



Medical Bureau of Road Safety

ANNUAL REPORT 2008

School of Medicine & Medical Science
University College Dublin



**Report for the
year ended
31st December 2008**

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ESTABLISHMENT AND FUNCTION OF THE MEDICAL BUREAU OF ROAD SAFETY

The responsibility for chemical testing of intoxicants in driving in Ireland rests with the Medical Bureau of Road Safety, which is a corporate body established in November 1968 by the Minister for Local Government under Part V of the Road Traffic Act, 1968. The Minister's title was altered to Minister for the Environment & Local Government 22nd July 1997. In June 2002 the Medical Bureau of Road Safety came under the ageis of the Minister for Transport following the transfer of Departmental Administration and Ministerial Functions Order 2002.

The functions of the Bureau are laid down in the Road Traffic Acts 1968 –2007 and their regulations and they include:

- The receipt and analysis for intoxicants of specimens of blood and urine forwarded to the Bureau.
- The issue of certificates of analysis.
- The provision of equipment for the taking or provision of specimens of blood and urine.
- Approval, supply and testing of equipment or apparatus for indicating the presence of alcohol in the breath.
- Approval, supply and testing of equipment or apparatus for determining the concentration of alcohol in the breath.
- Research on drinking and drugs in relation to driving, including the methods of determining the amount of alcohol or drugs in a person's body and the epidemiology of driving under the influence of intoxicants.

The Bureau derives its finances from an Annual Grant out of the Vote for the Department of Transport. The Board which comprises of five members (including the Director) is appointed by the Minister for Transport. The Board members are Professor Cecily Kelleher (Chairperson), Professor Denis A. Cusack (Director), Mr. Declan Hayes, Mr. Philip Joyce and Dr. Niall McNamara.

The Medical Bureau of Road Safety utilises the premises and staff provided under an agreement with University College Dublin, School of Medicine and Medical Science, Health Sciences Centre, Belfield, Dublin 4. The Bureau currently employs, one Chief Analyst, three Principal Analysts, five Senior Analysts, nine Analysts, one Senior Technical Officer, one Technical Officer, two Laboratory Attendants, two Reception Attendants, one Senior Administrative Officer, one Administrative Officer, three Senior Executive Assistants and four Executive Assistants. The Director is responsible for the day to day management of the Medical Bureau of Road Safety.

ACTIVITIES OF THE MEDICAL BUREAU OF ROAD SAFETY

In 2008 a total of 18,706 blood, urine and breath specimens were analysed for alcohol concentration. This represents an overall decrease of 7.4% on the total number of specimens analysed during 2007. Chart 1 shows the breakdown of all blood, urine and breath specimens analysed during 2008 and in the previous ten year period. 1,867 were analysed for the presence of drugs and this represents an increase of 61.6% on 2007.

The activities of the Medical Bureau of Road Safety for this report have been classified into the following five main programmes:

1. **Blood and Urine Alcohol Analysis**
2. **Breath Alcohol Analysis**
3. **Blood and Urine Drug Analysis**
4. **Research – Driving under the Influence of Intoxicants**
5. **Professional Expert Services and Court Attendance**

The breakdown is as follows:

1. **Blood and Urine Alcohol Analysis**

A total of 6,007 blood and urine specimens were received for analysis during 2008. Analyses were carried out and certificates were issued in 5,851 of these cases. In 156 (2.6%) cases certificates were not issued either because of some defect in the specimen or in the documentation accompanying it. The number of blood and urine specimens received in 2008 shows an increase of 2.5% on the number received during 2007.

1.1 **Number of Specimens Provided in Hospitals**

In 2008 there were 318 specimens provided in hospitals, this represents an increase of 9% on 2007. 22% of these had alcohol concentrations in excess of 150mg/100ml blood or 200mg/100ml urine while 26% were in excess of 200mg/100ml blood or 267mg/100ml urine.

1.2 **Analysis of Time**

Of the total number of blood and urine specimens received 74% were provided between the hours of 9.00 p.m. and 6.00 a.m., 12% between 4.00 p.m. and 9.00 p.m., and the remaining 14% between 6.00 a.m. and 4.00 p.m. This follows a similar pattern to 2007 and 2006.

1.3 **Mean Alcohol Levels in Blood & Urine Specimens**

The mean alcohol level in blood was 130mg/100ml.

