



SUMMARY OF KEY FINDINGS FROM THE DRINK DRIVING DISCUSSION PAPER CONSULTATION PROCESS

Final report to Transport and Main Roads - Queensland

Prepared by

David Soole, Mark King & Barry Watson

September 2010



The Centre for Accident Research & Road Safety – Queensland is a joint venture initiative of the Motor Accident Insurance Commission and Queensland University of Technology



CONTENTS

CONTENTS II

TABLES II

ACKNOWLEDGEMENTS III

 BACKGROUND 1

 METHOD 1

 KEY FINDINGS..... 4

OVERALL FINDINGS 12

LIMITATIONS 15

APPENDIX A: FEEDBACK FORM..... 19

TABLES

TABLE 1. SUMMARY OF STRENGTH OF SUPPORT FOR INITIATIVES OUTLINED IN THE DISCUSSION PAPER FROM
OVERALL CONSULTATION PROCESS. 17

ACKNOWLEDGEMENTS

The authors would like to thank the following staff at Transport and Main Roads (TMR) for assistance in the preparation of this report:

- Sussan Osmond;
- Warren Anderson;
- Mathew Yong; and,
- Belinda Lewis.

The authors would also like to acknowledge the following research staff at CARRS-Q for their assistance in the data collection process:

- Hannah Morgan;
- Ross Blackman; and,
- Nicole Allenden.

The authors would also like to thank the following individuals for their involvement in the expert panel as well as Doug Brownlow for his leadership in facilitating the community forums:

- David Reed (Director (Road Safety Policy) TMR)
- Gary Fites (General Manager External Relations – RACQ)

Finally, the authors would also like to acknowledge the other members of the research team involved with the broader consultation process:

- Doug Brownlow;
- Michelle Fitts;
- Judy Fleiter; and,
- Gavan Palk.

BACKGROUND

On 8 December 2009, Cabinet approved the public release of the ‘*Queensland Drink Driving Discussion Paper*’ in early 2010 to seek feedback from the community on the drink driving problem in Queensland and on a range of potential interventions to combat drink driving. Transport and Main Roads (TMR) commenced a consultation process to identify strategies for improving the prevention and enforcement of drink driving offences in Queensland. The consultation process involved four phases:

- Obtaining feedback, in the form of survey responses, from the community by making the discussion paper available on the web (14 March – 17 May, 2010);
- Inviting written submissions from community members and relevant stakeholders in Queensland;
- Conducting two community forums with community members and relevant key stakeholders; and,
- Conducting focus groups and one-on-one interviews with a range of drink driving offenders throughout Queensland.

This report provides a summary of the findings from the consultation process.

METHOD

Feedback form and written submissions

Community feedback on the discussion paper was obtained in two distinct ways. Firstly, provision was made for the community to complete the feedback form via a web-based interface during the period 14 March to 17 May, 2010. This interface was provided through the Queensland Government’s ‘*Get Involved*’ website (see <http://www.getinvolved.qld.gov.au/>). Alternatively, a paper-based survey option was available for those individuals without access to the internet. Respondents completing the paper based version were requested to send it via mail or facsimile to TMR by 17 May, 2010.

The feedback form consisted of 23 multiple choice questions and two open-ended questions designed by TMR. The multiple choice items assessed the respondents’ level of support for the range of specific initiatives to combat drink driving contained within the discussion paper on a five point scale (*Strongly oppose, Oppose, Neutral, Support, Strongly support*). The two open-ended items were: “*What are your comments, concerns and ideas about lowering the general alcohol limit?*” and “*Do you have any other ideas for alternative transport options that could assist your community?*” Provision for additional, open-ended comments were also made in relation to all 23 multiple-choice format questions. A copy of the feedback form is included in Appendix A.

A total of 1,026 respondents provided data to at least one of the questions on the online feedback form. In addition, 28 paper-based responses were received by TMR. Thus, a total of 1,054 feedback forms were received. Responses to each item of the feedback form varied from 935 to 1,049. No demographic data was collected from respondents.

During the same period in which community feedback was sought via the ‘*Get Involved*’ website, community members and relevant stakeholders from the health and road safety

domains were requested to provide written submissions to TMR. These submissions varied in the range of initiatives addressed, from a focus on one specific initiative outlined in the discussion paper to a comprehensive review of all initiatives. A total of 53 written submissions were received by TMR, of which nine were formal submissions by relevant stakeholder organisations or groups. The remaining 44 were submissions made by members of the community.

For the quantitative data, overall (or aggregate) results are presented in graphical form to allow the reader to easily identify the level of support expressed for each initiative outlined in the discussion paper. Qualitative data was analysed via thematic analysis, to identify key themes and subthemes. Prevailing themes and supporting evidence were reviewed by other members of the research team to ensure reliability.

Community forums

To encourage public feedback on the range of potential initiatives to combat drink driving outlined in the *Drink Driving Discussion Paper*, TMR organised a series of community forums to be facilitated by the CARRS-Q research team. The purpose of the community forums was to provide members of the general public with an opportunity to participate in the drink driving consultation process.

Two community forums were conducted: the first in a regional area (Townsville) and the second in a metropolitan area (Brisbane). Members of the public were invited to attend the forums via newspaper advertisements in local newspapers, as well as through more targeted invitations through existing email contacts.

