INTRODUCTION

The term High Risk Offender (HRO) originated in the report of a Committee set up in 1974 to review the operation of the law relating to drinking and driving (Department of the Environment, 1976). Aware of the problem presented by offenders ‘whose drinking is out of control’, the Committee recommended that high risk offenders should receive a special order that “… he shall not be entitled to a licence thereafter until he first satisfies the court that he does not, by reason of his drinking habits, present undue danger to himself and other road users”. A further recommendation was that the Court making the special order should be required to explain its effect to the offender.

The HRO Scheme was first introduced in May 1983 to cover only offenders with two convictions within ten years of a BAC in excess of 0.20g/100ml and or of refusing to provide an evidential specimen. In June 1990, the scheme was revised to include those drivers convicted of a single offence with a BAC in excess of 0.20g/100ml (Singles), repeat offenders (Repeaters) or those who refused to provide an evidential specimen (Refusers).

Typically, HROs are disqualified for a period of at least two years. Those convicted of two offences within ten years typically are disqualified for three years. As a result, it is only now possible to undertake an evaluation of the extended HRO Scheme introduced in 1990.
AIMS OF RESEARCH

As part of an evaluation of the operation of the HRO Scheme, the present project is designed to:

- Identify trends in the numbers and characteristics of HROs over the period 1990-1995;
- Interview a sample of 300 HROs to determine their drinking habits and social characteristics;
- Undertake a postal survey of 3,000 HROs who fail to reapply for their licences at the end of their disqualification, and
- Undertake a postal survey of a random sample of 3,000 drivers with no previous drink driving convictions.

RESULTS

Recent trends
Between 1991 and 1995, all offenders declined by 9% and all HROs declined by 15%. Within the various types of HROs, the percentage of Singles has tended to increase whilst that for Repeaters has tended to decline. The percentage of Refusers has remained virtually constant.

Table 1: Trends in drink driving offenders and HROs: 1991-1996

<table>
<thead>
<tr>
<th>Year</th>
<th>Total no of new drink driving offenders</th>
<th>No of new HROs</th>
<th>Percentage of all High Risk Offenders</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Singles %</td>
</tr>
<tr>
<td>1991</td>
<td>103,229</td>
<td>39,039</td>
<td>43</td>
</tr>
<tr>
<td>1992</td>
<td>97,977</td>
<td>36,297</td>
<td>45</td>
</tr>
<tr>
<td>1993</td>
<td>91,407</td>
<td>34,480</td>
<td>44</td>
</tr>
<tr>
<td>1994</td>
<td>94,260</td>
<td>33,489</td>
<td>46</td>
</tr>
<tr>
<td>1995</td>
<td>94,324</td>
<td>33,219</td>
<td>47</td>
</tr>
<tr>
<td>1996 (part)</td>
<td>88,572</td>
<td>33,082</td>
<td>49</td>
</tr>
</tbody>
</table>

All drink driving offenders are quoted by date of offence. HROs are quoted by date of disqualification. Delays with the recording of the offence data (96% recorded within 12 months) are longer than those for the HRO data (99% within 4 months).
Trends by age and gender

The overall reduction masks some significant differences by age and gender. It is apparent (Table 2) that there has been a substantial percentage increase in the number of female HROs, particularly those aged 45-59 years. The number of older (45-59 years) male HROs has also increased. Both increases have been masked by a numerically larger decrease in male HROs aged 17-44 years.

<table>
<thead>
<tr>
<th>Age</th>
<th>Male</th>
<th>Female</th>
</tr>
</thead>
<tbody>
<tr>
<td>17 - 44</td>
<td>-20.2</td>
<td>+3.8</td>
</tr>
<tr>
<td>45 - 59</td>
<td>+9.5</td>
<td>+29.6</td>
</tr>
<tr>
<td>Total</td>
<td>-16.0</td>
<td>+8.5</td>
</tr>
</tbody>
</table>

NB: Drivers of unknown age have been omitted from this analysis. The 1996 data was not available split by age and gender.

Recidivism Rates by type of HRO

Figure 1 shows the recidivism rates by HRO type for offenders convicted in 1993. Typically the recidivism rate for Singles is lower than that for the other types of HRO. About 5% of Singles commit another offence within two years of the date of original disqualification compared with 9-10% for Repeaters and Refusers. The recidivism rate for Singles is more comparable to that for a control group of offenders convicted of single offences below 0.20g/100ml.
Figure 1: Recidivism Rates by HRO type for offenders first convicted in 1993

A similar pattern may be seen for other (non drink driving) offences committed since becoming an HRO. Taking all HROs convicted between 1990 and 1995, the proportion of Singles who committed no other motoring offence after conviction (84%) was considerably higher than that for either Repeaters (73%) or Refusers (75%).

