].

Wolcott, H. F. (2009). *Writing up qualitative research*. Thousand Oaks: Sage Publications.

Wolman, H. (1992). Understanding cross national policy transfers: the case of Britain and the US. *Governance*, 5(1), 27-45. [Online]. Available at:
<http://onlinelibrary.wiley.com/doi/10.1111/j.1468-0491.1992.tb00027.x/full>
[Last accessed 11 March 2014].

Wolman, H. (2009). Policy transfer: what we know about what transfers, how it happens and how to do it. Paper presented at *European Union Health Forum*, Gastein, Austria, 1 October.

Wolman, H. & Page, E. (2002). Policy transfer among local governments: an information-theory approach. *Governance: An International Journal of Policy and Administration*, 15(4), 577-501. [Online]. Available at:
<http://onlinelibrary.wiley.com/doi/10.1111/1468-0491.00198/abstract> [Last accessed 18 February 2014].

Wood, A. (2016a). Tracing policy movements: methods for studying learning and policy circulation. *Environment and Planning A*, 48(2), 391-406. [Online]. Available at:
<http://epn.sagepub.com/content/48/2/391> [Last accessed 7 March 2016].

Wood, D. A. (2016b). The importance of liberal values within policing: police and crime commissioners, police independence and the spectre of illiberal democracy. *Policing and Society*, 26(2), 148-164. [Online]. Available at:
<http://www.tandfonline.com/doi/abs/10.1080/10439463.2014.922086> [Last accessed 22 February 2017].

World Health Organisation (WHO) (n.d.). *Scottish Violence Reduction Unit*. [Online]. Available at:
http://www.who.int/violenceprevention/about/participants/vru_scotland/en/index.html
[Last accessed 9 December 2016].

World Health Organisation (WHO) (2010). Governments confront drunken violence. *Bulletin of the World Health Organisation*, 88(9). [Online]. Available at:
<http://www.who.int/bulletin/volumes/88/9/10-010910/en/> [Last accessed 14 December 2016].

Xenakis, S. & Ivanov, K. (2016). Does hypocrisy matter? National reputational damage and British anti-corruption mentoring in the Balkans. *Critical Criminology*, 25(3), 433-453. [Online]. Available at:

<http://link.springer.com/article/10.1007/s10612-016-9345-4> [Last accessed 24 March 2017].

Yeager, P. C. & Kram, K. E. (1995). Fielding hot topics in cool settings: The study of corporate ethics. In Hertz, R. & Imber, J. (Eds). *Studying elites using qualitative methods*. Thousand Oaks: Sage Publications.

Yin, R. K. (2014). *Case study research: design and methods*. London: Sage Publications.