



Australia's helmet law disaster

Luke Turner on the failures
of mandatory helmet laws.

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This article from the [April 2012 edition](#) of the [IPA Review](#) is by Member of Helmet Freedom and a former Investment banker, Luke Turner.

Australia is one of only two countries in the world with national all-age mandatory bicycle helmet laws (MHLs).

Introduced by state and territory governments under threat of cuts to federal road funding in the early 1990s, the idea that it should be a criminal offense for an adult to ride a bicycle without a helmet has since then only been copied in New Zealand (1994) and a handful of regional or local jurisdictions (mainly in North America).

Israel experimented with national legislation, but repealed the law in 2011 after a four year trial. It's no mystery why the rest of the world has shunned making bike helmets compulsory. From almost every perspective, helmet laws have been a disaster.



There are many objections to MHLs: they don't improve injury rates, discourage regular recreational exercise in an era of high obesity, and are an unnecessary and unjust intrusion into individual freedom.

The first criticism of bike helmet laws is simple-they don't do what they're intended to do.

The most extensive study of the real-world effects of MHLs on injury rates was by Australian researcher, Dr Dorothy Robinson from the University of New England, who found 'enforced helmet laws discourage cycling but produce no obvious response in percentage of head injuries'.

Even after 20 years and plenty of research, there is still no compelling evidence that Australia's compulsory helmet laws have reduced injury rates on a population-wide basis.

While there is evidence that wearing a helmet will provide some protection from a knock to the head, the benefit is small. Severe head injuries amongst cyclists are not particularly common, and helmets do not prevent all or even a high proportion of those that might occur, but rather provide some marginal decrease in the likelihood of injury.

The reasons that the protective benefits of helmet-wearing are not evident across the whole population are not completely known, but almost certainly have something to do with the significant unwanted side-effects of helmet laws.

MHLs change people's behaviour and perception of risk. Some cyclists take more risks while riding with a helmet than they would without, while studies have shown that some motorists drive closer to helmeted cyclists, than unhelmeted ones. This tendency for individuals to react to a perceived increase in safety by taking more risk is known as risk compensation.

Importantly, helmet laws severely reduce the number of cyclists on the road, leading to increased risk among those who remain through reduced safety in numbers, a researched and acknowledged influence on cyclist accident and injury rates.

Unsurprisingly, compulsory helmets have also discouraged cycling.

When the laws were introduced in the early 1990s, cycling trips declined by 30-40 per cent overall, and up to 80 per cent in some demographic groups, such as secondary school-aged females.

Today mandatory helmets are still a major factor deterring people from riding. A recent survey from University of Sydney Professor Chris Rissel found 23 per cent of Sydney adults would ride more if helmets were optional-a significant proportion given that only about 15-20 per cent of people ride regularly at present-and that amending helmet laws to allow adult cyclists free choice would lead to an approximate doubling of cycling numbers in Sydney.

MHLs are the main reason for the failure of Australia's two public bike hire schemes. Brisbane and Melbourne are the only two cities in the world with helmet laws to have attempted public bike hire. While schemes in places like Paris, London, Montreal, Dublin and Washington DC have

flourished, Brisbane and Melbourne have amongst the lowest usage rates in the world.

To facilitate increased cycling participation, the City of Sydney has recommended that current bike helmet legislation should be reviewed.

Cycling is generally a safe activity, the health benefits outweighing the risks from traffic accidents by a large margin. British research suggests life years gained through cycling outweigh years lost in cycling fatalities by a factor of 20:1. A recent study of users of Barcelona's public bike hire scheme puts this ratio at 77:1.

Given that MHLs reduce cycling numbers so dramatically and produce such a small (or probably non-existent) safety dividend, it's probable that the laws create a net health and financial burden on the community and health system.

By any measure, health problems associated with a lack of exercise are a far greater problem than cycling head injuries in Australia. According to the Heart Foundation, lack of physical activity causes 16,000 premature deaths each year, swamping the 40 or so cycling fatalities.

It makes little sense for Australian governments to be conjuring questionable attempts to 'encourage' exercise while at the same time maintaining legislation which actively discourages and prevents people from partaking in a simple form of exercise like cycling.

Each year police issue tens of thousands of fines to Australians for engaging in a peaceful activity which poses no danger to any other person or property. Some have even been imprisoned for refusing or being unable to pay bike helmet fines.

Australian cyclists who want to ride *sans*-helmet are being prevented from doing so, not because it's reckless or dangerous, but simply because this already safe and healthy activity might be made marginally safer with the addition of a helmet. This is surely a flimsy basis for incarceration.

The best judge of when a helmet is necessary is the individual, who can take into account the particular circumstances of his or her ride. Downhill mountain bikers and highspeed road warriors would probably overwhelmingly still don lids if given the choice. Those out for a sedate ride on bike paths or on short local trips might be more inclined to want to feel the wind in their hair.

MHLs are not only unnecessary and unjust, they are inconsistent. Pedestrians and car occupants are each responsible for more hospital patient days for head injuries than cyclists. Despite this, few argue that compulsory walking and driving helmets are essential for safety.

After 20 years, the results are clear: the compulsory bike helmet experiment has failed. We need to amend the law to allow adults the freedom to choose if a helmet is necessary when they cycle.

Some will still choose to wear helmets at all times, and this is a totally reasonable decision. However in many situations it is perfectly safe to go without and Australia should join the rest of the world in allowing this simple freedom.