

Joint Standing Committee on
Road Safety (Staysafe)



PARLIAMENT OF
NEW SOUTH WALES

Religious exemptions for the wearing of helmets



Report 2/58 – May 2025

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The motto of the coat of arms for the state of New South Wales is "Orta recens quam pura nites". It is written in Latin and means "newly risen, how brightly you shine".

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Chair's foreword

The NSW Road Rules state that helmet use is mandatory for bicyclists and motorcyclists, with no exemptions. However, members of the Sikh community have raised concerns that wearing a helmet conflicts with a core tenet of the Sikh faith, that being the requirement to wear a turban.

For this reason, the Joint Standing Committee on Road Safety, otherwise known as the Staysafe Committee, has inquired into religious exemptions for the wearing of helmets. We looked at the risks and benefits of religious exemptions from mandatory helmet laws, and how to support safe participation in active transport by members of the Sikh community.

We heard from members of the Sikh community, road safety experts and health professionals, with the aim of hearing all perspectives and striking the right balance between participation and safety.

We heard that wearing the turban has deep significance for practitioners of the Sikh faith. Members of the Sikh community told us that the turban symbolised honour, spirituality, self-respect, responsibility and a commitment to keep the tenets of the Sikh faith. We also heard that wearing a helmet in place of a turban conflicts with the requirements of the Sikh faith.

Based on careful consideration of the inquiry evidence, the Committee recommends that the current mandatory motorcycle helmet laws in NSW be maintained. Health and road safety experts told us that helmets significantly reduce the risk of serious injury and death. We also heard that there is no safe speed or safe environment to ride without a helmet. While we acknowledge that mandatory helmet laws may restrict members of the Sikh community from being able to ride a motorcycle, considering the high risks of not wearing a helmet, on balance we concluded that the mandatory helmet laws should remain in place.

We received mixed evidence about an exemption for the mandatory wearing of bicycle helmets. We heard that some form of religious exemption is in place in most Australian States and Territories, with some State Governments submitting that they had not encountered any issues as a result of the exemption in their jurisdiction. On the other hand, health and road safety experts were strongly opposed to introducing bicycle helmet exemptions in NSW. Having considered the range of evidence, we recommend that Transport for NSW review our bicycle helmet laws, and in doing so study how bicycle helmet exemptions have worked in other Australian jurisdictions.

We heard that there has been some work to develop helmets that are compatible with wearing a turban, or reinforced cloth turbans that provide greater protection. For example, there is currently a NSW-approved helmet for children that fits on top of the *patka*. However, for adults, there is currently no product available that meets NSW safety standards. We also heard mixed evidence on whether such new technology would meet Sikh religious requirements or provide an adequate level of protection. On the basis of what we heard, the Committee recommends that Transport for NSW investigate these new technologies as they develop.

The fundamental role of the Staysafe Committee is to keep the people of NSW safe on our roads, and this is the basis each of the recommendations contained in this report. I would like

to express here that I and the other members of the Committee have the utmost respect for the Sikh community and other communities of faith in NSW. Many of the Sikh stakeholders that attended the public hearing have been recognised for their volunteer work and philanthropy. I thank them, and the broader Sikh Australian community in NSW, for their contributions to this inquiry and to our state.

On behalf of the Committee, I would like to sincerely thank all inquiry participants who took the time to prepare a submission or give evidence at the hearing. I would also like to thank my fellow Committee members for their invaluable input into the inquiry and Committee staff for their support.

A handwritten signature in blue ink that reads "Greg Warren". The signature is fluid and cursive, with a long horizontal stroke at the end.

Greg Warren MP
Chair

Findings and recommendations

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Wearing the turban has deep significance for practicing members of the Sikh faith.	
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Recommendation 2	13
That Transport for NSW review helmet laws for active transport, with reference to exemption approaches in other Australian jurisdictions.	
Recommendation 3	16
That Transport for NSW investigate alternative helmet designs and other potential solutions that may be compatible with wearing a turban or other religious head coverings.	

Chapter One – Context

The turban has deep significance for practicing Sikhs

Summary

- The turban has deep significance for practicing Sikhs, symbolising honour, spirituality, self-respect, responsibility and a commitment to keep the tenets of the Sikh faith.
- Members of the Sikh community told the Committee that wearing a helmet in place of a turban conflicted with the requirements of the Sikh faith.

Finding 1

Wearing the turban has deep significance for practicing members of the Sikh faith.

- 1.1 The Committee heard from Sikh organisations and members of the Sikh Australian community that the turban has deep significance.¹
- 1.2 Sikh stakeholders told us about the 'five Ks', the key tenets of the Sikh faith. One of these was 'Kesh', a practice where observant Sikhs refrain from cutting their hair.² The turban covers the uncut hair.³
- 1.3 The turban or 'dastar' is a long piece of cloth that is tied around the head, with a length typically between five and 10 metres.⁴ The Committee heard that it could be tied in a variety of designs, including the 'paag', an oval turban, or the 'dumalla', a round turban.⁵ Turbans can be worn by Sikh men and women.⁶
- 1.4 The Committee heard that for practicing Sikhs wearing the turban was an integral part of their faith, personal identity and religious practice.⁷ We also heard that the turban served as a public declaration of faith and a visible identity marker for Sikhs.⁸ As Mr Amar Singh, President and Founder, Turbans 4 Australia, told the Committee:

¹ Mr Bhupinder Singh, Committee Member, Sovereign Sikh Riders of Australia, [Transcript of evidence](#), 9 December 2024, p [12](#).

² [Submission 7](#), Mr Bhupinder Singh Khera, p [1](#); [Submission 15](#), Singhs Social Motorcycle Club Australia, pp [1-2](#).

³ Mr Mavleen Dhir, Chairman and Founder, Singhs Social Motorcycle Club Australia, [Transcript of evidence](#), 9 December 2024, p [11](#).

⁴ Mr B Singh, [Evidence](#), 9 December 2024, p [15](#).

⁵ Mr Amar Singh, President and Founder, Turbans 4 Australia, [Transcript of evidence](#), 9 December 2024, p [16](#); [Submission 14](#), Turbans 4 Australia, p [4](#).

⁶ [Answers to questions on Notice](#), Transport for NSW, 16 January 2025, p [4](#).

⁷ Mr Dhir, [Evidence](#), 9 December 2024, p [11](#); Mr B Singh, [Evidence](#), 9 December 2024, p [12](#); [Tendered document](#), Australian Sikh Association, webpage, NSW Parliament, 9 December 2025, p [1](#); [Answers to questions on notice](#), Sovereign Sikh Riders of Australia, 30 January 2025, p [7](#).

⁸ [Submission 15](#), pp [1-2](#).

Our turban is part of our body. It's an extension of who we are, not just a hat or a cap that we put on occasionally.⁹

- 1.5 We heard that for observant Sikhs the turban symbolised important values, including equality, honour, spirituality, self-respect, responsibility and a commitment to keep the tenets of the Sikh faith.¹⁰
- 1.6 Members of the Sikh community told the Committee that mandatory helmet laws impacted practicing Sikhs' religious freedoms, as the requirement to wear helmets was in conflict with the religious practice of wearing turbans.¹¹

Helmets are mandatory in NSW, with no exemptions

Summary

- Helmet use is mandatory for bicyclists and motorcyclists in NSW, with no exemptions.
- Mandatory motorcycle helmet laws were introduced in 1971 and bicycle helmet laws followed in 1991, with any exemptions later removed.
- Helmets must meet approved safety standards.

- 1.7 Riders of bicycles, e-scooters and motorcycles in NSW are required to wear helmets. Helmet use is mandatory for both motorcycles and bicycles, with no exemptions.¹² Riders must wear a securely fitted and fastened approved helmet, and ensure that any passengers also comply with the requirement to wear an approved helmet.¹³
- 1.8 Bicycle helmets must meet the standards set by Transport for NSW, while motorcycle helmets must comply with either Australian Standards or recognised international standards.¹⁴
- 1.9 Mandatory motorcycle helmet laws were introduced in 1971. Initially, exemptions were available for medical and religious reasons.¹⁵ These exemptions were removed in 1991.¹⁶ The current *Road Rules 2014* mandate that all motorcycle riders and passengers must wear protective helmets.¹⁷

⁹ Mr A Singh, [Evidence](#), 9 December 2024, p [11](#).