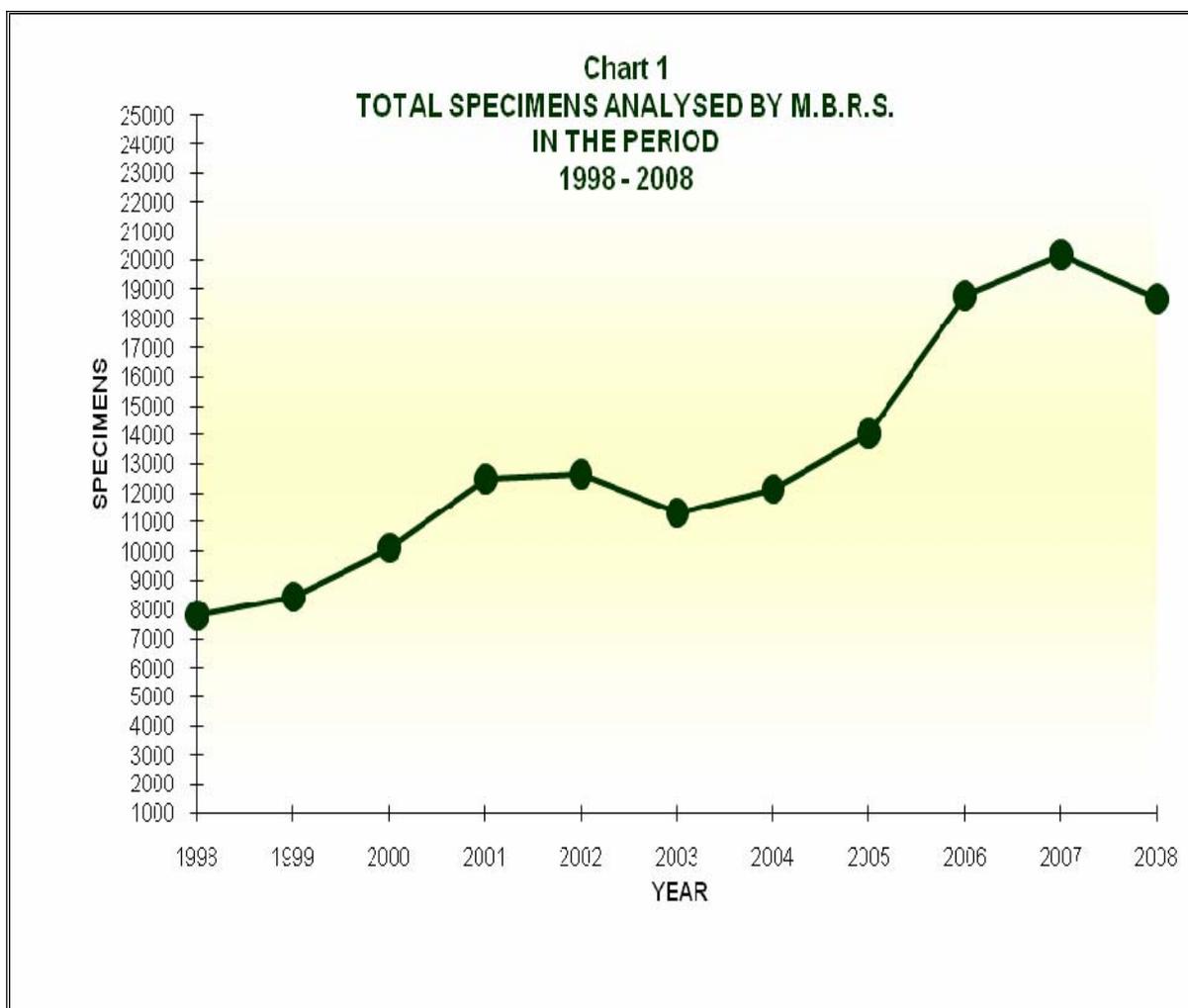
The mean alcohol level in urine was 132mg/100ml.

1.4 Twice Over the Legal Limit

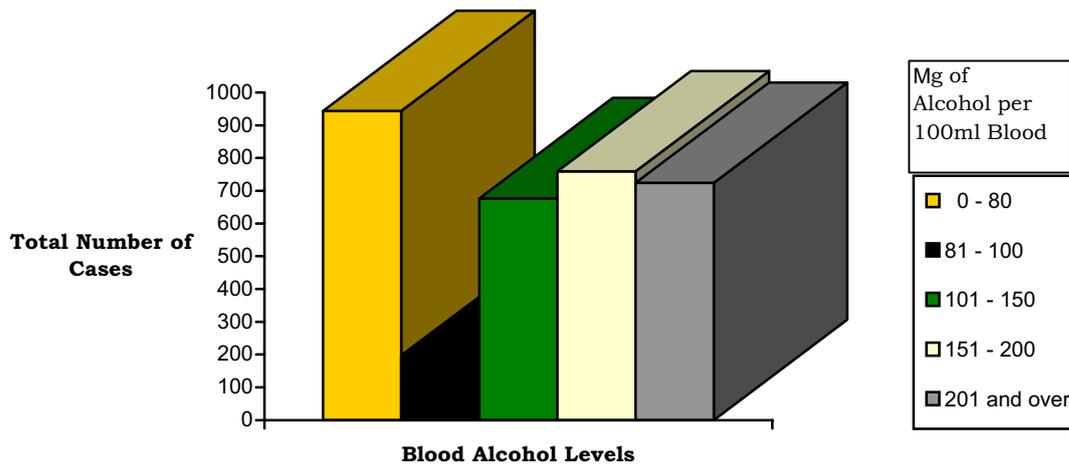
During 2008 there were 2,018 specimens certified which were twice or more over the legal limit. This figure represents 34.5% of the total number of specimens certified.

1.5 Alcohol Levels in Blood & Urine Specimens

Tables I and II to this report give a breakdown of alcohol concentrations in blood and urine specimens received during 2008. Tables III and IV compare the levels of blood and urine with previous years. Charts 2 and 3 correspond to Tables I and II and Charts 4 and 5 correspond to Tables III and IV respectively. Mandatory Alcohol testing was introduced in July 2006.



