
Breath testing pedestrians paves way for civil liberty abuse - Alliance

Wednesday, 5 May, 2010

A peak, non-profit legal body, which promotes access to justice, has warned against a proposal to breath test South Australian pedestrians as a means of reducing the road toll, saying it would be an affront to people's civil liberties.

The Australian Lawyers Alliance was responding to a University of Adelaide study suggesting road deaths could be reduced by imposing blood alcohol limits on pedestrians.

"This is not only impractical, but it paves the way for the police to wield an unacceptable level of power over people's lives," Alliance South Australian president, Tony Kerin said.

"Police are already armed with sufficient powers to deal with people who are drunk, be they pedestrians or anyone else in the community," he said.

Mr Kerin said poorly considered laws continued to prise their way into South Australia, eroding quality of life – the anti-association laws were the most recent example.

"There comes a point when a line needs to be drawn in the sand limiting the potential for abuse from people with positions of power," he said.

Mr Kerin said as with most such confines, it was society's most vulnerable – those with little power or life choices – that would suffer most if such prohibitions were put in place.

"Homeless people who notoriously have alcohol and mental health problems, and seek shelter from harm along well-lit, busy streets, will be the first to have their rights trampled, under such measures. Unable to afford fines for breaching alcohol restrictions, many may end up, ultimately, in overcrowded prisons.

I call for South Australians to demand a state-based human rights Act, from their politicians. Such a document is urgently needed to protect society's most vulnerable from those in power who may be inadequate in performing their jobs – be they politicians, policemen or bureaucrats," Mr Kerin said.

For more details contact: Australian Lawyers Alliance, public affairs manager, Mandy Wyer on 0418 270 656 or Alliance SA president, Tony Kerin, 0417 809 579.