¹⁰ [Submission 2](#), Mr Vishal Oberoy, p [1](#); [Submission 5](#), Mr Mohinder Singh, p [1](#); [Submission 6](#), Panthers Bhangra, p [1](#); [Submission 7](#), p [1](#); [Submission 15](#), p [2](#); Mr B Singh, [Evidence](#), 9 December 2024, p [12](#).

¹¹ [Submission 7](#), p [1](#); [Submission 10](#), Sovereign Sikh Riders, p [2](#); [Submission 16](#), Australian Sikh Association, p [3](#).

¹² [Submission 19](#), Transport for NSW, pp [4](#), [10](#); [Submission 12](#), Bicycle NSW, p [2](#).

¹³ [Submission 19](#), p [4](#).

¹⁴ Transport for NSW, [Road rules for bicycle riders](#), viewed 30 January 2025; Transport for NSW, [Safety on and around two wheels](#), viewed 30 January 2025.

¹⁵ Mr Brian Wood, Committee Member, Motorcycle Council of NSW, [Transcript of evidence](#), 9 December 2024, pp [5-6](#).

¹⁶ [Traffic Act 1909 – Regulation \(Relating to the wearing of protective helmets by persons travelling on motor cycles\) 1991](#).

¹⁷ [Road Rules 2014](#), s [270](#).

- 1.10 The Motorcycle Council of NSW told the Committee that the exemptions were removed due to concerns with the misuse of medical exemptions.¹⁸ The Council suggested that if religious exemptions were to be reintroduced, they should be managed appropriately 'to ensure they are only issued for legitimate reasons.'¹⁹
- 1.11 Mandatory bicycle helmet laws were introduced in 1991. The introduction of the helmet laws was based on evidence that bicycle riders wearing approved helmets were significantly less likely to sustain serious injuries, particularly traumatic brain injuries, as a result of crashes or falls.²⁰
- 1.12 E-scooters are currently permitted on NSW roads, but only as part of approved shared scheme trials in select locations. Helmet use is mandatory for e-scooter riders under the trial arrangements.²¹

No Australian jurisdiction has religious exemptions for the wearing of motorcycle helmets, but some have exemptions for the wearing of bicycle helmets

Summary

- Motorcycle helmets are mandatory in all Australian jurisdictions, with no exemptions.
- Most states and territories have religious exemptions in place for the wearing of bicycle helmets, with varying approaches as to how the exemptions operate.

- 1.13 Motorcycle helmets are mandatory across all Australian jurisdictions, with no exceptions.²² Most states and territories, with the exception of NSW and the Northern Territory, have religious exemptions for the wearing of bicycle helmets, with varying approaches as to how the exemptions operate.²³
- 1.14 Transport for NSW advised the Committee that the Australian Capital Territory, Queensland, Victoria and Western Australia have broadly worded bicycle and e-scooter helmet exemptions. These exemptions automatically apply to riders whose religious or cultural headwear makes it impractical to wear a helmet. In contrast, South Australia's exemption is more limited and applies only to Sikh riders who wear turbans.²⁴ In Tasmania, individuals must apply for an exemption from the requirement to wear a bicycle helmet.²⁵

¹⁸ Mr Wood, [Evidence](#), 9 December 2024, p 5.

¹⁹ Mr Wood, [Evidence](#), 9 December 2024, pp 5-6.

²⁰ [Traffic Act 1909 – Regulation \(Relating to the compulsory wearing of protective helmets by riders of power-assisted pedal cycles\) 1990](#); [Submission 19](#), TfNSW, p 5.

²¹ [Submission 19](#), p 6.

²² [Submission 19](#), pp 11, 17.

²³ [Submission 12](#), p 2; [Submission 19](#), pp 11, 17; Mr Peter McLean, Chief Executive Officer, Bicycle NSW, [Transcript of evidence](#), 9 December 2024, p 7.

²⁴ [Submission 19](#), pp 11, 17.

²⁵ Transport Services, [Helmet exemption](#), viewed 4 February 2025; Mr McLean, [Evidence](#), 9 December 2024, p 7.

- 1.15 The Queensland Department of Transport and Main Roads told us that Queensland introduced a religious exemption for bicycle helmets in 2013. This exemption applies to adherents of the Sikh religion who wear a turban. The exemption applies only to bicycles, including e-bikes, and does not extend to motorcycles or mopeds, which the Department considers more of a safety risk. Other religious headwear, such as headscarves, do not qualify for an exemption as they can be worn with a helmet.²⁶
- 1.16 The Western Australia Road Safety Commission submitted that since 1992, Sikhs and other religious or cultural groups have been exempt from wearing bicycle helmets if their customary headwear is incompatible with a helmet. This exemption also applies to bicycle passengers, e-bike and e-scooter users.²⁷
- 1.17 The Western Australia Road Safety Commission also advised that in Western Australia motorcycle helmet exemptions were previously available for medical or other reasons, but the exemption was withdrawn in 2000. Since 2003, exemptions can only be granted at the Minister for Road Safety's discretion.²⁸ However, to date, no Minister has used this power to exempt a motorcycle rider from wearing a helmet. Applications are generally rejected due to the inherent high risks of riding a motorcycle, even when wearing a helmet.²⁹

Some international jurisdictions have religious exemptions for the wearing of motorcycle helmets

Summary

- Exemptions for religious or cultural reasons exist in the United Kingdom, some Canadian provinces, New Zealand and India. By contrast, Germany does not permit exemptions for religious reasons.
- International approaches to motorcycle helmet exemptions vary, with some jurisdictions imposing conditions such as speed limits.

- 1.18 International approaches to religious exemptions for the wearing of motorcycle helmets vary in scope, with some jurisdictions applying speed restrictions or other conditions to their exemptions. In some countries, helmet laws differ across vehicle types, with exemptions being more common in relation to bicycles and e-scooters than motorcycles.
- 1.19 Sikh community organisations and Transport for NSW told the Committee that the United Kingdom introduced mandatory motorcycle helmet laws in 1973, with

²⁶ [Submission 3](#), QLD Department of Transport and Main Roads, p 1; [Submission 19](#), p 11.

²⁷ [Submission 13](#), WA Road Safety Commission, pp 1-2.

²⁸ [Road Traffic Code 2000 \(WA\)](#), r 4A.

²⁹ [Submission 13](#), pp 1-2.

exemptions for Sikhs introduced in 1976.³⁰ They also noted that in the United Kingdom there is no general requirement for bicycle or e-scooter riders to wear helmets.³¹

- 1.20 Stakeholders advised the Committee that some Canadian provinces have similar religious exemptions for motorcycle helmets, with Ontario's exemption specifically applying to turbans.³²
- 1.21 The Committee further heard that New Zealand and India have religious exemptions for the wearing of motorcycle helmets that are specific to Sikhs.³³ In New Zealand, the motorcycle helmet exemption applies only at speeds below 50 km/h.³⁴
- 1.22 On the other hand, Transport for NSW advised that Germany does not provide religious exemptions from motorcycle helmet laws. In 2019, the Federal Administrative Court in Leipzig, Germany, ruled that motorcyclists must wear helmets regardless of religious beliefs, because the law is designed to protect both riders and others involved in accidents, including emergency responders.³⁵
- 1.23 While acknowledging that some international jurisdictions do provide exemptions on religious grounds, the Australasian College of Road Safety told the Committee that the global trend is towards 'mandating helmets for everyone, wherever possible.'³⁶

³⁰ [Submission 1](#), Mr Greg Peak, p 2; [Submission 2](#), p 1; [Submission 19](#), p 12; Mr Michael Timms, Chair, New South Wales Chapter, Australasian College of Road Safety, [Transcript of evidence](#), 9 December 2024, p 3; Mr B Singh, [Evidence](#), 9 December 2024, pp 12, 14; Mr Tarandeep Singh, Legal Advisor, Singhs Social Motorcycle Club Australia, [Transcript of evidence](#), 9 December 2024, p 19.

³¹ [Submission 19](#), p 12.

³² [Submission 1](#), p 2; [Submission 19](#), p 12; Mr B Singh, [Evidence](#), 9 December 2024, pp 14-15.

³³ [Submission 19](#), pp 11-13; Mr Timms, [Evidence](#), 9 December 2024, p 3; Mr T Singh, [Evidence](#), 9 December 2024, p 19.

³⁴ [Submission 19](#), pp 11-12; Mr Timms, [Evidence](#), 9 December 2024, p 3; Mr T Singh, [Evidence](#), 9 December 2024, p 19.