**CHART 2
CERTIFIED ALCOHOL CONTENT OF BLOOD SPECIMENS
RECEIVED IN 2008**



**CHART 3
CERTIFIED ALCOHOL CONTENT OF URINE SPECIMENS
RECEIVED IN 2008**

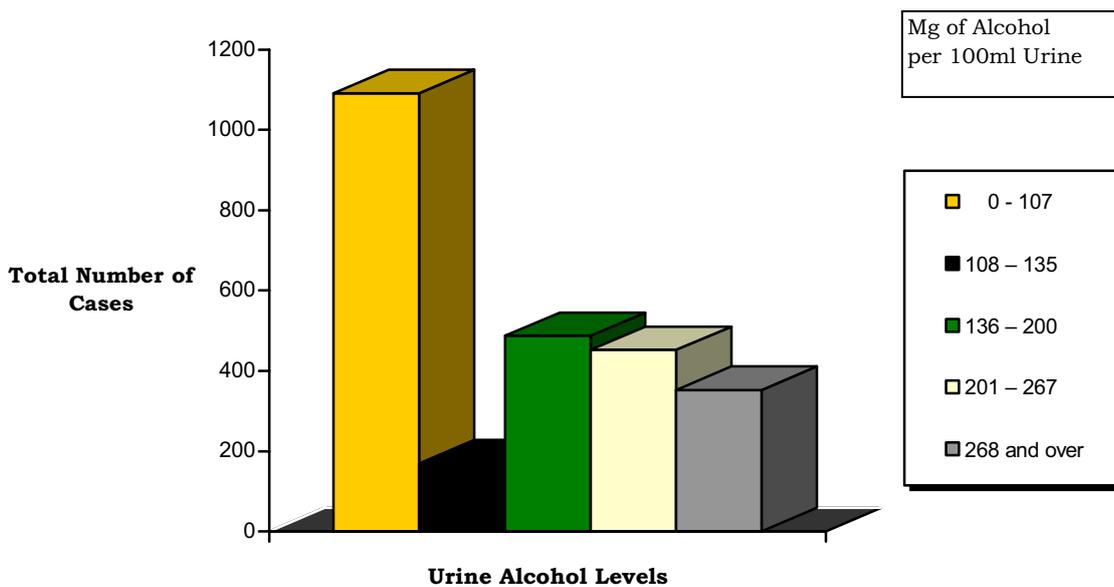


TABLE I
CERTIFIED ALCOHOL CONTENT OF BLOOD SPECIMENS
RECEIVED IN 2008

Mg. of Alcohol per 100ml of Blood	First Quarter	Second Quarter	Third Quarter	Fourth Quarter	TOTAL
0 - 80	218	238	242	245	943
LEGAL LIMIT					
81 - 100	40	52	55	50	197
101 - 150	153	184	178	162	677
151 - 200	174	201	212	172	759
201 & Over	179	164	189	192	724

TABLE II
CERTIFIED ALCOHOL CONTENT OF URINE SPECIMENS
RECEIVED IN 2008

Mg. of Alcohol per 100ml of Urine	First Quarter	Second Quarter	Third Quarter	Fourth Quarter	TOTAL
0 - 107	281	252	264	294	1,091
LEGAL LIMIT					
108 - 135	41	48	38	42	169
136 - 200	129	96	143	119	487
201 - 267	115	100	116	121	452
268 & Over	90	94	85	83	352

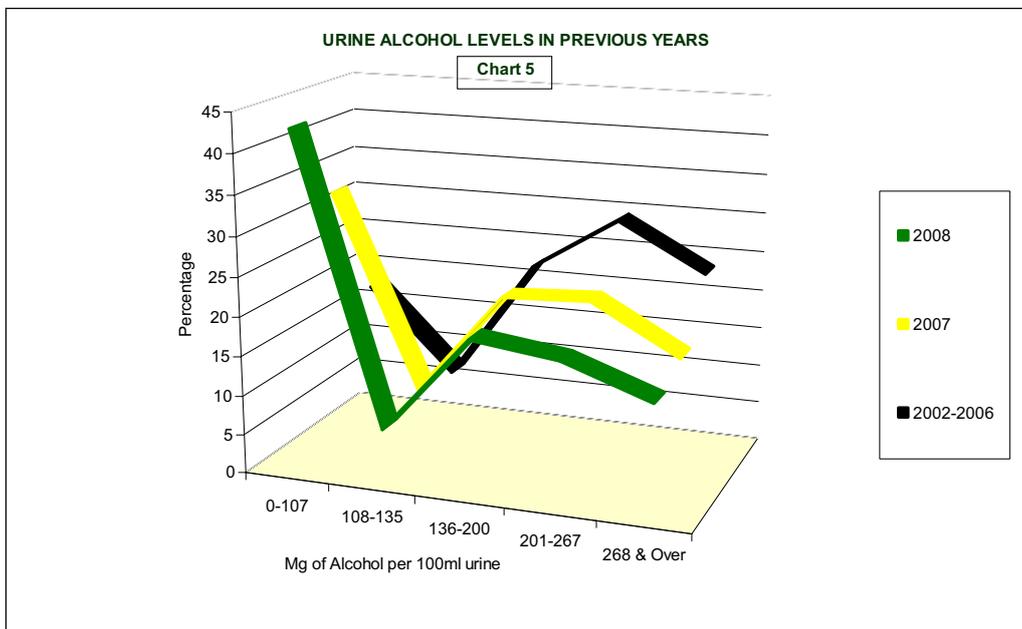
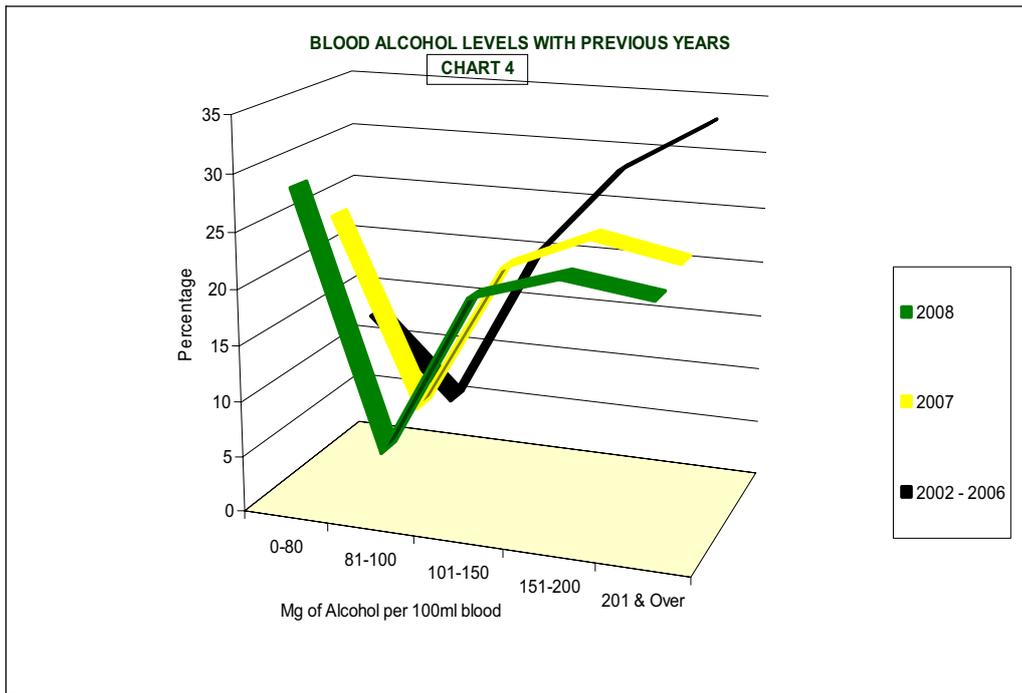