There is some evidence to suggest that the level of recidivism is declining slightly. Thirty months after conviction, 12% of both Repeaters and Refusers first convicted in 1990 had recidivated. The comparable figures for 1993 were 10%. The reduction for Singles was lower (7% to 6%).

Home interviews
Of the 300 planned interviews, about 50 have been completed so far. The police stopped most offenders within 30 minutes of finishing drinking and within 10 minutes of starting their journey from the place of drinking (usually a pub). The mean admitted consumption was 12 units (range 0.5 - 30). Over half claimed that they had drunk more than they had intended and about half thought that they were definitely over the legal limit. (Most considered that the
legal limit was equivalent to 4 units.) Nevertheless, the vast majority thought that they were 'definitely' or 'probably' fit to drive.

Two-thirds were alone in the car. Where passengers were present who were also legally entitled to drive the vehicle, the driver almost always considered himself to be the least intoxicated person.

The typical admitted drinking pattern prior to conviction involved drinking with friends at least one or two evenings a week, consuming around 10 units on each occasion and sometimes driving home afterwards. Since conviction, a third state that they are drinking less; the remainder consider that they are drinking about the same amounts.

One in five drivers did not own the vehicle they were driving when stopped by the police. Of those that did own it, most stated that they had since sold it.

Postal survey of non re-applicants
At the end of the disqualification period, HROs must re-apply for their licences; they are not returned automatically. Of the 110,000 HROs convicted between June 1990 and March 1996 who were eligible to reapply for their licence, 56% had done so, normally within the first month. The trend in relicensing applications over time since disqualification suggests that eventually about two-thirds of drivers will be relicensed. As only about five per cent of applications are refused outright, it would appear that about 30% of HROs will not reapply.

In an attempt to determine the reasons for non re-application a short postal questionnaire was developed. The response rates from two pilot samples have been very low (below 10%). It remains unclear whether the offenders have moved from their last known address and therefore never received the questionnaire, whether they are reluctant to complete what may be perceived as an 'official' questionnaire (although attempts have been made to make it as user-friendly as possible), or whether they don't wish to be reminded about the incident.

Postal survey of control sample
This survey is designed to provide control data with which to compare the results from the other two surveys. It is not intended to conduct this survey until the problems associated with the survey of non-reapplicants has been resolved.
DISCUSSION AND CONCLUSIONS

There is some evidence to suggest that Repeaters and Refusers exhibit similar patterns of offending after conviction as an HRO and that their patterns differ markedly from that for Singles. The former tends to be more likely to reoffend both for drink driving and for other motoring offences. The pattern of recidivism for Singles is more comparable to non-HRO offenders.

There are several possible interpretations of these results. One interpretation is that the HRO Scheme is more effective in reducing recidivism amongst Singles than amongst the other types of HRO. A potential rationale would be that, for Singles, the offence represented uncharacteristic behaviour and their conviction resulted in many changing their drink driving behaviour.

An alternative interpretation is that Singles continue to exhibit the same drink driving pattern as other HROs but are more concerned about being stopped by the police and therefore modify their driving behaviour (e.g., driving more slowly, avoiding major routes) to reduce the chance of detection. It is hoped that the completion of the home interviews may provide further evidence on these two issues.

For Repeaters and Refusers, it would appear that the HRO Scheme is less effective. Consideration may need to be given to additional countermeasures being applied to such offenders. Such countermeasures might be aimed at reducing the potential for driving and could include vehicle impoundment (or immobilisation) and alcohol ignition interlock devices.

It also appears entirely inappropriate that Refusers should receive shorter periods of disqualification than other HROs. Given that their recidivism pattern is similar to that of Repeaters, courts should be urged to apply the same penalties to Refusers as they do to Repeaters. It cannot have escaped the notice of some potential offenders that there is currently an advantage to refusing to provide an evidential sample.
Early results from the home interviews of offenders would tend to indicate that driving after drinking is an ingrained behaviour pattern. Many are aware that they are contravening the law but consider that they are still fit to drive. Further data may enable any differences in drinking patterns between the various types of HROs to be analysed in more detail.

REFERENCES


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