



## ***Bicycle Network Mandatory Helmet Review***

### ***Opinion of Edward Hore, President, Australian Cycle Alliance inc***

1. *Do you believe it should be mandatory to wear a helmet when riding a bicycle? (If you believe it should be mandatory at some times but not others please describe when.)*

No.

People should be able to choose for themselves whether they believe it's appropriate to wear a helmet or safe not to.

Mandatory Helmet Laws should be abolished, for all ages, and for all levels of riding. The Helmet Laws in the current standing are not working and the need for riders to fulfill their legal obligations are at odds with car users.

Helmet choice is not an all-or-nothing proposition. Our position is that helmets should be optional. This doesn't make it 'anti-helmet', simply 'pro-choice'.

2. *What's your reasons for your answer to question one?*

- Social:
  - In most crashes, helmets are a not the key factor in saving a life. Yet they are sold as some sort of protection or 'armour' for riders. Drivers expect and even believe that bike riders are protected from the motor vehicle. Evidence shows that drivers then tend to drive closer to bike riders that are wearing helmets compared to those that are not wearing helmets. Overall, this encourages worse driving behaviour around riders, including driving in closer proximity to riders.
  - Helmets are used as a stick to punish anyone involved in a crash. As with Hi-Vis it is often used to accept the bad driving of a person and blame the rider for not being protected. This was exemplified in the case of the rider whose helmet came off during a crash in Queensland - she was accused of not protecting herself, even though in the crash her spine was

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Level 4, 246 Bourke Street  
Melbourne VIC 3000

234 Crown Street  
Darlinghurst NSW 2010

210 Collins Street  
Hobart TAS 7000

Suite 5, 18-20 Cavenagh  
Street Darwin NT 0800

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broken by the impact, and a helmet would not have saved her fall. When the helmet was finally located, it was ignored and the media pretended that it was never an issue. The helmet was no longer the excuse - instead the rider was accused of having their helmet badly fitted. There is often a case of 'victim blaming' by both the media and authorities.

- Police are sometimes known to use the lack of helmets in outback and lower socio-economic communities to punish and remove kids from the streets. The fines, and the economic and social consequences, can be catastrophic.
  - Compulsory helmets for all riders, at all times, under all conditions, gives the impression that bicycle riding is an inherently dangerous activity. Statistically this is a fallacy - in fact the public health benefits of cycling outweigh potential injury costs by 5:1 (Australian Government 2014).
  - Bicycle safety is improved with 'safety in numbers' (Australian Government 2014). It is well documented that participation in cycling dropped in all states across Australia, when mandatory helmet laws were introduced in the early 1990s. In NSW in the last two years, cycling participation has dropped again as heavier fines have been imposed and policing has increased, resulting in \$1.99 million dollars in fines for helmet non-compliance (refer to the SMH article '[Cycling fines soar in first year of harsher penalties in NSW](#)'). Mandatory helmet laws have not resulted in improved bicycle rider safety overall - but they have reduced cycling participation significantly.
  - Greater emphasis and funding needs to be put on providing safe cycling infrastructure. In the past five years the debate on helmets has largely revolved around the need for safe infrastructure 'before' we can address helmet laws. It has now become clear that it will never happen in this order - the infrastructure isn't built because there (apparently) aren't enough bike riders. And people aren't riding because they don't feel safe because there's not the safe infrastructure and helmets reinforce the message that cycling is inherently unsafe.
- Personal:
    - You do not need to use a seatbelt if travelling at 25km/h or below, refer to Road Rule 267C Part 1 subsection C

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- We have on road barely acceptable painted infrastructure; this is in place of real infrastructure due to the armor we wear on our head. Without helmets real infra would need to be prioritized
- Why should I need to place a piece of plastic on my head to do a journey on my bike of less than 800m, yet I have to share the road with high speed traffic, being hit from behind a helmet will not save you
- The act of looking for a helmet to do a short journey may put you off from doing that journey. But if you just need to grab your bike and go, you will find more people will opt in and use their bike
- Accessing active transport needs as few barriers as possible, it needs to be the first choice, not the hard choice
- Creating an environment of acceptable driving needs to come from the desire to protect the vulnerable, let's move the practical requirements into the societal ones.

3. *Do you provide consent for your opinion to be made public?*

(Yes) ~~No~~

~~4. If no, are you happy if we say you provided an opinion but didn't want it made publicly available?~~

~~Yes~~ ~~No~~

Signed:



Edward Hore  
President, Australian Cycle  
Alliance inc

phone: [03 9416 9300](tel:0394169300)  
mobile: [0418 301 031](tel:0418301031)  
address: 101 Dundas Street,  
Preston Vic 3072  
site: [www.cycle.org.au](http://www.cycle.org.au)  
email: [edward@cycle.org.au](mailto:edward@cycle.org.au)

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Please send completed form to [craig@bicyclenetwork.com.au](mailto:craig@bicyclenetwork.com.au) before 5pm, Friday 13 October, 2017.

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