TABLE III
BLOOD ALCOHOL LEVEL – COMPARISON WITH PREVIOUS YEARS

Mg. of Alcohol Per 100ml of Blood	2008		2007		5 Year Period 2002-2006	
	No.	%	No.	%	No.	%
0 - 80	943	28.6	800	24.3	1,561	12.9
Legal Limit						
81 - 100	197	6.0	244	7.4	661	5.5
101 - 150	677	20.5	693	21.0	2,406	19.9
151 - 200	759	23.0	803	24.4	3,435	28.5
201 & Over	724	21.9	754	22.9	4,008	33.2

TABLE IV
URINE ALCOHOL LEVEL – COMPARISON WITH PREVIOUS YEARS

Mg. of Alcohol Per 100ml of Urine	2008		2007		5 Year Period 2002-2006	
	No.	%	No.	%	No.	%
0 - 107	1,091	42.8	791	32.7	1,472	17.7
Legal Limit						
108 - 135	169	6.6	199	8.2	584	7.0
136 - 200	487	19.1	514	21.3	1,866	22.4
201 - 267	452	17.7	529	21.9	2,447	29.4
268 & Over	352	13.8	384	15.9	1,962	23.5

2. Breath Alcohol Analysis

In 2008 a total of 12,699 breath specimens were taken in Garda Stations, this is a decrease of 11.5% on 2007. 11,501 of the specimens were certified; 74.8% were over the legal limit. Of the total number of breath tests registered, 1,198 tests did not result in a statement under Section 17 of the Road Traffic Act being provided.

2.1 Installation of Instruments

The total number of Instruments installed in Garda Stations Nationwide remains at sixty-four.

2.2 Testing & Visits to Garda Stations

Bureau Scientists visited and tested each instrument that had been previously installed in Garda stations on at least two occasions during 2008. Bureau scientists have made in excess of one hundred and seventy five visits to EBT instrument locations throughout Ireland in the year. These visits covered testing, maintenance, and court ordered inspections.

2.3 Evidential Breath Testing Training

The two-day EBT training course devised to train Garda Operators and Supervisors continued throughout 2008. The training courses were conducted by a Bureau scientist and a member of the Garda Síochána in-service training school at Harcourt Square.

The following training courses were held during 2008:

- Nineteen Training Course for Operators
- Eleven Supervisor Training Courses

2.4 Mean Alcohol Level in Breath

The mean alcohol level in breath was 53µg/100ml.

2.5 Twice over the Legal Limit

23.5% of the number of breath specimens provided were over twice the legal limit.

2.6 Roadside Breath Alcohol Screening

The Bureau continued to support the Draeger 6510 electronic devices and to issue Draeger Alcotest 80A blow in the bag devices to the Gardai.

Since 2005 the Bureau has purchased a total of 1,075 Dreager electronic roadside devices. To date 46 (4%) of these devices have been lost or destroyed. At any time in excess of 90% of devices are issued to the Gardai.

