

19 November 2012

Jim Wilson
Room 2W
Justice Directorate
Scottish Government
St Andrew's House
Regent Road
Edinburgh
EH1 3DG



By email drink.drivelimit@scotland.gsi.gov.uk

Dear Mr Wilson

Proposals to lower the drink-driving limit in Scotland

The Association of Personal Injury Lawyers (APIL) was formed by pursuers' lawyers with a view to representing the interests of personal injury victims. It is a not-for-profit organisation with over 20 years history working to help injured people gain access to justice they need and deserve. APIL currently has over 4,400 members, 170 of which are in Scotland. Membership comprises solicitors, barristers, legal executives and academics whose interest in personal injury work is predominantly on behalf of injured claimants.

APIL has a long history of liaison with other stakeholders, consumer representatives, governments and devolved assemblies across the UK with a view to achieving the association's aims, which are:

- To promote full and just compensation for all types of personal injury;
- To promote and develop expertise in the practice of personal injury law;
- To promote wider redress for personal injury in the legal system;
- To campaign for improvements in personal injury law;
- To promote safety and alert the public to hazards wherever they arise;
- To provide a communication network for members

Do you agree that the drink drive limits should be reduced in Scotland?

In light of the fact that we campaign to promote the safety of the public, we welcome the proposals to lower the drink driving limit from a BAC level of 80mg to 50mg. Drink driving is a major hazard to public safety, and APIL supports any measures that can be seen to prevent it. Lowering the drink driving limit will reinforce the message that people should not drink and drive, therefore this is an extremely positive move that will improve road safety, and prevent injury and loss of lives. APIL also supports the proposals as the UK currently has the highest threshold for drink-driving in Europe. The lowering of the limit will bring Scotland in line with the rest of the continent- with the hope that the rest of the UK will follow suit.

Do you agree with the Scottish Government proposal to reduce the drink driving limits?

We feel that the lowering of the limit to 50mg is the correct balance between practicality and ensuring safety of road users. A complete ban would be almost impossible to enforce, and could lead to unfairness as there are many factors that affect the response of a person to alcohol including gender, weight and the time of day. Research has shown that the likelihood of accidents increases significantly between 50mg and 80mg BAC; therefore we feel that this is the best option to ensure both safety and realistic enforcement. As demonstrated in paragraph 3.11 of the consultation paper, in 2010 the British Medical Association indicated that it is twice as likely that a driver with a blood alcohol level of 50mg will be involved in an accident compared to a person with no alcohol in their blood. It is ten times more likely, however, that a driver with a blood alcohol level of 80mg will be involved in an accident compared to a person with no alcohol in their blood. Significant impairment to driving occurs after the 50mg limit is reached; consequently we feel that this is the correct limit to set.

APIL is grateful for the opportunity to respond to this consultation, and believes that the proposal is a positive move to help ensure the safety of the public on the roads.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Alice Warren', with a long, sweeping horizontal stroke at the end.

Alice Warren
Legal Policy Officer

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