



Australian Government

Australian Government Response to the
Senate Economics References Committee
Interim report: Personal choice and community impacts:
bicycle helmet laws (term of reference d)

May 2017

Introduction

As part of its inquiry into personal choice and community impacts, the Senate Economics References Committee invited submissions addressing a number of specific terms of reference. The Department of Infrastructure and Regional Development made a submission addressing: “The economic and social impact of legislation, policies or Commonwealth guidelines, with particular reference to: d. bicycle helmet laws, including any impact on the health, enjoyment and finances of cyclists and non-cyclists.”

In May 2016 the Committee released an interim report on bicycle helmet laws (term of reference d). This is the Australian Government’s response to the interim report.

RESPONSES TO THE RECOMMENDATIONS

Recommendation 1

4.15 The committee recommends that a consistent and comprehensive national data set be established. The data set should provide nationally consistent information on cycling-related injury trends as well as cycling participation rates. The committee recommends that the Department of Health in cooperation with the Department of Infrastructure and Regional Development and state and territory counterparts develop the national data set for application across all states and territories.

The Australian Government supports this recommendation in principle.

Although the Government supports the aim of developing more comprehensive data on cycling injury and cycling participation, it is not currently feasible to establish a national data set as described in Recommendation 1. This would require both on-road and off-road injury data, neither of which is currently available as a consistent national collection.

Work is underway through the National Road Safety Action Plan 2015-17 to examine and progress options to improve the measurement and reporting of non-fatal and disabling injury road crashes. A project being carried out through Austroads (the peak organisation of Australasian road transport and traffic agencies) entitled “A national approach to measuring non-fatal crash outcomes” is investigating data linkage of police-reported crash data and hospital admissions data at the national level, and is expected to run until late 2017. Further information about possible sources of road crash serious injury data and the development of a national injury monitoring system is available in Information Sheet 76, “Developing national road safety indicators for injury,” published by the Bureau of Infrastructure, Transport and Regional Economics (BITRE) in September 2016.

It is known that a large proportion of cycling injuries are not reported to police, even when assistance is sought from a local doctor. The NSW government published a report in September 2015 to investigate linking data from police and hospital records of serious injuries called *Serious Injuries in NSW: reporting methodology and results*. This report found that 78% of serious injuries to cyclists on NSW roads who were admitted to hospital were not reported to the police. Un-matched cycling injuries are typically those which do not involve a collision with a vehicle. Given the data limitations, a significant investment would be required to establish and maintain a national data set for cycling-related injury trends to capture both on-road and off-road injuries. State and territory governments currently report

cycling injuries which occur on public roads, however each jurisdiction defines injuries differently and this data cannot be aggregated. Efforts to develop a national measure of serious injuries from road crashes, through the Austroads project mentioned above, are currently a high priority for the Australian Government.

The Australian Government has recently announced funding for the Australian Trauma Registry, which will in due course provide a source of detailed information about very severely injured cyclists, both from on-road and off-road crashes.

Recommendation 2

4.17 The committee recommends that the Department of Infrastructure and Regional Development in cooperation with the Department of Health conduct a national assessment of mandatory bicycle helmet laws once a national data set of sufficient quality has been established. The impact of the Northern Territory legislation should form an important part of the overall assessment. In addition to safety concerns, this assessment should consider the relationship between bicycle helmets and cycling participation rates, drawing on the experience of bike share schemes and other initiatives directed at improving cycling participation rates.

The Australian Government does not support this recommendation.

The Australian Government recognises that there is strong evidence that bicycle helmets are effective in reducing serious head and neck injuries to cyclists. Recently released research from the University of New South Wales further supports the efficacy of bicycle helmet use to mitigate serious head and neck injury in a crash or fall¹. A review of 40 studies found that bicycle helmet use reduces the odds of head injury, serious head injury, facial injury and fatal head injury. This research also confirmed that neck injury was rare and not attributed to wearing a bicycle helmet.

The continued application of mandatory bicycle helmet laws is a matter for the individual state and territory governments.

¹Olivier, J. & Creighton, P. 2016, [*Bicycle injuries and helmet use: a systematic review and meta-analysis*](#), International Journal of Epidemiology.

ADDITIONAL RECOMMENDATIONS FROM SENATOR DAVID LEYONHJELM – LIBERAL DEMOCRATIC PARTY

Recommendation 1

Cyclists aged 16 years and over should be exempted from the mandatory helmet road rule when riding in parks, on footpaths and shared/cycle paths and on roads with a speed limit of 50 km/hr or less.

The Australian Government does not support this recommendation, recognising that there is strong evidence that bicycle helmets are effective in reducing serious head and neck injuries to cyclists. The continued application of mandatory bicycle helmet laws and any exemptions is a matter for the individual state and territory governments.

The committee may be interested to note that the ACT Government's Road Safety Action Plan 2016-2020 includes an action to investigate and assess the risk of allowing cycling without helmets in parks, town centres and other low speed environments.

Recommendation 2

As part of this recommendation (and tied to the collection of a comprehensive data set), this should be accompanied by a 24 month evaluation process that includes baseline measurements and data collection so that a reliable assessment can be made which measures the effect and notes any benefits.

The continued application of mandatory bicycle helmet laws and any exemptions is a matter for the individual state and territory governments, as is the evaluation of any trials undertaken.

Recommendation 3

At the conclusion of this evaluation, and subject to its findings, I recommend also exempting cyclists under 16 years from an obligation to wear helmets, while making clear to parents that their responsibility to their children should include serious consideration of wearing one.

The Australian Government does not support this recommendation.