The community forums were facilitated by the research team and involved an expert panel:

- Professor Barry Watson (Director, Centre for Accident Research and Road Safety – CARRS-Q);
- David Reed (Associate Executive Director (Road Safety), TMR); and,
- Gary Fites (General Manager External Relations – RACQ).

Despite extensive efforts to involve the community in the forums, attendance was relatively poor. The forums involved a brief presentation outlining and explaining the initiatives covered in the discussion paper, followed by an ‘open-mike’ session where attendees were able to provide comments regarding their level of support for the proposed initiatives and reasons for their position, as well as address the expert panel with questions regarding the initiatives addressed in the discussion paper or other issues relevant to drink driving.

Focus groups and one-on-one interviews

Drink driver offender feedback on the discussion paper was obtained in two distinct ways. Firstly, a series of focus groups were conducted with high-range and repeat offenders currently enrolled and actively participating in the ‘*Under The Limit*’ (UTL) drink driving rehabilitation and education program. Secondly, a series of one-on-one interviews were conducted. Participants involved in the interview phase of the research were recruited using two methods. Specifically, a number of telephone interviews were conducted with high-range and repeat offenders also recruited through the UTL program. In addition, a

number of face-to-face interviews were conducted with first-time offenders at various Magistrates Courts in the south-east Queensland region.

Four focus group sessions were conducted with a total of 35 drink driving offenders. The sample consisted predominantly of males (88.6%), however at least one female was involved in three of the four sessions. The sessions, which were conducted during normal UTL program session hours, consisted of between five and sixteen participants and were facilitated by one member of the research team. The locations where the four sessions were conducted were: Caboolture (north of Brisbane); Logan (south of Brisbane); Southport (Gold Coast); and Mackay (North Queensland). Each focus group session involved a series of questions focused around the initiatives outlined in the discussion paper. Sessions ran for approximately 45-60 minutes and were recorded using a digital audio-recorder.

In addition, a total of 14 one-on-one interviews with drink driving offenders were conducted. Of these, seven involved telephone interviews with individuals recruited from the UTL program (4 male and 3 female) and seven involved first-time drink driving offenders (5 male and 2 female) recruited at various Magistrate courts in south-east Queensland. Telephone interviews were conducted in the day or evening at times that suited the participant, while court interviews were conducted on days identified by the Principal Registrar as having a high rate of traffic offenders. Recruitment was conducted at the following courthouses: Roma St Magistrates Court (Brisbane), Toowoomba Magistrates Court and Maroochydore Magistrates Court (Sunshine Coast). Each interview involved a series of questions investigating the level of support for each of the initiatives outlined in the discussion paper and reasons for these perspectives. Telephone interviews were conducted by a single member of the research team, while face-to-face interviews were conducted by the same research team member with the assistance of other research staff from CARRS-Q. Interviews took approximately 10-20 minutes and were recorded using a digital audio-recorder.

Minimal demographic or driving history data were collected from participants in either the focus groups or one-on-one interviews. Based on observations of gender and age, the sample appeared to be representative of the typical drink driver in Queensland. That is, the majority of participants were male and middle aged or younger (Leal, Lewis & King, 2005)¹.

Although sample sizes for the telephone and court interview phases appear small, it quickly became apparent that a point of information saturation had been reached and that no new information was being acquired from participants. For that reason, recruitment was terminated. In addition, given the high correlation in responses between the various recruitment strategies, the decision was made to analyse all responses together.

Qualitative data was analysed via thematic analysis, to identify key themes and subthemes. Prevailing themes and supporting evidence were reviewed by other members of the research team to ensure reliability.

¹ Leal, N., Lewis, I. & King, M. (2005). Profiling Drink Driving Offenders in Queensland: Review of Current Literature and Data. CARRS-Q: Brisbane.

KEY FINDINGS

The following sections identify: a) those initiatives outlined in the discussion paper for which there was strong support; b) those for which there was mixed support; and, c) those for which there was limited support. Additional trends and themes from the qualitative analyses, which while not directly related to the initiatives outlined in the discussion paper are pertinent to the issue of drink driving, are also highlighted.

Feedback form and written submissions

The following sections outline the key findings from the quantitative and qualitative analyses of the feedback form and community written submissions. Strong support was defined as those initiatives with more than 60% support, while general support was defined as initiatives with between 40-60% support. Initiatives with less than 40% support were classified as having limited support. There was also a neutral option and thus, the sum of the proportion of participants who supported and opposed each initiative does not necessarily add up to 100%.

For the most part, trends in the quantitative data were equivalent to those observed in the qualitative analyses. However, in a few instances, respondents providing additional comments or written submissions reported lower levels of support for particular initiatives compared to those providing quantitative feedback only. This was particularly true for excluding provisional licence holders, regardless of age, from being eligible to obtain a restricted (work) licence and in relation to mandatory brief educational and rehabilitation/assessment programs.

Written submissions from organisations were also received as part of the consultation process. The key findings from these submissions can be found in the relevant report prepared by CARRS-Q.

