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ATTN: Craig Richards
RE: Bicycle Network policy review – “Helmet review”
22-Oct-2017

Dear Mr Richards,

I highly commend BN’s goal of achieving a “nation of bike riders”. I further commend your commitment to owning the issue - “it’s our job to fix this problem.” And what I like most about your declaration, is that it recognizes that we can be a nation of bike riders without all needing to be *cyclists*. “For us that means all Australian communities full of people riding bikes.” I’m with you, I’d love that too. I sincerely hope this vision is realized, and in short order.

I’ve ridden in many places around the world, even across countries. And it’s all been fun. The only place in the world where cycling isn’t fun is here in Australia. In fact, Australia already made me give up riding a bike once – in the early 90s. I didn’t really know why at the time. It wasn’t until I moved abroad, living in another country that I started riding a bike again, and rediscovered how much fun it is! Whilst never a *cyclist*, I became quite enthralled with the simple act of riding a bike. Lightweight, free and easy, convenient, quick and cheap. I rode to the shops, and rode across countries. Moving back to Australia though, has changed that. I already ride much less. Riding a bike here is not fun. Some of that directly relates to the laws here that punish cycling, and a from what *indirectly* flows from that – our culture and the difficult relationship we have with bikes here. I’m not unique. If Australia is turning me off bikes again, I know it’s turned many Australians off riding a bike. MHL has failed, and has a lot to answer for. Having seen the world, and how well it works with a welcoming and inclusive attitude towards riding a bike, I strongly oppose MHL.

Reasons why BN should oppose MHL

1. Because cycling ≠ riding a bike. I’m sure you’ve heard from enthusiastic roadies and mountain bikers saying it should remain mandatory to wear a helmet. We’re not talking about that. Go to any cycling hub around the world and you quickly realize that cycling is not the same as riding a bike.



2. BN should oppose MHL because it's a barrier to cycling. It's not a barrier to everyone, but it's a barrier to some people some of the time, and a barrier to some people all of the time. Lack of infra, weather and other factors can be barriers to varying degrees, but cycling is sensitive, delicate and susceptible to these subtle forces. BN should do all in its power to remove **all** barriers.
3. BN should oppose the culture of fear created by MHL. Ride a bicycle almost anywhere in the world and it's totally unremarkable. Do so here and people immediately start talking about how dangerous it is. It's crazy.

Australian people perceive cycling in their city as unsafe and uncomfortable. And because of their low numbers, car drivers are not used to them. The obligation to wear a helmet also doesn't help getting people to start cycling...

In addition to the last argument, there is the overall image issue. Many Australians see cycling as a thing that the so-called MAMILs (Middle Aged Men in Lycra) do. Although often being cycling enthusiasts, they unintentionally contribute to the image of cycling as a sport instead of a fun, healthy and practical way to get from A to B. These are just some of the causes for the low mode share of cycling, which is around 2% only.¹

4. BN should oppose MHLs because its bad advertising for bikes – why do people pledge allegiance to athletics brands, or car makes? Why do people buy dubious 'health foods' that cost far more than actual healthy food? Advertising is insidious, the world's best psychologists are paid to make us act despite ourselves. Car ads promise driving experiences we can never attain (your best bet is on a bike, btw). We banned cigarette advertising for a very good reason – it works extremely well. Helmets do 'sell' a very negative connotation of cycling to many people. This needs to be considered in surveys like 'what would make you ride more?' People have already bought into the idea that riding is dangerous *without really knowing why*. Asking people 'what would make you ride more' to people who already believe it's dangerous will give very skewed results.
5. BN should oppose MHL because it's turned the police into the enemy. If you ride without a helmet, if you don't get queried about the 'danger' of being on a bike, the next question is about if the police stop you. Supporting a now close-to-\$200 fine for riding to the shops without a helmet? Preposterous. *Instead of our **bike police** keeping bike riders safe, they're keeping people from riding bikes.* They should be busting drivers parked in bike lanes instead of chasing down cyclists with loose chin straps².

