

We have specialist solicitors for each area of law in which you might require assistance including:

- Car Accident Injury Claims
- Commercial Litigation
- Criminal Law
- Employment Law (Unfair Dismissal & Underpayment Claims)
- Equal Opportunity / Discrimination Claims
- Estate Disputes & Inheritance Claims
- Family Law
- Migration Law
- Personal Injury / Public Liability Claims
- Probate & Letters of Administration
- Traffic Charges
- Victims of Crime Claims
- Wills / Powers of Attorney & Advance Care Directives
- Workers Compensation



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TRAFFIC LAW



Established in South Australia, our professional, friendly and supportive team is committed to providing you with the highest standards of service.

Our goal is to relieve the stress of your situation by providing sound advice and professional legal assistance.

To this end our Service Charter is based on six fundamental principles:



Respect

We work for you and acknowledge that as our client you deserve our attention and respect at all times.



Quality Service

We listen to your needs and ensure that you are fully informed and properly advised at all key stages.



Professionalism

We have the experience, competence and skill necessary to provide the legal service you need.



Knowledge

Through continuous and ongoing research and training we are up to date on all aspects of our areas of speciality.



Honesty & Integrity

At all times we will be open and honest and follow through on our commitments to you.



Best Outcomes

We work hard to achieve the best outcome for you in the circumstances of your case.

We look after our clients and build a relationship of trust so that they are confident to come back whenever they need a lawyer.

Traffic law is a very specialised area within criminal law that deals with offences occurring while driving a motor vehicle. It includes more minor charges that can be dealt with by an on the spot fine, through to cases that must be heard by a court including drink driving and dangerous driving.

Expiation Notices (On the Spot Fines)

While nobody likes to receive a fine, generally the biggest concern for people when they are stopped for a traffic offence is how it will affect their licence.



Even the most minor traffic breaches can carry with them demerit points and they all add up.

Many people simply pay the fine even if they don't believe that they did anything wrong without realising that by doing so the demerit points that are imposed could jeopardise their licence. Once the fine is paid there is nothing more you can do about it.

If you dispute a fine or consider that there are good reasons why it should not have been issued, you can either apply for it to be reviewed or elect to be prosecuted so that the case will go before a court. There are factors to be taken into account with either approach and it is advisable to talk a lawyer first so that you are able to make the right choice.

Instant licence disqualification

In some cases the police can impose an immediate loss of licence and many people don't realise that there are steps you can take to have this set aside. For example, if you receive a fine for driving more than 45kph over the speed limit and the police issue a disqualification notice then by electing to be prosecuted the disqualification immediately ceases. You will then have the opportunity to dispute the charge and have it dealt with through the court system.

For offences such as drink driving for which you are required to go to court, you do not have to wait until you receive the summons which can take months to be issued. If you have a defence to the charge then you can immediately make an application to the court to have the disqualification imposed by the police lifted.

In any case where you have received an on the spot licence disqualification by the police you should obtain legal advice from an experienced traffic lawyer to find out what action you can take.

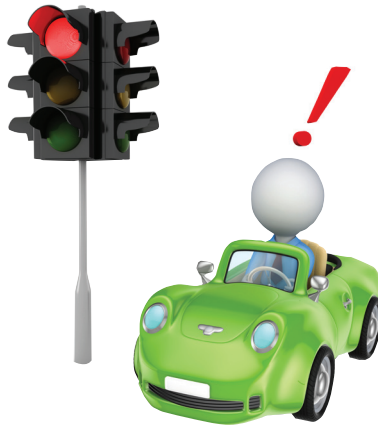
Drink and Drug Driving Charges

This can be a very complicated area and many are confused by the various laws that apply. Some say that they have been charged with 'DUI' (Driving under the influence) when in fact the charge is 'PCA' (Driving with the prescribed concentration of alcohol). These are two different charges and it is important to be aware not only of the distinction but the separate categories of offences.



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The law and regulations that relate to how a breath analysis test must be conducted are very specific and police must comply with these to be able to rely on the reading. That is why it is vital to obtain advice from a specialist traffic lawyer so that you can make an informed decision about what to do.



Demerit points and Licence Appeals

Even if you intend to plead guilty to a traffic charge you might be able to make an application to the court to reduce the number of demerit points that will be imposed if you can show that the offence is 'trifling' or that any other 'proper cause' exists. This means that it is either a trivial example of the type of offence involved, or that there is something exceptional about the circumstances of the case and not simply that the demerit points will result in hardship.

On the other hand, severe and unusual hardship is relevant if you have been disqualified for breaching a condition of your Provisional or Probationary Licence and we can also assist in appealing such order on that basis.

When your car is impounded

Police can clamp, impound, seize and order the forfeiture of cars that have been used in certain offences. The Police Commissioner can order the release of the car if someone other than the person who was driving it will suffer severe financial hardship if it remains impounded.

Where the court has power to order that the car is to be forfeited, any person affected by the proposed order is entitled to be heard about the application. In any case where your car has been impounded we can assist you in presenting your case to the Police Commissioner or to the court as the case requires.

How we can help

We have specialist traffic lawyers who can advise you not only of the likely penalties for a plea of guilty but can also advise you of any demerit points involved. We can advise you whether there are any rights to appeal against a licence disqualification. We can represent you in court if you want to plead guilty and negotiate with prosecution to minimise any period of licence disqualification. We can represent you at trial if you deny that you committed the offence. Our experienced trial lawyers can represent you right from the free initial consultation through to trial. We can advise you from the outset what your options are and what your likely penalties will be and can help you to decide what the best outcome for you would be taking into account the impact of any licence disqualification, the affordability of legal proceedings and the likely success of defending charges.



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