

DRUNK DRIVING: B.C. PREMIER IS CHARGED

Introduction

Focus

The focus of this *News in Review* story is the case of Premier Gordon Campbell. In January 2003, Campbell was charged with impaired driving while on vacation in Hawaii. The incident unleashed a debate that moved from the call for the resignation of the Premier to the legal and ethical impact of impaired driving in Canada. This feature examines the story behind Campbell's arrest as well as the ethical and legal issues related to impaired driving.

 Sections marked with this symbol indicate content suitable for younger viewers.

Further Research

To learn more about current political issues in B.C. visit the official government Web site at www.gov.bc.ca and the official Web site of the provincial NDP at www.B.C.ndp.ca.

At around 1:30 a.m. on January 10, 2003, Maui police pulled over a vehicle that had been moving erratically on the Honoapiilani Highway. Police say the driver was speeding and, at times, driving on the wrong side of the road. It was soon determined that the driver was intoxicated. He was subsequently arrested, charged with impaired driving, fingerprinted, photographed, imprisoned for eight hours, and later released on \$257(U.S.) bail.

It was only later that Maui police realized they had arrested British Columbia Premier Gordon Campbell. Campbell had attended a party earlier. He claimed that he drank three martinis and several glasses of wine, over a seven-hour period. By the time he was officially charged at the police station, Campbell had a blood alcohol concentration (BAC) of 0.149 per cent, well over the legal limit of 0.08 per cent.

Canadians awoke Saturday morning to find Campbell's mug shots splashed across the front page of local and national newspapers. To make matters worse, the Premier was smiling in some of the pictures. Campbell appeared before the media the following day, saying that he "had way too much to drink" and that he "made a terrible mistake." With tears in his eyes he admitted that he had asked himself repeatedly how he could have acted so irresponsibly.

Shortly after the story broke, calls for the Premier's resignation began surfacing. NDP Leader Joy McPhail was unhappy with Campbell's attempt to defend his premiership based on the fact that the incident occurred during his private time. She called on him to

step down, saying, "I have never, ever believed public officials are allowed to distinguish between public and private time when it comes to breaking the law." Similarly, Louise Knox, national president of Mothers Against Drunk Driving (MADD), called on Campbell to "do the honourable thing and step down." She pointed out that impaired driving is the number-one criminal cause of death in Canada. As a government leader, Campbell needed to show respect for the law. Knox said: "The premier of a province needs to demonstrate sound judgment and, through example, a moral authority. He should step down until his court appearance, and if he is convicted, he should fulfill his obligations to his sentence before returning as premier." The *Kamloops Daily News* seemed to capture the mood of those calling for the Premier's head, stating, "Lawmakers must respect the law, not break it."

Meanwhile, British Columbia Liberals scurried to Campbell's defence. The Liberal caucus issued a statement that pointed out the gravity of the Premier's error but claimed he should not lose his job over the impaired driving charges. "This is an isolated, personal mistake that should not wipe out the Premier's 18 years of dedication and commitment to public life in British Columbia." Finance Minister Gary Collins called the impaired driving incident a "personal issue" that had nothing to do with Campbell's job as premier. Collins went on to say that the Liberals had been elected with an overwhelming mandate, taking 77 of 79 seats in the B.C. legislature, and that work needed to be done to move forward the agenda

This reading offers a range of opinions on the issue of whether Gordon Campbell should resign. Use the following table to outline the arguments for and against the Premier's resignation and then write up your final view on this controversial issue.

Why Campbell Should Resign	Why Campbell Should Not Resign

My Final Decision

Is the Premier's vow to never drink again enough? Explain your answer.

What advice would you give to Gordon Campbell?

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Video Review

Answer the questions on this and the following pages while reviewing the video story. It may be necessary to answer the more complex questions after you have seen the video.

1. How have people's attitudes changed about drinking and driving?

2. What happened while B.C. Premier Gordon Campbell was on vacation in Hawaii in January 2003?

3. What is former NDP strategist Bill Tieleman's position regarding the Campbell situation?

4. How did Campbell feel about the incident in Maui? Was he sorry for what he did? Did he show remorse when he appeared before the media?

5. Does the Premier plan to fight the charges against him?

6. What was the result of Campbell's roadside breath test?

7. Name two other high-profile political figures who have been involved in impaired driving incidents.

8. From where do most statistics regarding impaired driving crashes come? What problems arise from this method of data collection?