Initiatives for which there was strong support

Based on the overall responses obtained, a number of drink driving initiatives received strong public support:

- Mandatory referral to an accredited assessment and rehabilitation program for high level (BAC greater than or equal to .15, driving under the influence of liquor or fail to supply a specimen) and repeat drink driving offenders (87.7% of respondents supported the initiative and 7.2% opposed);
- Responsible service of alcohol (RSA) training curriculum and standards to include appropriate educational content on drink driving (79.9% of respondents supported the initiative and 8.4% opposed);
- Compulsory blood testing of drivers attending hospital for examination or treatment as a result of motor vehicle crashes (76% of respondents supported the initiative and 14.5% opposed);
- Mandatory brief educational interventions for first time offenders with a BAC less than .149 (74.9% of respondents supported the initiative and 12.1% opposed);

- Government promote the use of designated driver programs (73.3% of respondents supported the initiative and 9.3% opposed);
- Extending immediate licence suspension sanction to offenders with a BAC greater than or equal to .10 (72.7% of respondents supported the initiative and 16.6% opposed);
- Development of guidelines for community groups to assist in the development and provision of sustainable alternative transport options (71.5% of respondents supported the initiative and 10.5% opposed);
- Development of guidelines to assist community groups and liquor accords to promote the anti drink driving messages (69.3% of respondents supported the initiative and 13.4% opposed);
- Making it a requirement for work licence holders to install an alcohol ignition interlock (67.9% of respondents supported the initiative and 18.7% opposed);
- Excluding offenders who have been convicted of a drink driving offence with a BAC greater than or equal to .10 from being eligible to apply for a work licence (66.2% of respondents supported the initiative and 22.2% opposed);
- Development and provision of guidelines and principles by the Queensland Government to support community groups to develop designated driver programs (66% of respondents supported the initiative and 12.6% opposed);
- Compulsory carriage of licences among all Queensland drivers (63.9% of respondents supported the initiative and 25.1% opposed); and,
- Impounding the vehicle of repeat offenders who commit two or more drink driving offences of any kind (63.5% of respondents supported the initiative and 24% opposed).

Initiatives for which there was mixed support

In addition, there were a number of initiatives outlined in the discussion paper for which there appeared to be mixed support:

- Extending the initial impoundment period longer than the current 48 hours (57.7% of respondents supported the initiative and 24.8% opposed);
- The arresting/detaining officer could also conduct the evidentiary breath analysis (57.7% of respondents supported the initiative and 25.5% opposed);
- Excluding all provisional licence holders (regardless of age) from being eligible for a work licence (53.7% of respondents supported the initiative and 32.2% opposed);
- Retention of work licences in Queensland (52.9% of respondents supported the initiative and 26.7% opposed);

- Extending the time period for counting previous offences for impoundment and forfeiture from three to five years (52% of respondents supported the initiative and 31.8% opposed);
- Increasing the initial impoundment period to seven days (48.9% supported the initiative and 33.6% opposed);
- Extending the maximum time allowed to obtain a breath/blood specimen for drink driving offences from two to three hours (47.1% of respondents supported the initiative and 34.1% opposed); and,
- Increasing the initial impoundment period to 28 days (40.7% of respondents supported the initiative and 40.6% opposed).

Initiatives for which there was limited support

Finally, there were a number of initiatives outlined in the discussion paper for which there appeared to be limited support, including:

- Reviewing the current general alcohol limit (31.1% supported the initiative and 60.2% opposed); and,
- Abolishing restricted (work) licences in Queensland (29.2% of respondents supported the initiative and 50.8% opposed).

Additional comments obtained from respondents

A wide range of additional comments were obtained from the respondents via the additional comments sections on the feedback form and through the written submissions. These comments were categorised into various themes, from which a number of prominent themes were identified. The most common issues raised by respondents, in order of frequency, included:

- Concerns that lowering the general alcohol limit would serve to criminalise otherwise ‘innocent’ drivers who attempt to manage their drinking in a manner which is currently argued to be responsible and also have detrimental impacts on industries relying on the sale of alcohol and consequently the economy in general;
- Suggestions that improvements to public transport, the taxi system and the availability of courtesy buses (including more options, cheaper/subsidised fares, and increased services during peak alcohol hours) would significantly reduce the incidence of drink driving;
- Arguments that sanctions should primarily focus on punishing the offender rather than the vehicle, to avoid innocent third parties from being indirectly punished; and,
- Arguments that rather than abolishing work licences, they should be more strictly enforced.

In addition, a number of misconceptions and general lack of awareness of current sanctions and drink driving policies was observed. This included perceptions that compulsory

carriage of licences and compulsory blood testing for crash involved drivers was already enacted in Queensland. Moreover, many respondents appeared relatively unaware of a number of sanction options including vehicle impoundment for drink driving offences and immediate licence suspension for high-range drink driving offenders.

Community forums

The following sections outline the key findings from the community forums. The level of support for various initiatives was assessed through thematic analysis of the forum transcripts. It is important to note that attendance was relatively poor at the community forums.

