Criminal and motoring offences of drink/drivers who are High Risk Offenders

Prepared for Road Safety Division, Department for Transport

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Executive Summary

TRL Limited (Transport Research Laboratory) has been commissioned by the Department for Transport (DfT) to investigate the offending behaviour of drink/drivers who come under the High Risk Offender (HRO) Scheme. This Scheme is intended to cover those drink/drive offenders whose offences suggest that they pose particular risks to other road users. Since June 1990, there have been three criteria under which a driver who is disqualified for a drink/driving offence may be classified as an HRO:

1. Provision of an evidential sample with an alcohol level exceeding 2.5 times the legal limit (equivalent to 200mg/100ml BAC).
2. Provision of an evidential sample with an alcohol level between 1 and 2.5 times the legal limit (equivalent to 81-200mg/100ml BAC), having been disqualified for a drink/driving offence in the previous ten years, or
3. Refusal to supply an evidential sample.

The consequence of becoming an HRO is that the driving licence is not reissued automatically at the end of the disqualification period, as occurs with most types of offender. Instead, an HRO must apply for a new licence, and one will only be issued following a positive medical assessment by the Drivers’ Medical Group at the Driver and Vehicle Licensing Agency (DVLA) at Swansea.

This report completes a series of investigations into the working of the High Risk Offender Scheme. It presents the results of analyses of the criminal and motoring offences committed by drink/driving offenders before they became HROs, and also examines their criminal behaviour afterwards. Information on drivers and motoring offences was obtained from the DVLA and linked to the Home Office Offenders’ Index which holds the criminal histories of offenders convicted in England and Wales.

There are several types of drink/drive offences; while all of these are recorded in the DVLA file, only one is currently recorded in the Offenders’ Index. However, someone who committed another type of drink/drive offence may appear on the Index if convicted of other offences, so his or her criminal history can be investigated. The study has found some uncertainties in the matching process, and results should only be taken as indicative because of these.

Offending background of HROs

For these analyses the three HRO groups have also been divided into those who have been sentenced for a drink/drive offence in the three years before becoming an HRO, and those who had not. Their offence records were compared with the records of a sample of first time drink/drive offenders who were not HROs. Women form a relatively small group (around 11 per cent) of HROs so their background is reported in less detail than for men.

Men

The male offenders with the best (or rather, least bad) record are the HROs with a high BAC, but no drink/drive offence in the three years before they became an HRO (called HRO1As). Their rate of offending in the previous three years is smaller for nearly every criminal or motoring offence than even that of the ordinary offender.

Offenders with the worst records are those who committed two or more drink/drive offences within three years. Drivers who refused to supply a specimen and had a previous drink/drive offence have the worst record, with particularly high levels of convictions for theft of, or from a vehicle, for violence against the person and for robbery, burglary and other theft.

Speeding is the one motoring offence for which the rate varies little between the groups. Although differences are small, it is the ordinary drink/drive offenders who committed slightly more speeding convictions in the three years before their reference offence than the HROs.

The relationship between the age and social group and the offending history of HROs has also been investigated. Information on social groups was derived using the ACORN directory (CACI, 1993), a system widely employed in market research. It classifies each postcode area in Great Britain into six categories A (‘Thriving’) to F (‘Striving’). Offenders were divided into three social groups, A+B, C+D+E and F. For each social group, the younger drivers have a worse record than the older ones. For the younger age group, the offence record is worst for the lowest social group and ‘best’ for the highest. For the older offenders this pattern is less clear: although group F has the worst record, that of group C+D+E is similar to group A+B.

When age and social group are controlled, the past record of HRO1A offenders is very similar to, or better than that of the ordinary drink/drive offender. As indicated in the earlier analyses, HROs with a previous offence within three years have the worst record.

Young male offenders in ACORN category F are likely to have committed a number of criminal and motoring offences in the three years before the reference offence. The rate for ordinary drink/drive offenders under 30 years old and from social group F, is more than 1 criminal offence per offender in three years; that for HRO multiple offenders is around 3, that is an average of about one criminal offence per year. For motoring offences, the rates over the previous three years are 1.5 for ordinary offenders and around 4 for multiple offenders.

Women

As for men, HRO1As have the ‘best’ offending history for both criminal and motoring offences, very similar to that of the ordinary drink/drive offender, while the multiple drink/drive offenders have the worst record. Compared to the other groups, multiple offenders have experienced more than twice the number of Court appearances and
been sentenced for more than twice the number of criminal offences in the three years before their reference offence. The offending rates for women of all ages are comparable with those for men of 30 years or older.

**Future offending behaviour**

All the groups of drink/drive offenders (HROs and non-HROs) are sentenced to fewer offences (motoring and criminal) in the three years after the reference offence compared to the three years before. We should consider what conclusions may reasonably be drawn from this finding. Does the fact that an offender has become an HRO (ie is likely to have a longer disqualification period and also will have to pass a medical examination before driving legally again) affect his or her reoffending behaviour?

In considering this question, the two groups with the lowest offending rates are the ‘ordinary’ drink/drive offenders (who have not become an HRO at the reference offence) and the HRO1As (high BAC, and no offence in the last three years). Both of these groups show a broadly similar improvement after sentencing for the reference offence. It cannot, therefore, be argued that becoming an HRO is the cause of such an improvement; it could be a natural consequence of ageing.

Examination of the groups with a high offending rate shows a large improvement after the reference offence, which may be caused in part by ageing. Examination of the effect of different disposals is difficult to separate from this age effect. The small numbers in the groups examined and the problems experienced when matching the data with the Home Office Offenders’ Index also mean that care should be taken when interpreting any difference.

This study has shown that:

- Offenders who are convicted of drink/driving, have a BAC exceeding 2.5 times the legal limit, and who have no earlier convictions for drink/driving have a similar motoring and criminal history to that of first time drink/drive offenders with a lower BAC.

- The record of offending after becoming an HRO for these one-off high BAC offenders is also similar to that of the ‘ordinary’ drink/drive offender.

In contrast:

- It is the offender who has at least two offences within three years who is more likely to reoffend.

- In particular, repeat offenders who refuse to supply a specimen after their second offence are likely to have committed a greater number of criminal and motoring offences before becoming an HRO.

- They are also more likely to commit further criminal offences after being sentenced for the second drink/drive offence.

- A review of the HRO scheme should consider whether the first time offenders with a high BAC should come under the same scheme as multiple offenders.

- The differences between the HRO groups, particularly the lower offending rates of the high BAC offender who is not a repeat offender, indicate that investigation of the social characteristics, attitudes and behaviour of HRO groups would be fruitful in developing policy.

- Broughton (2002) found that offenders who refused to supply a specimen were likely to be disqualified for shorter periods than other HROs. These offenders have been found to constitute a group with particularly high numbers of criminal and motoring offences. Providing Courts with more information on reoffending rates of the different HRO types would enable better informed decisions on sentencing to be made.

**References**


1 Introduction

TRL Limited (Transport Research Laboratory) has been commissioned by the Department for Transport (DfT) to investigate the offending behaviour of drink/drivers who come under the High Risk Offender (HRO) Scheme. This Scheme is intended to cover those drink/drive offenders whose offences suggest that they pose particular risks to other road users. Since June 1990, there have been three criteria under which a driver who is disqualified for a drink/driving offence may be classified as an HRO:

1 Provision of an evidential sample with an alcohol level exceeding 2.5 times the legal limit (equivalent to 200mg/100ml BAC).
2 Provision of an evidential sample with an alcohol level between 1 and 2.5 times the legal limit (equivalent to 81-200mg/100ml BAC), having been disqualified for a drink/driving offence in the previous ten years, or
3 Refusal to supply an evidential sample.

The consequence of becoming an HRO is that the driving licence is not reissued automatically at the end of the disqualification period, as occurs with most types of offender. Instead, an HRO must apply for a new licence, and one will only be issued following a positive medical assessment by the Drivers’ Medical Group at the Driver and Vehicle Licensing Agency (DVLA) at Swansea. Recent work by Broughton (2002a) has subdivided HRO groups 1 and 3 into those with a drink/drive offence in the previous three years before the offence which made them an HRO, and those without. He found that for these two groups, this choice of three years before the offence achieved good discrimination between ‘reoffenders’ and other HROs whilst providing sufficient numbers of offenders for reliable analysis.

