

Road Safe

Years 11–13

Focus area 2

This section of the Road Safe programme contains one of the following focus areas for students at years 11–13:

1. Attitudes to drink-driving
- 2. The consequences**
3. What the law says
4. Pressure
5. Thinking ahead

Note: Research suggests that an effective programme should include learning experiences from each of the focus areas.

Focus area 2: The consequences

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Focus area 2: Real life

Explanation

In this focus area students identify with those involved in a drink-drive crash, explore the possible consequences of a drink-drive crash, and consider what bystanders in particular could do to prevent such crashes.

Curriculum links

Key competencies: Managing self; Relating to others; Participating and contributing

Learning area: Level 6 and level 7 Health and Physical Education – Strand A: Safety management

Resources

Video: *Classified Incapable* (available from your School Community Officer)

Video: *A Life for a Good Night* (available from your School Community Officer)

Chart paper and pens for group work

Copysheet: **Sentencing remarks** (for use with *A Life for a Good Night*)

Success criteria

At the end of this focus area students will be able to:

- identify with those involved in a drink-drive crash
- list possible consequences of a drink-drive crash
- explain what the victim of a fatal drink-drive car crash misses out on
- identify what bystanders could say or do to prevent such crashes.

Learning experience 1: Real life

Learning intentions

By the end of this learning experience students will be able to:

- identify with those involved in a drink-drive crash
- list possible consequences of a drink-drive crash.

Teacher notes

Preview both videos to decide their suitability for your class. By way of introduction to either video, just say that the video deals with a true drink-drive situation. Avoid giving information that will take away the impact of the video.

Background to *Classified Incapable*

This video relates to the deaths of two young women, Emily and Johanna, in a drink-drive crash in the Hawkes Bay. Sarah, the driver of the van who caused the crash, was in her twenties and was well over the limit. She was convicted and sent to Arohata Prison. The families and friends of both girls talk about their reactions. The families involved are white middle-class, and the crash happened in the rural area.

Background to *A Life for a Good Night*

This incident happened in Gore. Seven young people were in the vehicle. They were Benjamin (BJ), Morgan, Tania, Nadia, Justine, Tee Jay (the owner of the car) and Phillip (the driver at the time of the crash). Over an extended period of time they went on a drinking-driving spree. Four bottles of vodka were provided by Benjamin's mother. She was later charged and convicted with supplying alcohol to minors and was fined \$500. Samuel Kingsbury, aged seven, died at the scene. Kieren, aged eight, was injured. Phillip, the driver, was charged with manslaughter and sentenced to five years in prison, reduced to four and a half years. He had given a guilty plea. Tee Jay was charged with manslaughter and sentenced to three years. His was a defended hearing.

Four days before the crash, Phillip had been disqualified voluntarily from driving. At the time his blood alcohol level was 676 microgrammes of alcohol per litre of breath. At the time of the crash, his breath alcohol level was 587 microgrammes of alcohol per litre of breath.

Activities

Choose one of the following videos to explore issue of drunk driving.

1. Classified incapable

Explain that the class is going to see a video about a true drink-drive incident.

Show the video.

Ask:

Why did this crash happen?

Who are the people who have suffered because Sarah drove when she was drunk? (Note the following names : Sarah, the driver; Emily and Johanna who both died; Emily's brother; Matthew, friend of both girls; both girls' parents; Constable Wilkie, the attending officer.) How could this tragedy have been prevented?

List students' responses to the last question on the board. They should include such things as:

- Sarah not drinking
- the people Sarah had been drinking with could have stopped her from driving
- Sarah using a safe way to get home
- Sarah's boss ensuring that his workers had safe transport
- the publican refusing to serve them when they had had enough.

Talk about how everyone involved has a responsibility to prevent a drunk from driving.

Ask:

What were the consequences for Sarah?

If Sarah was here, what questions would you like to ask her?

Divide class into 10 groups with a large sheet of chart paper. Each group is allocated one of the following people: Sarah, Sarah's parents, Emily's parents, Johanna's parents, Matthew, Emily's brother, Constable Wilkie, Johanna and Emily's teachers, Johanna and Emily's class mates, Sarah's boss.

The group records the feeling that person(s) would have about the crash

Put the charts paper up around the room. Students view all the idea and comment on similarities and differences.

Ask:

Do you think these feelings will change over time? Why or why not?

How do you think you would feel if one of your friends died, or was seriously injured in a drink-drive crash?

2. A life for a good night

Explain that the class is going to see a video about a true drink-drive incident. Give no further details.

Show the video to the class.

Use the following questions of the whole class, or as a group discussion.

What does the title of the video mean – *A Life for a Good Night*?

Do you think this sacrifice was worth it? Explain your answer.

How many young people were involved in this incident?

Were any more guilty than the others? Explain your answer.

How did the young people get the alcohol?

How do you feel about the person who provided it?

What comments can you make about the sentences that Phillip and Tee Jay received?

What are the main messages that you took from the video?

Ask each student to imagine that they are Phillip, standing in the court, awaiting sentencing. The teacher takes the role of the Judge Tompkins and reads the sentencing remarks from Copsheet: **Sentencing remarks.**

De-role students.

Ask them to discuss the following questions with a partner.

How did you feel when you heard the Judge's remarks?

What do you feel about the sentence?

What do you think your family and friends are thinking?

What do you think your future might be like?

In small groups, ask students to list all the consequences of this tragedy for each of the following people:

- Phillip
- Kieran
- Nadia
- Benjamin
- the Kinsgburys.