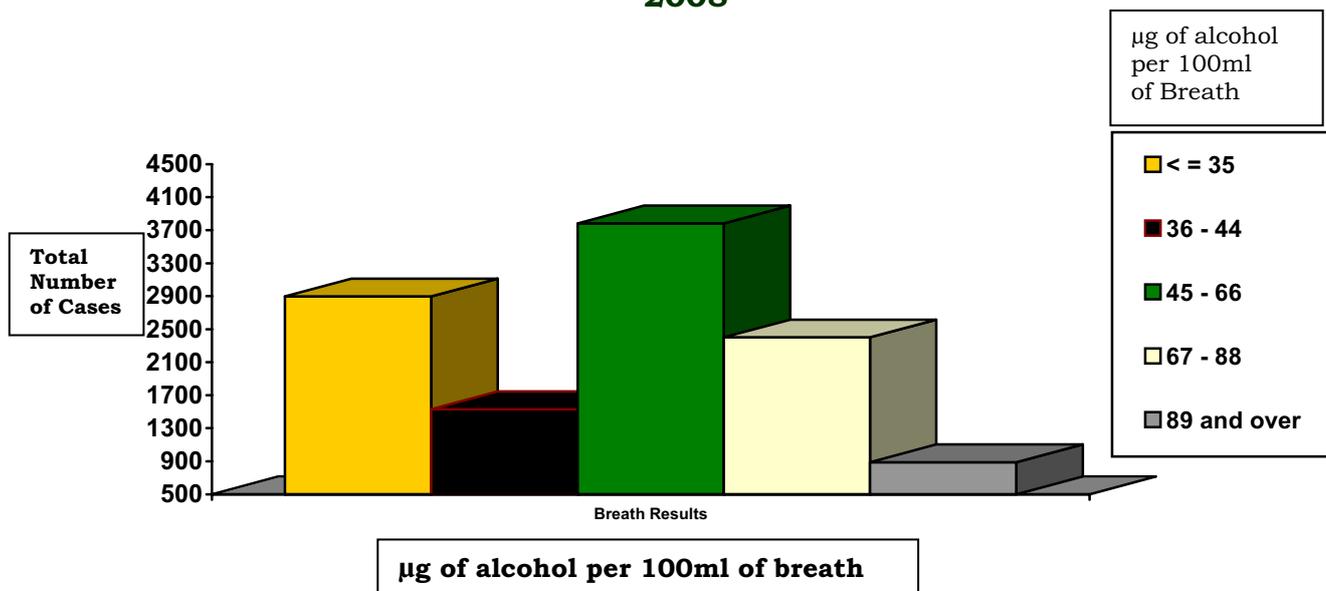
2.7 Analysis of Breath Specimens

Chart 6 and Table V provided a breakdown of alcohol levels measured in breath during 2008. Table VI compares the levels of alcohol in breath specimens found in 2008 with levels found in 2007.

TABLE V
CERTIFIED ALCOHOL CONTENT OF BREATH SPECIMENS PROVIDED IN 2008

µg. of Alcohol per 100ml of Breath	First Quarter	Second Quarter	Third Quarter	Fourth Quarter	TOTAL
0 - 35	751	797	619	731	2,898
LEGAL LIMIT					
36 - 44	424	421	332	353	1,530
45 - 66	1,030	949	828	975	3,782
67 - 88	673	607	548	573	2,401
89 & Over	238	243	199	210	890

Chart 6
CERTIFIED ALCOHOL CONTENT OF BREATH SPECIMENS ANALYSED IN 2008



**TABLE VI
ALCOHOL BREATH LEVEL COMPARISON
WITH PREVIOUS YEARS**

µg of alcohol per 100ml of Breath	2008		2007		5 Year Period 2002 - 2006	
	No.	%	No.	%	No.	%
0 - 35	2,898	25.2	3,113	23.8	8,656	20.5
LEGAL LIMIT						
36 - 44	1,530	13.3	1,730	13.2	4,460	10.5
45 - 66	3,782	32.9	4,411	33.7	14,464	34.2
67 - 88	2,401	20.9	2,766	21.2	10,689	25.3
89 & Over	890	7.7	1,061	8.1	4,029	9.5

**TABLE VII
ALCOHOL LEVELS BLOOD, URINE & BREATH SPECIMENS COMPARISON
WITH PREVIOUS YEARS**

Alcohol Content			2008		2007		5 year period 2002- 2006	
BLOOD mg/100ml	URINE mg/100ml	BREATH µg/100ml	No.	%	No.	%	No.	%
0 - 80	0 - 107	0 - 35	4,932	28.4	4,704	25.0	11,689	18.7
LEGAL LIMIT								
81-100	108 - 135	36 - 44	1,896	10.9	2,173	11.6	5,705	9.1
101 - 150	136 - 200	45 - 66	4,946	28.5	5,618	29.9	18,736	29.9
151 - 200	201 - 267	67 - 88	3,612	20.8	4,098	21.8	16,571	26.4
201 and Upwards	268 and upwards	89 and upwards	1,966	11.4	2,199	11.7	9,997	15.9

Table VII shows the comparison between 2008 and 2007 for certified results of blood, urine and breath specimens received for analysis and with previous five year period.

3. Blood and Urine Drug Analysis

The Medical Bureau of Road Safety analyses blood and urine specimens for the presence of drugs under the Road Traffic Acts (DUID).

The Bureau analyses for the presence of seven different drugs or drug classes using an immunoassay technique (ELISA) and confirmatory analysis is carried out using Gas Chromatography / Mass Spectrometry (GC/MS) or Liquid Chromatography (LC/MS). Specimens testing positive were forwarded to the Laboratory of the Government Chemist (LGC) for confirmatory analysis.

A total of 1,867 blood and urine specimens were received for analysis during 2008. 1,411 (76%) of specimens were certified for the presence of a drug or drugs, 431 (23%) of specimens were certified for no drug detected and 25 (1%) of specimens were not certified due to technical reasons.