The analyses in this report continue to use the five groups:

1A Drivers with an offence with BAC>200mg/100ml and no drink/drive offence in the previous three years.
1B Drivers with an offence with BAC>200mg/100ml plus a drink/drive offence in the previous three years.
2 Drivers with an offence between 81 and 200mg/100ml BAC, having been disqualified for a drink/driving offence in the previous ten years.
3A Drivers who have refused to supply an evidential sample and have no drink/drive offence in the previous three years.
3B Drivers who have refused to supply an evidential sample and have a drink/drive offence in the previous three years.

This paper examines the criminal and motoring offence history of HROs and also looks at their future offending behaviour once they are classified as HROs. Information on the offence records of drink/drivers has been obtained by combining data from the driving licence file of the DVLA and the Offenders’ Index (OI). The DVLA data contains information on all motoring offences committed by drivers in Great Britain. The OI, which is maintained by the Home Office, holds criminal histories of offenders convicted in England and Wales, and is one of the largest criminal databases in Europe.

Section 2 of this report discusses the data in more detail, and describes the matching process. Section 3 describes the variables available from the data. Section 4 examines the offending history of HROs and Section 5 compares offending behaviour of drink/drivers before and after they have been classified as HROs. Section 6 summarises the study.

2 Matching the data

Section 2.1 provides more details of the two data sets. The DVLA data identifies HROs and their motoring offences, but contains no details of non-motoring offences. The Offenders Index contains details of all types of standard list offence, but does not contain the ‘driver number’. To obtain details of non-motoring offences for a sample of HROs and other offenders (Section 2.2 describes the sample), these drivers had to be matched to the Offenders Index, as described in Section 2.3.

2.1 Data sources

2.1.1 The DVLA data

Information on all drivers and riders in Great Britain is contained in the Driver Licence File maintained by DVLA. Twice yearly, data are extracted from this file for each driver whose record contains an ‘HRO indicator’ and this ‘HRO file’ is sent to TRL for analysis as part of its research programme. This indicator is set for any driver who became an HRO since the new HRO scheme began in June 1990. It is also set for any driver who, while not currently an HRO, has been convicted of a drink/driving offence and could become an HRO (under the second criterion) if they were convicted of another offence. The great majority of ‘ordinary’ (ie non-HRO) drink/drive offenders fall into this category and are included automatically when the file is prepared. Full descriptions of this dataset, and its use are included in reports by Davies et al. (1999a) and Broughton (2002a). The database is maintained purely for statistical and scientific purposes, and has been registered in accordance with the Data Protection Act (1998).

The DVLA file and hence the HRO file is indexed by the ‘driver number’. This is based on the driver’s name and date of birth, and is the key to any analysis of the licensing data. The files contain various licensing details, and a list of the motoring offences, although details can be removed when the licence is reissued after a certain time.

2.1.2 The Home Office Offenders’ Index

The Offenders’ Index holds the criminal histories of all those people convicted of a standard list offence1 in England and Wales from 1967 onwards. The data are

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1 Standard list offences include all indictable (ie triable by a judge and jury at a crown court) or ‘triable either way’ offences (ie may be tried either at a crown or magistrates’ court) plus a few of the more serious summary offences (ie triable only at a magistrates’ court or where fixed penalties are given).
derived from the Court Appearance system and contain information on the offender’s court appearances with, in each case, details of the offence and the sentence imposed by the Court.

The standard list has only recently been expanded to include serious motoring convictions. From 1 January 1996 it has included:

1. Dangerous driving.
2. Driving or attempting to drive a motor vehicle while having a breath, blood or urine alcohol in excess of the prescribed limit.
3. Driving while disqualified from holding or obtaining a licence.

Thus, the OI should provide a complete count of these three serious motoring offences since 1996, but previous offences only appear if they were dealt with at a court appearance for a (pre-1996) standard list offence.

These three groups of motoring offences are recorded in the DVLA data under separate offence codes, and hence can be identified in the HRO database. However, other drink/drive offences identified in the HRO database, such as ‘Driving or attempting to drive then failing to supply a specimen for analysis’ are not included on the OI. The consequences of this shortfall will be discussed in Section 2.3 on matching the data.

More information on the OI can be found at: www.homeoffice.gov.uk/rds/offenderindex1.html

2.2 Choosing the data for examination

The purpose of this research is to obtain a full picture of the offence record of drivers who have become HROs, and also of offences that they commit after the one for which they become an HRO. Details of offences can be removed from the DVLA file after 11 years for drink/drive offences that a driver has become an HRO. Details of offences can be removed from the DVLA file after 11 years for drink/drive offences that a driver has become an HRO. (12,572 HROs and 13,315 ‘ordinary’ drink/drive offenders.)

In all 13 per cent of the initial set of drivers were not included in the final analyses.

In addition, the OI has only included the three serious motoring offences listed in section 2.1.2 since 1996. Therefore, two datasets of drink/drive offenders were extracted from the HRO dataset:

1. For examination of past offending behaviour: a proportion of offenders who became HROs in 1999, and of ‘ordinary’ drink/drive offenders, ie those who committed their first drink/drive offence in 1999 without becoming HROs. (10,860 HROs and 12,771 ‘ordinary’ drink/drive offenders.)
2. For examination of future offending behaviour: a proportion of offenders who became HROs in 1996, and of ‘ordinary’ drink/drive offenders, ie those who committed their first drink/drive offence in 1996 without becoming HROs. (12,572 HROs and 13,315 ‘ordinary’ drink/drive offenders.)

The numbers of offenders in groups HRO1B and 3B are small, but their offending behaviour is of particular interest. To take account of this, and to provide the Home Office with a dataset of around 50,000, the following sampling strategy was used for the 1999 and 1996 data:

- a quarter of HRO1A and of ordinary drink/drive offenders;
- half of HRO2 and of HRO3A;
- all of HRO1B and of HRO3B.

For the purposes of this report, the offence for which an offender first became an HRO (in 1999 or 1996), or the first drink/drive offence (in 1999 or 1996) for the ‘ordinary’ drink/drive offender is referred to as the ‘reference’ offence.

2.3 Matching the datasets

Broughton (2002b) describes the process of matching DVLA data with the OI in detail, as part of his examination of the offending behaviour of all drivers. The Home Office uses a standard computer program to match individuals against the offenders in the OI, depending on:

- full surname;
- first two initials;
- date of birth;
- sex.

The matching program calculates a ‘percentage match rate’ for each potential match based on the similarity between these items of data. There are three possible outcomes:

- a match rate of 98% or more is considered to be a true match;
- a match rate of 95% or lower is not considered to be a match;
- a match rate of 96-97% is considered to be questionable, and can lead to an additional manual check of the proposed match; in view of the sample size, however, this was not carried out for this project.

A file containing the necessary details for the 49,518 drink/drive offenders from groups 1 and 2 above was sent to the Home Office. The file that was returned to TRL in the autumn of 2001 consisted of:

- name details followed by information from the OI if the driver had a true match, and hence a criminal record; and
- name details followed by a row of zeros if the driver could not be matched and so had no criminal record; or
- no output for any driver with a match rate of 96-97%, so that drivers with questionable matches could be dropped from the subsequent analysis.

Drivers whose surnames did not satisfy the Home Office requirements (principally because they included blanks) had to be excluded. In addition, offenders from the DVLA data with a Scottish postcode were excluded, as the OI only covers England and Wales. Broughton (2002b) shows that this is a satisfactory solution to the problems caused by the differing geographical coverage of the two data sets. In all 13 per cent of the initial set of drivers were not included in the final analyses.

Examination of the drink/drive data has indicated a further problem. As stated in section 2.1.2, only one type of drink/driving offence was added to the standard list of offences in 1996. Listed below are the drink/driving...
offences, and the codes used by DVLA, occurring in the set of data that was matched with the OI:

**DR10:** Driving or attempting to drive with alcohol level above the limit (the standard list offence).

**DR20:** Driving or attempting to drive while unfit through drink.

**DR30:** Driving or attempting to drive then failing to supply a specimen for analysis.

**DR40:** In charge of a vehicle while alcohol level is above the limit.

**DR50:** In charge of a vehicle while unfit through drink.

**DR60:** Failure to provide a specimen for analysis in circumstances other than driving or attempting to drive.

**DR70:** Failing to provide a specimen for analysis.

Ideally, the DR10 offence should be included in the OI for all offences committed from 1 January 1996, and, therefore, drivers in the HRO file with a DR10 offence should be matched with an offender in the OI. However, for drivers with a different type of drink/drive offence there are two possibilities:

1. Drivers convicted of another standard list offence which is recorded in the OI will be matched and their history of non-motorising offences will be complete, although the date of the reference offence as listed in the DVLA data may not match the date of an OI offence.

