

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

18 July 2015

Dear Chair,

**Inquiry into Personal Choice and Community Impacts**

1. My submission addresses paragraph (d): bicycle helmet laws, including any impact on the health, enjoyment and finances of cyclists and non-cyclists.
2. I sometimes spend time looking on Google Streetview at the places I used to visit when I lived in Berlin years ago. On all the streets, people on bicycles can be seen. Berlin is one of many European countries where people of all ages and from all walks of life use a bike for short trips. While by no means up to Dutch standards, there are protected bike paths on many roads and space for bicycles to be parked at various destinations.
3. All of the cyclists you see are just regular people in their everyday clothes just getting around. They don't need special clothing or an expensive bike. Some of them choose to wear helmets. Some do not. But the point is, they get to choose.
4. Visit any country on the planet other than Australia and New Zealand and you will see the same thing; people getting around as they choose – walking, riding, driving, taking public transport. Those on bikes may be wearing a helmet or they may not. But everywhere but here, they are choosing.
5. What is noteworthy is that even after nearly 25 years of our mandatory helmet law, no other country has followed us and enacted one. Israel dabbled with it, as did Mexico. Both countries repealed it. Sweden tried a law just for under-16s but repealed it when they discovered that the number of children riding to school was dropping significantly.
6. Despite being forced on pain of a fine to wear a helmet while riding a bicycle (any type of bicycle anywhere), Australia does not appear to be safer than any other country for riding a bike. Indeed, it is demonstrably more dangerous than places like the Netherlands, Germany, Sweden and Denmark.
7. You will see various journal articles analysing the figures in different ways but one thing is beyond doubt. The advent of the bicycle helmet law in Australia led to a significant reduction in cycling almost overnight. Where once you would see school bicycle sheds full, they are now close to empty. It is very rare to see a woman over 50 riding a bicycle in this country. Compare that to our overseas friends. The same applies to children and teenagers.
8. Why do we single out something as mundane as riding a bike to be the subject of a law making the activity criminal in the absence of a polystyrene helmet?
9. There are many activities where a person *could* injure their head. Driving a car is an obvious one. How many head injuries are suffered in cars each year? How much of the health budget

would be spared if we mandated a properly designed protective headband (<http://casr.adelaide.edu.au/developments/headband/>)?

10. Climbing up a ladder on to a roof is potentially hazardous. But would anyone have displayed such poor taste as to suggest that Molly Meldrum was stupid for not wearing a helmet when he fell off his ladder and suffered a head injury?
11. The fact is that riding a bike is not that dangerous. True it is that people fall off their bikes occasionally but suffering a head injury is unlikely. When people fall of their bike, they instinctively put out their hands to protect their fall. The human body automatically protects its head.
12. People do get hit by other vehicles but the answer is not to *pretend* we're protecting people by requiring them to wear a flimsy helmet while exposing them to fast-moving and heavy traffic on our roads. You do what has been proven to keep people safe (and keep traffic moving efficiently). You separate traffic by mass and speed. People on bicycles do not belong on fast-moving multi-lane roads. It is unfathomable that we still expose people to that danger. That we then place the onus on them by mandating what is really a quite ineffective piece of protective equipment is frankly laughable.
13. In certain circumstances, wearing a helmet is a good idea. Racing bike riders on their Saturday morning group rides will continue to wear a helmet regardless of whether there is a law telling them to. But can they really be put in the same bucket as someone riding an upright Dutch bike at barely the speed of a jogger on an off-road bike path?
14. I ride my bike to work each day and each day that I have to put on my helmet I get a little annoyed. If there were no law, I would still wear it for some trips but not for others. But I do not need the State to tell me. I can assess risk. Where the risk is too great, I avoid it. I do that every day by choosing quiet and traffic-free routes. That is basic OHS procedure. First and foremost, you remove the risk. The last measure you adopt is personal protective equipment. That measure is only used when the others are impractical.
15. I only use my bike to get to work. I don't for short trips to the shops because it is a pain. The shopping centre *still* has not installed any bike racks and I really cannot be bothered with the helmet for such a short trip. So like everybody else, I clog up the road and the car park with my car. A few simple measures would make all the difference.
16. We have had 25 years of this stupid and insulting law. Get rid of it. It is totally unnecessary. It does not make us safer. It has only served to discourage everyday use of bicycles.
17. If you insist on keeping it then be consistent. Make a protective headband for car occupants mandatory. If you are not prepared to do that, do not mandate it for riding a bicycle.

Yours faithfully,

Edward Stratton-Smith