

# Minette Marrin: Lower the limit and you're brewing up trouble

Drink may be a dangerous drug, but an even stricter limit, or after that a total ban, seems to me unjustified, unjust and socially undesirable

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In this world nothing is certain but death and taxes, as Benjamin Franklin supposedly said. He should have added risk. Last week a review commissioned by the previous government recommended reducing the drink-drive limit by almost half; it suggested cutting it from 80mg of alcohol per 100ml of blood to 50mg.

The author, Sir Peter North, a distinguished academic and QC, claims that as many as 168 lives a year could be saved by this reduction. When it is put like that, how could anyone oppose it?

Those 168 unknown people who are, statistically speaking, already dead would be given back their lives, so to speak, and several times that number would be spared terrible grief and loss.

I am not sure that is the right way to put it. It is somehow the wrong way to look at risk. The equation is not so simple, at least not in this case. However risk-averse we may be, however we struggle to avoid it, we can never have even a precise idea of what any particular risk is, and when we try to limit it, we necessarily limit our freedom in the process as well.

To take an obvious example, one certain way of avoiding all road deaths would be to ban all road traffic. That, of course, is unthinkable because the freedom of the roads is so important to so many.

So the truth, ugly though it sounds, is that we as individuals and as a society do accept the inevitability of some risk of death on the roads. The real question is how much risk is acceptable and how much loss of freedom is acceptable to that end.

The overall picture of driving in this country is impressive. Britons, relatively speaking, are unusually safe drivers; there is far less risk of dying on the roads here than elsewhere. According to figures for 2009 put out by Irtad (the Organisation for Economic Co-Operation and Development's international road traffic and accident database), we have the lowest road-user fatalities per 100,000 of 29 leading developed countries; only the Netherlands has a lower rate.

Britain scores even more reassuringly on the fatalities per 100,000 motor vehicles, being at the bottom of the list. And apart from Sweden we are also bottom of the list of fatalities per billion vehicle kilometres. This is all the more impressive since this country's roads are exceptionally crowded and busy.

When it comes to drink-driving, things here have improved hugely overall. Drink-driving deaths have fallen sharply since 1967, when the 80mg limit was imposed. Admittedly, there was an increase in





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drink-driving deaths in 2008 over 2007 (430 from 410), but, according to the North review, the figure is still two-thirds lower than in the 1970s, even though there has at the same time been a vast increase in the number of cars on the road. So the risk is now significantly lower in real terms.

Besides, what causes what in such matters is far from clear. The drink-drive limit in various countries is not always directly correlated to the alcohol-related deaths. A lower limit doesn't necessarily mean fewer deaths.

Britain's proportion of alcohol-related deaths to the total of road deaths was 17% (with a drink-drive limit of 80mg). That is higher than in Sweden

(20mg) or Germany (50mg) or the Czech Republic (0mg), but lower than in France (50mg), Ireland (80mg) and Estonia (20mg). So there's no clear picture. And surely it's obvious that there are many intermingled factors, which vary from place to place; among other things, one cannot avoid concluding that French drivers just aren't very good, either over or under the limit.

However, there is one glaringly obvious risk factor that shines out from the statistics. Anyone who has ever tried to get a young son insured to drive the family car will be aware of it. The most dangerous drivers are young men and the most likely drink-driver to kill or seriously injure someone on the roads will be — as well as over the alcohol limit — young, male, a very inexperienced motorist and quite likely without a driving licence.

About 40% of all such accidents are caused by a driver of between 17 and 24 and that figure hasn't improved much in the past three decades: it was 45% in 1979. And, according to the North report, younger drivers have a lower tolerance to alcohol as well as being more inclined to take risks. So here is one group that poses an exceptional and unmistakable risk to the public on the roads.

Meanwhile, most of us pose no risk at all. Most of us are fairly good citizens who reluctantly keep our drinking down to the legal limit and grudgingly admit that it makes sense. It is now, quite rightly, socially unacceptable — except perhaps among a few people who feel themselves outside the law anyway — to drink and drive. Most of us — the 99% of us who observe the drink-drive limit — have accepted a considerable loss of freedom in doing so.

It's hard to go out and keep saying no to a second, very welcome stiff drink after a long day, or turn down some delicious wine, or nag a slightly squiffy guest not to drive home. Drink may be a dangerous drug but it is also one of life's great pleasures. It brings people together and makes life seem better, or at least more bearable. And in places where people rely on cars, in default of public transport or ruinous taxis, the current drink-drive limit, reasonable though it is, can be described only as socially and personally repressive. An even stricter limit, or after that a total ban, seems to me unjustified, unjust and socially undesirable.

To have any serious effect on drink-driving deaths and serious injuries, the government could stop young people driving until the age of 25. Failing that, it should at least stop anyone under 25 drinking anything at all when they drive.

But I very much question whether bringing down the limit for older people — which in this ageing society means most of us — will make any substantial difference. And it might have the perverse effect of making more people flout the law because they no longer feel it is reasonable: it might be counterproductive. Unreasonable laws tend, for obvious reasons, to be unenforceable.

I am all in favour of harsh punishment for drivers who cause accidents when they are over the drink-drive limit. It is criminally irresponsible and unforgivably shameful to

**hurt or kill someone by driving after drinking too much. Precisely for that reason, the drink-drive alcohol limit ought to be seen to be fair and within the limits of acceptable risk. The new level suggested by the North review is neither.**

[minette.marrin@sunday-times.co.uk](mailto:minette.marrin@sunday-times.co.uk)

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