



# QUEENSLAND COUNCIL FOR CIVIL LIBERTIES

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Drink Driving Review Team  
Department of Transport and Main Roads  
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FORTITUDE VALLEY QLD 4006  
Via email: [sussan.j.osmond@tmr.qld.gov.au](mailto:sussan.j.osmond@tmr.qld.gov.au)

Dear Madam

## **Re: Drink Driving in Queensland**

Thank you for the opportunity to make a submission to the Department of Transport and Main Roads concerning proposed changes to drink driving laws in Queensland.

### **Areas of Concern**

The Discussion Paper raises a number of issues of concern for the Council. While the Council does not deny the importance and seriousness of drink driving, it opposes some of the proposed reforms which will unjustifiably inhibit a persons' liberties and freedoms.

### **Compulsory Carriage of Driver Licence**

The Council has a long standing policy of opposing the introduction of a National Identity Card.

It is our view that any legislation which makes carrying a driver's licence compulsory would be a step towards the creation of a National Identity Card. This is particularly so in the context of the introduction of a smart card driver's licence which has the capacity to store a significant amount of personal data.

It is important to remember in this context that the purpose of a driver's licence is not to be a form of identification but to be evidence you have a permit to drive. There is no evidence presented in the discussion paper that the current arrangement under which those who are not carrying a driver's licence are required to report to a police station to present their drivers licence is not working.

### **Lowering the Blood Alcohol Limit**

As we have already noted, the Council accepts drink driving as a serious community issue. From that reason the Council supported random breath testing. That support was based on the proposition that there was a clear scientific evidence establishing a direct relationship between the amount of alcohol found in the blood stream by the test and the capacity of a person to drive.

The data provided in the discussion paper does not show there is any significant increase in the level of impairment between .05 and .02. In the circumstances Council considers the current level of scientific evidence does not support the reduction in liberty that would result from the imposition of this measure.<sup>1</sup>

Another reason for opposing this move is that the lower the legal limit is, the harder it will be for a person to determine what their personal level may be. Most individuals will need to abstain from drinking or only limit themselves to one drink for the entire night. This proposed reform will unjustifiably limit the freedoms of an individual to enjoy themselves at their own will.

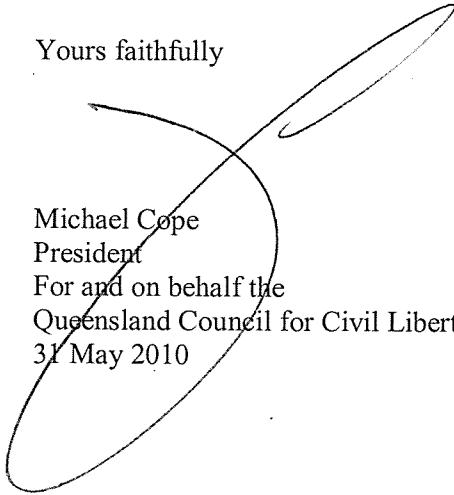
### **Abolishing Restricted (Work) Licences**

Restricted (work) licences are in place for those offenders who would encounter hardship as a result of a disqualification for driving, especially those with young families. Abolition of restricted licences would deprive an individual of the opportunity to earn a living, provide for their families as it removes the ability to drive legally. This would in our view result in disproportionate punishment of those offenders.

In place of abolishing restricted licences, perhaps ignition interlock devices could be installed along with the granting of a work licence, to ensure that an individual is not continuing to 'drink and drive'.

We trust this is of assistance to you

Yours faithfully



Michael Cope  
President  
For and on behalf the  
Queensland Council for Civil Liberties  
31 May 2010

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<sup>1</sup> The Council continues to oppose random drug testing of drivers on the basis that because there is no clearly established relationship between the amount of drug indicated by the test and the person's capacity to drive that such random testing constitutes an unreasonable search.