



## KNOW THE LAW

You remain 'in charge of a vehicle' until you've transferred control or have moved away from it with no intention of re-asserting control. You could be convicted if you're over the limit and getting something from the boot, or simply the only person in the car – even in the passenger or back seats. The burden falls on the accused to prove they had no intention to drive or ride.

# NONE FOR THE ROAD

Every year, around 8,700 people are killed or injured on UK roads due to drink driving. Education of drivers and riders is crucial in reducing casualties, and IAM RoadSmart plays a vital role, offering rehabilitation courses to those convicted of drink driving. And as one motorist discovered, these courses can help people turn around their own lives – and save countless others...

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Life, they say, can turn on a sixpence. For 41-year-old Depesh Nathwani, that moment came in December 2019, when he stepped out of his front door.

"I had parked my car a few minutes earlier and gone into my house," explains Depesh. "When I came back to put the bins out, I noticed a police car blocking my driveway. I stepped forward to speak to the policeman, who immediately got out of his car and asked me to take a breathalyser test. "I failed the test, and my whole life flashed before me. I had been to the pub and had two pints earlier and drove home. Then a friend called and asked me out again. Stupidly, I went and had another two half-pints. I thought I'd be okay with a two-hour gap, but I wasn't."

With his two young daughters and his wife watching, Depesh was driven off to spend the night in a cell. His life began to fall apart – and would continue to do so in the months ahead.

"My instant reaction was, 'I'm in big trouble here,' but I didn't realise how much," continues Depesh. "I normally travel around 36,000 miles a year for my work, which involves selling and running call centres. At the time, I was looking for a new job, which made it worse. When I came home the next morning, I was so ashamed. My wife told me that the only reason she wasn't leaving me was that I hadn't injured anyone."

Depesh looked at his daughters, and his blood ran cold at the thought of them, or any other child, being hurt or killed by a drink driver. And with his court case looming on 3 January, the family Christmas was a write-off. On the advice of his lawyer, Depesh pleaded guilty. "It was not a pleasant

experience with everyone looking at you. I put my head down and said I was in the wrong. But in my heart, I didn't believe I was."

Depesh received a 17-month ban, with the option of reducing it to 13 months if he agreed to attend a drink drive rehabilitation course. Depesh chose a course run by IAM RoadSmart. He readily admits that at that point he was thinking purely of the four-month reduction in his ban; he never imagined the other advantages the course

**"The course leader was brilliant. She helped me look at my relationship with alcohol, and I've changed my attitude. Now, I'd never have a single drink if I had my car keys on me"**

would offer, never imagined that it would, in fact, change his life.

### ALCOHOL EDUCATION

"IAM RoadSmart has delivered the 16-hour course since 2013, and last year we helped over 5,000 drink drive offenders," explains Jags Ladwa, IAM RoadSmart Head of Driver Rehabilitation Academy & Strategic Analysis. "The

opportunity to rehabilitate individuals and assist them in coming to terms with their relationship with alcohol and driving directly supports IAM RoadSmart's mission of improving road safety. Studies have shown that those who complete the rehabilitation course are up to three times less likely to reoffend than those who don't do the course. Our volunteers visit courts to foster relationships, and we provide education to magistrates so they understand the benefits to offenders for completing the course."

Emma Byrne is one of RoadSmart's trainers, and this year, due to Covid-19, she and her colleagues have been successfully delivering the course online. "Everyone who joins the course says that they will never drink and drive again. They all arrive with that intention, but intention isn't good enough," >



## KNOW THE FACTS

# 8,700

people are killed or injured by drink driving on UK roads each year

# £1.9M

is the approximate cost to the community of a fatal road collision

# £70K

can be the personal financial consequences for an individual convicted of drink driving

# 500+

Drink drive rehabilitation courses are provided by IAM RoadSmart each year



## Drink driving



explains Emma. “The course equips them with the skills, thought processes and information to turn those intentions into a reality.

