

Your honor

I am not here to deny the charge of blood alcohol content 0.067 that I was charged with at parramatta police station, I take full responsibility for my actions, what I am stating is that at no time whilst in control of said vehicle was I intoxicated or under the influence of alcohol, in the facts sheet supplied by the arresting officer, senior constable Michael XXXXXX, it states, “in police opinion the accused did not appear to be affected by alcohol” at the age of sixteen I was washing tow trucks and a week after receiving my provisional license I was driving tow trucks and running prangs, I have seen the damage carnage and destruction of what intoxication can cause first hand, I am also licensed to serve alcohol as I have my R.s.a the responsible service of alcohol, at my local hotel I am well known to drop in, have my three beers and drive home drop the car off and walk back to the hotel if I chose to drink any more alcohol, even the manager of the hotel commented on how well I can handle my alcohol, yet I do not drink and drive

I have spent my life learning listening and understanding people and myself to explain that we can all stay calm and rational whilst drinking alcohol and not become

“ Intoxicated ”

I have been working on an anti – bullying program for the past five years and have written a program to coincide with four books that I have written to teach Kids, youth, teens adolescents and even adults how to handle bullies. The entire program was written and designed to be translated into 68 different languages, also three DVD’s that are very generic to explain how to stay calm and rational in all sorts of situations, part of that program includes the responsible consumption of alcohol and how to handle emotions before you start drinking, it is also designed to reduce alcohol fueled violence, domestic violence and especially reduce violence towards women and children, it is also designed to reduce fatalities on roads, not just N.S.W roads but all roads worldwide, it was also sent registered post to Kevin Rudd, Malcolm turnbull, senator bob brown and Andrew Scipione, it is all downloadable for free on me at no charge at

www.herbie.com.au

Your honor this is not your everyday standard D.u.i charge this is an explanation of how we as a community can work together to reduce alcohol fueled violence and alcohol related deaths and violence, especially too kids

I will explain that at no time was I a threat to myself, the greater community or the two passengers that I had picked up from the city prior to being pulled over by the n.s.w police and breathalised by senior constable Micheal XXXXXX

I received a distress call at approximately 5.30 am on Saturday the 21st of November from a girlfriend that requested I please come and get her and another girlfriend from the city, I realized it was rather urgent when she said “ this is your little sister asking you to come get me “ I replied I will be there a.s.a.p I got up and had a shower to wake up, as I normally wake up at 7.30 after which I felt fine, I drove into the city rang my girlfriend and the two girls came downstairs to the car and I drove them to five dock where we had a coffee, afterwards I drove

one to north Strathfield and the other to concord west, I then drove to work at north Parramatta and was breathalysed on kissing point road only five minutes from work, at no time did I feel “ intoxicated “ whilst in control of said motor vehicle, at no point did either girl feel unsafe as I am known to be the responsible one and have driven them around and picked them up on numerous occasions over the last twelve months, I am quite often the designated driver

Your honor I repeat that at no time whilst in control of said motor vehicle was I “ intoxicated “ and I refer back to the police fact sheet that senior constable Michael XXXXXX wrote “ in police opinion the accused did not appear to be intoxicated “

The question is, Santa please define “ good “

Your honor please define “ Intoxicated “

Your honor I live on the third rock from the sun, the planet earth, the six states and two territories of Australia have a bac, Blood alcohol content of 0.05 previously 0.08

New Zealand the United, kingdom all fifty states of the united states of America and even Europe are 0.08 even Swaziland is 0.10 so who defines “ Intoxicated “ ?

I have my license to serve alcohol

I have my R.s.a and in it there is no defined definition of “ Intoxication “ so if I have to determine someone “ intox “ at discretion why is it that an officer of the n.s.w police department has the right to charge me for being under the influence of alcohol because my B.a.c is 0.067 when in his very own statement he stipulates that “ in police opinion the accused did not appear to be affected by alcohol” ?

Your honor this statement is made not by a rookie officer straight out of goulbourn police academy but a senior constable with many years of training and survival skills yet he doesn’t believe that I am “ intoxicated “ yet has to charge me with “ drive under the influence of alcohol”

At no time your honor was I not in control of said motor vehicle or in control of my own mind and bodily functions so therefore I was not “ Intoxicated “