9. What percentage of fatally injured drivers were impaired at the time of their crashes?

10. What are the three character profiles of drunk drivers?

Did you know . . .

Premier Campbell's roadside breath test was 0.161 per cent? When he was tested again at the police station his BAC result was 0.149 per cent.

11. How are some provinces toughening penalties for impaired drivers?

12. What techniques were used to demonstrate the feeling of being impaired at the lunchtime demonstration in Fredericton?

13. What motivated Mark Savard to use hypnosis to teach people about the effects of drinking and driving?

14. Outline your personal views on drinking and driving.

15. Describe any incidents of drinking and driving in your own community.

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Government, Ethics, and Confucius

The Master said, "He who rules by moral force is like the pole-star, which remains in its place while all the lesser stars do homage to it." — *The Analects of Confucius*, Book 2, 1

Further Research

Information about the life and teachings of Confucius may be found at www.cifnet.com/~geenius/kongfuzi/.

Reciprocity — treat others as you would want to be treated
Propriety — using wisdom to guide your actions

The case of Gordon Campbell poses a number of ethical questions, some of which concern the way we are governed. Perhaps it would be useful to go back into the archives to see if Campbell's actions meet the standards established by an ancient philosopher. The Chinese sage Confucius (551-479 BCE) felt that a leader and his or her government should set an example based on virtue. True virtue is expressed through reciprocity and propriety. Reciprocity is captured in the Confucian golden rule that says, "Do not do unto others what you would not have done unto you" (*Analects* 15, 23). In other words, relationships should be reciprocal, with the best interests of everyone taken into consideration before an action is taken. Propriety is the art of right conduct. It calls on the individual to express their inner wisdom in their outer expression. A great leader thinks before she acts, using her collected wisdom to guide her choices. In the end, true leadership in government is the embodiment of both reciprocity and propriety. For the purposes of our study we have to ask: Does the case of Premier Campbell pass the test of reciprocity and propriety?

Before we answer that question, one more point needs to be made regarding virtuous leadership. According to Confucius, true leaders cultivate virtue in their lives. Only when the leader has achieved a sense of virtue can she govern effectively. The result of virtuous leadership is a virtuous citizenry and, in turn, a well-ordered state. In other words, people honour and respect governments because they can see the sincerity and virtue of their leaders. When that virtue is absent, people become jaded and suspicious of government.

Test #1: Reciprocity

There is no question that Campbell's choice to drink and drive fails the test of reciprocity. People who choose to drive while impaired are not exercising proper concern for themselves or others. Based on the principal of reciprocity, Campbell should accept whatever penalty the state of Hawaii imposes. Since Campbell seems willing to accept this consequence, he is acting properly in this regard.

However, should the Premier have resigned over his conduct? The debate over whether or not he should have resigned swings between two poles. On the one hand, people think that he should have resigned because he made such a poor choice. Others feel he made a serious mistake on his private time and he should be allowed to continue to lead British Columbia.

Task #1:

Now it's your turn. Work with a partner and try to figure out whether or not Campbell should have resigned as premier. Support your conclusions with specific reference to Confucius' idea of reciprocity and his view of political leadership. Record your conclusions in your notebook.

Test #2: Propriety

There is no defending Campbell's conduct on the night he was charged with impaired driving. Clearly he failed to act with propriety in this instance. However, once again, we must ask the question: should he have quit as premier?

The two schools of thought weigh in again on this issue. On the one hand, some feel that the Premier's conduct

was so reprehensible he cannot be forgiven. He has lost the public's trust and should resign. On the other hand, some people feel that the Premier's contribution to public life in British Columbia should not be wiped out by one terrible mistake.

Task #2:

It's your turn again. Work with a partner and discuss whether Premier Campbell should have resigned. Remember to refer to Confucius' views on propriety and political leadership. Again, record your conclusions in your notebook.

Test #3: What is Campbell's standard for ethical political conduct?