³⁵ [Submission 17](#), Australasian College of Road Safety, p 6; [Submission 19](#), p 12.

³⁶ Dr Ingrid Johnston, Chief Executive Officer, Australasian College of Road Safety, [Transcript of evidence](#), 9 December 2024, p 3.

Chapter Two – Evaluating potential religious exemptions for the wearing of helmets

Helmets reduce the risk of serious injury and death

Summary

- Helmets reduce the risk of serious injury and death.
- The Committee heard that there is no safe speed or safe environment to ride without a helmet.

Finding 2

Helmets significantly reduce the likelihood and severity of head injuries and risk of death for motorcycle and active transport riders.

- 2.1 The Committee heard from medical professionals, road safety experts and government agencies about the effectiveness of helmets in reducing risks of injury and death for both motorcycle and bicycle riders. Expert evidence indicated that there is no safe speed or safe environment to ride without a helmet. Based on this evidence, the Committee finds that helmets significantly reduce the likelihood and severity of head injuries and the risk of death for motorcyclists and active transport riders.
- 2.2 Dr Andrew McIntosh told the Committee that extensive research confirms that helmets significantly reduce the likelihood and severity of head and brain injuries as a result of collisions. Studies indicate that helmeted cyclists are less likely to suffer head injuries, concussions, or intracranial injuries. For motorcycle riders, helmets lower the risk of skull fractures.³⁷
- 2.3 The Australian Medical Association NSW advised the Committee of studies showing that helmets reduce the risk of serious injury by 60 per cent and the risk of death by 74 per cent. The Association noted that jurisdictions with helmet laws have experienced declines in fatal and non-fatal injuries among motorcyclists and cyclists, which places a significantly lower burden on the healthcare system.³⁸
- 2.4 NSW Health told the Committee that riders without helmets are eight times more likely to suffer a severe traumatic brain injury as a result of crashes. They emphasised the importance of wearing an approved helmet to prevent severe facial and head injuries.³⁹ They also noted a meta-analysis which found that

³⁷ [Submission 11](#), Dr Andrew McIntosh, [pp 3-6](#).

³⁸ [Submission 18](#), Australian Medical Association (NSW), p 3; Dr Tom Morrison, Neurosurgery Registrar, St Vincent's Hospital Sydney, and Councillor, Australian Medical Association (NSW), [Transcript of evidence](#), 9 December 2024, p 31.

³⁹ Dr Valerie Malka, Clinical Director, NSW Institute of Trauma and Injury Management, Agency for Clinical Innovation, [Transcript of evidence](#), 9 December 2024, pp 25-27.

helmet use was linked with reducing serious head injuries by 69 per cent and fatal head injuries by 65 per cent.⁴⁰

- 2.5 The Australasian College of Road Safety advised the Committee that systematic reviews show that helmets reduce injury and/or fatality risks for bicycle and motorcycle riders. They also noted that NSW motorcyclist deaths and injuries are increasing and cited examples from Hawaii in 2022 where only nine out of 33 motorcycle fatalities were wearing helmets. They also pointed out that many fatal crashes occurred in low-speed environments.⁴¹
- 2.6 Similarly, Transport for NSW told the Committee that helmets are important for preventing serious head and brain injuries and reducing fatalities in crashes or falls. They noted that 15 per cent of bicyclists and five per cent of motorcyclists that were killed or seriously injured on NSW roads in 2023 were not wearing a helmet. They also stated that research from Australia and internationally consistently links not wearing a helmet to more severe rider injuries.⁴²
- 2.7 NSW Health further advised that head injuries in transport crashes can be severe at any speed due to impact force, loss of control and the collision angle. They noted that any crash can cause skull fractures, brain trauma and life-threatening complications, and emphasised that a helmet can provide substantial protection.⁴³
- 2.8 The Australian Medical Association NSW stated that there is no safe alternative to wearing a helmet for adequate face and head protection. Dr Tom Morrison, Neurosurgery Registrar at St Vincent's Hospital Sydney emphasised that no speed is safe for riding without a helmet.⁴⁴
- 2.9 Based on the evidence provided by medical professionals, road safety experts and government agencies, the Committee finds that helmets significantly reduce the likelihood and severity of head injuries, and risk of death for motorcycle and active transport riders.

⁴⁰ Dr Tom Evens, Acting Executive Director, Medical Services and Research, NSW Ambulance, [Transcript of evidence](#), 9 December 2024, p [27](#).

⁴¹ [Submission 17](#), Australasian College of Road Safety, p [4](#); Mr Michael Timms, Chair, New South Wales Chapter, Australasian College of Road Safety, [Transcript of evidence](#), 9 December 2024, pp [2-4](#).

⁴² [Submission 19](#), Transport for NSW, pp [3, 5](#); Mr Bernard Carlon, Chief, Centres for Road Safety and Maritime Safety – Safety, Policy, Environment and Regulation, Transport for NSW, [Transcript of evidence](#), 9 December 2024, p [36](#); [Answers to questions on notice](#), Transport for NSW, 16 January 2025, p [3](#).

⁴³ Dr Evens, [Evidence](#), 9 December 2024, pp [26-28](#); Dr Malka, [Evidence](#), 9 December 2024, p [28](#).

⁴⁴ Dr Morrison, [Evidence](#), 9 December 2024, p [31](#).

NSW should maintain existing mandatory motorcycle helmet laws

Summary

- Sikh community stakeholders and the Motorcycle Council of NSW supported a religious exemption from mandatory helmet laws, citing values of religious freedom, cultural respect and inclusion.
- Supporters of a religious exemption suggested that individuals could make an informed choice on the risks of riding without a helmet and that international jurisdictions with exemptions had no worse safety records.
- Medical professionals, road safety experts and government agencies did not support a religious exemption from mandatory helmet laws, citing research on the increased risk of serious injury and death when riding without a helmet.
- The Committee heard that costs from serious injuries and deaths extended to doctors, loved ones and the wider community.
- The Committee acknowledges that current laws may limit access to motorcycles and active transport. However, considering the evidence about the high risks of not wearing a helmet, on balance, the Committee concludes that existing mandatory motorcycle helmet laws should remain in place.

Recommendation 1

That the NSW Government maintain the current mandatory helmet laws for motorcycles.

- 2.10 The Committee heard evidence in support of a religious exemption from mandatory motorcycle helmet laws from Sikh community stakeholders and from the Motorcycle Council of NSW. Supporters of a religious exemption cited the principle of religious freedom, and suggested that riders could make an informed choice on the risks.
- 2.11 However, we heard from medical professionals, road safety and government agencies about the increased risk and severity of injuries when riding without a helmet. We also heard that the cost of these risks extended beyond the individual rider.
- 2.12 Given the evidence of the high safety risks and the inability to mitigate these risks, the Committee recommends that the current mandatory motorcycle helmet laws be maintained.

Religious freedom

- 2.13 The Committee heard from Sikh community organisations that supported a religious exemption from mandatory helmet laws, stating that an exemption would promote religious rights and freedoms.⁴⁵

⁴⁵ [Submission 7](#), Mr Bhupinder Singh Khara, [pp 1-3](#); Mr Bhupinder Singh, Committee Member, Sovereign Sikh Riders, [Transcript of evidence](#), 9 December 2024, p [12](#); [Submission 16](#), Australian Sikh Association, pp [2, 7](#).

- 2.14 As discussed in the previous chapter, we heard that for practicing Sikhs, wearing a helmet in place of the turban conflicted with one of the central principles of the Sikh faith.⁴⁶ Some Sikh stakeholders suggested that mandatory motorcycle helmet laws may amount to discrimination against practicing Sikhs.⁴⁷
- 2.15 Some Sikh community stakeholders stated that a religious exemption would be consistent with Article 18 of the International Covenant on Civil and Political Rights, which guarantees the freedom of religion.⁴⁸
- 2.16 The Committee acknowledges that the religious requirement to wear a turban may conflict with the mandatory requirement to wear a helmet when riding a motorcycle. However, it considers that religious freedom must be balanced with ensuring the safety and wellbeing of the broader community.

