

Dr Andreas Schwander

Senate Standing Committee on Economics
PO Box 6100
Parliament House
Canberra ACT 2600
20.07.2015

Inquiry into Personal Choice and Community Impacts

Dear Mr Chairman,

I make the following submission:

The inquiry into personal choice and community impacts needs to be welcomed. Over the years the government has burdened the Australian society with an ever increasing number of regulations in the name of safety, however the impact on personal liberties that are so important for life in a free country has hardly ever been taken into account.

While various members of the executive keep stressing their most important task is to keep Australia and Australians safe, it should be noted that actually the highest duty of a government is to keep the country free and uphold their citizens' liberties.

The impression of living in a so called 'nanny state' is very common today in Australia. The bicycle helmet laws are a brilliant example for overregulation in the name of safety at the cost of personal freedom. Aside from New Zealand Australia is the only country having such laws and they have been repealed in several nations because they proved to be inefficient.

Mandatory bicycle helmet laws were introduced in the 1990s and had a very different impact than intended. They have discouraged large proportions of the community from using their bicycles and most probably have caused a much worse impact on our nation's health by keeping people away from this kind of exercise than they have given benefit by reducing head injuries.

The experiences that other (especially central and western European) countries have made with voluntary wearing of bicycle helmets should encourage us to repeal the mandatory laws in Australia – at least for people over 16 years of age.

While people who take cycling as a serious sport would usually always wear a helmet voluntarily, it is bordering on ridiculousness to make it mandatory for a leisure ride or trip to the baker.

I would like to bring to the attention of the committee the attached study by the German University of Münster: “Costs and benefits of a bicycle helmet law” which contains valuable research and information also for the debate in Australia.

This study presents a cost-benefit analysis of a law requiring cyclists to wear a helmet when riding a bicycle in Germany. The cost benefit-analysis takes into account the benefit of increased security when cyclists wear a helmet or use a transport mode that is less risky than cycling. The analysis also considers the cost of purchasing helmets, reduced fitness when cycling is replaced by a motorized transport mode, the discomfort of wearing helmets and environmental externalities. The benefits of a helmet law are estimated at about 0.714 of the costs. A bicycle helmet law is found to be a waste of resources.

Also I attach the article by L Turner: “Australia’s helmet law disaster” (IPA Review 4/2007) for the committee’s consideration, which meticulously lists the relevant facts and arguments.

The gradual replacement of common sense by government regulations has gone further in Australia than in other developed countries. One reason might be the absence of a bill or charter of rights that would prevent the lawmakers from venturing too far into people’s liberties – a lack that lets Australia stand alone among the democratic nations of the Earth.

Yours faithfully,

Dr Andreas Schwander

Attachments:

- G Sieg (University of Münster): “Costs and benefits of a bicycle helmet law” (2014)
- L Turner: “Australia’s helmet law disaster” (IPA Review 4/2007)