

Some Drinks Get You Drunk Faster than Others

Drink driving is the most common offence that is heard in NSW courts, including the Downing Centre.

While most of us know it is a crime to drink and drive, trying to assess whether you are below the legal limit is fraught with problems – as there is no accurate formula to calculate how many drinks will push you over.

Not All Drinks Are the Same

Popular Australian scientist, Dr Karl Kruselnecki, has publicised a fascinating finding about alcohol: [diet mixers can get you drunk faster than full-sugar ones](#).

He uses the example of two hypothetical identical twins who each have the same diet and exercise regime. On a particular night, the twins have three standard drinks over the course of a night. The only difference between the drinks is that one is mixed with a sugary soft drink, while the other has a zero-calorie sweetener.

Kruselnecki says that if both twins are tested, the one who had the full-sugar drink would have blown 0.034, which is well under the legal limit of 0.05, while the other would have come in at 0.053 – resulting in a low range drink driving charge.

Research

The Royal Adelaide Hospital tested a group of volunteers, all of whom drank 30 grams of alcohol (the equivalent to about three standard drinks); but half mixed the alcohol with a zero-calorie mixer, while the other half had full-sugar mixers.

Those who had the full-sugar mixer took longer to process

the alcohol, thus delaying its entry into the bloodstream. The sugar (or any calories) essentially meant that the alcohol stayed in the stomach for longer, where some of the extra alcohol was broken down by stomach acid before passing through the small intestine and the bloodstream.

Honest and Reasonable Mistake

In 'strict liability' offences like drink driving, a person will be not guilty if they can establish that they were honestly and reasonably mistaken about being over the limit.

Based on the above scenario, it is easy to see how a person caught driving just over the legal limit could have done so honestly believing they were legally capable of driving.

The harder part is proving that the mistake was "reasonable." With the large-scale public awareness campaigns surrounding drink driving for decades, it can be much harder to prove that a person's mistake was reasonable.

Drink Driving Generally

[Drink driving offences in NSW](#) may not be the most serious criminal offence, but it can carry serious penalties. Even those who drive with a low-range concentration of alcohol can find themselves with a criminal record and licence disqualification.

However, there are several steps that a person can take to ensure the best possible result in a drink driving case: including participating in a [Traffic Offender Program](#), collecting character references and writing an apology letter.

Of course, if you have been charged with a drink driving offence, one of the best things you can do is to get legal advice from a criminal lawyer who has a [great track record in drink driving cases](#). Many law firms offer [free first conferences](#), where you can obtain initial advice and a point

in the right direction, even if you wish to represent yourself.