Risks of serious injury and death from riding without a motorcycle helmet

- 2.17 We heard that medical professionals were strongly opposed to granting exemptions from mandatory motorcycle helmet laws on religious grounds, as it would increase risks of serious injuries and deaths. As Dr Valerie Malka, Clinical Director, NSW Institute of Trauma and Injury Management, argued:
- To be honest, for clinicians like us, the idea of relaxing laws to allow people not to wear a helmet is horrifying. We know that we will see increased numbers of patients, number one, but we will also see increased numbers of patients with injuries that we can do nothing about.⁴⁹
- 2.18 Medical professionals and road safety experts told us about the amount of force to the head experienced by riders as a result of motorcycle crashes.⁵⁰ Transport for NSW told the Committee that a stationary fall from a motorcycle from 1.5 metres would have a force of around 1000 g-forces to the bare skull at the point of impact.⁵¹ Dr Tom Evens, Acting Executive Director, NSW Ambulance, illustrated the force involved to the Committee:
- ...it is not uncommon, where there has been an injury between a bicycle or a motorcycle and a car, for there to be damage to the windscreen of the car. Often at the point of impact there is a spreading out of cracks across the windscreen that have been caused by the impact to the person's head. I think that's a useful example because we can all conceive of the amount of force that it would take for one of us to cause that damage to the windscreen of a car with our own heads.⁵²

⁴⁶ [Submission 2](#), Mr Vishal Oberoy, p 1; [Submission 5](#), Mr Mohinder Singh, p 1; [Submission 6](#), Panthers Bhangra, p 1; [Submission 7](#), p 1; [Submission 10](#), Sovereign Sikh Riders, p 2; [Submission 15](#), Singhs Social Motorcycle Club Australia, p 2; [Submission 16](#), p 2.

⁴⁷ [Submission 7](#), p 2; [Submission 15](#), p 5; Mr Mavleen Dhir, Chairman and Founder, Singhs Social Motorcycle Club Australia, [Transcript of evidence](#), 9 December 2024, p 17.

⁴⁸ [Submission 10](#), p 2; [Submission 15](#), p 5; [Submission 16](#), p 2; Mr Eshbeen Singh, Committee Member, Sovereign Sikh Riders, [Transcript of evidence](#), 9 December 2024, p 12.

⁴⁹ Dr Malka, [Evidence](#), 9 December 2024, p 28.

⁵⁰ Dr Morrison, [Evidence](#), 9 December 2024, p 31.

⁵¹ Mr Carlson, [Evidence](#), 9 December 2024, p 34.

⁵² Dr Evens, [Evidence](#), 9 December 2024, p 26.

- 2.19 We heard from medical professionals about the serious health impacts that crash-related head injuries could have on a person, including:
- fracturing and/or disruption to the skull
 - injury to the brain
 - injury to the face and facial structures
 - bleeding into the airway
 - low oxygen levels
 - altered breathing.⁵³
- 2.20 Dr Morrison told us that a severe head injury often requires an extended period of hospitalisation in an Intensive Care Unit.⁵⁴

Broader costs to society

- 2.21 We heard from medical professionals and road safety experts that injuries from riding a motorcycle without a helmet extended beyond the injured rider. NSW Health and Transport for NSW both noted that road trauma has significant impacts on the families of injured riders. Transport for NSW told the Committee there were also impacts on emergency services workers and medical staff that attended to those affected.⁵⁵
- 2.22 We heard injuries caused by riding without a helmet increased the burden on the healthcare system and had consequential financial impacts.⁵⁶ As Dr Morrison noted:
- Helmet wearers admitted to hospital represent a national health burden that's about half of that of non-helmet wearers, despite significantly more people wearing helmets.⁵⁷

Experiences in jurisdictions with religious exemptions for the wearing of motorcycle helmets

- 2.23 As noted in the previous chapter, there are overseas jurisdictions that have some form of religious exemptions from mandatory motorcycle helmet laws in place, including the UK, some Canadian provinces, India and New Zealand.⁵⁸
- 2.24 Supporters of a religious exemption from mandatory motorcycle helmet laws, including Sovereign Sikh Riders, the Australian Sikh Association and Singhs Social Motorcycle Club Australia, argued that jurisdictions with exemptions had no

⁵³ Dr Evens, [Evidence](#), 9 December 2024, p [26](#); Dr Morrison, [Evidence](#), 9 December 2024, p [31](#).

⁵⁴ Dr Morrison, [Evidence](#), 9 December 2024, p [31](#).

⁵⁵ Dr Malka, [Evidence](#), 9 December 2024, p [28](#); Mr Carlon, [Evidence](#), 9 December 2024, p [36](#).

⁵⁶ Dr Malka, [Evidence](#), 9 December 2024, p [28](#).

⁵⁷ Dr Morrison, [Evidence](#), 9 December 2024, p [31](#).

⁵⁸ [Submission 1](#), Mr Greg Peak, p [2](#); [Submission 2](#), p [1](#); [Submission 19](#), pp [11-13](#); Mr Timms, [Evidence](#), 9 December 2024, p [3](#); Mr B Singh, [Evidence](#), 9 December 2024, pp [12, 14-15](#); Mr Tarandeep Singh, Legal Advisor, Singhs Social Motorcycle Club Australia, [Transcript of evidence](#), 9 December 2024, p [19](#).

significant or measurable increase in motorcycle fatalities as a result of the exemptions.⁵⁹

- 2.25 However, the Committee heard that it was difficult to evaluate the impact of overseas exemptions on accident rates, injuries or fatalities. Transport for NSW and NSW Health both advised they were not aware of any research on the impact of exemptions in jurisdictions that have them.⁶⁰ Transport for NSW advised that this was because the number of exempted people was small, and there were challenges with collecting information about someone's religion in road crash data.⁶¹ Similarly, NSW Ambulance advised it was difficult to make comparisons with the UK and other jurisdictions with exemptions. To do so would require knowing the incident rate for people exercising the exemption.⁶²
- 2.26 The UK is one jurisdiction with a religious exemption in place, which it introduced in the 1970s. Road safety experts argued that research on road safety was less developed in the 1970s than it is now, and questioned if such an exemption would have been granted considering current understanding. As Mr Michael Timms, Chair, New South Wales Chapter of the Australasian College of Road Safety, stated:

...in 1973 there were 7 ½ thousand road deaths in the UK and last year there were less than 2,000. What we know about road safety over the 50 years has evolved. I do wonder, if they had their time over again, whether they would have been so freely able to concede that type of thing.⁶³

Suggested mitigations of safety impacts

- 2.27 Some supporters of a religious exemption from mandatory motorcycle helmet laws argued that riders could make an informed choice on the risks of riding with a turban instead of a helmet.⁶⁴
- 2.28 Some Sikh community stakeholders also suggested that turbans could provide limited protection for riders in the event of a crash.⁶⁵ However, we heard that Transport for NSW had conducted testing of turbans and found that they provided no significant head protection for bicycle riders.⁶⁶ Ms Louise Higgins, Director, Road Safety Policy, Transport for NSW, noted that while motorcycle

⁵⁹ [Submission 10](#), p 7; [Submission 15](#), p 3; [Submission 16](#), p 7; [Answers to questions on notice](#), Sovereign Sikh Riders, 30 January 2025, pp 2-4. Mr B Singh, [Evidence](#), 9 December 2024, p 14; Mr E Singh, [Evidence](#), 9 December 2024, p 15;

⁶⁰ Ms Louise Higgins, Director, Road Safety Policy – Safety, Policy, Environment and Regulation, Transport for NSW, [Transcript of evidence](#), 9 December 2024, pp 35-36; [Answers to questions on notice](#), NSW Health, 16 January 2025, pp 1-2.

⁶¹ Ms Higgins, [Evidence](#), 9 December 2024, pp 35-36.

⁶² Dr Evens, [Evidence](#), 9 December 2024, pp 27, 29.

⁶³ Mr Timms, [Evidence](#), 9 December 2024, p 3.

⁶⁴ Mr Brian Wood, Committee Member, Motorcycle Council of NSW, [Transcript of evidence](#), 9 December 2024, pp 9-10; Mr T Singh, [Evidence](#), 9 December 2024, p 18.

⁶⁵ [Submission 20](#), Mr Harjit Singh, p 3.