Initiatives for which there was strong support

The following drink driving initiatives outlined in the discussion paper received strong support from forum attendees:

- Extending the maximum time allowed to obtain a breath/blood specimen for drink driving offences from two to three hours – indeed, even longer extensions were suggested (e.g., up to 4 hours);
- Compulsory carriage of licence – although provisions for exceptions were noted (e.g., farmers operating farming machinery);
- Compulsory blood testing – it was argued that all crash-involved road users (including pedestrians and passengers) should be tested;
- Alternative transport options – particularly in regional areas. Better organisation of alternative transport in metropolitan areas to improve efficiency was also suggested;
- Retaining work licences as well as excluding provisional licence holders or offenders charged with an offence ≥ 0.10 from being eligible to apply for work licences – it was argued that given that provisional licence holders are required to have a zero BAC the management of drinking when driving is clear cut and thus no considerations should be given;
- Immediate licence suspension – the importance of a secondary officer during the breath analysis process was highlighted given the severity of the sanction; and,
- Extending the initial vehicle impoundment period to longer than 48 hours – however provisions were perceived as necessary to ensure low-level offenders are not subjected to impoundment laws and to protect innocent third parties (e.g., spouses, children).

Initiatives for which there was mixed support

The following drink driving initiatives outlined in the discussion paper received partial support from forum attendees:

- Designated driver programs – it was argued that the theory behind such programs is good but they tend to fall short in practice due to process implications;

- Requirement to fit alcohol ignition interlocks as part of restricted work licences – not supported in reference to shared work vehicles; and,
- Drink driving rehabilitation programs – it was argued that the theory behind such programs is good but more research is needed to identify the most effective approach.

Initiatives for which there was limited support

Finally, the following initiatives outlined in the discussion paper received limited support from forum attendees:

- Arresting/detaining officer also being allowed to conduct the breath analysis for drink driving offences – this was perceived as leaving the process open to personal bias. A suggested alternative involved having a trusted community member (e.g., Justice of the Peace, SES member) supervise the process;
- Lowering the general alcohol level – it was argued that the initiative would criminalise otherwise law abiding individuals and that no evidence existed to suggest significant increased risks associated with driving with a BAC between .01 and .05. It was noted that if the BAC was lowered, a zero limit would be preferred to remove the ambiguity associated with a .02 level; and,
- Abolishing restricted work licences – both forums argued that work licences should be retained.

Additional comments from forum attendees

A number of additional comments relevant to drink driving were expressed by forum attendees, including the ability for offenders to tamper with alcohol ignition interlock devices. Moreover, it was also suggested that the Government should invest more in technological devices built into cars that serve a more preventative function.

Frustrations were expressed regarding perceived inconsistencies in relation to penalties administered by the courts for drink driving offences. The need for more mandatory penalties was suggested. In addition, it was argued that media reports of drink driving offenders, particularly those involved in fatal crashes, often focus on the positive aspects of the offender/victim (e.g., sporting/academic achievements, positive personality traits, etc). It was suggested that more ‘shame files’ in newspapers are needed so as not to glorify drink drivers.

Moreover, the need for improvement to the alternative transportation models adopted by Governments (including buses and taxis) was highlighted. Indeed, it was argued that a more organised model was required to address transportation of patrons from popular entertainment areas, involving a scaled-down model similar to that used to distribute patrons after major sporting events. A number of suggestions were made to ensure market demand for public transport, including restriction of private vehicles to entertainment areas. Finally, it was suggested that greater cooperation between industry and Government would be required for achievement of such a goal.

Focus groups and one-on-one interviews

The following sections outline the key findings from the offender focus groups and one-on-one interviews. The level of support for various initiatives was assessed through thematic analysis of focus group and interview transcripts.

Initiatives for which there was strong support

Based on the overall responses obtained from the focus group sessions and one-on-one interviews, a number of drink driving initiatives received strong support among drink driving offenders:

- Compulsory blood testing – perceived as a very fair approach, however it was argued that testing should not be conducted at the expense of appropriate medical care and must acknowledge a number of ethical and religious considerations. The initiative was argued to have little impact on drink driving behaviour;
- Alternative transport options – the most strongly supported initiative. A lack of alternative transport options were argued to be a primary reason for many instances of drink driving, particularly in more remote regions. Many suggestions for improving the management of public transport systems, taxis and courtesy vehicles were suggested. However alternative transport in isolation of the development of cognitive skills is unlikely to be effective;
- Retaining work licences in Queensland – it was argued that work licences reduce the disadvantages experienced by those offenders who engage in substantial driving as part of their occupation or whose families rely on them being able to drive. Work licences were argued to be particularly relevant in regional areas where public transport is sparse. However, more stringent criteria would be necessary to ensure that work licence provisions were strictly adhered to;
- Excluding offenders who have been convicted of a drink driving offence with a BAC greater than or equal to 0.10 from being eligible to apply for a work licence – it was argued that high-range and repeat offenders have shown contempt for the law and should not be eligible to obtain work licences; and,
- Mandatory referral to an accredited assessment and rehabilitation program for high level and repeat drink driving offenders – it was argued that the content and inconvenience of programs can have a specific deterrent effect on behaviour. Follow-up courses to refresh the information and relevant, up-to-date content were argued to be critical for continued maintenance of behaviour modification.