2. Drivers with no offences recorded in the OI will not be matched, and will appear to have no criminal record.

Table 1 shows the matching success for DR10 and other drink/drive offenders.

### Table 1 Matching between the DVLA data and the Offenders’ Index

<table>
<thead>
<tr>
<th>Offender matches but date of sentence does not</th>
<th>Offender and date of sentence match</th>
<th>Number of offenders</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>No match</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1996 data</td>
<td></td>
<td></td>
</tr>
<tr>
<td>DR10</td>
<td>16%</td>
<td>77%</td>
</tr>
<tr>
<td>Other DR offence</td>
<td>30%</td>
<td>28%</td>
</tr>
<tr>
<td>1999 data</td>
<td></td>
<td></td>
</tr>
<tr>
<td>DR10</td>
<td>8%</td>
<td>85%</td>
</tr>
<tr>
<td>Other DR offence</td>
<td>34%</td>
<td>27%</td>
</tr>
</tbody>
</table>

Considering the DR10 offences first, fewer offences are fully matched for the 1996 data than for the 1999 data. 1996 was the first year that these offences were recorded on the OI. It is, therefore, likely that this difference can be explained by a slow start in reporting the offence by court clerical staff. By 1999 there are still a number of DR10 offences which have not been recorded on the OI.

Broughton (2002b) suggests that as well as clerical error, other explanations could be that an offender has used an alias, or that because different systems are used to record and transmit the data, minor errors could occur (for example in the date of birth) and mislead the matching program.

For offences other than the DR10, we might expect that there would be no match with the OI for the date of sentence. However, if the offender is sentenced for another standard list offence at the same time as the non-DR10 drink/drive offence, then the non-DR10 offence will also be recorded on the OI.

Consider now the cases where there is no match with the OI. For both the DR10 (which has not been recorded on the OI) and the non-DR10 (which we would not expect to be recorded) the fact that there is no match should imply that there are no other offences on the OI for someone of matching (or almost matching, ie in the 98 percent or better match group) name, gender and date of birth. We can, therefore, assume that the likely explanation is that these offenders have no criminal record (or only one DR10 offence as recorded on the DVLA data).

What are the likely consequences to the accuracy of the data if an offender is matched with the OI, but the date of sentence as recorded on the DVLA data does not coincide with the OI date of sentence? For the DR10 offender, we can assume that the offence has been omitted in error, but the fact that there is still a match should mean that an offender of the same name, date of birth and gender has a criminal record. In most cases this should be the offender under investigation. For the non-DR10 offender, we would not expect the reference DR offence to be recorded on the OI. As for the DR10 offender, there is still a match with the OI, and hence it is likely that this offender has a criminal record.

Of course some of these matches could be because of an error, or because there is someone with the same (or very similar) name, date of birth and initials. Broughton (2002b) carried out detailed checks to examine the effects of mismatches on the results of analyses of data from DVLA matched with OI data. He used the three standard list motoring offences listed in 2.1.2, which should be listed in both the OI and the DVLA data, to check whether the matches were reliable. If the offender was matched, but the dates of sentence did not, then he marked the driver as being ‘mismatched’. His general conclusion was that 8 per cent of matches were likely to be not acceptable. For the data he used, he found that mismatching ‘is likely to diminish the apparent differences between groups of drivers and lead to an underestimation of the relative offence rate’.

One strategy for the analyses could be to exclude the partial matches (ie matches with the same, or very similar, name, date of birth and initials, but where there is no drink/driving offence on the OI with the same date of sentence as the reference offence). However, more detailed examination clearly shows that excluding these offences would cause more inaccuracies. To explore this, the data has been grouped into the five HRO types, plus the group of ordinary drink/drive offenders. Table 2 shows the percentage matches for men and women for the 1996 data.

This table illustrates again the ideas discussed earlier in the section. However, it also adds two further considerations. The first is that there are more non-matches for women than for men. Women are less likely to have a
criminal record than men, and so, apart from those in this sample with a DR10 offence, are less likely to appear on the OI. There are also fewer partial matches for women (with the exception of the small group of HRO3Bs). Again this is likely to be because fewer women have a criminal record than men.

The second consideration is that groups HRO3A and HRO3B have fewer full matches than other HROs. The offence for which these offenders become an HRO is DR30 (Driving or attempting to drive then failing to supply a specimen for analysis). This is not recorded on the OI. The fact that there are a number of full matches indicates that these offenders are also being convicted of other standard list offences at the same time as the DR30.

If partial matches were excluded (ie the likely criminal record of the partially matched offenders would be excluded), this could cause serious inaccuracies in the data; relatively more men than women would be excluded, and also more male HRO3s would be excluded, leading to an underestimation of their criminal offences.

The analyses presented in this report will, therefore, include all matched, partially matched and unmatched offenders. Because of the particular problems with the matched data, it should be noted that results should be taken as indicative only, and the use of standard statistical tests could give an incorrect idea of the accuracy of the results.

3 Variables available from the data

3.1 Social factors

This section examines the social factors that are available for the drink/drive offenders being studied here. The data set used is that for 1999. This is the more up to date of the two files and results have been found to be very similar for both the 1999 and 1996 data.

In the following text the terms HRO1A, 1B, 2, 3A, 3B and ordinary DR offender will continue to be used for the different types of drink/drive offender. These groups were defined in Section 1 and, for convenience, the definitions are repeated here:

**HRO1A:** Drivers with an offence with BAC>200mg/100ml and no drink/drive offence in the previous three years,

**HRO1B:** Drivers with an offence with BAC>200mg/100ml plus a drink/drive offence in the previous three years,

**HRO2:** Drivers with an offence between 81 and 200mg/100ml BAC, having been disqualified for a drink/driving offence in the previous ten years

**HRO3A:** Drivers who have refused to supply an evidential sample and have no drink/drive offence in the previous three years,

**HRO3B:** Drivers who have refused to supply an evidential sample and have a drink/drive offence in the previous three years.

**Ordinary DR offender:** driver who committed their first drink/drive offence in 1996 or 1999 (depending which year is being studied), without becoming an HRO.

### 3.1.1 Gender

The DVLA data provides information on the gender and age of drivers. Around 10 per cent of HROs are women, and Broughton’s analyses (2002a) showed that a woman is less than half as likely as a man to be an HRO with more than one drink/driving offence (HRO1B, 2 or 3B). Table 3 shows the percentage of each HRO type, for both men and women. As in the earlier research, women HROs are less likely than men to be of HRO type 1B, 2 or 3B and more likely to be ‘first-time offenders’ (HRO types 1A or 3A).

### 3.1.2 Social groups

Previous research (Davies et al., 1999b) has found differences in offending rates for different social groups. Since the data available contains no direct information on social background, the ACORN directory (CACI, 1997) supplied by CACI Ltd has been used. This system, which

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**Table 2 Percentage of offenders who can be matched in the OI, 1996 data**

<table>
<thead>
<tr>
<th></th>
<th>No match</th>
<th>Partial match</th>
<th>Full match</th>
</tr>
</thead>
<tbody>
<tr>
<td>HRO1A</td>
<td>14.2%</td>
<td>12.6%</td>
<td>73.2%</td>
</tr>
<tr>
<td>HRO1B</td>
<td>11.5%</td>
<td>15.1%</td>
<td>73.4%</td>
</tr>
<tr>
<td>HRO2</td>
<td>9.1%</td>
<td>17.1%</td>
<td>73.8%</td>
</tr>
<tr>
<td>HRO3A</td>
<td>28.9%</td>
<td>47.7%</td>
<td>23.4%</td>
</tr>
<tr>
<td>HRO3B</td>
<td>14.8%</td>
<td>28.4%</td>
<td>56.8%</td>
</tr>
<tr>
<td>Ordinary</td>
<td>17.6%</td>
<td>10.9%</td>
<td>71.5%</td>
</tr>
</tbody>
</table>

**Table 3 Percentage of each HRO type: for men and women**

<table>
<thead>
<tr>
<th></th>
<th>HRO1A</th>
<th>HRO1B</th>
<th>HRO2</th>
<th>HRO3A</th>
<th>HRO3B</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Male</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number of HROs in sample</td>
<td>8375</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Female</strong></td>
<td>924</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Percentages have been adjusted to take account of the differential sampling described in Section 2.2

The most common HRO type in 1999 for both men and women was the HRO1 (one drink/drive offence with BAC exceeding 200mg/100ml). The second most common (nearly a third) HRO type for men was the HRO2 (repeat offence within 10 years). For women the second most common group (over a quarter) was that of offenders who refused a specimen (HRO3A) but had no previous drink/drive offence.

