

COUNTRY REPORT – SPAIN 2004

Alcohol consumption in youths

Latest data (Survey 2004) on drugs use among 14 to 18-year adolescents, recently reported by the Ministry of Health, show that alcohol consumption especially risky patterns (binges and drunkenness episodes), as well as cannabis and cocaine use have sharply increased, parallel to the decrease of risk perception about those substances. As far as alcohol is concerned, the comparison of data between 2002 and 2004 speak for themselves:

	2002	2004
Age of first alcoholic drink:	15.3 years	13.7 years
Any alcoholic drink		
In the previous year	64%	55.1%
Any drunkenness (frequency %)		
In the previous month	19.4%	27.3%
Life-time drunkenness		46.1%
Perception of too much drinking	11.2%	9%

38% of the 15-29-year old youths drink heavily at the weekend.

A significant association has been found between alcohol, tobacco and cannabis use. An inverse relationship has been found between risk perception and consumption for all three substances.

The aims of the Stockholm declaration on Youths and Alcohol (to decrease the number of youths who start drinking and to delay the starting age before the year 2006) won't be met in Spain.

The Ministry of Health and the National Plan on Drugs (transferred from the Home Office to the Ministry of Health after the elections in March 2004, won by the socialist party) is finalising a Royal Decree which can precede or be added to a general law aimed at regulating the legal age for drinking alcohol, drinking in open and public places and street advertising. Acknowledging the current regulation chaos (there can be different bylaws depending on the region and on the municipality, within a region), there is a will to unify the legal age for drinking alcohol in 18 years (4 communities, Asturias, Balearic islands, Castilla-León and Galicia allow drinking from 16 years on). The Ministry of Health is studying the regional regulation, as well as other European laws and even the draft law project prepared by the former government which never saw the light of day due to political disagreements. This Ministry is preparing the approval of a new Royal Decree which should establish the 18-year limit at a country level. The Ministry of Health is also trying to rescue the law for the prevention of alcohol misuse, which failed to be approved in 2002/2003.

The National Plan on Drugs is drafting a new plan for a 5-year period with a budget of 46 million euros. A big part of it is meant for prevention, including a special plan to prevent the "big bottle" phenomenon.

Alcohol and Traffic

It has been acknowledged that alcohol is the concurrent factor in 80% of cases of human errors responsible for accidents.

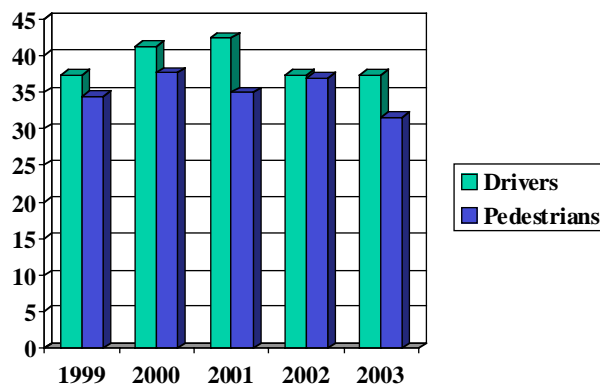
In the year 2003, there were 5,400 traffic fatalities, 26,000 severe casualties and 120,000 non-severe injuries.

Alcohol above 0,3 g/litre was found in 37.3% of cases. In 26% of dead drivers, the BAC surpassed the legal limits (0.5 for drivers in general and 0.3 for professional and novice drivers), with levels of > 1.5 g/l in most of cases.

Pedestrian make also a high contribution to the alcohol-related road accidents (see graph).

Since 1999, alcohol-related traffic casualties had first increased and have slightly decreased in the last couple of years.

Percentage of BAC positive (from 0.3 g/l) fatal traffic casualties



INT, 2003

According to a recent survey among drivers between 18-25 years, 35% have had an accident, blaming themselves for it in 43% of cases, and 56% have driven without a license (!!!). Are penalty points going to prevent this? Driving without a license is not yet punished enough.

Traffic crashes are the one of the 5 main causes of death in Spain, and the first one among youths.

Traffic accidents caused 5,400 deaths in 2003, with 26,00 ? severe casualties.