Initiatives for which there was mixed support

In addition, there were a number of initiatives outlined in the discussion paper for which there appeared to be mixed support. These included:

- Extending the maximum time allowed to obtain a breath/blood specimen for drink driving offences from two to three hours – this was argued to be particularly effective in regional areas. Overall, it was argued that the test should be conducted in the shortest amount of time practicably possible. The initiative was argued to have little impact on drink driving behaviour;

- The arresting/detaining officer also being allowed to conduct the breath analysis for drink driving offences – it was argued that this would lead to potential violations of the rights of the offending driver. Videotaping or audio-recording the process was suggested as a way to improve the transparency of the test and improve the acceptability of involving only one officer. There was again a perception that the initiative would be particularly relevant in regional areas. The initiative was argued to have little impact on drink driving behaviour;
- Designated driver programs – awareness and publicity of such programs and incentives were highlighted as particularly critical for success. Willingness to participate and ability to informally nominate designated drivers were noted as a potential barrier to the effectiveness of such programs;
- Liquor accords and responsible service of alcohol (RSA) – it was argued that while liquor accords and RSAs are important, improved guidelines and enforcement would do little to prevent or deter actual drink driving behaviour. Logistical difficulties were perceived to be the greatest barrier to effectiveness;
- Excluding all provisional licence holders (regardless of age) from being eligible for a work licence – some respondents suggested less leniency for provisional licence holders while others did not;
- Requirement for work licence holders to install an alcohol ignition interlock – it was argued that ignition interlocks would allow more drivers to retain their licences, however the costs associated with the devices would disadvantage some offenders and the restriction should be limited to more at-risk offenders and personal vehicles;
- Immediate licence suspension – it was argued that the initiative would not have a significant effect on drink driving behaviour. It was also argued that suspension should be backdated to the date of apprehension and that increased public awareness of the sanction would be needed to achieve general deterrence; and,
- Mandatory brief educational intervention for first time offenders with a BAC less than or equal to 0.149 – there was division regarding whether a brief or more involved program would be most effective. Effectiveness was argued to be largely a function of the desire of the offender to gain the most out of the program.

Initiatives for which there was limited support

Finally, there were a number of initiatives outlined in the discussion paper for which there appeared to be limited support, including:

- Compulsory carriage of driver licence – it was argued that this would not have a significant impact on drink driving behaviour. It was also argued that it could potentially criminalise individuals for mere forgetfulness, that the definition of a reasonable excuse would need to be more explicitly defined and that police already have technology and databases to check offender details;
- Lowering the general alcohol limit – it was argued that otherwise law-abiding citizens would be criminalised at the expense of targeting a minority of offenders. Modifying the embedded drinking culture of Australia was seen as a major barrier

and the initiative was considered to have a detrimental impact on industries that rely on the sale of alcohol, such as restaurants, clubs and hotels. A zero tolerance approach was perceived to clearly separate the behaviours of drinking and driving, however it was largely believed that the initiative would have little effect on the most at-risk drink driving offenders;

- Abolishing work licences in Queensland – it was argued that work licences reduce the disadvantages experienced by those offenders who engage in substantial driving as part of their occupation or whose families rely on them being able to drive; and,
- Vehicle impoundment – it was argued that the initiative was not a fair approach given that the vehicle may not belong to the offender or may be a shared vehicle, that the costs associated with storage represented an unfair additional penalty in conjunction with fines and licence sanctions and that other initiatives would be more effective.

Additional comments obtained from respondents

A number of additional themes were raised during focus group discussions and one-on-one interviews. These included additional sanctions that offenders believed might have a deterrent impact, both general and specific. These included:

- Mandatory jail sentences for repeat offenders and/or community service; and,
- Greater variety in interventions to cater for the variety of offender types.

A number of approaches to prevention were also suggested including interlocks in every vehicle (regardless of prior offending), greater access to alcohol addiction rehabilitation centres and raising the legal drinking age.

Many offenders suggested that the initiatives outlined in the discussion paper focused too heavily on punishing offenders rather than preventing the occurrence of drink driving. They suggested that the intended general deterrent effect of many of the proposed sanctions would not be achieved because inebriated individuals are unlikely to consider the consequences of their behaviour when making the decision to drink and drive. Moreover, it was argued that sanctions should target the individual or licence rather than the vehicle.

The need to improve public awareness of the range of initiatives and sanctions was highlighted, such that no intervention is likely to have a general deterrent effect if the public is unaware of the existence of the sanction.

Overall, the majority of respondents suggested that more preventative initiatives or those providing offenders with an alternative to driving would be most effective. Thus alternative transport options and education in high school (e.g., proactive/preventative rather than reactive) were the most strongly supported. A number of proposed sanctions, including immediate licence suspension, compulsory blood testing and RBT improvements, were readily supported in terms of improving punishments but were not perceived as having any impact on reducing actual drink driving behaviour.

Offenders typically were insightful and acknowledged that their behaviour was inappropriate and this trend was not restricted to first-time offenders. That is, despite drink driving offenders knowing their behaviour was wrong, they continued to engage in such

behaviour regardless, suggesting that drink driving is perhaps more deep-rooted, and less opportunistic, and highly correlated with problematic drinking. This further highlights the need to focus more on preventing the frequency of instances in which individuals are put in the position of having to decide whether to drive after drinking. It is argued that this can be achieved most effectively by equipping individuals with the cognitive skills to make better decisions regarding planning their nights and by ensuring alternative transport options are readily available.

OVERALL FINDINGS

Taken together, the findings from the four phases of the consultation process provide a number of key findings. The following sections identify those initiatives outlined in the discussion paper that received either strong, mixed or limited support from the community (via the feedback form, written submissions and forums) and drink driving offenders (both first-time and repeat offenders) alike. These findings are summarised in Table 1. Additional trends and themes from the overall consultation process, which while not directly related to the initiatives outlined in the discussion paper are pertinent to the issue of drink driving, are also highlighted.