Analysis of the 1999 data also confirmed the earlier finding that young HROs are more likely to be repeat offenders than older drink/drivers.

### 3.1.2 Social groups

The DVLA data provides information on the social background of drivers. Around 10 per cent of HROs are women, and Broughton’s analyses (2002a) showed that a woman is less than half as likely as a man to be an HRO with more than one drink/driving offence (HRO1B, 2 or 3B). Table 3 shows the percentage of each HRO type, for both men and women. As in the earlier research, women HROs are less likely than men to be of HRO type 1B, 2 or 3B and more likely to be ‘first-time offenders’ (HRO types 1A or 3A).
is widely used for market research purposes, uses postcodes (available in the DVLA data) to categorise drivers. There are six ACORN Categories (A to F), the ‘highest’ social group being A, and the ‘lowest’ being F. (See Appendix A for more details of ACORN Categories.)

The Acorn Category can only be derived if a full postcode is available and exists on the ACORN Directory. Table 4 shows the percentage for which a Category could not be found.

Table 4 Percentage of HRO type for which the ACORN category could not be derived

<table>
<thead>
<tr>
<th>HRO1A</th>
<th>HRO1B</th>
<th>HRO2</th>
<th>HRO3A</th>
<th>HRO3B</th>
<th>‘Ordinary’ DR offender</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.6%</td>
<td>2.2%</td>
<td>2.5%</td>
<td>3.1%</td>
<td>5.0%</td>
<td>2.3%</td>
</tr>
</tbody>
</table>

The percentage varies between groups. The group with the largest proportion of missing Categories is HRO3B. These refusers with a previous offence may be the most disaffected and hence less likely to communicate with DVLA.

Figures 1 and 2 show the percentages of ACORN Categories within each HRO type (for those for whom an ACORN Category has been derived). Percentages have been adjusted to take account of the differential sampling described in Section 2.2. The ACORN Categories have been grouped into three (A+B, C+D+E, and F). These groups were found by Davies et al. (1999b) to be reasonably homogenous and have also been found here to give consistent results.

For men, the percentages of offenders in each of the three groups for the one-off, high BAC offender (HRO1A) is very similar to those for the ordinary drink/drive offender. For the other HRO types, compared to the ordinary offender, there is a lower percentage in the higher social groups (A+B) and a larger percentage in the lowest social group (F). This is particularly evident for the refusers with an earlier drink/drive offence.

For women, the two very small groups HRO3B and HRO1B have been combined to form a slightly larger group in Figure 2. For this small group of 39 women, there are fewer offenders in the higher ACORN groups than in the lowest when compared to the ordinary offender. Differences for the other HRO groups are not so clear.
3.2 Details of offences

The DVLA data contains information on all motoring offences committed by the offender, except for details removed when licences are reissued. In addition, the OI contains information on the standard list offences committed by the matched offender.

3.2.1 Offences on the Offenders’ Index

Broughton (2002b) lists the OI offences and uses the following 11 groups for analysis:

1. Violence against the person.
2. Sexual offences.
4. Robbery.
5. Theft of/from a vehicle.
6. Other theft and handling.
7. Fraud and forgery.
8. Criminal damage.
10. (Standard list) Motoring offences.
11. Other offences.

For the purposes of these analyses, these 11 groups have been combined further:

A. Robbery, burglary and other theft (Groups 3, 4 and 6 above).
B. Theft of/from a vehicle.
C. Fraud and forgery.
D. Drug offences.
E. Violence against the person.
F. Other offences (includes the relatively small number of criminal damage offences, and the extremely rare occurrences of sexual offences).

Note: In the subsequent analyses, details of motoring offences are obtained from the DVLA rather than the OI data. In addition, the total number of offences for which an offender has been sentenced over a period of time is used. This includes all offences for which an offender is sentenced at any one court appearance.

3.2.2 Offences on the DVLA data

Codes used by DVLA to describe the drink/drive offences (DR10 to DR70) were described in section 2.3. The following other motoring offences will be considered in the analyses:

a. Careless and dangerous driving offences (coded CD and DD).
b. Speeding offences (coded SP).
c. Driving while disqualified (coded BA).
d. Licensing offences (coded LC or PL).
e. Insurance offences (coded IN).
f. Other offences (these include TT: Disqualification under the 'totting up' procedure; CU: Construction & use offences; AC: accident offences; UT: Theft or unauthorised taking).

4 Offending history

This Section uses the data on offenders sentenced for a reference offence in 1999 to examine the offending history of the drink/drivers. Offending behaviour over the three years before the reference offence is examined. Using a period of three years ensures that the record of motoring offences in the DVLA database will still be complete. Using a standard time period rather than counting offences over the whole of a person’s driving life to date also means that people who have been driving for many years can be compared directly with those who have been driving for a shorter time.

The authors have extracted the number of offences (for each group of motoring and of standard list offences) for which the offender was sentenced in the three years before the ‘reference’ offence. (The reference offence is the offence for which an offender first became an HRO, or for the ordinary offender, their first drink/drive offence.) In addition, details of the number of Court appearances have been taken from both the DVLA data and the OI; thus, a count of the total number of Court appearances in the three years before the reference offence, has been calculated for each offender.

A further indication of the propensity to commit offences can be obtained by examining the court appearance for the reference offence. The DVLA data lists all the motoring offences for which the offender was sentenced at the same time as the drink/drive offence. Thus, a count of the number of these motoring can be made for each offender.

It was explained at the end of Section 2.3, that because of the matching problems experienced, the results can be taken as indicative only. Appendix B lists the numbers of offenders in the individual groups shown in the figures.

Women form a relatively small group of drink/drive offenders, so their offending behaviour can be studied in less detail than men’s offending behaviour. Section 4.1 analyses men’s offending behaviour by age and social group, while Section 4.2 presents an analysis of women’s offending behaviour.

4.1 Male offenders’ criminal and motoring history

In the earlier Sections the authors have followed the convention of previous reports and treated the HRO2s as one group, using for its definition the second criterion under which an offender is classified as an HRO (ie a drink/drive offence in the previous ten years). However, the offenders with the worst record are those who have been sentenced for what could be defined as a ‘more serious’ offence (a high BAC, or refusing a sample) and also have another drink/drive offence in the previous three years. This section, therefore, examines the offence record of HRO2s by dividing the group into those with an offence in the previous three years (called HRO2Bs) and those with an offence between three and ten years previously (called HRO2As). It should be remembered that HRO1A and HRO3As consist of first time HROs with a high BAC, or who refused a sample and who do not have any previous drink/drive offence (in the previous ten years).
HRO2As, however, have a drink/drive offence (BAC between 80 and 200mg/100ml) at some time between three and ten years before the reference offence.

Figure 3 shows offending rates (ie the mean number of offences per offender in each group) for criminal offences for which the different drink/drive offenders have been sentenced in the previous three years. Figure 4 shows the rates for previous motoring offences, and for the number of Court appearances in the previous three years. It also includes the rate for the number of other motoring offences for which offenders were sentenced at the same time as the reference offence.

Perhaps rather surprisingly, the offenders with the best (or rather, least bad) record are the HRO1As. Their rate of offending in the previous three years is smaller for nearly every measure than that of the first time drink/drive offender with a BAC between 80 and 200mg/100ml ('ordinary' offender).

Both figures indicate that the offenders with the worst records are those with two drink/drive offences within three years (HRO3Bs, HRO2Bs and HRO1Bs). The HRO3Bs have the worst record, with particularly high records of convictions for theft of, or from a vehicle, for violence against the person and for robbery, burglary and other theft.

For both motoring and criminal offences the offence record of the HRO2As lies between that of the HRO1As and the HRO3As. The small differences between these groups indicate that the refusers (HRO3As) have the worst criminal record of the three HRO groups with no drink/drive offence in the previous three years.