This is an increase of 61.5% on the number of DUID specimens tested in 2007. This included all the specimens received which were under the legal limit from the 1st July 2008 for alcohol and 104 specimens where the alcohol level was over the legal limit and drug analysis was requested by Gardaí. There also were 10 specimens where alcohol analysis had been carried out by an evidential breath alcohol test and drug analysis was requested by Gardaí.

Chart 7
DRUGS ANALYSIS – INITIAL TESTING 2008

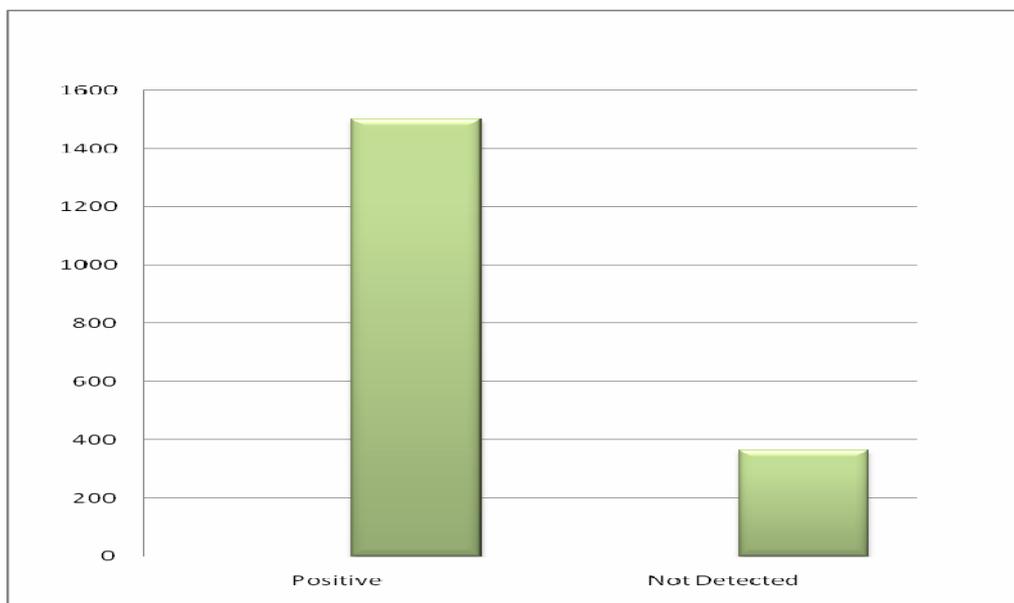
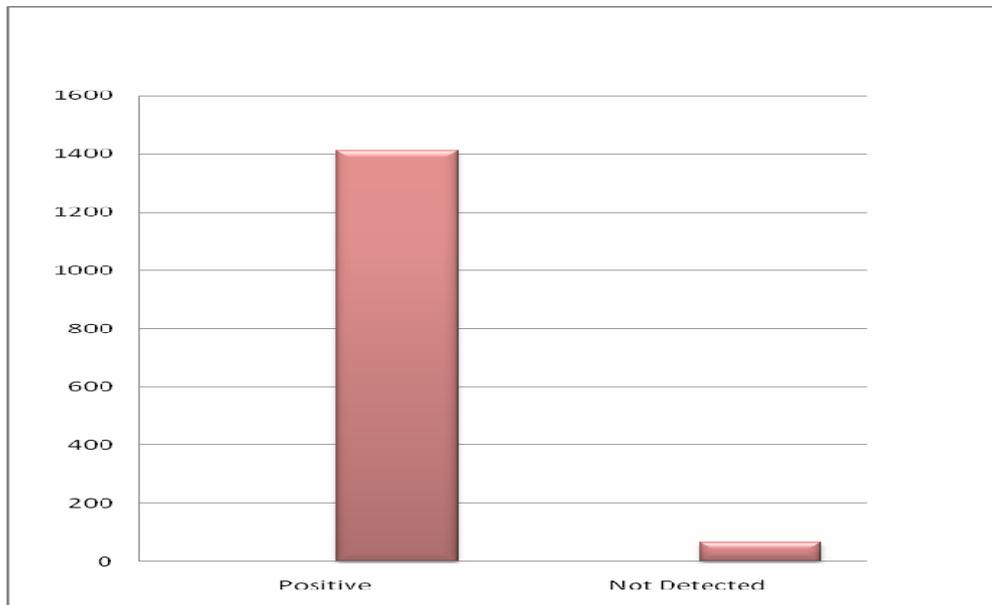


Chart 8
DRUGS ANALYSIS – CONFIRMATORY TESTING 2008



4. Professional Expert Services and Court Attendance

The total number of occasions that different members of Bureau staff had to provide expert professional expert evidence in court cases during the year was forty six, of which fifteen related to blood and urine alcohol analysis. Twenty two were legal challenges in relation to Evidential Breath Testing and nine related to drug analysis. Staff members on several occasions were on stand-by to attend court but were not required.

The Bureau continues to provide independent professional expert support to assist the courts in the administration of justice. The number of queries and requests for information from parties in criminal proceedings continued in similar numbers as for 2007.

MEMBERSHIP OF COMMITTEES RELATING TO ROAD SAFETY

The Director is a member of the Road Safety Authority Advisory Panel and attended a meeting on 27th February 2008.