Gordon Campbell has witnessed quite a few scandals since becoming an MLA in the B.C. legislature, and he was the leader of the opposition who spearheaded the call for several high-profile resignations. To put it simply, the B.C. premiership has been a testament to controversial political leadership. Take a look at the following examples:

- 1991: Premier Bill Vander Zalm of the Social Credit Party resigns after allegations that he used the premier's office to sell a religious theme park to an overseas billionaire. The province's conflict commissioner eventually determined that Vander Zalm had acted inappropriately.
- 1995: Premier Mike Harcourt of the New Democratic Party resigns after his party is implicated in a charity bingo money-skimming scandal.

- 1999: Premier Glen Clark of the NDP resigns after allegedly aiding a neighbour in attaining a casino license from the province. Clark was acquitted of charges that he accepted a benefit of \$10 000 in home and cottage renovations from the neighbour. However, the province's conflict commissioner ruled that Clark had violated two sections of the Conflict of Interest Act and ordered him to pay \$53 000—half the cost of the commissioner's investigation.

Campbell assumed the premiership after a stunning electoral victory in May 2001, taking all but two seats in the legislature. He promised to rid the premier's office of corruption and scandal. He also told the public that politicians being investigated by police should step down until they have been cleared of charges.

Task #3:

Work with a partner and answer the following questions:

Confucius said that a virtuous leadership leads to a virtuous and well-ordered state. Do our leaders provide virtuous leadership? Is Canada a well-ordered state? Should politicians be held to a higher moral standard than the rest of society? Based on our work in tasks one and two, should Campbell have resigned? Give reasons to support your conclusions.

Be prepared to present your conclusions to the class.

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Canadian Impaired Driving Laws

This year, Canadians will take an estimated 12.5 million impaired-driving trips. The police will lay over 70 000 impaired-driving charges. Drunk drivers will kill at least one person per day. These chilling facts are what motivate organizations like the Canada Safety Council to encourage federal and provincial governments to direct resources into making existing laws work better. Effective laws are a key compo-

nent in the battle against impaired driving. Recent amendments to the Criminal Code have made fundamental changes to how the Canadian legal system approaches the charging and sentencing of drunk drivers. Complete the following Canada Safety Council quiz (circle your choices) to test your understanding of the laws dealing with impaired driving in Canada. The answers are on the next page.

1. The fine for a first-time impaired-driving conviction is:
 - a. \$100
 - b. \$300
 - c. \$600
2. At what minimum blood alcohol concentration (BAC) can a driver be charged with a criminal offence?
 - a. 0.05*
 - b. 0.08
 - c. 0.15(*50 milligrams of alcohol in 100 millilitres of blood, or 50 mg%)
3. According to recent changes in the Criminal Code, the maximum sentence for impaired driving causing death is:
 - a. eight years
 - b. 14 years
 - c. life in prison
4. The usual minimum driving prohibition period for a first impaired-driving offence under the Criminal Code of Canada is:
 - a. 30 days
 - b. three months
 - c. one year
5. How many offences related to impaired driving were reported in Canada in 2000?
 - a. 9000
 - b. 80 000
 - c. 185 000

Answers (Source: www.safety-council.org/quiz/dwiq)

1. c) At \$600, Canada imposes one of the highest minimum fines in the world for blood alcohol offenses.
2. b) In most provinces and territories it is not permissible to operate a motor vehicle at BACs over 0.05, but this becomes a criminal matter when levels exceed 0.08.
3. c) Canada considers impaired driving as serious an offense as murder. In June 2000 the maximum penalty was raised from 14 years to life in prison.
4. c) Canada's one-year prohibition is one of the longest mandatory driving disqualifications in the world.
5. b) According to Statistics Canada, there were 79 107 Criminal Code offences related to impaired operation of any vehicle in 2000.

Questions

1. How did you do on the quiz? Why do you think you did or did not do well?

2. Do you think Canadian impaired driving laws are strict enough? Explain your position.

3. Japan has a legal blood alcohol limit of zero. Is this too strict? Explain.

4. Do you think people should be kept from operating a motor vehicle even if they have only had one drink? Why?

5. In the 1980s, impaired driving deaths peaked at 2100 per year. Victim advocacy groups like MADD started to vigorously fight for improved laws. They created greater awareness of the effects of impaired driving on society. The result was a 30 per cent drop in impaired driving deaths by the 1990s. What else needs to be done? Suggest three practical ideas that could be introduced to fight impaired driving in Canada.

i) _____

ii) _____

iii) _____

Canada has one of the strictest impaired driving laws in the world. The Canada Safety Council's position is that resources are urgently needed to make existing laws work more effectively and that new countermeasures are needed to combat the chronic high-BAC offender. Do agree or disagree?