Since the year 2003 and up to now, big steps have been taken in Spain for curbing drunk driving, and a “zero tolerance” policy for D&D offenders has been repeatedly announced at a local and a country level together with the aim of “heading” to a lower legal BAC level (0.2 g/l) .

In November 2003 the Royal Decree 1428/2003 of 21st November approved the General Traffic Regulation (Reglamento general de Circulación) , according to which cyclists are included in the BAC limits, as well as other drivers. The 0.3 limit for professional and novice drivers specifically include the drivers of emergency transport (ambulances).

The Penal Code was modified by the Ley Orgánica de 10 de diciembre 15/2003, de 25 de noviembre, and was enforced on October 1st 2004.

According to article 379 of the PC, driving under the effects means that, even without other offences, the driver can get a prison sentence (mostly 3-6 months) or a fine of 6-12 months. It's up to the judge to decide between jail or fine (550 to 110.00 euros). In any case the license withdrawal can be for 1-4 years. The intoxicated driver can also be fined with 31 to 91 days of services for the community. Although the police agents have been told to start a penal and not just administrative process in cases where the driver has a breathalyser above 0.7 mg/l (=1.4 g/l in blood), experts believe that the criteria will continue being more in favour of fines, especially in randomly identified drivers.

The crime against traffic safety includes prison sentences for reckless drivers, of up to 4 years and a withdrawal of the driving licence of up to 10 years.

The question is that the recklessness has to be evaluated by the judge and it's not necessarily BAC related. An immediate withdrawal of the license is contemplated in case of extreme drunkenness.

(In October, a man was sent to jail for 8 month and his license was withdrawn for 2 years + 8 months after having driven with a BAC of 1.9 and caused alarm on the road. He was also a repeat offender. Anyway we've had sentences such as one where the judge considered that having 3 times the BAC limit is not a reason for charging somebody with recklessness driving for there is a reasonable doubt about this alcohol level altering his performance!!!!.

The big news in Spain is the penalty points, the draft project of which was recently approved by the council of ministers and which will be enforced in the summer of 2005. Each driver is going to have 12 points (8 for novice drivers), and driving under the effects will cost him/her 6 points (4 points, in the case of a BAC of >0,25 mg/l in breath, and 6 points if the breathalyser gives >0,75 mg/l). According to the draft, losing 12 points in a 3-year period means also losing the licence and not being able to get it back before a 6-month period and passing a new driving test. Repeat offenders won't be able to apply for a new license before one year and have to attend a 30-hour rehabilitation course. (The regulation is still under study).

Preventing drinking and driving was already an aim within the Special Plan on Traffic Safety for 2004, already approved by the former government in 2003. It stresses tough controls and law enforcement, together with education in traffic safety from the early childhood up to the driving schools, including the parents education, altogether for promoting civil values, respect, awareness and a sense of social responsibility in order to change knowledge, attitudes and behaviours.

Both the Ministry of Health and the general Directorate of Traffic have shown a major concern for the alcohol-related accidents, especially among youths, and have launched prevention campaigns. The recent III European Symposium on Traffic Policies hosted by the Catalan Traffic Service in Barcelona, was focussed on education in a broad sense, including the modification of attitudes and the promotion of responsible behaviour. Alcohol was a main topic. Courses have been started for training trainers of the driving schools. Law enforcement was of course considered to be the most effective strategy while education should take a long time to change the population's attitude.

The industry

Meanwhile, the industry (the social aspects organization Alcohol y Sociedad) has become very active in prevention campaigns. *Every night a driver* is a designated driver campaign. Youths are encouraged not to drink and drive. They campaign in high schools and leisure areas, offering free soft drinks and petrol coupons for 20 euros to those who decide not to drink that evening.

A recent Conference on Alcohol and Driving was organised by the Press Association of Madrid, the Royal Automobile Club of Spain, the University Carlos III, and... Diageo.

They are also reaching agreements with the municipalities. Parallel to it, they are also trying to enter the schools with an educational package. Although some authorities have warned schools not to buy those programmes, this foundation is clever in promoting its products.