CONFERENCES, COURSES AND MEETINGS ATTENDED BY STAFF DURING 2008:

1. An Analyst completed a one year part-time Graduate Diploma in Forensic Medicine in 2008 in Belfield, UCD.
2. An Analyst continued an ongoing MSc Forensic Science course from September 2007 in Distance Learning, Staffordshire University.
3. Two Analysts attended a two day Best 2000 Operator Training Course in the MBRS, Belfield, UCD on the 7th and 8th February 2008.
4. A Principal Analyst attended a one day Interviewer Course on the 13th February 2008 in Belfield, UCD.
5. The Chief Analyst and a Principal Analyst attended an LC/MS Seminar in The Dublin Crowne Plaza, Santry, Dublin 9 for one day on the 11th March 2008.
6. A Principal Analyst attended the CEN TC/367 on Breath Screeners Devices meeting for three days from 26th – 28th March 2008 in AFNOR, 11 Rue France De Pressense, Saint-Denis, Paris, France.
7. The Director attended an I.M.O Conference (Scientific Session on Forensic Medical Examiners) for two days from 28th – 29th March 2008 in Killarney, Co. Kerry, Ireland.
8. Two Analysts attended Robert F. Borkenstein course on The Effects of Drugs on Human Performance and Behaviour for six days from 13th to 18th April 2008 in Indiana University, Bloomington, Indiana, USA.
9. A Principal Analyst attended a skilled interviewer course in Belfield, UCD on the 16th April 2008.
10. A Senior Executive Assistant attended an EBT Supervisor Training Course in Harcourt Street, Dublin 2 for two and a half days on the 23rd, 24th April 2008 and 16th May 2008.
11. An Analyst attended Robert F. Borkenstein course on Alcohol and Highway Safety for six days from 4th to 9th May 2008 in Indiana University, Bloomington, Indiana, USA.
12. A Principal Analyst and an Analyst, attended a five day IACT 2008 Conference from 18th – 22nd May 2008 in Mission Palms Hotel, Temple, Phoenix, Arizona, USA.
13. A Senior Executive Assistant attended a First Aid Course for one day on the 19th May 2008 in Belfield, UCD.

14. The Chief Analyst attended an RSA meeting on Road Safety on the 4th June 2008 in Croke Park, Dublin.
15. The Director attended a two day 'British Association of Forensic Medicine' Conference from the 27th – 28th June 2008 in Dublin, Ireland.
16. A Principal Analyst visited Cozart, UK on 24th July 2008
17. A Senior Analyst attended an ISO Audit Course for two days on the 9th and 10th of September 2008 in NSAI Glasnevin, Dublin.
18. A Principal Analyst attended a one day Chemistry Network meeting on 23rd September 2008 in the State Laboratory, Backweston, Co. Kildare.
19. Two Principal Analysts attended a one day UKNEQAS user group on the 24th September 2008 in Birmingham, England.
20. The Chief Analyst and two Principal Analysts attended a one day FTNET meeting on the 29th September 2008 in the Crawford Burn Inn, Belfast, Northern Ireland.
21. A Principal Analyst and a Senior Analyst attended a Lion Users Group meeting for two days in the Hilton Hotel, Bristol, England on the 16th & 17th October 2008.
22. The Senior Administrative Officer attended a half day seminar on Data Protection on the 21st October 2008 in IPA, Lansdowne Road, Ballsbridge, Dublin 2.
23. A Principal Analyst attended a three day LC-MS Fundamentals and Applications Course from the 3rd – 5th November 2008 in the Glenroyal Hotel, Maynooth, Co. Kildare.
24. The Director attended a one day 'IBEC Health and Safety Conference – Intoxicants at work' Conference on the 6th November 2008 in Dublin, Ireland.
25. The Technical Officer attended a two and a half day EBT Supervisor Training Course in Harcourt Square, Dublin 2 on the 5th, 6th, and 21st of November 2008.
26. A Principal Analyst attended the CEN TC/367 on Breath Screeners Devices meeting for three days from 17th – 19th November 2008 in DKE, Frankfurt, Germany.
27. An Analyst attended a two day Teach the Trainer Course in the Irish Times Office, Aston Quay, Dublin 2 on the 27th and 28th November 2008.

28. A Senior Analyst and an Analyst attended a five day LAN Administrator Course from the 1st to the 5th December 2008 in Sureskills Ltd., 14 Fitzwilliam Place, Dublin 2.
29. A Principal Analyst and an Analyst attended a one day GC Trouble Shooting Course on the 4th December 2008 in Carl Stuart, Tallaght, Dublin 24.
30. Twenty six staff members attended a Reviewee PMDS Course in 2008.
31. Six staff members attended a Reviewer PMDS Course in 2008.
32. Nine staff members attended a Manual Handling Course on the 16th October 2008.
33. Twelve staff members attended a Fire Extinguisher Training Course on 20th November 2008.

STAFF APPOINTMENTS IN 2008

The Medical Bureau of Road Safety phased in and implemented a new staffing and restructuring in the Bureau throughout 2008. It successfully recruited fifteen new members of staff:

Scientific:

- Six Analysts
- One Electronic Technical Officer
- Two Laboratory Attendants

Administrative:

- Three Executive Assistants
- One Senior Executive Assistant

Reception & Security Area

- Two Reception Attendants

CORPORATE GOVERNANCE

The Board of the Medical Bureau of Road Safety is committed to maintaining the highest standards of Corporate Governance. The Code of Practice for the Governance of State Bodies published by the Department of Finance is the foundation used by the Board for corporate governance. The Board is accountable to the Department of Transport and the Department of Finance. The Board meets regularly and is responsible for the proper management of the Bureau. It makes major strategic decisions and reviews the Bureau's risk management strategy and control processes on an annual basis.