The one motoring offence for which the rate varies little between the groups is that of speeding. Although differences are small, it is the ordinary drink/drive offenders who have slightly more speeding convictions in the three years before their reference offence than the HROs.
4.1.1 Variations with age

This section examines the offending history of five different age groups for male offenders. Four measures of their previous offending history are used:

1. Number of non-drink/drive motoring offences for which drivers were sentenced at the same time as the reference offence.
2. Number of motoring offences for which they were sentenced in the three years before the reference court appearance.
3. Number of criminal offences for which they were sentenced in the three years before the reference court appearance.
4. Number of court appearances for both criminal and motoring offences in the three years before the reference court appearance.

Figure 5 shows the rate for these measures for six HRO types and for ordinary drink/drive offenders. For all types, it is the youngest offenders who have the worst offending history. As was found when offences were considered separately, there is little difference between ordinary offenders and HRO1As. Their record of previous offences is lower than the other HRO types. The two groups in the middle are HRO2A and HRO3A. On the whole, younger HRO3As have a worse record than HRO2As.

It is offenders in the three groups HRO1B, HRO2B and HRO3B who show particularly high records of earlier offending, although this does generally fall with age. As for the ‘A’ groups, younger HRO3Bs have a worse record than younger HRO1Bs and HRO2Bs. Younger offenders who refuse a specimen appear to have committed more offences (criminal and motoring) than other drink/drive offenders.

4.1.2 Social groups

This section examines the offending history of male drink/ drivers, controlling for social group. The three groups of ACORN categories described in Section 3.1.2 are used. The numbers of offenders in groups HRO1B and HRO3B are small (253 and 258 offenders respectively). HRO1Bs and HRO3Bs will be grouped together with the HRO2Bs (1160 offenders) to form a single group of ‘multiple offenders’. Rates will be adjusted to take account of the differential sampling described in Section 2.2. Younger offenders tend to have a worse criminal and motoring offence history over the 3 years preceding the reference offence than older offenders. So as to take some account of this difference in offending rates, offenders aged under 30, and those of 30 years or older will be grouped together. Figure 6 shows offending rates for the four measures of previous offending history.

For each ACORN group, the younger drivers have a worse record than the older ones. For the younger age group, the offence record is worst for ACORN group F and ‘best’ for ACORN group A+B. For the older offenders this pattern is less clear; although group F has the worst record, that of group C+D+E is similar to group A+B. When age and social group are controlled, the past record of HRO1A offenders is very similar to, or better than that of the ordinary drink/drive offender. As indicated in the earlier analyses, it is the HRO1Bs, HRO2Bs and HRO3Bs who have the worst record compared to the other drink/drive groups.

Young male offenders in ACORN category F are likely to have committed a number of criminal and motoring offences in the three years before the reference offence. The rate for ordinary drink/drive offenders under 30 years old and from social group F, is more than 1 criminal offence per offender in three years; that for HRO multiple offenders is around 3, that is an average of about one criminal offence per year. For motoring offences, the rates over the previous three years are 1.5 for ordinary offenders and around 4 for multiple offenders.

4.2 Women offenders’ criminal and motoring history

Only 32 women offenders are in the repeat offending groups HRO1B and HRO3B. The third group of offenders with an offence in the previous three years is HRO2B, and there are 63 women in the current sample. These 95 women are grouped together as ‘multiple offenders’ for this analysis. The other repeat offenders are in the HRO2A group, which consists of 77 women.

Figure 7 shows the four measures of offending history used in Section 4.1.1 for five groups of women drink/ drivers. As found for men, HRO1A is the group with the ‘best’ offending history, although their history is very similar to that of the ordinary drink/drive offender. The offence record for the HRO3As (348 offenders) is also similar to that of the HRO2As, although the HRO3A offender is likely to have been sentenced for more offences at the same time as the reference offence but has a lower rate for the other three measures. The numbers in the groups are small and hence differences may have occurred by chance.

The multiple drink/drive offenders form the group with the worst record. Compared to the other groups, they have experienced more than twice the number of Court appearances and been sentenced for more than twice the number of criminal (non-drink/driving) offences in the three years before their reference offence. The offending rates for women of all ages are comparable with those for men of 30 years or older shown in Figure 6.

5 Future offending behaviour

This Section examines the offending behaviour of drink/ drivers in the three years after they have been sentenced to the reference offence. Broughton (2002a) looked at offenders who commit a further drink/driving offence, hence these analyses concentrate on criminal and non-drink/driving motoring offences. The data used for the analysis will be that for offenders sentenced in 1996, as described in Section 2.2, and the results will be compared with results for offenders sentenced in 1999. It seems likely that the 1996 offenders would, if they had not been sentenced and penalised, have behaved collectively over the following three years as the 1999 offenders actually
Figure 5 Offence rates in previous three years, men only, by age groups.
Figure 6 Offence rates in previous three years, men only, by age group and ACORN category
behaved, so this will provide general indications of the effects of the penalties imposed upon their subsequent offending behaviour.

Section 5.1 compares rates of offending in the three years before and after the reference offence for the different HRO types. Section 5.2 then examines changes in criminal behaviour in more detail, while Section 5.3 discussed the patterns that have been found.

5.1 Offending before and after the reference offence

The four measures of offending behaviour described in Section 4.1.1 will be used in the following analyses:

1. Number of non-drink/drive motoring offences for which drivers were sentenced at the same time as the reference offence.
2a. Number of motoring offences for which they were sentenced in the three years after the reference court appearance.
2b. Number of motoring offences for which they were sentenced in the three years before the reference court appearance.
3a. Number of criminal offences for which they were sentenced in the three years after the reference court appearance.
3b. Number of criminal offences for which they were sentenced in the three years before the reference court appearance.
4a. Number of court appearances for both criminal and motoring offences in the three years after the reference court appearance.
4b. Number of court appearances for both criminal and motoring offences in the three years before the reference court appearance.

When examining data from DVLA on the motoring offences of drivers who were sentenced for their reference offence in 1996, information will be complete for the years from 1996 to 1999. However, as stated in Section 2.2, details of offences can be removed from the DVLA file after 11 years for drink/drive offences and after 4 years for other offences. Hence, for the 1996 data, the record of motoring offences in the preceding three years will be incomplete. This problem does not occur for the Offenders’ Index, and hence measure 3 should be complete for both the before (3a) and after (3b) data. Measures 2 and 4 are incomplete in the 1996 data for the preceding three years (ie 2b and 4b), but not for the three years after the reference offence (2b and 4b). Measure 1, of course is not a ‘before and after’ measure, and the information will be complete. The 1999 data, which has been used in the earlier Sections, should be complete for the three years before the reference offence. Figures 9 to 11 include, for the male offenders, the ‘before’ and ‘after’ rates for measures 2, 3 and 4, for offenders in both the 1996 and 1999 datasets.

Figure 8 shows the rate for measure 1 for both the 1996 and 1999 data. The rates per offender for the number of motoring offences at the reference Court appearance are broadly similar for each HRO type, which indicates that the two set of offenders match in this respect.

Before comparing measures 2, 3 and 4 for the three years before and after the reference offence, all four measures (complete and incomplete) for men in the 1996 and 1999 data will be examined. Figure 9 shows the number of criminal offences, which should be complete for both 1996 and 1999; again the two sets of ‘before’ rates are similar. This similarity indicates that when the 1996 before data are incomplete, it is acceptable to use the 1999 ‘before’ data for comparison with the 1996 ‘after’ data. Figures 10 and 11 show rates for the two incomplete measures. The ‘before’ 1996 rates are always less than for
Figure 8 Offences at reference court appearance, men only

Figure 9 Criminal offences before and after the reference offence, men only

Figure 10 Motoring offences before and after reference offence, men only

Figure 11 Court appearances before and after the reference offence, men only
the 1999 ‘before’ rates, as would be expected from their acknowledged incompleteness. Therefore, when comparing offending behaviour in the three years before the reference offence with that in the three years after, it is better to compare the (complete) after data for offenders convicted in 1996 with the (also complete) before data for offenders convicted in 1999 rather than the (incomplete) before data for offenders convicted in 1996.

Figures 9, 10 and 11 will now be used to compare offending behaviour before and after sentencing for the reference offence. Comparison of the before (1999) data with the after (1996) data, as discussed above, shows that rates of offending are less in the three years after the reference offence than in the three years before. This is particularly apparent for offenders with a high rate of offending before the reference offence (HRO1Bs, HRO2s and HRO3Bs). It therefore appears that, in the three years after being sentenced for a drink/drive offence, offenders commit fewer criminal and motoring offences and make fewer Court appearances, than in the three years before. This effect is small where the offending rates are relatively small, that is for both the ‘ordinary’ drink/driver and the HRO1As. The effect is particularly apparent where the offending rate is high, that is for the HRO1Bs and HRO3Bs.

