

James Kemp  
12 Pambula Street  
Wellington NSW 2820

22 October 2013

To the Presiding Magistrate  
Wellington Local Court

Dear Sir/Madam

**Re: James Kemp - Drive with Low Range PCA - H678441**

I am very sorry for the offence before the court.

On 12 October 2013, I was returning from a BBQ at my sister's house, where we were celebrating her 50th birthday when I was flagged down at an RBT on the Mitchell Highway. I submitted to a breath test and it returned a positive result. I was charged with low range PCA.

At the BBQ I drank one bottle of full strength beer and after that, three bottles of light beer. I had my first drink at about 5 pm and my last drink at about 8:30 pm, which was a period of about 3.5 hours. I switched to drinking light beer because I thought it would keep me under .05 but I was mistaken and I am sorry for this.

I didn't feel affected by alcohol when I left to go home at about 9 pm. I now realise that I should have waited longer before driving home. When I drove home the highway was mostly clear of traffic and the weather was dry. I was stopped by police because an RBT had been set up on the side of the road. There was nothing about my driving which drew the attention of police.

I moved to Wellington in 1985 when I married. I have three children aged 23, 18 and 13. They all still live at home, although the eldest now works and mostly pays her own way.

I am currently employed by McPherson Meatcart Products and I have worked there since early 2009. I hope to continue working for McPherson Meatcart Products but, as my employer states in his character reference, my future is now uncertain because of potentially losing my licence.

I currently earn about \$900 a week. My wife has casual work as a shop assistant in a chemist and earns between \$200 and \$300 a week. We have mortgage repayments of \$420 a week. We pay on average about \$300 a week on bills including phone, electricity, gas, water and council bills. Our food bill is about \$320 a week. As this leaves only about \$60 - \$160 a week I have only a limited ability to pay a large fine.

I have a conviction for damage to property back in 1980 when I was 19 years old. Apart from that I have had no other convictions.

I was convicted in 2012 of Drive while suspended. My licence was suspended because I forgot to pay a speeding fine. I pleaded guilty and I received a \$400 fine.

I need my licence so that I can continue working as a driver for my employer. If I lose my licence I am likely to lose my job and this will have consequences for our ability to pay our mortgage and other expenses.

I am involved in my community, especially with the high school where my youngest child attends. Three times a year I volunteer on a Saturday so that I can contribute to the school's working bee.

I am sorry I drove after drinking and I wish I had paid more attention to how much I drank. I understand that drink-driving is a serious offence.

I would like the court to consider giving me a section 10 dismissal so that I can keep my licence.

Regards,

*James Kemp*

James Kemp