¹ <https://dutchcycling.nl/news/127-professor-serge-hoogendoorn-visits-australia>

² <http://www.heraldsun.com.au/news/law-order/cyclist-fined-for-wearing-helmet-too-loosely-on-ride2work-day/news-story/6a54f2fae60e3344964f0174c62c38b2>



Japan

6. To the above point, I see the disadvantaged in my community walking bikes around, fearing persecution from police. In fact, an officer stated to me they pull over people without a helmet as they suspect they have stolen the bike. *Strongly oppose!*
7. BN should oppose the culture of *shame* created by MHL. If the culture of fear doesn't put people off, the public shaming will have them jumping back in the car in no time. People shaming and shouting others off bikes because they are not wearing a helmet is a terrible culture to breed, and worse still, it's often other *cyclists* shaming others away from riding! Anyone riding a bike for an errand should be given a medal. Those with a *valid exemption* suffer the same unwarranted shaming. Terrible. And the shaming never stems from any genuine concern for the other, its simple Australian rule-obsession. I've seen this firsthand with councils and 'cyclist dismount' signs. As long as cyclist dismount signs exist, councils get complaints (while of course having no actual incidents). Removing the signs stops the complaints (and of course still no incidents reported).
8. BN should oppose MHL because of the victim blaming plague it has bred in Australia. This is apparent in the belief that cyclists somehow deserve to be hit if they don't have a helmet/high-viz/flag or whatever. Except as we know it's usually the driver at fault in a collision, but more to the point, our governments and councils are to blame for not providing a safe environment.
9. BN should oppose MHL and other anti-cycling laws. Laws against cycling, and heavy-handed fines are NOT bike advocacy. Fine-equivalency is NOT bike advocacy. To support a \$200 fine for someone riding a bike to the shops is NOT bicycle advocacy. Time for BN to step up, become a bike advocacy organization, and advocate for riding a bike, not against it.
10. BN should stand with other bike advocates, not apart – I've witnessed BN leaders in the past engage in divisive behaviour, denigrating others. How does this happen in this country? I've never seen it before and I hope we can heal that. Stand with the other voices in bicycle advocacy (not just *cycling* advocacy). Many of them know what they're talking about, and come from a point of view informed by the international pro-bike community.
11. BN should stand with the ECF³:

ECF are not against individuals choosing to wear helmets, however we are against mandatory helmet laws and shock-horror helmet promotions. We do this via support to our members, and also by becoming active members in a wide range of trans-national forums.

³ <https://ecf.com/what-we-do/road-safety/ecf-position-helmets>

ECF opposes mandatory helmet laws because:

They discourage cycling by portraying it as abnormally dangerous-you are less likely to be killed in a mile of cycling than a mile of walking (Wardlaw 2002).

A well respected literature review states ‘When the risk of injury to head, face or neck is viewed as a whole, bicycle helmets do provide a small protective effect. This effect is evident only in older studies. New studies, summarised by a random-effects model of analysis, indicate no net protective effect.’ (Elvik 2011)

Injured cyclists are less likely to have head injuries than injured pedestrians or car occupants (ONISR 2005).

They portray bicycle helmets as offering far more protection than they do. Bicycle helmets are only designed to withstand minor knocks and bumps, not being hit by motor vehicles; see more here [On Bicycle Helmet Standards](#).

Countries that have penalised people for normal cycling (without helmets), have failed to reduce head injury rates despite increased helmet wearing rates. See an ECF factsheet on the case of Australia and its helmet laws – [Australia and cycle helmet laws](#)

The health benefits of cycling far outweigh the injury risks (de Hartog et al, 2010)

Reduced cycling reduces health and environmental benefits.

Reduced cycling reduces Safety in Numbers, thus increasing the risk of injury to remaining cyclists (Jacobsen PL, 2003)

You can find a draft of ECF’s position on helmets here: [Helmet factsheet](#)

12. ...and Transalt^{4 5 6}, British Cycling Embassy⁷, etc etc...

*Redefine what road safety means in the UK by working with relevant groups, including other cycle campaigns, to highlight what the real dangers are, promoting prevention rather than cure. We will promote a raft of measures, including reduced speed limits and changes in street design, which put the needs of local communities before those just travelling through them. **We will strive to create an environment where helmets and other forms of protective wear are seen as unnecessary as opposed to essential.***

13. BN should oppose MHL because dismissing ‘helmet hair’ is not helpful. Some people don’t like helmet hair. Some people don’t want to wear a helmet with their suit. It’s the way it is. I work at an investment bank. I wear a suit. My image matters, both to me and *to my employer*. I don’t have the time (or inclination) to use EOT facilities, nor carry around spare clothes. I ride can ride as is or not at all. To trivialize this matter as vanity is grossly inappropriate. People have their own lives to contend with without being told what they can and can’t wear and when they can do so.