5.2 Criminal behaviour before and after the reference offence

This section examines in more detail the changes in behaviour of the drink/drive offenders who were convicted of the reference offence in 1996. It discusses the effect of age and social group and also examines the effect of sentencing, using information on length of disqualification periods and other disposals such as community service and imprisonment. As discussed in Section 5.1, information on motoring offences in the three years before the reference offence is incomplete. Therefore, the analyses examine convictions for criminal offences in the three years before and after sentencing for the reference offence. Five groups of male offenders are used:

Ordinary DR offender: drivers who committed their first drink/drive offence in 1996, without becoming an HRO.
HRO1A: Drivers with an offence with BAC>200mg/100ml and no drink/drive offence in the previous three years.
HRO2: Drivers with an offence between 81 and 200mg/100ml BAC, having been disqualified for a drink/driving offence in the previous ten years.
HRO3A: Drivers who have refused to supply an evidential sample and have no drink/drive offence in the previous three years.
HRO3B and HRO1B: Drivers who have refused to supply an evidential sample plus drivers with an offence with BAC>200mg/100ml, who also have a drink/drive offence in the previous three years.

Measure 3 is used, ie the number of criminal offences for which offenders were sentenced in the three years before the reference offence and in the three years after. The results are thus equivalent to those in Figure 9, but for specific groups of offender.

5.2.1 Social group and age

Social group

Figure 12 shows the rate of offending before and after the reference offence for each offending group, and for the three social groups. All groups of offenders are sentenced for fewer criminal offences in the three years after the reference offence compared with in the three years before.

Age

Section 4.1.1 discussed the effects of age on offending behaviour. To take account of this, male offenders have been divided into offenders who were under 30 years when they were sentenced for the reference offence and those who were 30 or older. Figure 13 shows the rate of offending before and after the reference offence for each age group. As above, all groups of offenders are sentenced for fewer criminal offences in the three years after the reference offence compared with the three years before. However, the strong effect of age should be noted. Examining the three years after the reference offence only, for each group, older offenders reoffend less than younger offenders.

Although the younger group of offenders is under 30 years at the time of sentencing for the reference offence, they will obviously all be proportionally older at the end of the three year ‘after’ period than at the beginning of the three year ‘before’ period. This could well explain part or all of the difference between offending rates before and after the reference offence.

5.2.2 Sentencing disposal and reoffending

Convicted drink/drive offenders are normally sentenced to a period of disqualification and are also likely to be fined. They may also be sentenced to some other disposal such as a probation order or imprisonment. Drivers sentenced to longer disqualification periods and more serious disposals may have worse offending patterns than other drivers.

Broughton (2002a) found that only 5 per cent of HROs receive no fine and no additional sentence apart from disqualification. He also reported that the mean period of disqualification for HROs was around 28 months. The HRO type with the shortest mean disqualification period was the HRO3As (around 20 months in the year 2000), and those with the longest were the HRO 1Bs and HRO2s (over 34 months). First time drink/drive offenders are likely to be disqualified for 12 months. Therefore, when examining length of disqualification the sample of drink/drive offenders will be divided into:

• Those disqualified for 12 months or less.
• Those disqualified for between 13 and 24 months, and
• Those disqualified for over 24 months.

The Offenders’ Index contains over 300 ‘disposal’ codes indicating the disposal (other than disqualification) to which an offender has been sentenced. (Examples of these are 250: Imprisonment without option of a fine, and 315: Fine.) Up to four different disposals for each Court appearance are recorded in the OI, but, for simplicity, only what appears to be the ‘most serious’ disposal will be analysed. For example, if an offender is sentenced to both
a fine and a period of imprisonment, then the imprisonment is the disposal examined. Disposals are grouped into the following categories:

1 *Fine*. These offenders will not have been sentenced to disposals described in 2 or 3 below.

2 *Community sentence or probation*. (Includes community service, probation, supervision, combination or attendance centre order.) These offenders will not have been sentenced to disposals described in 3 below, but may have been fined.

3 *Custody*. (Includes orders such as imprisonment, detention in a young offenders institution and also suspended sentences.) These offenders may also have been sentenced to 1 and/or 2 above.

Male offenders under 30 years will be examined in order to take some account of the effect of age. Figure 14 shows the rates of criminal convictions before and after the reference offence for the five groups of offenders and for the three disqualification groups. Figure 15 shows rates of criminal convictions for the three disposal groups. The number of offenders in each group are shown in Appendix B. It should be noted that a number of groups consist of fewer than 80 offenders. In Figure 14 these are: HRO3B+HRO1B: 12 months or less and HRO3B+HRO1B: 25+ months; in Figure 15 they are those sentenced to custody in groups HRO1A, HRO3A and HRO3B+HRO1B.

Both figures confirm that the rate of offending for a criminal offence is less in the three years after sentencing for the reference offence than in the three years before,
whatever the disposal or disqualification period. The effect is small where the offending rates are relatively low. A large effect is apparent when the offending rate has been particularly high before the reference offence. For example offenders who have been sentenced to a term of custody have a particularly bad record of criminal offences before the reference offence. As might be expected for this group, since one effect of imprisonment will be to restrict offending behaviour, in the three years after the reference offence their offending rates (for criminal offences) are considerably lower. It should be noted however, that these offenders who have been sentenced to a custodial sentence still offend more in these later years than offenders sentenced to other disposals in the same HRO group.

5.2.3 Further drink/drive offences
As stated at the beginning of this Section, this report does not examine in detail the reoffending of HROs by committing a further drink/drive offence. However, in the light of the findings of the differences in offending backgrounds of the HRO types this Section brings together results from earlier work. Table 5 shows the reoffending rate after two years for five HRO types. This information was reported by Broughton (2002a). The control group used by Broughton was different from that used in this report; however, a similar control group of non-HROs was used by Davies et al. (1999b). The rate of offending of this group after two years is included in the table.

Table 5 Proportion of male offenders who had reoffended after two years

<table>
<thead>
<tr>
<th>Type of drink/drive offender</th>
<th>Percentage reoffending after 2 years</th>
</tr>
</thead>
<tbody>
<tr>
<td>HRO1A</td>
<td>4% (^1)</td>
</tr>
<tr>
<td>HRO1B</td>
<td>10% (^1)</td>
</tr>
<tr>
<td>HRO2</td>
<td>8% (^1)</td>
</tr>
<tr>
<td>HRO3A</td>
<td>7% (^1)</td>
</tr>
<tr>
<td>HRO3B</td>
<td>13% (^1)</td>
</tr>
<tr>
<td>First time drink/drive offender</td>
<td>5% (^2)</td>
</tr>
</tbody>
</table>

\(^1\) Data from Broughton (2002a)
\(^2\) Data from Davies et al. (1999b)

These results indicate again that HRO1As are very similar to the first time ‘ordinary’ drink/drive offender.
5.2.4 Women offenders
There are fewer female drink/drive offenders than male. In addition, their rates of offending are lower than those of male offenders. Therefore, only a simplified analysis has been carried out for women. This Section uses data on offences committed before the reference offence for offenders sentenced in 1999 and compares it with data for offences committed after the reference offence for offenders sentenced in 1996, as described in Section 5.1. Two measures of offending behaviour are used: the number of criminal offences and the number of motoring offences committed in the three years before (and after) the reference offence. The five groups of offenders described in Section 5.2 have been used. Figure 16 shows the criminal offences in the three years before and after the reference offence and Figure 17 shows the motoring offences. The HRO3B and 1B group is small (39 women in 1999 and 37 in 1996) all other groups consist of more than 100 women.

All groups show an improvement in offending rates for both criminal and motoring offences in the three years after sentencing for the reference offence.

5.3 Discussion on offending after becoming an HRO
The analyses in Section 5.2 indicate that all the groups of drink/drive offenders are sentenced for fewer motoring and criminal offences in the three years after the reference offence than in the three years before. In depth analyses of criminal offences in Section 5.2.2 show that age and social group strongly influence the number of criminal offences. The drop in offending could be largely because of the effect of ageing.