Copysheet: Sentencing remarks

1. Selected comments from the sentencing remarks of Judge Tompkins at the trial of Phillip.

... you appear for sentencing having pleaded guilty to the charge of manslaughter.

It was about 8.20pm when you were again driving the car that you turned into Talbot Street and drove along at an excessive speed. Again one of the persons in the car asked you to slow down, but you ignored her. You cut a blind corner, crossed fully over a white centre line and onto the right hand side of Talbot Street. Due to your excessive speed the car commenced sliding. You applied the brakes. The car skidded for some 25 metres along the tarseal, mounted the kerb, struck the tricycle on which Kieren was, injured him, crashed through a chainlink fence and struck his best friend, Samuel Kingsbury causing injuries from which he died soon after.

When you saw his body you ran from the scene. One of your associates tackled you saying you should return and wait for the Police. You said that you had 'just killed a kid' and continued on foot towards Gore. You were located and arrested at about 10.15pm. An evidential breath test showed a result of 587 micrograms of alcohol per litre of breath.

This tragedy has had a devastating effect on both the families of Samuel, the 7 year-old child who was killed, and on Kieren, the 6 year-old child who was injured. They have been devastated by this tragedy, which should never have occurred. Their lives have been permanently scarred both now and for the future.

I now consider the purpose of the sentence the Court is required to impose. You have by your reckless actions that afternoon taken the life of one innocent child and injured another. For that you must be sentenced in a way that shows the community's outrage at wantonly irresponsible conduct of this kind. It warns any other person that such conduct will not be condoned and if it occurs will be severely punished.

This was not only a case of consumption of alcohol, but of grossly excessive consumption. There was grossly excessive speed in your driving, coupled with showing off. There was a disregard of warnings from your passengers. There was a persistent and deliberate course of bad driving.

The conclusion that I have reached is that the appropriate sentence in this case, but for the plea of guilty and having regard for your age, would be a term of imprisonment of 5 years. Because of your plea of guilty I will reduce that term by six months. You are sentenced to a term of imprisonment of 4 and a half years. Stand down.

2. Sentencing remarks from Judge J Young at the trial of Tee-Jay

... you appear for sentence on one charge of manslaughter and one charge of unlawfully injuring a child in circumstances in which if death had resulted, you would have been found guilty of manslaughter.

You and your friends, in particular Phillip, were in the habit of driving your 1983 Holden Camira in breach of the driver licensing rules. (On the day in question) Phillip assumed the wheel of your car. He had been drinking and you knew that. He was not licensed and you knew that. He had given an undertaking that he would not drive (from a previous encounter with Police) and you knew that. But still you let him drive. He drove badly.

What happened that night was very much a team effort. You provided the car and Phillip did most of the driving. I am satisfied that you and Phillip must be treated broadly in the same way, in that sentencing for him provides an appropriate benchmark for me in sentencing you.

I think that I can also take into account your personal circumstances and also what I think is your softer more gentle nature. Prison for you will be a more difficult environment than for Phillip. The publicity which the case has attracted has itself been a heavy burden. You have been to the Kingsbury residence and seen the body of the dead child and I am told of your apology. I accept that you are remorseful. I accept that the burdens of the court process and associated stress have been immense for you and for your parents.

I wish I had a magic wand which I could wave over the whole situation and make everything all right and I would very much like to be able to tell you that you could go home with your parents so that the three of you could pick up the threads of your life. But when the jury convicted you, it did its duty and now I must do mine.

On count 1, I sentence you to three years imprisonment.

On count 2, I sentence you to one year imprisonment.

The sentences are concurrent.

3. Remarks by Judge Tompkins at the trial of Phillip, relating to the mother of one of the passengers, who supplied four bottles of vodka to the young people in the car.

The associate's mother went to the liquor store, purchased four bottles of vodka and handed the alcohol over to the group of you.

The action of the woman responsible for doing this can only be described as appalling and highly culpable. It is impossible to understand how a mother of a teenage child could purchase and give four large bottles of vodka to you and your associates knowing that you were going to drink it and while doing so were going to be driving. Her actions play a leading role in the disastrous events that led to the death of one child and the injuring of another, with all the devastation of the two families that followed.

Learning experience 2: Missing out on life

Learning intention

By the end of this learning experience students will be able to:

- explain what the victim of a fatal drink-drive car crash misses out on
- identify what bystanders could say or do to prevent such crashes.

Activities

1. What they'll miss out on

Put students into small groups. Give each group a number of blank cards and felt pens.

Ask them to consider all the things that the victim of a fatal drink-drive crash will miss out on.

They could choose Emily and Johanna from *Classified Incapable*, or Samuel from *A Life for a Good Night*, or a fictional person.

It may help if they think of the sort of things that they plan to do in their life. Ask them to record each thing on a separate card.

Bring the class back together. Mark a lifeline on the floor, starting at 16, or in the case of Samuel, seven years. Ask the first group to place all their cards on the line at the ages where they think they best fit. The next group places their cards and so on until all groups have placed all their cards.

Ask:

Is there anything that you are looking forward to in your life that isn't on the line? (Students can write these things on card and place them in the appropriate place on the line.)

Do you think (Johanna and Emily/Samuel ...) ever considered that they might not be alive to experience these things?

Sometimes young people think that they are invincible and that nothing bad will ever happen to them. Do any of you feel like this?

What could be the danger in thinking like this?

How would you feel if you, or your friend, knew you were going to miss out on the things on the timeline?

2. How could we prevent the tragedy?

Select one of the videos. List things the driver could have done to prevent the tragedy from happening.

Choose one of the people in the video who was a bystander.

Ask:

What could that bystander say and do to prevent the tragedy occurring?