⁶⁶ Mr Carlon, [Evidence](#), 9 December 2024, p 33.

testing had not been done, based on the bicycle tests they assumed a motorcycle crash would be fatal to a rider wearing a turban instead of a helmet.⁶⁷

- 2.29 Some stakeholders suggested that exempted riders may compensate for not wearing a helmet by taking extra care, such as riding at lower speeds.⁶⁸ One approach explored by the Committee was imposing a speed limit as a condition of an exemption. An example of this sort of approach is New Zealand, in which there is a speed limit of 50 kilometres per hour imposed on exempted riders.⁶⁹
- 2.30 Road safety experts and medical professionals argued that it was not possible to mitigate the risks to riders' safety from not wearing a helmet, and that riding a motorcycle without a helmet was unsafe at any speed.⁷⁰ Transport for NSW advised the Committee that between 2019 and 2023 there were 54 motorcycle riders and passengers who died on NSW roads at speed limits of 50 kilometres or lower.⁷¹ As Dr Malka explained:

With pedestrians, you've got a 10 per cent chance of serious injuries or death when you're going at 30 kilometres per hour and you get hit by a car, which becomes an 80 per cent chance of death or serious injury if the car is going at 50 kilometres per hour. Anything over 30 kilometres per hour can lead to serious injury. For motorcycles, it's anything over 40 to 50 kilometres per hour. It doesn't sound like they are going particularly fast, but you're still at risk of significant injury.⁷²

Conclusion

- 2.31 The Committee acknowledges that current laws may limit access to motorcycles and active transport for riders who are required to wear a turban for religious reasons. However, considering the evidence about the high risks of not wearing a helmet to riders' safety, the Committee concludes that existing mandatory motorcycle helmet laws should remain in place. The Committee considers that there is no safe alternative to a helmet for motorcycle riders.

⁶⁷ Ms Higgins, [Evidence](#), 9 December 2024, p [34](#).

⁶⁸ [Submission 1](#), p [1](#); [Submission 10](#), p [7](#); [Submission 16](#), p [7](#).

⁶⁹ [Submission 19](#), pp [11-12](#); Mr Timms, [Evidence](#), 9 December 2024, p [3](#); [Submission 20](#), p [3](#); Mr T Singh, [Evidence](#), 9 December 2024, p [19](#).

⁷⁰ Mr Timms, [Evidence](#), 9 December 2024, pp [2-3](#); Dr Malka, [Evidence](#), 9 December 2024, p [28](#); Dr Morrison, [Evidence](#), 9 December 2024, p [31](#).

⁷¹ Mr Carlon, [Evidence](#), 9 December 2024, p [35](#).

⁷² Dr Malka, [Evidence](#), 9 December 2024, p [28](#).

NSW should study bicycle exemption approaches in other Australian jurisdictions

Summary

- The Committee received mixed evidence on the potential safety impacts of religious exemptions from bicycle helmet laws.
- Several Australian states and territories have religious exemptions in place for bicycle helmets. There is no evidence of significant negative impacts as a result of these exemptions, although they have not been formally evaluated.
- Evidence shows that mandatory bicycle helmets reduce the risk of serious injuries and deaths. Their introduction has coincided with fewer cyclist deaths.

Recommendation 2

That Transport for NSW review helmet laws for active transport, with reference to exemption approaches in other Australian jurisdictions.

- 2.32 The Committee received mixed evidence on the risks of religious exemptions from mandatory bicycle helmet laws. Given these differing viewpoints, the Committee recommends that Transport for NSW examine religious helmet exemptions for bicycle riders in other Australian states and territories. This review would help determine whether exemptions have had any impact on the safety and wellbeing of cyclists.
- 2.33 As discussed in the previous chapter, the Committee heard that most other states and territories in Australia have some form of religious exemptions in place in relation to bicycle helmet laws. Some stakeholders stated that there was no evidence of adverse consequences for cyclists as a result of these exemptions.
- 2.34 Transport for NSW told the Committee that jurisdictions in Australia reported no significant change in road trauma rates after introducing bicycle helmet exemptions. However, they also noted that these jurisdictions have not formally evaluated their exemptions since the early 1990s.⁷³
- 2.35 Queensland's Department of Transport and Main Roads submitted they were not aware of any evidence of negative impacts as a result of Queensland's bicycle helmet exemption. The Department expressed their continued support of religious exemptions for bicycle helmets.⁷⁴
- 2.36 Bicycle NSW encouraged the Committee to consider a bicycle helmet exemption, in part, because similar exemptions exist in other Australian jurisdictions. They also stated that an exemption would promote diversity and inclusivity in relation to the take up of active transport. However, they acknowledged that helmet exemptions could create safety risks and result in serious injuries and fatalities.⁷⁵

⁷³ Ms Higgins, [Evidence](#), 9 December 2024, pp 35-36; Mr Carlon, [Evidence](#), 9 December 2024, p 35.

⁷⁴ [Submission 3](#), QLD Department of Transport and Main Roads, pp 1-2.

⁷⁵ Mr Peter McLean, Chief Executive Officer, Bicycle NSW, [Transcript of evidence](#), pp 6-7, 9.

- 2.37 Some stakeholders from the Sikh community suggested that existing exemptions, such as those in the UK and Canada, demonstrate that helmet exemptions do not compromise public safety.⁷⁶
- 2.38 Singhs Social Motorcycle Club Australia told the Committee that they had an informal conversation with Ambulance Victoria who advised them that accident rates had not changed significantly in Victoria after the introduction of its bicycle helmet exemption.⁷⁷
- 2.39 On the other hand, medical professionals, road safety experts and government agencies stated that mandatory bicycle helmets significantly reduce the risk of serious injuries and deaths. They emphasised that there is no safe speed to ride without a helmet, as even a fall from a stationary bike onto the road could result in serious injury. Studies show that cyclist road fatalities decreased following the introduction of mandatory helmet laws.⁷⁸
- 2.40 The Australian Medical Association supported mandatory bicycle helmet use as a critical public health measure. They cautioned that no safe alternative existed. They also emphasised that enforcing helmet laws reduces injury rates, lowers healthcare costs, and improves public health outcomes.⁷⁹
- 2.41 NSW Health informed the Committee that in each instance that helmet laws have been introduced, the severity of traumatic brain injury has decreased. They also reported that mandatory helmet laws reduced instances of head injury and the catastrophic effects of injury.⁸⁰
- 2.42 The Australasian College of Road Safety cited evidence from the World Health Organisation and international road safety experts supporting mandatory helmet laws. They expressed concern that religious exemptions would fail to protect Sikh road users.⁸¹
- 2.43 The Australasian College of Road Safety further submitted that a religious exemption might lead to broader exemptions, which could increase trauma outcomes.⁸² However, when the Committee asked Mr Michael Timms, Chair, NSW Chapter of the Australasian College of Road Safety, whether any other groups were seeking exemptions, Mr Timms replied that he was not aware of any.⁸³

⁷⁶ [Submission 5](#), p 5; Mr Dhir, [Evidence](#), 9 December 2024, p 11.

⁷⁷ [Submission 15](#), p 3; Mr T Singh, [Evidence](#), 9 December 2024, p 18.

⁷⁸ [Submission 11](#), pp 3-5; [Submission 12](#), Bicycle NSW, p 1; Dr Malka, [Evidence](#), 9 December 2024, pp 28-29; Mr Carlon, [Evidence](#), 9 December 2024, pp 33-34.

⁷⁹ [Submission 18](#), pp 2-4; Dr Morrison, [Evidence](#), 9 December 2024, p 31.

⁸⁰ Dr Malka, [Evidence](#), 9 December 2024, pp 28-29.

⁸¹ [Submission 17](#), pp 5-6.

⁸² [Submission 17](#), p 6.

⁸³ Mr Timms, [Evidence](#), 9 December 2024, p 4.

- 2.44 Transport for NSW told the Committee that some jurisdictions have reported deaths and serious injuries among individuals who have not worn helmets because of the exemptions that are in place.⁸⁴
- 2.45 Transport for NSW also stated that helmet requirements for two-wheeled vehicles are supported by strong evidence that the wearing of helmets makes riding safer. Since mandatory helmet laws were introduced in NSW, bicycle rider fatalities have decreased by 45 per cent.⁸⁵
- 2.46 The Pedestrian Council of Australia Ltd opposed any religious exemptions for the wearing of bicycle helmets, noting trends in crash fatalities in Australia and internationally.⁸⁶
- 2.47 Transport for NSW stated that NSW is the only jurisdiction that publishes detailed serious injury data. They explained that assessing the impact of exemptions is challenging due to difficulties in measuring exposure data, such as the number of exempt riders and their frequency of riding. They emphasised that any consideration of exemptions should take into account the impacts on victims, their families, and the healthcare system.⁸⁷
- 2.48 Although the Committee heard evidence about the risks of riding bicycles without a helmet, we also heard that most Australian states and territories have religious exemptions for the wearing of bicycle helmets in place and do not report significant issues. Given the mixed evidence, the Committee recommends that Transport for NSW examines the exemption approaches in other Australian jurisdictions and reviews NSW's existing helmet laws for active transport, taking into account the insights and experiences of those jurisdictions.