Does the fact that an offender has become an HRO (ie is likely to have a longer disqualification period and also will have to pass a medical examination before driving legally again) affect his future offending behaviour? The two groups with the lowest offending rates are the ‘ordinary’ drink/drive offenders (who have not become an HRO at the reference offence) and the HRO1As (high BAC, and no offence in the last three years). Both of these groups show an improvement after sentencing for the reference offence. It cannot therefore be argued that becoming an HRO is the cause of such an improvement.

Examination of the groups with a high offending rate shows a large improvement after the reference offence.

Figure 16 Criminal offences before and after the reference offence, women only

Figure 17 Motoring offences before and after the reference offence, women only
This may well be because the offender is older, and for some groups an effect of imprisonment. Examination of the effect of different disposals is difficult to separate from this age effect. The small numbers in the groups examined and the problems experienced when matching the data with the Home Office Offenders’ Index also mean that care should be taken when interpreting any difference.

6 Summary

This report completes a series of investigations into the working of the High Risk Offender Scheme. Broughton (2002a) examined the motoring offences of offenders before and after they became HROs. In particular, he looked at offenders who commit a further drink/driving offence. This study has presented the results of analyses of the criminal and motoring offences committed by drink/driving offenders before they became HROs, and also has examined their criminal behaviour afterwards. Information on drivers and motoring offences has been obtained from the DVLA and has been linked to the Home Office Offenders’ Index which holds the criminal histories of offenders convicted in England and Wales. Two samples of drink/drivers have been analysed:

1 For examination of past offending behaviour: a proportion of offenders who became HROs in 1999, and of ‘ordinary’ drink/drive offenders, ie those who committed their first drink/drive offence in 1999 without becoming HROs.

2 For examination of future offending behaviour: a proportion of offenders who became HROs in 1996, and of ‘ordinary’ drink/drive offenders, ie those who committed their first drink/drive offence in 1996 without becoming HROs.

The offence for which an offender in the sample first became an HRO, or the first drink/drive offence for the ‘ordinary’ drink/drive offender is referred to as the ‘reference’ offence, and the date of sentence for this offence acts as the reference point for the analyses.

There are several types of drink/drive offences; while all of these are recorded in the DVLA file, only one is currently recorded in the Offenders’ Index. However, someone who committed another type of drink/drive offence may appear on the Index if convicted of other offences, so his or her criminal history can be investigated. The study has found some uncertainties in the matching process, and results should only be taken as indicative because of these.

Offending background of HROs

For these analyses the three HRO groups have also been divided into those who have been sentenced for a drink/drive offence in the three years before becoming an HRO, and those who had not. Their offence records were compared with the records of a sample of first time drink/drive offenders who were not HROs. Women form a relatively small group (around 11 per cent) of HROs so their background has been reported in less detail than for men.

Men

The male offenders with the best (or rather, least bad) record are the HRO1As (HROs with a high BAC, but no drink/drive offence in the three years before they became an HRO). Their rate of offending in the previous three years is smaller for nearly every criminal or motoring offence than even that of the ordinary offender.

Offenders with the worst records are those who committed two or more drink/drive offences within three years. Drivers who refused to supply a specimen and had a previous drink/drive offence have the worst record, with particularly high levels of convictions for theft of, or from a vehicle, for violence against the person and for robbery, burglary and other theft.

Speeding is the one motoring offence for which the rate varies little between the groups. Although differences are small, it is the ordinary drink/drive offenders who committed slightly more speeding convictions in the three years before their reference offence than the HROs.

The relationship between the age and social group and the offending history of HROs has also been investigated. Offenders were divided into three social groups using ACORN categories (A+B; C+D+E; and F). For each social group, the younger drivers have a worse record than the older ones. For the younger age group, the offence record is worst for the lowest social group and ‘best’ for the highest. For the older offenders this pattern is less clear: although group F has the worst record, that of group C+D+E is similar to group A+B.

When age and social group are controlled, the past record of HRO1A offenders is very similar to, or better than that of the ordinary drink/drive offender. As indicated in the earlier analyses, HROs with a previous offence within three years have the worst record.

Young male offenders in ACORN category F are likely to have committed a number of criminal and motoring offences in the three years before the reference offence. The rate for ordinary drink/drive offenders under 30 years old and from social group F, is more than 1 criminal offence per year. For motoring offences, the rates over the previous three years are 1.5 for ordinary offenders and 4 for multiple offenders.

Women

As for men, HRO1As have the ‘best’ offending history for both criminal and motoring offences, very similar to that of the ordinary drink/drive offender, while the multiple drink/drive offenders have the worst record. Compared to the other groups, multiple offenders have experienced more than twice the number of Court appearances and been sentenced for more than twice the number of criminal offences in the three years before their reference offence. The offending rates for women of all ages are comparable with those for men of 30 years or older.

Future offending behaviour

All the groups of drink/drive offenders (HROs and non-
HROs) are sentenced to fewer offences (motoring and criminal) in the three years after the reference offence compared to the three years before. We should consider what conclusions may reasonably be drawn from this finding. Does the fact that an offender has become an HRO (ie is likely to have a longer disqualification period and also will have to pass a medical examination before driving legally again) affect his or her reoffending behaviour?

In considering this question, the two groups with the lowest offending rates are the ‘ordinary’ drink/drive offenders (who have not become an HRO at the reference offence) and the HRO1As (high BAC, and no offence in the last three years). Both of these groups show a broadly similar improvement after sentencing for the reference offence. It cannot therefore be argued that becoming an HRO is the cause of such an improvement; it could be a natural consequence of ageing.

Examination of the groups with a high offending rate shows a large improvement after the reference offence, which may be caused in part by ageing. Examination of the effect of different disposals is difficult to separate from this age effect. The small numbers in the groups examined and the problems experienced when matching the data with the Home Office Offenders’ Index also mean that care should be taken when interpreting any difference.

This study has shown that offenders who are convicted of drink/driving, have a BAC exceeding 2.5 times the legal limit, and who have no earlier convictions for drink/driving have a similar motoring and criminal history to that of first time drink/drive offenders with a lower BAC. The former’s record of offending after becoming an HRO is also similar to that of the ‘ordinary’ drink/drive offender.

In contrast, it is the offender who has at least two offences within three years who is more likely to reoffend. In particular, repeat offenders who refuse to supply a specimen after their second offence are likely to have committed a greater number of criminal and motoring offences before becoming an HRO. They are also more likely to commit further criminal offences after being sentenced for the second drink/drive offence. A review of the HRO scheme should consider whether the first time offenders with a high BAC should come under the same scheme as multiple offenders.

The differences between the HRO groups, particularly the lower offending rates of the high BAC offender who is not a repeat offender, indicate that investigation of the social characteristics, attitudes and behaviour of HRO groups would be fruitful in developing policy.

Broughton (2002a) found that offenders who refused to supply a specimen were likely to be disqualified for shorter periods than other HROs. These offenders have been found to constitute a group with particularly high numbers of criminal and motoring offences. Providing Courts with more information on reoffending rates of the different HRO types would enable better informed decisions on sentencing to be made.

7 Acknowledgements

The work described in this report was carried out in the Safety Group of TRL.

8 References


Appendix A: Description of ACORN categories

CACI has classified each local area in Great Britain using a set of 54 ACORN types. This is based on an extensive cluster analysis of data from the 1991 Census. The actual directory comprises a list of all British postcodes with the appropriate ACORN types for each postcode. As the great majority of DVLA driver records contain the driver’s postcode, it is possible to associate each driver with the ACORN type of the area where he or she lives. The 54 ACORN types are grouped into 17 ACORN Groups, which are further grouped into 6 ACORN Categories.

**Category A: Thriving**
- Wealthy achievers, suburban areas.
- Affluent greys, rural communities.
- Prosperous pensioners, retirement areas.

**Category B: Expanding**
- Affluent executives, family areas.
- Well-off workers, family areas.

**Category C: Rising**
- Affluent urbanites, town and city areas.
- Prosperous professional, metropolitan areas.
- Better-off executives, inner city areas.

**Category D: Settling**
- Comfortable middle agers, mature home owning areas.
- Skilled workers, home owning areas.

**Category E: Aspiring**
- New home owners, mature communities.
- White collar workers, better-off multi-ethnic areas.

**Category F: Striving**
- Older people, less prosperous areas.
- Council estate residents, better-off homes.
- Council estate residents, high unemployment.
- Council estate residents, greatest hardship.
- People in multi-ethnic, low-income areas.