⁴ <https://www.transalt.org/news/testimony/1975>

⁵ <https://www.transalt.org/sites/default/files/news/streetbeat/e-bulletin/2006/Jan/0106.html>

⁶ <http://transalt.org/sites/default/files/news/magazine/985SepOct/05helmet.html>

⁷ <https://www.cycling-embassy.org.uk/mission>

14. BN should allow people to wear hats. I have a family history of skin cancer. I want to wear a hat when the UV is high. And when I get to my destination, I do not plan on wearing this while walking around:



Bike friendly nations allow dressing for your destination, not dressing for your transport.

15. BN should oppose the farcical Vicroads MHL exemption process – I had an exemption letter completed and signed by a medical doctor, which was refused by Vicroads based on a closed process lacking any transparency.
16. You're vegan, right? And a teetotaler, yes? There is a mountain of research to show you going vegan and abstaining from alcohol is a solid strategy for living a long and healthy life with less risk of dying of cancer, lifestyle diseases, stroke, etc. Should people have the choice to eat junk food and drink beer, or should they be banned? There is a certain amount of free-choice we need in our life as individuals to live our life as it makes us happy. Taking a step back from inconclusive research on helmet efficacy, Unwin (*Cycle helmets – when is legislation justified?*⁸) came up with the following criteria of which all should be met before enacting a mandatory helmet law:

- 1) *There must be a high level of scientific evidence that cycle helmets are effective in reducing the rate of head injury to cyclists (evidence which takes into account any possible detrimental effect of 'risk compensation').*
- 2) *The benefits to society and others of mandatory cycle helmets must be convincingly demonstrated; mandatory cycle helmets cannot be justified simply to protect individual adult cyclists. However mandatory cycle helmets for children may be justified for their own protection.*
- 3) *There must be widespread agreement, ideally by a large majority, that the potential benefits of compulsory cycle helmets outweigh the infringement of personal liberty and other disbenefits.*
- 4) *There must be good evidence to suggest that compulsory helmet wearing would not make the public health benefits of increased levels of cycling significantly harder to obtain.*

Read each point carefully, it's a well-crafted set of criteria. None of them have been met, and certainly not all of them.

⁸ <http://jme.bmj.com/content/medethics/22/1/41.full.pdf>

17. I'm holier than thou. Really, the non-car-owning vegan teetotaler is holier than thou. I'll live longer too. People certainly don't take well to me finger wagging at their car-driving, meat-eating, beer-swilling ways. Let me ride my bike, it's my concession. Oh, but the difference is that adds to my longevity, not subtracts from it. The term 'cranky vegan asshole' didn't invent itself. This holier than thou thing with helmets makes enemies, not friends.
18. BN should oppose MHL because of the risk compensation – think this isn't a thing? When I moved to Melbourne, it struck me how many people ride in the door zone. Before long I realized I was doing it too. Actually, I only realized I was doing it when I took my helmet off. I promptly started riding on the footpath. Ride around without a helmet and you will definitely see a change in your own behaviour. Ironically, risk compensation is recognized by auto insurers, such as riskier driving by motorists with ABS in poor conditions.
19. And risk compensation applies to *designers* of our infrastructure. I've even spoken with Vicroads members who acknowledge MHL is bad policy, and then state "but we're not there yet" before detailing their latest door-zone bike lane.



This blind faith in helmets has cost people their lives on our streets as they've been doored under vehicles. We mandated helmets, but did not mandate safe design for bike facilities. We approached the hierarchy of controls from the wrong side.

20. BN should oppose MHL because it kills spontaneous bike trips. I've bumped into my wife with her cargobike, but I can't legally get in and go with her somewhere. My wife rode to the city and took the train home, I can't legally ride her bike. A friend needs me to pick up her kid from day care when I pick up mine in the cargobike, but no go.



21. BN should oppose MHL because it limits options for travellers. When my brother comes to visit, riding to the shops is out. Riding around the river is out. People don't travel with helmets. I can't stock enough type of helmets in my house to fit any and all visitors. So, we end up driving. Reverse problem when I visit family in other cities.
22. BN should oppose MHL because our cops pulling over Arnold Schwarzenegger⁹ really showed what a laughing stock we are.