Initiatives for which there was strong support

A number of initiatives received strong support in all phases of the consultation process. These included:

- Development of guidelines for community groups to assist in the development and provision of sustainable alternative transport options;
- Excluding offenders who have been convicted of a drink driving offence with a BAC greater than or equal to .10 from being eligible to apply for a work licence; and,
- Compulsory blood testing of drivers attending hospital for examination or treatment as a result of motor vehicle crashes.

In addition, a number of initiatives received strong support in almost all phases of the consultation (never less than mixed support). These included:

- Retention of work licences in Queensland – while overall this initiative was supported, there were a number of respondents who viewed it as a “soft” option that detracted from the deterrent effect of licence sanctions;
- Mandatory referral to an accredited assessment and rehabilitation program for high level (BAC greater than or equal to .15, driving under the influence of liquor or fail to supply a specimen) and repeat drink driving offenders – participants in the community forums suggested that sometimes these programs, while good in theory, fail to be implemented at optimal effectiveness; and,
- Extending immediate licence suspension sanction to offenders with a BAC greater than or equal to .10 – overall the initiative was supported, however offenders reported being typically unaware of the sanction and stated that it would do little to impact on actual drink driving behaviour.

Initiatives for which there was mixed support

A number of initiatives received mixed support, with some evidence of strong support, across the phases of the consultation process. These included:

- Extending the maximum time allowed to obtain a breath/blood specimen for drink driving offences from two to three hours – overall the initiative was supported however there were some suggestions that such an approach is unnecessary except perhaps in more remote areas;
- Government promotion of the use of designated driver programs and the development and provision of guidelines and principles to support community groups to develop designated driver programs – overall, these initiatives were perceived to be good in theory, however often fall short of expectations in practice;
- Responsible service of alcohol (RSA) training curriculum and standards to include appropriate educational content on drink driving and development of guidelines to assist community groups and liquor accords to promote the anti drink driving messages – while the initiatives were reported to be good in theory, the importance of strict enforcement of the guidelines was highlighted;
- Excluding all provisional licence holders (regardless of age) from being eligible for a work licence – participants were very divided regarding this initiative with many claiming the zero BAC requirement of provisional licence holders made the separation of drinking and driving clear cut; however others argued that such an exclusion may have detrimental effects on younger drivers who require their licence for education or occupational purposes;
- Making it a requirement for work licence holders to install an alcohol ignition interlock – overall this initiative was supported, however the potential for the interlock requirement to adversely affect innocent third parties who also use the vehicle (e.g., family, friends, spouses, work vehicles) was noted; and,
- Mandatory brief educational interventions for first time offenders with a BAC less than .149 – overall, the initiative was supported, however a number of respondents suggested that the approach might not be as efficient given the low rates of reoffending of many first-time offenders and particularly among those offenders who had low-BAC offences and may have simply misjudged their drinking, rather than having made a conscious decision to drive when drinking or not plan alternative transport.

On the contrary, a number of initiatives received mixed support, with some evidence of limited support, across the phases of the consultation process. These included:

- The arresting/detaining officer could also conduct the evidentiary breath analysis – there were consistent suggestions that such an initiative would increase the likelihood of personal bias from police toward offenders, as well as a lack of safeguards for offender complaints against police. It was suggested that video recording of the breath testing process could potentially address these concerns; and,

- Extending the initial impoundment period longer than the current 48 hours (either seven or 28 days) and extending the time period for counting previous offences for impoundment and forfeiture from three to five years – there were consistent arguments that vehicle impoundment sanctions have the potential to adversely affect innocent third parties who also use the impounded vehicles (e.g., family, friends, spouses, work vehicles).

Interestingly, a number of initiatives, while receiving strong support on the feedback form, written submissions and community forums, received limited support among drink driving offenders participating in the focus groups and interviews. There included:

- Compulsory carriage of licences among all Queensland drivers – while there appeared to be strong support for the initiative in theory, many respondents questioned the ability of the initiative to have any impact on drink driving behaviour; and,
- Impounding the vehicle of repeat offenders who commit two or more drink driving offences of any kind – there were consistent arguments that vehicle impoundment sanctions have the potential to adversely affect innocent third parties who also use the impounded vehicles (e.g., family, friends, spouses, work vehicles).

Initiatives for which there was limited support

Finally, a number of initiatives received limited support in all phases of the consultation process. These included:

- Reviewing the current general alcohol limit – there were consistent arguments that lowering the general alcohol limits would have little impact on problem drink-drivers and serve only to criminalise those drivers who attempt to responsibly manage their drinking when driving; and,
- Abolishing restricted (work) licences in Queensland – the majority of respondents suggested that work licences have a place in the system, however applications for such a licence must be carefully scrutinised and enforced.