The basic unit of the cluster analysis which generates the ACORN codes covers almost 400 people on average, and clearly some areas of this size will contain individual addresses from two or more Types. The data are widely used by commercial customers, so in practice any errors are likely to be acceptably small.
Appendix B: Number of offenders in the groups shown in the figures

In this study drink/drivers have been divided into a number of different groups. The sizes of the groups are listed here because they vary considerably. Differences shown by very small groups may occur by chance.

Figures in Section 4

<table>
<thead>
<tr>
<th>Ordinary DR offender</th>
<th>HRO1A</th>
<th>HRO1B</th>
<th>HRO2A</th>
<th>HRO2B</th>
<th>HRO3A</th>
<th>HRO3B</th>
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<tbody>
<tr>
<td>Figure 3 Criminal convictions in the previous three years, men only</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Figure 4 Motoring offence convictions in the previous three years, men only</td>
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<td></td>
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<td></td>
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<td>9986</td>
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<td>253</td>
<td>2120</td>
<td>1160</td>
<td>2166</td>
<td>258</td>
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</tbody>
</table>

| Figure 5 Offence rates in previous 3 years, men only, by age group |
| 17-24 | 3114 | 460 | 79 | 213 | 446 | 451 | 86 |
| 25-29 | 1624 | 380 | 48 | 471 | 237 | 377 | 44 |
| 30-39 | 2444 | 705 | 55 | 784 | 271 | 661 | 71 |
| 40-49 | 1470 | 539 | 41 | 373 | 133 | 395 | 34 |
| 50+ | 1254 | 328 | 29 | 278 | 66 | 267 | 22 |

<table>
<thead>
<tr>
<th>Ordinary DR offender</th>
<th>HRO1A</th>
<th>HRO2A</th>
<th>HRO3A</th>
<th>Multiple offender</th>
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<tbody>
<tr>
<td>Figure 6 Offence rates in previous 3 years, men only, by age group and ACORN category</td>
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<td></td>
<td></td>
<td></td>
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<tr>
<td>&lt;30, A+B</td>
<td>1233</td>
<td>219</td>
<td>161</td>
<td>150</td>
</tr>
<tr>
<td>30+, A+B</td>
<td>1201</td>
<td>334</td>
<td>259</td>
<td>253</td>
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<tr>
<td>&lt;30, C+D+E</td>
<td>2294</td>
<td>388</td>
<td>310</td>
<td>365</td>
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<td>30+, C+D+E</td>
<td>2436</td>
<td>725</td>
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<td>628</td>
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<tr>
<td>&lt;30, F</td>
<td>1209</td>
<td>230</td>
<td>198</td>
<td>308</td>
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<tr>
<td>30+, F</td>
<td>1391</td>
<td>437</td>
<td>445</td>
<td>394</td>
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</table>

| Figure 7 Offence rates in previous 3 years, women only |
| 1297 | 397 | 77 | 348 | 95 |
### Figures in Section 5

<table>
<thead>
<tr>
<th>Ordinary</th>
<th>HRO1A</th>
<th>HRO1B</th>
<th>HRO2</th>
<th>HRO3A</th>
<th>HRO3B</th>
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<td>Offender</td>
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**Figure 8-11 Men: Offences at reference court appearance. Criminal offences before and after the reference offence. Motoring offences before and after the reference offence. Court appearances before and after the reference offence.**

<table>
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<tr>
<th>Year</th>
<th>Ordinary</th>
<th>HRO1A</th>
<th>HRO1B</th>
<th>HRO2</th>
<th>HRO3A</th>
<th>HRO3B</th>
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</thead>
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<tr>
<td>1996, before and after</td>
<td>10,610</td>
<td>2,935</td>
<td>305</td>
<td>3,976</td>
<td>2,241</td>
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<td>1999, before</td>
<td>9,986</td>
<td>2,418</td>
<td>253</td>
<td>3,280</td>
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**Figure 12 Men: Criminal offences by social groups**

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<th>Social Group</th>
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<th>HRO1A</th>
<th>HRO1B</th>
<th>HRO2</th>
<th>HRO3A</th>
<th>HRO3B+1B</th>
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</thead>
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<tr>
<td>A+B</td>
<td>2,632</td>
<td>667</td>
<td>743</td>
<td>383</td>
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<tr>
<td>C+D+E</td>
<td>5,045</td>
<td>1,388</td>
<td>1,814</td>
<td>1,018</td>
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<td></td>
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<tr>
<td>F</td>
<td>2,691</td>
<td>766</td>
<td>1,264</td>
<td>740</td>
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**Figure 13 Men: Criminal offences before and after the reference offence by age group**

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<th>Age Group</th>
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<th>HRO1B</th>
<th>HRO2</th>
<th>HRO3A</th>
<th>HRO3B+1B</th>
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<tr>
<td>Under 30</td>
<td>5,095</td>
<td>989</td>
<td>1,504</td>
<td>770</td>
<td>271</td>
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<tr>
<td>30+</td>
<td>5,515</td>
<td>1,946</td>
<td>2,472</td>
<td>1,471</td>
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**Figure 14 Men under 30: Criminal convictions by disqualification period**

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<th>Disqualification Period</th>
<th>Ordinary</th>
<th>HRO1A</th>
<th>HRO1B</th>
<th>HRO2</th>
<th>HRO3A</th>
<th>HRO3B+1B</th>
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</thead>
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<tr>
<td>12 mths or less</td>
<td>3,128</td>
<td>84</td>
<td>113</td>
<td>320</td>
<td>36</td>
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<tr>
<td>13-24 mths</td>
<td>1,789</td>
<td>596</td>
<td>86</td>
<td>303</td>
<td>47</td>
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<td>25+ mths</td>
<td>178</td>
<td>309</td>
<td>1,305</td>
<td>147</td>
<td>188</td>
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**Figure 15 Men under 30: Criminal offences by disposal**

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<th>Disposal Type</th>
<th>Ordinary</th>
<th>HRO1A</th>
<th>HRO1B</th>
<th>HRO2</th>
<th>HRO3A</th>
<th>HRO3B+1B</th>
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<td>Fine</td>
<td>4,657</td>
<td>754</td>
<td>973</td>
<td>610</td>
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<td>Community sentence</td>
<td>301</td>
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<tr>
<td>Custody</td>
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<td>62</td>
<td>170</td>
<td>63</td>
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</table>

**Figure 16 Women: Criminal offences before and after the reference offence**

<table>
<thead>
<tr>
<th>Year</th>
<th>Ordinary</th>
<th>HRO1A</th>
<th>HRO1B</th>
<th>HRO2</th>
<th>HRO3A</th>
<th>HRO3B+1B</th>
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<tr>
<td>1999: 3 yrs before</td>
<td>1,297</td>
<td>397</td>
<td>140</td>
<td>348</td>
<td>39</td>
<td></td>
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<tr>
<td>1996: 3 yrs after</td>
<td>1,184</td>
<td>418</td>
<td>144</td>
<td>290</td>
<td>37</td>
<td></td>
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</table>
Abstract

The High Risk Offender (HRO) scheme covers those drink/drive offenders whose offences suggest that they pose particular risks to other road users. The consequence of being an HRO is that the driving licence is not reissued automatically at the end of the disqualification period, as occurs with most other types of offender. Instead, an HRO must apply for a new licence, and one will only be issued following a positive medical assessment.

This report completes a series of investigations into the working of the scheme. It presents the results of a study of the criminal and motoring offence history of drink/drive offenders before they become HROs, and also examines their offending behaviour afterwards.

Related publications

- TRL562 *The number of motoring and non-motoring offences* by J Broughton. 2002 (in production)
- TRL524 *High risk offenders’ reconviction patterns* by J Broughton. 2002 (price £20, code A)
- TRL426 *Drink/driver rehabilitation courses in England and Wales* by G P Davies, G Harland and J Broughton. 1999 (price £35, code H)
- TRL394 *The high risk offender scheme for drink-drivers* by G P Davies, J Broughton, A Clayton and R J Tunbridge. 1999 (price £25, code E)
- TRL252 *Does retesting deter dangerous driving* by D G Harland and J Lester. 1997 (price £25, code E)
- TRL232 *Drinking and driving in Great Britain - a review* by G Maycock. 1997 (price £25, code E)
- RR325 *A review of rehabilitation programmes for drink/drive offenders in the USA* by P J Mills. 1992 (price £35, code J)
- CR147 *A survey of drink-drive behaviour, knowledge and attitudes* by R Lennox and A Quimby. 1990 (price £20, code D)

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