23. BN should oppose MHL because it cripples bike share – the friendly city maker. I lived in NYC during Bloomberg's administration while JSK worked her magic. The infrastructure was nice, but do you know what's the *secret sauce* is that made NYC a cycling city? It's the Citibike bike share scheme. Go there now and you'll see a majority of people happy pootling around on blue bikes (<https://www.instagram.com/bklynspoke/>). But we have *poisoned the secret sauce*. Made this secret ingredient unpalatable.



⁹ <http://www.theage.com.au/victoria/melbourne-police-officers-pull-up-arnold-schwarzenegger-for-riding-a-bike-without-a-helmet-20150316-1m0s5c.html>



In NYC the blue bikes are *everywhere...* and it's *amazing*.

24. BN should oppose MHL because we are fat and unfit. Australia is a public health disaster and we're going to go broke because of it (estimated total costs related to obesity in 2005 of \$56 billion¹⁰). And people won't go for a bike ride because you told them so, but they might ride to the shops if it's fun and easy. *Daily activity, not exercise, is the key to healthy society.*
25. BN should oppose MHL because it taints your image. Feeding from the hand of Vicroads, sponsored by car brands and auto insurers and soft drink makers? It's hard not to be see BN as a tool of our auto-enraptured nation. Stop pandering to this auto-dependent mindset, lobby for bikes, and lobby goddamn hard for bikes, because your reputation depends on it.
26. Counterpoint – Vicwalks – as much as they often seem to be a thorn in the side of bike advocacy, I have absolute respect for the work they do. They vehemently defend the rights of pedestrians and walkers without wavering from their cause, watering down their stance, or pandering to opponents. For example, they never appear to pander to the 'bike lobby' by softening on footpath riding. They are true and strong advocates for their cause. We need the same show of strength from BN instead of saying we should act with the same responsibility as car drivers.
27. BN should oppose MHL to start reversing the slippery slope it created. As per the above, NSW and Victoria, the most zealous pro-MHL states also have insane fines for doing things on a bike that are completely disproportionate to any issue they pose to society. BNs prior history of supporting fine equalization was a *very bad idea*, whatever the motivation was. Time to back pedal out of that.
28. Consider those who for whom it counts most – I haven't owned a car for over a decade, I use my bike to do everything – shopping, picking up hardware, getting to a train. Most people have a cop out or an alternative (i.e. just get in the car). Most people 'cycle' as an activity or leisure activity – the imposition is lower. I didn't need to wear my helmet to the shops if I didn't want to in other countries. Let people feel inclined to use a bike for more tasks and go car free. Many of the people you will get a response from are already riding a bike, and fine with wearing a helmet all the time. *Think about everyone who is not riding a bike today (which frankly is most of the country). Make riding easier and more fun than driving.*
29. BN should oppose MHL because of the bike hate it fosters – Australia has a reflexively weird bike hate, currently manifest in the vandalism of oBikes. Allowing **people** to ride around is humanising and connects people to one another – as I ride around besuited and bare-headed, I garner smiles even if I'm on the footpath. People see me, not a cyclist. On my recent trip to China it was frankly amazing to be honked at exactly zero times in a city of 25 million people. Everyone is highly visible as just another person on a bike.

¹⁰ <https://www.nhmrc.gov.au/health-topics/obesity-and-overweight>

30. BN should oppose MHL because Chris Boardman shows cyclists can be bike advocates: “Helmets not even in top 10 of things that keep cycling safe”¹¹ and he is totally right. We are so far behind the rest of the world in simply delivering safe infrastructure or safe laws to protect cyclists and instead simply mandated the absolute last measure of protection once a crash has already occurred.



CHRIS BOARDMAN
Cycling tour
of Copenhagen



31. BN should oppose MHL because Darwin is Australia’s cycling capital. Darwin? Darwin!?!?!?
32. BN should oppose MHL so that we can be the next Copenhagen – Without MHL Melbourne would be the Copenhagen of the southern hemisphere. Close your eyes and see it.
33. Singapore is insanely over-regulated, but you can ride a bike how you like, and bike share is thriving despite being very car-centric.