1. Compliance

The Board are pleased to report that during the year ended 31st December 2008 the Medical Bureau of Road Safety complied with the relevant provisions of the Code of Practice for the Governance of State Bodies. An internal audit was performed during 2008 in the Bureau.

2. Bureau Membership and Meetings

During 2008 the Medical Bureau of Road Safety held four meetings. These meetings were held on 7th May 2008, 16th July 2008, 9th October 2008 and 4th December 2008.

3. Interests of Board

The Board who held office at the 31st December 2008 had no interests for the purposes of the Ethics in Public Office Acts 1995 and 2001.

4. Audit Committee

The Audit Committee reviews any aspect which relates to the financial matters of the Medical Bureau of Road Safety. The committee operates under formal terms of reference. The meetings are normally attended by the members of the Committee and it reports to the Board on a bi-annual basis.

5. Procurement

The Board of the Medical Bureau of Road Safety affirms that it complied with procurement procedures and relevant EU Directives as set out in the Code of Practice for the Governance of State Bodies during 2008.

PROMPT PAYMENT OF ACCOUNTS ACT, 1997

The Prompt Payment of Accounts Act came into operation on the 2nd January 1998, the Medical Bureau of Road Safety has come under the remit of the Act and since that time has complied with the terms under the Act. Under an agreement with University College Dublin, suppliers are paid in the first instance by the College which is then reimbursed by the Bureau. It is the policy of the Medical Bureau of Road Safety to ensure that all invoices are paid promptly. University College Dublin, as a public sector body, is required to comply with the requirements of the Act in relation to payments to suppliers for the supply of goods or services and therefore has very strict procedures in operation.

In the case of a small number of suppliers, when the Bureau receives an invoice it will issue a payment by cheque directly to the supplier. These controls in relation to processing of invoices and disputes can only provide reasonable and not absolute assurance against material non-compliance with the Act.

STATEMENT ON INTERNAL FINANCIAL CONTROL

Responsibility of Internal Control

On behalf of the Members of the Medical Bureau of Road Safety, I acknowledge our responsibility for ensuring that an effective system of internal financial control is maintained and operated.

The system can only provide reasonable and not absolute assurance that assets are safeguarded, transactions authorised and properly recorded, and that material errors or other irregularities are either prevented or would be detected in a timely period.

Key Control Procedures

The Bureau has set out the following key procedures designed to provide effective internal financial control within the Bureau. The Bureau has agreed that the Director and staff are responsible for operational matters. The Director reports to the Bureau at its meetings of which four were held in 2008.

The Bureau has set out its financial procedures and delegation practices to ensure a transparent control environment appropriate to a small semi-state agency. The Bureau established an Audit Committee during 2003 to support quality assurance of financial procedures. The Committee held three meetings during 2008 and reported to the Bureau.

The system of internal financial control is based on a framework of regular management information, administrative procedures including segregation of duties, and a system of delegation and accountability. In particular it includes:

- Comprehensive budgeting system with an annual budget which is reviewed and agreed by the Bureau.
- Regular reviews by the Bureau of periodic and annual financial reports which indicate financial performance against forecasts.
- Setting targets to measure operational financial and other performance.
- Formal project management disciplines.

In accordance with the Code of Practice for the Governance of State Bodies an internal Auditor was appointed in 2006. The role of the Internal Auditor commenced full operation in 2008 and an independent review of the 2008 accounts was carried out.

Annual Review of Controls

The Bureau did carry out a review of the effectiveness of its system of internal financial control in 2008 in accordance with the requirements.

Professor Cecily Kelleher,
Chairperson.

FREEDOM OF INFORMATION

During 2008 the Bureau received a total of four requests. Three of the requests were initially refused under the Act and one was dealt with outside of the Act. In three of the refused cases an internal review of the decisions was sought. On review by the internal reviewer, the original decision was upheld in two cases and annulled and part granted by the Internal reviewer in one case.

REQUESTS RECEIVED DURING 2008	
Refused	2
Withdrawn/Dealt with Outside FOI	1
Requests Part Granted	1
Total Requests	4

REVIEWS	
Requests for Internal Reviewer	3
Requests to the Information Commissioner to review	2

REQUESTERS 2008	
General Public	2
Others	2

The Bureau continues to make FOI information available as readily as possible. The Bureau's Section 15 and 16 Reference Book is available on request.

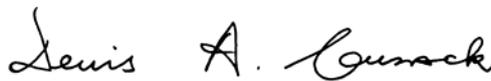
The FOI Unit can also be contacted by telephone or email forensic.medicine@ucd.ie. This email address can be used for general queries on FOI but cannot be used to submit a request where an application fee is required.

**OFFICIAL OPENING OF THE
MEDICAL BUREAU OF ROAD SAFETY
BELFIELD CAMPUS PREMISES
AT UNIVERSITY COLLEGE DUBLIN**

The new premises of the Medical Bureau of Road Safety were officially opened on the 11th December 2008 by the President of UCD, Dr. Hugh Brady and the Minister of State for Transport, Mr. Noel Ahern. More than eighty guests attended, representing many areas of road safety, transport, enforcement and forensic services and research.



Chairman



Director

Date: 23rd July 2009