

Queensland Parliamentary Enquiry into Cycling Issues

Submission by Kathy Francis

Time for a rethink on mandatory helmet laws

When Australia embarked on an experiment in forcing cyclists to wear protective helmets, they inadvertently changed many aspects of cycling safety and public health.

Mandatory helmet legislation was designed to reduce cycling injuries and has been in place in Australian States for 22 to 23 years. Within a few years of bicycle helmet mandation, it became apparent that the legislation had had a number of unintended consequences, while research failed to demonstrate the promised reduction in trauma at the population level.

The negative effects of the legislation include the following :

- . Reduction in cycling with a resulting decline in public health
- . Increased risk of accident per cyclist
- . Loss of civil liberty
- . loss of enjoyment of cycling because of discomfort, inconvenience, overheating and perspiration, ruined hairstyles, impaired hearing and loss of ventilation through hair
- . increased risk taking among helmet wearing populations
- . drivers take less care near cyclists with helmets believing them to be protected
- . failure of the Melbourne and Brisbane bikeshare schemes
- . creates a dangerous image of cycling which puts people off
- . police resources diverted to punishing cyclists
- . the real safety issues for cyclists are ignored because 'helmets' are the answer
- . decreased demand for safe cycling infrastructure
- . cost of helmet purchase, landfill waste when disposed of
- . decrease in safety because there are fewer cyclists - the 'safety in numbers effect'
- . loss of autonomy and independence in children and teenagers - may include a decline in their mental health.

These unintended consequences have been well documented (I will supply references if needed) and are accepted throughout the world. They are considered to outweigh the limited benefits of helmets in the event of an accident. They are the reason only one or two countries have followed Australia's lead on helmet laws.

While there is currently disagreement about the degree of protection offered by a helmet in the event of an accident, there is near universal agreement that there are no benefits at the population level of mandatory helmet legislation.

Why does the small protective effect of a helmet in the event of an accident fail to translate to improved safety when legislated in mandatory helmet legislation ?

Current research suggests the following explanations :

- Helmets do nothing to prevent accidents which are the real cause of head injury
- Helmets offer less protection in an accident than was originally believed
- Wearing a helmet has, over time, lead to the development of more dangerous cycling behaviours characterised by speed, less attention, impatience and aggression
- Helmet laws caused the safest cyclists, who did not wear helmets, to give up riding
- Drivers give cyclists wearing a helmet less space when overtaking
- Fewer cyclists mean more dangerous conditions on the roads
- Helmets can cause an increase in neck injury

While Australia's helmet laws have failed to deliver real safety benefits, in some parts of

the world cycling safety has improved through a focus on accident prevention. The strategies for delivering true safety benefits to cyclists by accident prevention include a combination of the following :

- well designed transport networks
- a combination of separated infrastructure and reduced motor vehicle speeds in built up areas
- a return to well designed, sturdy, upright bicycles
- alert cycling styles
- cyclists and driver education
- minimum passing distance for overtaking a cyclist
- stricter liability laws in the event of an accident
- more cyclists on the road
- cycling speeds appropriate to conditions

I recommend that the Queensland Government look to the practices of the safest cycling countries of the world and make a study of what is actually working in those countries. None of these countries enforce or encourage helmet wearing.

In conclusion I urge the Queensland enquiry to recommend a staged reform of the States bicycle helmet laws. Initially this would involve exemptions for users of the bikeshare scheme and adults riding on separated bike tracks and roads with a speed limit of less than 60kph. As education programs and cycling infrastructure are completed, a full repeal of the mandatory helmet legislation is warranted.

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