Additional comments obtained from respondents

A number of additional themes, which while not directly related to the initiatives outlined in the discussion paper are pertinent to the issue of drink driving, were observed during the qualitative analyses. The most common issues raised by respondents, in order of frequency, included:

- Improvements to public transport, the taxi system and the availability of courtesy buses (including more options, cheaper/subsidised fares, and increased services during peak alcohol hours) would have the greatest impact on reducing the actual incidence of drink driving;
- Lowering the general alcohol limit would have a detrimental impact on industries relying on the sale of alcohol and consequently the economy in general;
- The initiatives outlined in the discussion paper focus too heavily on punishing offenders rather than preventing the occurrence of drink driving and that the

intended general deterrent effect of many of the proposed sanctions would not be achieved because inebriated individuals are unlikely to consider the consequences of their behaviour when making the decision to drink and drive;

- More preventative initiatives or those providing offenders with an alternative to driving would be most effective, such as alternative transport options and education in high school (e.g., proactive/preventative rather than reactive);
- A number of proposed sanctions; including immediate licence suspension, compulsory blood testing and RBT improvements; were readily supported in terms of improving punishments but were not perceived as having any impact on reducing actual drink driving behaviour;
- Sanctions should primarily focus on punishing the offender rather than the vehicle, to avoid innocent third parties from being indirectly punished;
- Misconceptions and general lack of awareness of current sanctions and drink driving policies, including perceptions that compulsory carriage of licences and compulsory blood testing for crash involved drivers were already enacted in Queensland and lack of awareness of vehicle impoundment for drink driving offences and immediate licence suspension for high-range drink driving offenders, suggesting that increased promotion and education of particular initiatives might be necessary to achieve optimal effectiveness; and,
- Offenders typically were insightful and acknowledged that their behaviour was inappropriate and this trend was not restricted to first-time offenders. That is, despite drink driving offenders knowing their behaviour was wrong, they continued to engage in such behaviour regardless, suggesting that drink driving is perhaps more deep-rooted, and less opportunistic, and highly correlated with problematic drinking. This further highlights the need to focus more on preventing the frequency of instances in which individuals are put in the position of having to decide whether to drive after drinking. It is argued that this can be achieved most effectively by equipping individuals with the cognitive skills to make better decisions regarding planning their nights and by ensuring alternative transport options are readily available.

LIMITATIONS

It should be noted that the above views were derived from recruitment strategies that included voluntary participation and anonymity (feedback forms). While this would have encouraged honest and open responses and contributed to the large number of respondents who participated, it should be borne in mind that the sample is 'self-selected'. In other words, the sample may not necessarily be representative of the general community. Moreover, the focus groups and interviews involved drink driving offenders actively participating in rehabilitation programs or who had been apprehended for their drink driving behaviour. Thus, these offenders may not be representative of the entire population of offenders, particularly those more adept at avoiding punishment or those less willing to actively participate in rehabilitation programs. Accordingly, care needs to be taken when interpreting the results of all the phases of the consultation process, particularly when generalising the findings to the broader community or offender population.

Table 1. Summary of strength of support for initiatives outlined in the discussion paper from overall consultation process.

Proposed Initiative	Degree of Support (Strong/Mixed/Limited)		
	Online/ Written	Community Forums	Focus Groups/ Interviews
RBT & Enforcement			
Extending the maximum time allowed to obtain a breath/blood specimen for drink driving offences from two to three hours.	M	S	M
The arresting/detaining officer also being allowed to conduct the breath analysis for drink driving offences.	M	L	M
Compulsory Carriage of Driver Licence			
All licence holders being required to carry their licence when driving and to produce their licence for inspection to a police officer, unless the person has a 'reasonable excuse'.	S	S	L
Compulsory Blood Testing			
The introduction of compulsory blood testing of drivers who attend hospital for examination or treatment as a result of a motor vehicle crash.	S	S	S
Lowering the General Alcohol Limit (0.05)			
A review of the general alcohol limit.	L	L	L
Designated Driver Programs			
The Queensland Government developing and providing guidelines and principles to support community groups to develop designated driver programs.	S	M	M
The Queensland Government promoting the use of designated driver programs.	S	M	M
Alternative Transport Options			
The development of a guideline for community groups to assist them to develop, provide and sustain alternative transport options.	S	S	S
Liquor Accords & Responsible Service of Alcohol			
The Queensland Government researching and developing a guideline to assist community groups and liquor accords to promote the anti drink driving message.	S	-	M
Responsible service of alcohol training curriculum and standards including appropriate educational content on drink driving.	S	-	M

Table 1 (cont'd). Summary of strength of support for initiatives outlined in the discussion paper from overall consultation process.

Proposed Initiative	Degree of Support (Strong/Mixed/Limited)		
	Online/ Written	Community Forums	Focus Groups/ Interviews
Restricted licences (Work Licences)			
Abolish work licences in Queensland.	L	L	L
Retaining work licences in Queensland.	M	S	S
Excluding <i>all</i> provisional licence holders, regardless of age, from being eligible for a work licence.	M	S	M
Excluding offenders with a BAC greater than or equal to 0.10 from being eligible for a work licence.	S	S	S
Making the requirement to fit an alcohol ignition interlock a condition of work licences.	S	M	M
Immediate Licence Suspensions			
Extending immediate licence suspension to offenders with a BAC greater than or equal to 0.10.	S	S	M
Drink Driving Rehabilitation Programs			
The introduction of a mandatory brief educational intervention for first time offenders with a BAC less than or equal to 0.149.	S	M	M
The introduction of mandatory referral to an accredited assessment and rehabilitation program for high level and repeat drink driving offenders.	S	M	S
Vehicle Impoundment			
Extending the initial impoundment period (currently 48 hours).	M	S	L
Extending the initial impoundment period to seven days.	M	S	L
Extending the initial impoundment period to 28 days.	M	S	L
Impounding the vehicle of drink drivers who commit two or more drink driving offences of any kind.	S	S	L
Extending the time period for counting previous offences for impoundment and forfeiture from three years to five years.	M	-	-
Key: S = Strong support; M = Mixed support; L = Limited support.			