⁸⁴ Mr Carlon, [Evidence](#), 9 December 2024, p [36](#).

⁸⁵ Mr Carlon, [Evidence](#), 9 December 2024, p [33](#).

⁸⁶ [Submission 21](#), Pedestrian Council of Australia Ltd, p [1](#).

⁸⁷ [Submission 19](#), p [10](#); Ms Higgins, [Evidence](#), 9 December 2024, pp [35-36](#).

Chapter Three – Alternatives to an exemption and other considerations

New helmet technology could provide an alternative to exemptions

Summary

- There has been some work to develop helmets that are compatible with wearing a turban, or reinforced cloth turbans that provide greater protection. However, there are no current products that meet NSW safety standards and are available for use.
- The Committee heard mixed views on whether new technologies would meet Sikh religious requirements, or provide an adequate level of protection.
- The Committee recommends that Transport for NSW investigate new technologies further.

Recommendation 3

That Transport for NSW investigate alternative helmet designs and other potential solutions that may be compatible with wearing a turban or other religious head coverings.

- 3.1 The Committee considered evidence about work that was underway to develop helmets that are compatible with wearing a turban, or reinforced turbans that provide greater protection. The Committee recommends that Transport for NSW investigate any designs or technology solutions that may enable Sikhs to ride motorcycles and other forms of active transport, that meet NSW safety standards, and that conform to the religious requirement to wear a turban.
- 3.2 Stakeholders, including government agencies, road safety and medical experts, and some members of the Sikh community, supported further research into technology that could provide appropriate head protection for wearers of a turban.⁸⁸

Existing products, research and development

- 3.3 The Committee heard evidence about the development of turbans made from multiple layers of hardened and impact-resistant materials. We also heard other potential alternatives could incorporate fabrics that are currently used for protective motorcycle clothing, or foam linings. One example of a product is the 'Tough Turban'.⁸⁹

⁸⁸ Mr Brian Wood, Committee Member, Motorcycle Council of NSW, [Transcript of evidence](#), p 6; Dr Petrina Casey, Executive Director, Strategic and Corporate Services, SafeWork NSW, [Transcript of evidence](#), 9 December 2024, p 24; [Submission 1](#), Mr Greg Peak, p 2; [Submission 15](#), Singhs Social Motorcycle Club Australia, p 4; [Submission 17](#), Australasian College of Road Safety, p 6; [Submission 20](#), Mr Harjit Singh, pp 5-6.

⁸⁹ [Submission 11](#), Dr Andrew McIntosh, p 9; [Submission 12](#), Bicycle NSW, p 2; [Submission 19](#), Transport for NSW, p 10; Mr Wood, [Evidence](#), 9 December 2024, p 6.

- 3.4 Some stakeholders told the Committee about helmet designs that could fit over, or accommodate a turban, such as soft-shell helmets, collapsible helmets or modular designs.⁹⁰
- 3.5 The Committee heard that bicycle helmets were already available in NSW that were compatible with the 'patka', a smaller, simpler version of Sikh turban worn by children. Examples of these helmets include the 'Bold Helmet' and the 'Brave Helmet'. These helmets have been approved for sale and use in NSW and are compliant with NSW safety standards.⁹¹

Children's patka-compatible helmets that are compliant with recognised NSW safety standards



Figure 1: Bold Helmet⁹²



Figure 2: Brave Helmet⁹³

There are mixed views on whether technology solutions are acceptable

- 3.6 The Committee heard mixed evidence on whether Sikhs who wear turbans would use a turban-compatible helmet or other technology solutions, if they were available.
- 3.7 Sovereign Sikh Riders told the Committee that even if a helmet could fit on top of a turban, Sikh religious requirements would not permit it. Mr Bhupinder Singh, Committee Member, told us:
- As our Sikh code of conduct says, we are not allowed to put anything over the turban, whether it's a hard hat or anything else.⁹⁴
- 3.8 Singhs Social Motorcycle Club Australia and Sovereign Sikh Riders expressed openness to reinforced turban technology, provided it still met the definition of a

⁹⁰ [Submission 1](#), p 2; [Submission 11](#), pp 8-9; [Submission 17](#), pp 6-7; [Submission 20](#), pp 5-6.

⁹¹ [Submission 11](#), p 9; [Submission 12](#), p 2; [Submission 17](#), p 6; [Submission 19](#), p 9.

⁹² [Submission 19](#), p 9.

⁹³ [Submission 19](#), p 9.

⁹⁴ Mr Bhupinder Singh, Committee Member, Sovereign Sikh Riders, [Transcript of evidence](#), 9 December 2024, pp 15-16.

turban according to Sikh religious requirements.⁹⁵ The Committee heard one key requirement is that a turban must be made of cloth and be able to be tied. Mr Tarandeep Singh, Legal Advisor, Singhs Social Motorcycle Club Australia, explained to the Committee:

Anything that is material, as cloth, is considered as a turban, which is tied by a Sikh person of the Sikh faith. Even if the technology advances to a level where the material would be strong enough, that would be considered as cloth. We are happy to wear it if it is similar to the beliefs and it is within the bounds of the code of conduct of the Sikh religion.⁹⁶

Technology solutions would need to comply with safety standards and provide sufficient protection

- 3.9 Road safety experts noted that helmet technologies for Sikh motorcyclists would need to provide a comparable level of protection to helmets. Dr Andrew McIntosh, an expert in biomechanics, told the Committee that any proposed technology solution would have to address the fundamental performance requirements of 'impact performance', 'stability' and 'retention'.⁹⁷
- 3.10 Dr Valerie Malka, Clinical Director, NSW Institute for Trauma and Injury Management, told us that turbans have thicker and thinner sections. By comparison, helmets have a protective area that is uniform throughout.⁹⁸
- 3.11 We also heard from medical and road safety experts that any new technologies would need to be compliant with recognised safety standards.⁹⁹

There are no products that provide appropriate protection currently available

- 3.12 The Committee heard that there are no products currently available to riders that are compatible with the wearing of full turbans and that provide the appropriate level of protection. We also heard that technology solutions that may be compatible with turbans are still in the early stages of development.¹⁰⁰ Singhs Social Motorcycle Club told the Committee that it may take years before there is a suitable technology solution for Sikh riders.¹⁰¹
- 3.13 Transport for NSW submitted that there appears to be no research conducted into whether the 'Tough Turban' or similar alternatives are effective in protecting the head of a bicycle, e-scooter or motorcycle rider in the event of a crash.¹⁰²

⁹⁵ Mr Tarandeep Singh, Legal Advisor, Singhs Social Motorcycle Club Australia, [Transcript of evidence](#), 9 December 2024, p [16](#); Mr B Singh, [Evidence](#), 9 December 2024, p [16](#).

⁹⁶ Mr T Singh, [Evidence](#), 9 December 2024, p [16](#).

⁹⁷ [Submission 11](#), pp [8-9](#).

⁹⁸ Dr Valerie Malka, Clinical Director, NSW Institute of Trauma and Injury Management, Agency for Clinical Innovation, [Transcript of evidence](#), 9 December 2024, pp [28, 30](#).

⁹⁹ Dr Tom Evens, Acting Executive Director, Medical Services and Research, NSW Ambulance, [Transcript of evidence](#), 9 December 2024, p [30](#); [Submission 11](#), pp [8-9](#).

¹⁰⁰ [Submission 1](#), p [2](#); [Submission 15](#), p [4](#).

¹⁰¹ Mr Mavleen Dhir, Chairman and Founder, Singhs Social Motorcycle Club Australia, [Transcript of evidence](#), 9 December 2024, pp [11, 20](#).

¹⁰² [Submission 19](#), p [10](#).

Several stakeholders suggested the testing of any new technologies to ensure they provide an adequate level of head protection.¹⁰³

- 3.14 The Committee recommends that Transport for NSW investigate whether there are technology solutions that are compatible with wearing a turban and that provide appropriate levels of protection, similar to a helmet. These solutions may be helmets that can be worn over turbans, or reinforced cloth turbans that protect the head. Any investigation of alternative technology solutions should incorporate thorough testing to ensure that they provide an adequate level of protection comparable to helmets.
- 3.15 While the Committee acknowledges that not all Sikhs would be able to use these technologies because of their religious beliefs, we heard that some Sikhs may be open to using alternative technology solutions that will enable them to ride while wearing a turban.

