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To: [Select Committee on Personal Choice and Community Safety](#)
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By email to:

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Submission to the Select Committee on Personal Choice and Community Safety

Compulsory Bicycle Helmets

I am 73 years old, and have been riding a bicycle since I was about six years old. I have cycled in traffic in Switzerland, Spain, the UK, France and in Australia. Currently I ride about 150 km per week, both in traffic and on dedicated cycling infrastructure. I ride to shops, with my kids to school, and on weekends I cycle with my wife. I have had some crashes, mainly resulting in abrasions and torn clothes, and twice in a cracked rib. On the up-side the incidental exercise I am getting because I am cycling daily has kept me in good health, and my weight steady.

I find wearing a helmet inconvenient and restrictive, and as a consequence I do not usually wear one. Instead I try to ride in a manner that makes helmet wearing unnecessary, in the same way that I practice defensive driving when using a car. I have been fined a couple of times for not wearing a helmet, and I am regularly abused by car drivers, pedestrians and people on bicycles using comments and interesting hand signals to deal with my non-helmeted presence.

When an everyday activity such as going to the shops on a bicycle requires specialised safety equipment, it makes that activity appear dangerous. This in turn makes people choose safer transport options, such as driving a car. "We put kids into cars to protect them from cars" quips cycling academic Jane Garrard.

People should be able to choose to wear a helmet, or not. It is not for the state to regulate common sense. As an interesting side note: Helmet wearing whilst snow skiing is not compulsory in Switzerland, but about 80% of skiers wear a helmet, by choice. This has been achieved over a ten-year span with clever advertising on TV and social media, instead of legislation.

In Australia we have too many well intentioned people who focus on removing any sense and need of individual responsibility. Nanny state indeed....

Cycling is a unique transport medium in that it is not only provides an efficient, cheap, clean and quiet mode of transport, but also contributes to the physical and mental health of the user, and by extension benefits the community overall. When acturarian Piet de Jong from the Macquarie University examined the health impact of mandatory bicycle helmet laws he concluded "In jurisdictions where cycling is safe, a helmet law is likely to have a large unintended negative health impact"

These public health benefits were totally ignored when helmet laws were introduced, as were citizens' rights and responsibilities.

With the stroke of a legislative pen, the government turned cycle safety from an expenditure item into a revenue source whilst still claiming it was making a contribution to cycling safety. A range of studies have shown that the greatest single safety feature for bicycles is to have more of them on the streets. Large numbers of cyclists mean motorists not only expect to see them on the roads, but also have a better understanding of the associated road rules

Recent analysis of accident data has shown that a motor vehicle was found to be at fault in 66% of bicycle-vehicle crashes, with 85% of involved drivers subsequently prosecuted by the Police. Theo Zeegers of the Dutch Cyclist' Union compares the % of bicycle riders wearing helmets in eight countries with cycling fatalities per billion kilometres cycled, and demonstrates that countries where helmet wearing is low also have low cycling death rates.

Instead of improving cyclist safety, the only real effects of compulsory bicycle helmet laws have been

1. A dramatic fall in cyclists numbers, particularly the utility cyclists, teenagers and women. Comparing cycling participation rates from census data between 1976 to 2011 show that cycling to work reduced by 28% to 39% depending on jurisdiction.
2. Huge growth in the bicycle helmet manufacturers.
3. Yet more legislative bureaucracy.

But in terms of the helmets effect on hospitalisations, which apparently was the prime aim, there has been no documented effect.

At the time of introduction, some experts acknowledged that compulsory helmets would reduce the number of cyclists, but argued that overall health would be maintained as people switched to other forms of exercise. There has been no indication that this 'switch' has happened.

Australia's compulsory bike helmet laws are used in Europe as an example of how to discourage cycling. Concerned that 'the main effect of helmet laws has not been to improve cyclists' safety but to discourage cycling, undermining health and other benefits', the European Cyclists' Federation (ECF) are promoting their campaign against mandatory bicycle helmets with super-sized buttons labelled 'Ask me why I cycle without a helmet'.

As far as helmet wearing goes, cyclists who are happy to wear helmets tend to ensure that they fit properly and are properly maintained. They don't need legislative enforcement.

Cyclists who are simply avoiding a fine, will wear any old helmet with inconsequential fit, frequently not fastened and sometimes worn back to front with a hat worn underneath. The helmet gives the rider some protection from sun and rain, but none in the event of a fall. A public health education programme similar to the 'Slip, Slop, Slap' would be far more effective for these cyclists than trying to enforcing helmet laws.

Finally there are those cyclists who choose not to wear a helmet as they find it inconvenient and interfering with their pleasure of riding. They will continue to risk a fine, or just stop cycling altogether.

In recent years there has been a slow recovery in the cyclist numbers, but little growth in the area of utility cyclists, teenagers and women. The increase has been driven by the rising cost and inconvenience of motoring. These new riders generally buy good quality cycles, cycle with urgency and frequently with a lack of courtesy that was common amongst cyclists in the pre helmet days. We are seeing an increase in bicycle-pedestrian collisions where the cyclist was considered at fault in 66% of cases and the pedestrian more severely injured than the cyclist. Compulsory bike helmet legislation was a political decision taken to create a good image, without any proper research or consideration of the consequences. There has been minimal electoral backlash, but this is because, regrettably, such laws only affected a small section of the voting population. Imagine the public response if helmet wearing had been made compulsory for vehicle drivers.

Wearing a helmet is a good idea, but forcing people to wear them erodes any safety benefits. Compulsory laws may have helped the cycling community to accept helmets, but the greatest safety (and health) feature is to have lots of cyclists on the road. According to Professor Chris Rissel 22.65% of people interviewed said they would cycle if they would not have to wear a helmet. In the same study .47.64% said they would never ride without a helmet, indicating that a high rate of helmet use could be achieved without regulation. The compulsory helmet law remains a major discouragement to many potential riders.

The fact that compulsory bike helmet laws only exist in countries where cycling is a minor occupation, and not in countries that have large numbers of cyclists, says it all.

Compulsory helmet laws have not improved the safety of cyclists. They are simply a continuation of the trend by Australian governments, to get involved in the minutiae of citizens lives, progressively eroding any sense of individual responsibility.

It is time to repeal the legislation and return the decision to wear a helmet back to the person most affected, the cyclist.

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