APPENDIX A: FEEDBACK FORM

Part Seven Community feedback form

We would appreciate your feedback and comments on the discussion points raised throughout this paper. For each statement below please indicate your level of support by circling the appropriate number:

1 – Strongly oppose

2 – Oppose

3 – Neutral

4 – Support

5 – Strongly support

After each statement please write any additional comments you may have. If you need more space please use the back of the comment sheet. After completing the feedback sheet detach and return to:

Drink Driving Review Team
Department of Transport and Main Roads
PO Box 673 Fortitude Valley Qld 4006
Fax: (07) 3253 4960

Alternatively you may access this form electronically on the Get Involved website www.getInvolved.qld.gov.au



		Strongly Oppose	Oppose	Neutral	Support	Strongly Support
1	Do you support extending the maximum time allowed to obtain a breath/blood specimen for drink driving offences from two to three hours?	1	2	3	4	5
<i>Comments:</i>						
2	Do you support the arresting/detaining officer also being allowed to conduct the breath analysis for drink driving offences?	1	2	3	4	5
<i>Comments:</i>						
3	Do you support all driver licence holders being required to carry their licence while driving and to produce their licence for inspection to a police officer, unless the person has a 'reasonable excuse'?	1	2	3	4	5
<i>Comments:</i>						
4	Do you support the introduction of compulsory blood testing of drivers who attend hospital for examination or treatment as a result of a motor vehicle crash?	1	2	3	4	5
<i>Comments:</i>						
5	Do you support a review of the general alcohol limit?	1	2	3	4	5
<i>Comments:</i>						
5a	What are your comments, concerns and ideas about lowering the general alcohol limit?					



		Strongly Oppose	Oppose	Neutral	Support	Strongly Support
6	Would you support the Queensland Government developing and providing guidelines and principles to support community groups to develop designated driver programs?	1	2	3	4	5
<i>Comments:</i>						
7	Do you support the Queensland Government promoting the use of designated driver programs?	1	2	3	4	5
<i>Comments:</i>						
8	Do you support the development of a guideline for community groups to assist them to develop, provide and sustain alternative transport options?	1	2	3	4	5
<i>Comments:</i>						
9	Do you have any other ideas for alternative transport options that could assist your community?					
10	Would you support the Queensland Government researching and developing a guideline to assist community groups and liquor accords to promote the anti drink driving message?	1	2	3	4	5
<i>Comments:</i>						
11	Do you support responsible service of alcohol training curriculum and standards including appropriate educational content on drink driving?	1	2	3	4	5
<i>Comments:</i>						



	Strongly Oppose	Oppose	Neutral	Support	Strongly Support
12 Do you support abolishing work licences in Queensland?	1	2	3	4	5
<i>Comments:</i>					
13 Do you support retaining work licences in Queensland?	1	2	3	4	5
<i>Comments:</i>					
<i>If work licences are retained, they could be strengthened with tougher eligibility criteria or conditions. Please provide your level of support to:</i>					
13a Excluding all provisional licence holders (regardless of age) from being eligible for a work licence.	1	2	3	4	5
<i>Comments:</i>					
13b Excluding offenders who have been convicted of a drink driving offence with a BAC of ≥ 0.10 from being eligible to apply for a work licence.	1	2	3	4	5
<i>Comments:</i>					
13c A requirement for work licence holders to install an alcohol ignition interlock.	1	2	3	4	5
<i>Comments:</i>					
14 Do you support extending immediate licence suspension to offenders with a BAC of ≥ 0.10 ?	1	2	3	4	5
<i>Comments:</i>					
15 Do you support the introduction of a mandatory brief educational intervention for first time offenders with a BAC ≤ 0.149 ?	1	2	3	4	5
<i>Comments:</i>					



		Strongly Oppose	Oppose	Neutral	Support	Strongly Support
16	Do you support the introduction of mandatory referral to an accredited assessment and rehabilitation program for high level and repeat drink driving offenders?	1	2	3	4	5
<i>Comments:</i>						
17	Do you support extending the initial impoundment period (currently 48 hours)?	1	2	3	4	5
<i>Comments:</i>						
17a	Do you support increasing the initial impoundment period to seven days?	1	2	3	4	5
<i>Comments:</i>						
17b	Do you support increasing the initial impoundment period to 28 days?	1	2	3	4	5
<i>Comments:</i>						
18	Do you support impounding the vehicle of drink drivers who commit two or more drink driving offences of any kind? For example, should drivers who commit one offence at 0.093 BAC and one offence at 0.072 BAC (within a three year period) have their vehicles impounded?	1	2	3	4	5
<i>Comments:</i>						
19	Do you support extending the time period for counting previous offences for impoundment and forfeiture from three years to five years?	1	2	3	4	5
<i>Comments:</i>						