“We give participants knowledge, and we explain how long it takes for alcohol to leave the body,” continues Emma. “People often get quite irate at that point and ask why they weren’t taught these things earlier, like when they were learning to drive. The course also endeavours to get to the bottom of why they are drinking to the level that they are, and we explore issues such as work, home life, relationships and mental health.”

In January 2020 all these lessons still lay ahead of Depesh, as he didn’t take his course until October. But he was learning the hard way about life without a driving licence – a life he had taken for granted for decades when he could just jump in the car and go where he needed to.

### EVERYDAY EFFECTS

“I was reminded of the impact all the time,” recalls Depesh grimly. “A journey that would have taken two and a half hours before in the car was taking four by train. I was having to call in a lot of favours asking people for lifts. I couldn’t take my daughters to dance lessons or school and my wife had to do all the running around.” But then, ironically, the arrival of Covid-19 seemed to make life a little more bearable for Depesh. “Nobody could drive anywhere, and I thought ‘this isn’t so bad after all,’ but again, just like in court, I was wrong.”

In early summer Depesh’s father was diagnosed with final-stage cancer and given six weeks to live. Suddenly, the impact of losing his driving licence reached a level of severity Depesh could never have foreseen that night he was bundled into the back of a police car.

“My parents’ home is in Newport, and we live in Bridgend, which is just 35

## DON'T BELIEVE THE MYTHS

Eating a cooked breakfast, consuming energy drinks, tea or coffee, taking exercise or vomiting will NOT sober you up.

Sucking a copper coin, chewing garlic or eating mints will NOT sober you up.

If you've been drinking and have an accident, quickly having another drink before the police arrive, so you can claim that the post-accident drink put you over the limit, will NOT make you immune to prosecution. Also, if you're involved in an accident while sober, and immediately have a drink to calm your nerves, you could still be breathalysed and prosecuted.



**“The IAM RoadSmart drink drive rehabilitation course taught me to own the consequences of my actions”**

minutes away by car, but I couldn’t just drive over when I wanted to see my dad,” explains Depesh. “I couldn’t take him out for a cup of tea or an ice cream when he so desperately wanted to get out of the house. I was losing my dad, and I couldn’t support him like I would have typically been able to because I couldn’t drive.” For the proud Welshman, who was used to powering through life, used to solving problems and used to looking after his family, that was a bitter pill to swallow.

These experiences made Depesh more determined than ever never to drink and drive again. But on the course, he learnt that good intentions alone would not be enough – he needed to acquire the coping strategies that would enable him to keep his promise.

“First, the IAM RoadSmart rehabilitation course taught me to own the consequences of my actions, and to accept that it was all completely my fault, absolutely no-one else’s,” Depesh

explains. “It was good to work with the other participants and hear their stories. One lady had gone to her car in the pub car park to get her suitcase. She had no intention of driving, but got breathalysed and convicted. So many people don’t realise that if you have your keys on you while over the limit then you could be guilty of being in charge of a vehicle while under the influence of alcohol.

“The course leader was brilliant,” Depesh continues. “She really helped me

look at my relationship with alcohol. I’ve completely changed my attitude towards it – I only drink around half as much as I used to. Now, I’d never even have a single drink if I had my car keys on me, never mind contemplate drinking and driving. I am very fortunate to have been given the opportunity to turn my life around.” **IAM**

IAM RoadSmart would like to thank Depesh for having the courage to share his story.



## KNOW THE PENALTIES

Being in charge of a vehicle while above the legal limit or unfit through drink

You may get:

- Three months’ imprisonment
- Up to £2,500 fine
- A possible driving ban

Driving or attempting to drive while above the legal limit or unfit through drink

You may get:

- Six months’ imprisonment
- An unlimited fine
- A driving ban for at least one year (three years if convicted twice in 10 years)

Refusing to provide a specimen of breath, blood or urine for analysis

You may get:

- Six months’ imprisonment
- An unlimited fine
- A ban from driving for at least one year

Causing death by careless driving when under the influence of drink

You may get:

- 14 years’ imprisonment
- An unlimited fine
- A ban from driving for at least two years
- An extended driving test before your licence is returned