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Mothers Against Drunk Driving (MADD)

Visit MADD's Web site at www.madd.ca and investigate the programs that MADD initiates to combat drinking and driving and to raise public awareness. Find one program that appeals to you and report your findings to the class. Consider inviting a MADD spokesperson to visit your class or school.

One victims' advocacy group that continues to grow in strength and conviction is Mothers Against Drunk Driving (MADD). MADD is a national organization that is leading the fight against impaired driving. Read the MADD mission statement and statement of beliefs and then answer the questions that follow.

MADD Canada Mission Statement

The Mission of MADD Canada is to stop impaired driving and support the victims of this violent crime.

MADD Canada's Statements of Belief

- That our primary reason for existence is to eliminate the killing and maiming caused by impaired driving.
- Equally vital to MADD Canada's existence is supporting victims of this violent crime.
- That MADD Canada is a grassroots organization that draws its strength, energy, and leadership from its volunteers.
- That active participation in MADD Canada chapter activities is productive

for the community and encourages healing for many victims of impaired driving.

- An aggressive legislative and public policy advocacy program is a must to achieve MADD Canada's mission.
- That a National Victims' Bill of Rights must be created in order to ensure fair and respectful treatment of all victims of crime.
- That a balanced program of public awareness, education, legislation, and aggressive enforcement by police, crown attorneys, and the courts is essential to eliminating impaired driving.
- That while an individual's decision to consume alcohol is a private matter, driving after consuming alcohol is a public matter.
- That impaired drivers and others who directly contribute to the crime of impaired driving must be held accountable for their behaviour.
- That proactive rehabilitation of impaired drivers is essential.
- That driving is a privilege, not a right.
- That impaired driving crashes are not accidents.

Responding

1. Based on your reading, what is the difference between a mission statement and a statement of beliefs?

2. Order the top five points in the statement of beliefs from most important to least important. Explain the reasons for your choices.

3. What is 'victims' advocacy'? Why is this an important objective for MADD?

To Do

Read this MADD Canada fact sheet. Circle the facts you consider most important. Be prepared to explain your choices.

Fast Facts on MADD Canada

- MADD Canada mission: to stop impaired driving and to support victims of this violent crime
- 55 chapters and over 5000 members across the country
- More than 700 000 Canadians donate each year
- Over 4 million red ribbons are distributed annually
- More than 4 million pieces of mail sent each year
- 400 000 high school students see our multimedia assembly presentation
- Approximately one million hits on the Web site per year
- MADD Canada's annual budget is over \$10-million
- Offer programs for victims' services, public awareness, legal research, chapter services, and youth services
- FACT IS we have a long way to go in stopping impaired driving
- Four Canadians killed each day and 200 Canadians seriously injured each day
- Approximately 75 000 Canadians impacted by impaired drivers annually
- Estimated 12.5 million trips of impaired driving each year in Canada
- Approximate average of only 70 000 charges of impaired driving being laid in a given year

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Are Impaired Driving Statistics Accurate?

There seems to be some discrepancy regarding impaired driving statistics. Read Canada Safety Council President Emile Therien's *National Post* letter to the editor and answer the questions below.

Dear Editor:

With much interest, we read the article "Drunk drivers get a bum rap: professor," (*National Post*, September 30, 2002). The article raises the issue of accurate, reliable data collection related to impaired driving.

Impaired driving has been called the leading criminal cause of death and injury in this country. Given the high profile of the issue, one would expect the number of Canadian victims to be readily accessible. Not so.

In trying to answer this question, the Canada Safety Council found that highly respected sources have published widely diverging statistics in the first half of 2002. Claims range from 1700 Canadians killed by drunk drivers every year or 4.5 per day (MADD Canada), to 1350 deaths each year in alcohol-related motor vehicle crashes (Transport Canada and the *Canadian Journal of Public Health*), to 906 people killed in 1999 in road crashes that involved a driver who had been drinking (Traffic Injury Research Foundation). Our own January newsletter mistakenly stated that 1134 people were killed in 1999 in road crashes involving an impaired driver. We thought that was the correct, up-to-date number. Then we noticed the other statistics being used.