Work health and safety laws may be impacted by an exemption

Summary

- Persons conducting a business or undertaking (PCBUs) in NSW may require helmets as part of personal protective equipment (PPE) obligations based on workplace risk assessments.
- If helmet exemptions were introduced, work health and safety laws would need to be updated to recognise helmets as PPE, with potential legal and safety implications for workplaces.

- 3.16 Under NSW work health and safety (WHS) laws, PCBUs have a primary duty of care to ensure workplace health and safety. SafeWork NSW and other stakeholders told the Committee that this duty extends to providing workers with PPE, where necessary, and ensuring that it is used. Workers must comply with PPE requirements set by their PCBUs.¹⁰⁴
- 3.17 Transport for NSW and SafeWork NSW told the Committee that WHS laws do not specifically require helmets for bicycle or motorcycle riders, as these are already required under mandatory helmet laws. However, PCBUs may still require workers to wear helmets as part of their WHS obligations if a risk assessment determines they are necessary for worker safety in a particular workplace.¹⁰⁵
- 3.18 Some stakeholders, including government agencies and Bicycle NSW, stated that food delivery riders using bicycles or motorcycles must comply with mandatory helmet laws. In 2022 and 2023, NSW introduced laws to improve rider safety,

¹⁰³ [Submission 11](#), pp 8-9; Mr Wood, [Evidence](#), 9 December 2024, p 8.

¹⁰⁴ [Work Health and Safety Act 2011](#), s 19; SafeWork NSW, [Legislation](#), viewed 28 February 2025; [Submission 17](#), p 5; [Submission 19](#), p 15; Dr Petrina Casey, Executive Director, Strategic and Corporate Services, SafeWork NSW, [Transcript of evidence](#), 9 December 2024, p 22.

¹⁰⁵ [Submission 19](#), p 15; Dr Casey, [Evidence](#), 9 December 2024, p 22.

including requirements for high-visibility PPE.¹⁰⁶ SafeWork NSW guidance also specifies the use of helmets.¹⁰⁷

- 3.19 Both Bicycle NSW and SafeWork NSW told the Committee that if religious exemptions from mandatory helmet laws are introduced, WHS laws may need to be revised to formally recognise helmets as PPE for workers who ride bicycles or motorcycles.¹⁰⁸
- 3.20 The Australasian College of Road Safety informed the Committee that under a newly introduced industrial manslaughter offence, PCBU's may face liability if a grossly negligent breach of their WHS obligations results in a worker's death. This may require courts to rule on whether allowing a worker to ride a motorcycle or bicycle without a helmet as PPE is grossly negligent.¹⁰⁹

An exemption may impact the cost of insurance premiums

Summary

- Motorcycle insurance in NSW is priced based on risk, with high-risk riders partly covered by other road users.
- A helmet exemption could raise premiums, but views on potential impacts differ.

- 3.21 The Committee heard mixed evidence on whether a religious exemption from mandatory helmet laws would lead to higher insurance premiums for affected riders.
- 3.22 Transport for NSW advised that motorcycles require Compulsory Third Party (CTP) insurance, which is priced based on risk. High-risk groups, such as motorcycle riders and young drivers, already have their premiums partially subsidised by other road users.¹¹⁰

What is Compulsory Third Party (CTP) insurance?

CTP or 'Green Slip' insurance is mandatory for all registered motorcycles in NSW. It covers liability if riders cause injury or death to others in a crash.¹¹¹

- 3.23 The State Insurance Regulatory Authority (SIRA) explained that motorcycle insurance premiums are determined using a mix of community-rated and risk-

¹⁰⁶ [Work Health and Safety Regulation 2017](#), cl 184Q; [Submission 19](#), p 15; Mr Peter McLean, Chief Executive Officer, Bicycle NSW, 9 December 2024, p 9; Dr Casey, [Evidence](#), 9 December 2024, p 22.

¹⁰⁷ SafeWork NSW, [A guide to managing work health and safety in the food delivery industry](#), NSW Government, August 2021, viewed 26 February 2025, p 10; [Submission 19](#), p 15.

¹⁰⁸ [Submission 12](#), pp 3-4; Dr Casey, [Evidence](#), 9 December 2024, p 22.

¹⁰⁹ [Submission 17](#), p 5.

¹¹⁰ [Submission 19](#), p 14.

¹¹¹ State Insurance Regulatory Authority, [Compulsory Green Slip Insurance](#), viewed 5 March 2025; [Submission 19](#), p 14.

based pricing. While insurers consider factors such as age, helmet use is not currently included in premium calculations.¹¹²

- 3.24 SIRA and Bicycle NSW told the Committee that under current NSW law, not wearing a helmet in a crash does not affect eligibility for CTP or workers' compensation claims. However, SIRA and Transport for NSW advised that it could lead to a finding of contributory negligence, if it is determined that a person did not take reasonable steps to mitigate their risk of injury.¹¹³

What is contributory negligence?

Contributory negligence is where an individual does, or fails to do, something which contributes to the crash or injury severity.¹¹⁴

- 3.25 Transport for NSW submitted that the *Motor Accident Injuries Act 2017* prescribes specific circumstances where a finding of contributory negligence must be made, including where a protecting helmet is not worn when required by law. A finding of contributory negligence may result in the award of damages and benefits being reduced.¹¹⁵
- 3.26 Transport for NSW and SIRA told the Committee that a helmet exemption could significantly increase the risk of severe injury in a crash, leading to additional costs. If insurers reassess risks, this could result in increased CTP premiums for motorcycle riders. If the additional risk is not reflected in higher premiums for affected riders, it could lead to greater cross-subsidisation of costs and raise CTP costs for all road users.¹¹⁶
- 3.27 Transport for NSW further noted that a higher risk of severe injuries could impact the Lifetime Care and Support Authority, which administers care under the CTP scheme and the Lifetime Care and Support Scheme (LCSS). People injured in a motor crash in NSW on or after 1 December 2017 who require treatment and care for five years or more will transition to CTP Care for ongoing support. Since both programs are funded through a levy on CTP insurance, an increase in program participants may lead to higher CTP insurance premiums.¹¹⁷
- 3.28 On the other hand, the Committee heard from Bicycle NSW that if helmet exemptions were introduced, the likelihood of insurers reassessing risks and increasing insurance premiums and excesses would be minimal. Bicycle NSW also

¹¹² Ms Lauren Sayer, Acting Executive Director, Motor Accident Insurance Regulation, State Insurance Regulatory Authority, [Transcript of evidence](#), 9 December 2024, p 23.

¹¹³ [Submission 12](#), p 3; [Submission 19](#), p 14; Ms Sayer, [Evidence](#), 9 December 2024, p 25; [Answers to questions on notice](#), Bicycle NSW, 4 February 2025, p 3.

¹¹⁴ [Submission 19](#), p 14.

¹¹⁵ [Motor Accident Injuries Act 2017](#), s 4.17; [Submission 19](#), p 14.

¹¹⁶ [Submission 19](#), p 14; Ms Sayer, [Evidence](#), 9 December 2024, pp 23-24.

¹¹⁷ [Submission 19](#), p 14.

stated that bicycle helmet exemptions in other Australian states and territories had not resulted in higher insurance premiums.¹¹⁸

- 3.29 Some Sikh community stakeholders told the Committee that they did not believe that insurance premiums would increase as the result of a religious exemption.¹¹⁹

¹¹⁸ [Submission 12](#), p 3; [Answers to questions on notice](#), Bicycle NSW, 4 February 2025, p 3.

¹¹⁹ Mr Dhir, [Evidence](#), 9 December 2024, p 17.

Appendix One – Terms of reference

That the Joint Standing Committee on Road Safety inquire into and report on the risks and benefits of providing members of the Sikh community an exemption from mandatory helmet requirements in road transport law, including:

- a) Road safety and crash research relevant to different road users, including bicycle riders, motorcycle riders and electric scooter riders.
- b) Opportunities for, and obstacles to the uptake of active transport by members of the Sikh community and/or other religious groups that customarily wear a headdress that prevents effective use of a helmet.
- c) Exemption approaches in other Australian jurisdictions and internationally, including scope and conditions of any exemptions.
- d) Helmet technology and alternative helmet design.
- e) Perspectives of first responders and health services that provide post-crash care to riders.
- f) Work health and safety and insurance implications, including for food delivery riders of Sikh faith.
- g) Any other related matters.

