



Driver & Vehicle
Standards
Agency



HM Courts
& Tribunals
Service

NATIONAL PROTOCOL AGREEMENT FOR THE DRINK DRIVE REHABILITATION SCHEME

Between Her Majesty's Court and Tribunals Service

And

**Driver &
Vehicle Standards Agency**

NATIONAL PROTOCOL AGREEMENT FOR THE DRINK DRIVE REHABILITATION SCHEME

Synopsis	This National Protocol (NP) is between HM Courts and Tribunals Service (referred to in this document as HMCTS) and the Driver Vehicle Standards Agency (DVSA). This NP covers the agreed processes and procedures in relation to referrals and administration of the Drink Drive Rehabilitation (DDR) scheme including electronic transfer of case data from providers of an approved DDR course and the Courts' Libra IT application.		
	Version	Date	Details
Change History	0.0.1	25.09.13	First Draft for Review. Review comments from: Elizabeth Shovelton, DfT Michael Logan, HMCTS Guy Chamberlain, DSA Bob Hannigan, DSA
	0.0.2	TBC	Second Draft for review: Elizabeth Shovelton, DfT Michael Logan, HMCTS Daniel Hodges, HMCTS Guy Chamberlain, DSA Bob Hannigan, DSA Lis Flaherty, DSA
	1.0	2013	Final Version
	1.0.1	15/07/15	First draft for review. Amendments shared with DH
	1.0.2	30/07/15	Second draft for review. Review comments from: Helen Luker, DVSA Elizabeth Heaton, DVSA Jenny Mayor, DVSA Daniel Hodges, HMCTS
	1.0.3	02/09/15	Review comments from: Elizabeth Heaton, DVSA Jenny Mayor, DVSA Daniel Hodges, HMCTS
	2.0.	28/10/15	Final version

Glossary of Terms

Annex A	Annex A is a 'List of providers of an approved DDR course' with up to date details of the course provider name, administration address, contact name, telephone number and specified areas for which the course is approved and course price.
CJS	Criminal Justice System – an umbrella term covering overall business and IT processes dealing with the administration of justice on criminal matters that are the responsibility of central Government departments and their agencies.
CPS	Crown Prosecution Service
DfT	Department for Transport
DVSA	Driver and Vehicle Standards Agency
GSI	Government Secure Intranet
CJSM	Criminal Justice Secure Mail
HMCTS	Her Majesty's Courts & Tribunals Service
Libra	The IT service used by the Magistrates' Courts in England and Wales administered centrally by the HMCTS Digital Change Directorate
MoJ	Ministry of Justice
NP	National Protocol

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1 INTRODUCTION

This agreement is drawn up by senior managers within HM Courts and Tribunals Service (referred to in this document as HMCTS or the Court) and the Driver and Vehicle Standards Agency (DVSA).

2 BACKGROUND

New Regulations DfT S2012 No. 2939 ROAD TRAFFIC The Rehabilitation Courses (Relevant Drink Offences) Regulations 2012 came into force on 24 June 2013 exercising powers conferred by sections 34B(3) and (10), 34BA(5) and 34C(4) of the Road Traffic Offenders Act 1988. These establish updated arrangements for the approval of DDR courses, and related developments to the DDR scheme. These revised regulations apply to DDR courses approved to be delivered in England and Scotland only.

A key development in the revised DDR scheme is to allow for multiple approved course providers in any specified geographical area, giving offenders greater choice of provider, encouraging course providers to maintain high standards, and ensuring that they are operating in an efficient manner.

The intention is that these developments will raise the quality of courses and open up access to those who may previously have been discouraged from participating in the scheme, for example on the grounds of cost or location. Over time, this may also help to reduce re-offending rates.

These developments mean that the Courts now need to follow different procedures when referring offenders and when undertaking their associated administrative duties.

3 PURPOSE

This NP records the respective intentions and expectations of HMCTS and DVSA but it has not been entered into as a legally enforceable agreement.

4 CHANGE CONTROL

This protocol remains in force and subject to change control until superseded by a revised agreement endorsed by HMCTS and DVSA.

5 AGREED PROCESSES AND PROCEDURES

DVSA is responsible for:-

- a) The approval of DDR courses and management of course providers, ensuring sufficient coverage within England and Scotland.
- b) Managing quality assurance and compliance of approved DDR courses.
- c) Maintaining up-to-date online information on approved DDR courses and providers for use by offenders, Courts, other key stakeholders and the general public in the form of:
 - i. An online course location facility: 'Find your nearest drink-drive rehabilitation course', hosted on GOV.UK website at: <https://www.gov.uk/ddrs-course>
 - ii. A current up to date '[List of providers of an approved DDR course](#)' referred to as Annex A hosted on GOV.UK.
- d) Providing HMCTS (Operations & Policy Manager) with correct contact information for the course providers' to be used on the Libra system.

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- e) Ensuring that DDR course provider obtains and utilises a Criminal Justice Secure Mail (CJSM) address for handling secure email communications with the Courts and other course providers. Specifically, to use CJSM to transfer referral orders between providers and the Courts.
- f) Notifying HMCTS of any material changes to the course provider's contact details.
- g) Notifying HMCTS if a course provider ceases to deliver DDR courses.

HMCTS is responsible for:-

- h) Referring appropriate offenders to an approved DDR course, in accordance with the Magistrates' Court Sentencing Guidelines (MCSG).
- i) Providing offenders with up to date information on approved DDR courses and providers in order to allow them to choose a suitable course, by;
 - i. Holding and allowing access to published materials supplied by DDR course providers (for the given specified geographic area in which the Court is located)
 - ii. Providing the offender with access to the online course location facility: 'Find your nearest drink-drive rehabilitation course', hosted on the GOV.UK website at: <https://www.gov.uk/ddrs-course>

Or, if this is not accessible:

- iii. Providing the offender with access to the current '[List of providers of an approved DDR course](#)', by providing an up-to date copy of Annex A.
- j) Sending the offender details on the Referral Order Form to the chosen DDR course provider, to their CJSM address. Referral Orders are not to be sent by post.
- k) Maintaining the correct contact details including CJSM email addresses on the Libra system for DDR course providers.
- l) Ensuring that any printed lists of course providers' details and courses are kept up-to-date.
- m) Providing DVSA with statistics on the number of people convicted for drink driving offences and how many of these were referred to the DDR scheme, on a quarterly basis.
- n) Providing DVSA with details on number of offenders referred to a named course provider in a specified period, on a quarterly basis.
- o) Resolving issues relating to court practices affecting course providers and offenders.
- p) Contacting offenders in the event that a course provider to which they have been referred, ceases to deliver a DDR approved courses. HMCTS will write to these offenders to ask them to choose a new provider (see appendix A - copy of this letter is included in this document for information only)

6 NATIONAL PROTOCOL SIGNATORIES

FOR AND ON BEHALF OF HER MAJESTY'S COURTS & TRIBUNALS SERVICE:

Tom Ring
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FOR AND ON BEHALF OF THE DRIVER & VEHICLE STANDARDS AGENCY:

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Appendix A



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www.gov.uk

Our ref: [ref]

(insert date)

Dear Sir / Madam

Your Drink Drive Rehabilitation Course

Our records show that you have a court referral order to attend a drink drive rehabilitation course to be run by (insert name of course provider). You need to be aware that (insert name of course provider) will cease business on the (insert date).

If you still wish to attend a rehabilitation course you will need to transfer to another provider. You should use the Find Your Nearest facility at <http://www.dft.gov.uk/fyn/ddrs.php> to decide which alternative provider you would like to use and then contact the Court that made the order to arrange your attendance.

Yours faithfully

HMCTS