

## **Drink driving 1996**

As well as life's more basic necessities, living in Gunning demands two things, a reliable car and a driver's licence.

I put it all at risk with one extra drink.

In 1965-66, 30 years before moving to Gunning, I had worked as the accidents clerk with the ACT Police at the back of their old ramshackle clapboard building on Northbourne Avenue in Canberra City where the Jolimont bus and tourism centre now stands. My job was to maintain records of motor vehicle accidents and supply them for a fee to lawyers and loss assessors. While the police were not unfriendly, they were mainly somewhat distant and disdainful towards the "civilians" who worked with them. This hadn't given me a good impression of police attitude, especially as when I had an accident myself, being knocked off my motorbike by a Catholic priest, a Catholic constable had investigated the matter, clearly exonerated the priest and put all the blame on me, which at 19 and given the circumstances of the accident I thought extremely unjust.

We moved to Gunning on 1 August 1995 and I started commuting to Canberra, 45 minutes in the car to the Canberra Rex car park on Northbourne Avenue, which filled up by 7.45 so I had to start early, and from there a 15 minute walk to CWA House in Moore Street on the north edge of the city. So without public transport from Gunning to Canberra I was entirely reliant on car transport, preferably my own, to get me to and from work.

On Easter Monday, 8 April 1996 we went to our friends Ed and Sue's place in the inner Canberra suburb of Turner, to a barbecue on the back deck with many others of Ed's mates. The party ended at about eight and we set off for home. It was Easter so I should have been extra careful but I obviously wasn't careful enough. At the ramp off the Federal Highway at Sutton I was stopped by a random breath test unit from Queanbeyan police station. After I blew in the policeman's breath screening device, I was arrested to go with them to Queanbeyan police station. I was disappointed but cooperative and the two policemen shut up shop, had me lock my car, and took Wendy and me off to Queanbeyan, 15 minutes away.

When we got there I was separated from Wendy, who was well looked after by the station police, including giving her a cup of coffee. I sat down for a statutory 20 minutes, after which I had to blow into the machine to test my blood alcohol level formally. The result was 0.055, just above the legal limit, so I was charged with driving with low range PCA (prescribed concentration of alcohol) and summoned to appear at Queanbeyan court on 22 April.

All in all it was something of an out of body experience, as if I was part of the audience at a play. But it was real enough.

After the formalities the two policemen who had originally tested us put us in their car to drive us back to ours. We left the police station and crossed the Queanbeyan River bridge and to while away the time they were explaining their front-on radar to detect speeding motorists. As they did so a ute came speeding towards us down the hill from the Kings Highway towards the roundabout we were about to enter. They immediately clocked him at over 100 km/hr in a 60 zone, put their siren on and cut him off. After they booked him they came back to the car and told us that the speeding driver had been a “P” plater and at that speed would probably lose his licence.

They delivered us back to our car, by which time I was perfectly legal, and I drove home.

When I got home, after my experience working with the ACT Police years before, as well as other times I had dealt with police in Gunning and elsewhere, I was overcome by the politeness and friendliness of all the Queanbeyan police. I knew that more often than not people complain about the police but I felt that this was an occasion where a commendation was in order so I wrote this letter to the officer in charge of the Queanbeyan police.

*Dear Sir*

*As a person who was recently arrested and subsequently charged with driving above the legal alcohol limit, I am writing to commend the attitude and behaviour of all the police at Queanbeyan Police Station with whom I had dealings.*

*As you can imagine, this was not a happy time for me, but your officers, and especially Senior Constable M-n, Constable B-y and Senior Constable H-n, (plus others whom I cannot name) went out of their way to be consistently courteous to both myself and my wife. Their attitude was professional and as kind as could reasonably have been possible under the circumstances. They were in no way exultant or provocative in any way, given that I had been “caught”.*

*Whatever the outcome of the court case against me I shall always remember this episode as one that showed the police service in the most favourable light possible.*

Some people who knew I had sent this letter suspected cynicism on my part but if so it was subconscious.

I told friends about my predicament and several, including Colonel David Buchanan, wrote generous character references for me to take to the court.

On 22 April Wendy and I duly arrived at Queanbeyan court at 9.45am, with court starting at 10. I was listed for hearing some time that day and told to sit down to wait to be called.

We discovered that a major part of the punishment at a court is the process. We were not given any information as to when I was likely to be required, so we sat around in a kind of limbo for the next five hours. This included an hour the court took for lunch, but we weren't told they were adjourning so we could go to find lunch ourselves. This process had a singular effect on Wendy; she couldn't stand the boredom and became almost frantic. First, she went outside and weeded the court garden. When she had done this she read all the newspapers she could put her hands on, and at one stage she threatened to start community singing among the few people who were waiting for their hearing. My own boredom was alleviated by moving the car every hour or so, which broke up the static situation.

Finally, at about 3pm, I was called. After I was identified and the charge read out two strange things happened. First, the police prosecutor presented to the magistrate the letter I had sent to the police. Secondly, the police said I had held a driver's licence since December 1995! I protested that I had actually held a driver's licence since December 1964 and the police agreed that their date had been the date of issue of a NSW licence (when I had moved to Gunning).

Up till then I had been sitting in the body of the court so the magistrate, who didn't want to waste time adjourning the hearing, invited me up to the witness box to testify on my own behalf that I had held a licence in the ACT since December 1964 and had had no recent driving convictions. I mentioned one parking ticket I had challenged unsuccessfully in 1984 but there had been no other charge for many years. As is my practice I refused to swear on the bible and gave my evidence by affirmation.

Fortunately, the magistrate took a generous view of the situation and found the offence proved but under section 556A of the NSW Crimes Act, as I had a long clean driving record, did not proceed to a conviction. But she did say words to the effect of "Don't come back"!

So all I had by way of punishment for my stupid lapse was a day's leave, five hours boredom, and \$50 court costs.

It was a lucky lesson. I have counted drinks more carefully ever since and I can think of only one occasion since then when I was afraid I might be breathalysed.

And at least I have a better opinion of police than I had before.