¹¹ <http://road.cc/content/news/111258-chris-boardman-helmets-not-even-top-10-things-keep-cycling-safe>



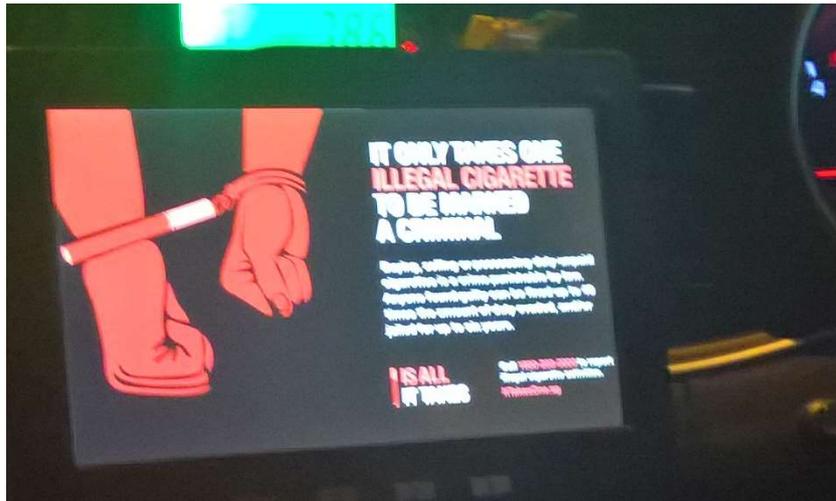
And they have lots of cyclists too.



Some of whom pootle to the pub.



But smoking one cigarette without duty paid!?!?!



34. BN should oppose MHL because it lacks any nuance – while comparing seatbelts to helmets is hopelessly flawed on many levels, there is at least nuance to seatbelt laws. Low speeds, travelling in reverse, driving a delivery truck, being on a bus, traveling with kids in a taxi all have some special treatment. Meanwhile MHL has no nuance for passengers in a cargobike, bike share users, on or off road etc.
35. BN should oppose MHL because you're only seeing the tip of the iceberg – those you've heard from representing opposition to MHL are only the tip of the iceberg. They are the few that are tenacious enough to be bothered, brave enough to be outspoken rather than just hop back in the car.
36. BN should oppose MHL because my kid's safety depends on it – Because when it comes time for my kids to ride to school, I want the other humans to be on bikes, not in 4-tonne SUVs. The proposition that a foam helmet is a safety measure against being hit by ever bigger, ever more militaristic SUVs is absolutely preposterous. What measures have been made to limit the size or weight of motor vehicles? What measures have been made to make it safer for people *outside* of those vehicles? None. Instead the concession to those desiring ever deadlier and ridiculously oversized vehicles is to be helmet bicycle users to allay any guilt drivers may have. My 18-year-old P-plater neighbour can drive a 4-tonne monster with roo-bars through a Victorian-era street, posing a significant threat to other people, but I can't just ride a bike? My other neighbour has a sports car that can do 0-100 under 4s, but *I'm the problem?* How did we get here? Why are we even talking about helmets!?
37. BN should oppose MHL because every story is unique. I'm an insulin dependent diabetic. I have to wear an insulin pump every day. It's inconvenient, cumbersome, uncomfortable and I hate it. Like many Type 1 diabetics, I find it troublesome, awkward and embarrassing to engage in organized sports (Type 1 diabetics are less inclined than the general population to do so¹²)

Although the publication accurately captures the physiological challenges faced by people with type 1 diabetes during exercise, sport, or competitive events and offers suitably pragmatic guidance for effective self-management, the focus remains on exercise rather than physical activity; here is where we see an important disconnect... With 70% of people

¹² [http://www.thelancet.com/journals/landia/article/PIIS2213-8587\(17\)30168-7/fulltext?elsca1=etoc](http://www.thelancet.com/journals/landia/article/PIIS2213-8587(17)30168-7/fulltext?elsca1=etoc)

with type 1 diabetes failing to achieve their treatment targets, the scale of that challenge is clear.¹³

I don't need extra barriers to physical activity in my day. I don't want to 'have to' wear anything else in my life that I don't want to. **I already have a life-long sentence for that.**



DROP THE NEGATIVE – GET POSITIVE ABOUT SUPPORTING RIDING A BIKE.

Thanks for listening, and for taking this matter seriously. Lobby hard, and I hope to bump into you soon for a coffee!

Sincerely,

Troy Parsons

¹³ [http://www.thelancet.com/journals/landia/article/PIIS2213-8587\(17\)30169-9/fulltext?elsca1=etoc](http://www.thelancet.com/journals/landia/article/PIIS2213-8587(17)30169-9/fulltext?elsca1=etoc)