The Traffic Injury Research Foundation (TIRF) is the source on whose data the Canada Safety Council relies. TIRF reported 1134 fatalities in

"alcohol-related crashes" in 1999. However, some "alcohol-related" traffic deaths do not involve a drinking driver—for instance, that statistic includes people with alcohol in their blood who were killed by non-drinking drivers. (In 1999, a total of 414 pedestrians and 69 cyclists were killed in motor vehicle collisions. Two out of every five pedestrian fatalities and one out of five cyclist fatalities had alcohol in their blood.)

The Canada Safety Council is concerned that using wrong numbers can distort an issue and mislead the public. Misconceptions can lead to demands for legislative changes that are not justified when the most accurate data are examined. The consequences could result in flawed public policy and failed attempts to curb this very serious problem.

One reason for the discrepancies is that fatalities have been dropping. Impaired drivers are killing fewer people each year in Canada. In the U.S., the number of impaired driving fatalities has not changed since 1994. In contrast, Canada has made significant progress. Changes in attitudes and behavior—backed by tough laws, enforcement and other countermeasures—have yielded impressive results.

According to TIRF, road crashes involving a driver who had been drinking killed 906 people in 1999. This marks a 30% drop over five years; the equivalent statistic for 1995 was 1296. Preliminary figures for 2000, to be released officially this fall, indicate a further 5% drop.*

Back to the original question . . . should we include drivers who may have died as a result of their own impairment? (Of the 906 fatalities, drinking drivers comprised about

Further Research

For more on the Canada Safety Council, go to: www.safety-council.org.

half.) What exactly is meant when we refer to a “drunk” driver? (No simple definition exists as a scientific basis to collect data.) The correct statistic depends on what information is being conveyed.

Due to the complexities of the issue there is no official number of “people killed by drunk drivers” in Canada.

The lack of an exact number does not change the fact that alcohol-related crashes still cause far too many unnecessary and preventable tragedies on our roads. The fact we are making progress is encouraging, but we can’t let our guard down. Hard work and resources will be

needed to reach our national goal of a further 40% reduction in road users fatally or seriously injured in crashes involving a drinking driver by 2010.

Canada’s progress to date is an indication that such an ambitious goal can be achieved.

Sincerely,
Emile Therien
President, Canada Safety Council

* Transport Canada: In 2000, road crashes involving a driver who had been drinking killed 864 people. Of those fatalities, almost half (422) were drivers whose blood alcohol level was over 0.08.

Questions

1. Make a list of the statistics referred to in the third and fourth paragraph of Therien’s letter.

2. What problem does the Canada Safety Council see regarding impaired driving statistics?

3. How could using the wrong numbers mislead the public and lead to flawed public policy?

4. How is Canada doing in the battle against drunk driving?

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Teens and Drunk Driving

Car crashes are the leading cause of death and injury for young people. Alcohol is the drug most frequently used by teenagers. Put the two together and you have a deadly combination.

Based on these facts, governments have attempted to implement strategies to make the driving experience safer for young people. Several strategies have proven to be effective. They include:

- Raising the drinking age to 21

- Raising the driving age
- Graduated licensing
- Zero blood alcohol concentration (BAC) for young drivers and their supervisors
- Improved education regarding driving, the effects of alcohol and drugs, and life skills.

Source: www.madd.ca/library/youth/solution.htm

Your Task

A

Choose one of the strategies listed above or find another strategy that has proven to be effective in terms of saving the lives of young drivers. Research the strategy. Some helpful Web sites include:

- Mothers Against Drunk Driving: www.madd.ca
- Canada Safety Council: www.safety-council.org/info/traffic/impaired/impdriv.htm
- Students Against Destructive Decisions: www.saddonline.com
- Community Learning Network link page: www.cln.org/themes/drinking_driving

Make a poster promoting your strategy. Make sure your poster includes:

- a clear, punchy title (e.g. Don't Let the Good Die Young! Don't Drink and Drive!)
- artwork or photographs promoting your strategy
- statistical information supporting your strategy
- remember that you are trying to sell your strategy through your poster so make the poster as attractive and interesting as possible.

B

Write a 250-300 word explanation of your strategy and poster. Be prepared to present your work to your peers. You might consider using the posters in a campaign to raise awareness of drinking and driving in your school/community.