Appendix Two – Conduct of inquiry

Terms of reference

On 26 August 2024 the Committee resolved to conduct an inquiry into religious exemptions for the wearing of helmets. The full terms of reference are at [Appendix One](#).

Calls for submission

The Committee called for submission and wrote to key stakeholders inviting them to make a submission. A media release was issued and information about the inquiry posted on the Legislative Assembly's social media accounts.

Deadline for submissions was 1 November 2024. The Committee received 21 submissions from a range of stakeholders including: motorcycle organisations, CALD organisations, road safety experts, interstate government departments and NSW Government departments. A list of submissions is at [Appendix Three](#) and copies of the submissions are available on the Committee's [webpage](#).

Public hearing

A hearing was conducted at Parliament House on 9 December 2024.

Witnesses appeared in person, and the hearings were broadcast live on the Parliament's website.

Witnesses who provided evidence at the hearings are listed in [Appendix Four](#).

Transcripts of the public hearings, together with submissions, answers to questions on notice, and additional information are available on the inquiry's [webpage](#).

Appendix Three – Submissions

No.	Author
1	Mr Greg Peak
2	Mr Vishal Oberoy
3	QLD Department of Transport and Main Roads
4	Mr Robert Heron
5	Mr Mohinder Singh
6	Panthers Bhangra
7	Mr Bhupinder Singh Khera
8	Mr Terry Legg
9	Ms Melissa Sawatske
10	Sovereign Sikh Riders
11	Dr Andrew McIntosh
12	Bicycle NSW
13	WA Road Safety Commission
14	Turbans 4 Australia
15	Singhs Social Motorcycle Club Australia
16	Australian Sikh Association
17	Australasian College of Road Safety
18	Australian Medical Association (NSW)
19	Transport for NSW
20	Mr Harjit Singh
21	Pedestrian Council of Australia Ltd

Appendix Four – Witnesses

9 December 2024

Parliament House, Macquarie Room, Sydney, NSW

Witness	Position and Organisation
Dr Ingrid Johnston	CEO, Australasian College of Road Safety
Mr Michael Timms and Dr Johnston	Chair, NSW Chapter, Australasian College of Road Safety
Mr Peter McLean	Chief Executive Officer, Bicycle NSW
Mr Brian Wood	Committee Member, Motorcycle Council of NSW
Mr Bhupinder Singh	Committee Member, Sovereign Sikh Riders
Mr Eshbeen Singh	Committee Member, Sovereign Sikh Riders
Mr Amar Singh	President and Founder, Turbans 4 Australia
Dr Petrina Casey	Executive Director, Strategic and Corporate Services, SafeWork NSW
Ms Mandy Young	Chief Executive, State Insurance Regulatory Authority (SIRA)
Ms Lauren Sayer	Acting Executive Director, Motor Accident Insurance Regulation, State Insurance Regulatory Authority (SIRA)
Dr Valerie Malka	Clinical Director, NSW Institute of Trauma and Injury Management, Agency for Clinical Innovation, NSW Health
Dr Tom Evens	A/Executive Director, Medical Services and Research, NSW Ambulance
Dr Tom Morrison	Neurosurgery Registrar, St Vincent's Hospital Sydney AMA NSW Councillor, Australian Medical Association (NSW)
Ms Louise Higgins	Director Road Safety Policy - Safety, Policy, Environment & Regulation, Transport for NSW
Mr Bernard Carlon	Chief, Centres for Road Safety & Maritime Safety - Safety, Policy, Environment & Regulation, Transport for NSW
Mr Mavleen Dhir	Chairman, Singhs Social Motorcycle Club Australia
Mr Tarandeep Singh	Legal Advisor, Singhs Social Motorcycle Club Australia

Appendix Five – Extracts from minutes

MINUTES OF MEETING 8

12:02 pm, 26 August 2024

Room 1043 and via videoconference

Members present

Mr Warren (Chair) (via Webex), Mr Kirby (Deputy Chair) (via Webex), Mr Atalla (via Webex), Mr Butler (via Webex), Mr Cross, Mr D'Adam, Mr Latham (via Webex), Mrs Ward (via Webex) and Ms Wilkinson (via Webex)

Officers present

Rohan Tyler, Jerson Balaton, Mengyuan Chen and Abegail Turingan

1. Confirmation of minutes

Resolved, on the motion of Mr Butler, seconded by Ms Wilkinson: That the minutes of the meeting of 30 April 2024 be confirmed.

2. Proposed inquiry into religious exemptions for the wearing of helmets

The Committee considered draft terms of reference for a proposed inquiry into religious exemptions for the wearing of helmets.

The Committee discussed the scope of the terms of reference.

Resolved, on the motion of Mr D'Adam, seconded by Mr Kirby:

- That the Committee conduct an inquiry into religious exemptions for the wearing of helmets, in accordance with the draft terms of reference, as amended, circulated to the Committee.
- That Committee staff circulate a draft stakeholder list to members, and that members have three business days after receiving the draft stakeholder list to provide input.
- That the Committee call for submissions and advertise the inquiry on the Committee's webpage.
- That the closing date for submissions be 1 November 2024.
- That key stakeholders identified by the Committee be informed of the inquiry and invited to make a submission.
- That the Chair issue a media release and video announcing the inquiry.

3. ***

4. Next meeting

The meeting adjourned at 12:35 pm until 13 September 2024.

MINUTES OF MEETING 9

2:34 pm, 13 September 2024

Room 1254 and via videoconference

Members present

Mr Warren (Chair) (via Webex), Mr Kirby (Deputy Chair) (via Webex), Mr Cross, Mr D'Adam (via Webex), Mrs Ward (via Webex) and Ms Wilkinson (via Webex)

Apologies

Mr Atalla, Mr Butler and Mr Latham

Officers present

Rohan Tyler, Jerson Balaton, Mengyuan Chen, Abegail Turingan and Nicolle Gill

1. Resolution permitting recording of meeting

Resolved, on the motion of Ms Wilkinson, seconded by Mr Kirby: That the Committee agrees to record the meeting for the purposes of committee staff preparing the minutes and report amendments, and that the recording be deleted when the report is tabled.

2. Confirmation of minutes

Resolved, on the motion of Mr Kirby, seconded by Mr Cross: That the minutes of the meeting of 26 August 2024 be confirmed.

3. ***

4. ***

5. Inquiry into religious exemptions for the wearing of helmets

The Committee noted a briefing note about the Road Rules Amendment (Helmets - Sikh Exemption) Bill 2024 that was introduced by Ms Cate Faehrmann MLC in the Legislative Council on 5 June 2024.

6. Next meeting

The meeting adjourned at 2:49 pm until a time and date to be determined.

MINUTES OF MEETING 10

9:30 am, 9 December 2024

Macquarie Room and via videoconference

Members present

Mr Warren (Chair), Mr Kirby (Deputy Chair), Mr Atalla (via Webex), Mr Butler, Mr D'Adam (via Webex), Mrs Ward and Ms Wilkinson (via Webex)

Apologies

Mr Latham and Mr Cross

Officers present

Rohan Tyler, Jerson Balaton, Mengyuan Chen, Abegail Turingan and Janish Hettigama

1. Confirmation of minutes

Resolved, on the motion of Mr Butler, seconded by Mrs Ward: That the minutes of the meeting of 13 September 2024 be confirmed.

2. ***

3. Inquiry into religious exemptions for the wearing of helmets

Pre-hearing deliberative meeting

3.1 Publication of submissions

Resolved, on the motion of Mr Atalla, seconded by Mrs Ward:

- That the Committee accept submission 4, that it remain partially confidential to the Committee, and that it be published with the redactions set out in the publication table previously circulated to the Committee.
- That the Committee accept and publish submissions 1 to 3 and 5 to 19 in full, with contact details and signatures redacted.

3.2 Public hearing

Resolved, on the motion of Mrs Ward, seconded by Mr Kirby:

- That a public hearing for the inquiry into religious exemptions for the wearing of helmets be conducted on 9 December 2024.
- That the Committee invite the witnesses listed in the hearing schedule to give evidence at the public hearing.

3.3 Media orders

Resolved, on the motion of Mr Butler, seconded by Mr Kirby: That the Committee authorise the audio-visual recording, photography and broadcasting of the public hearing on 9 December 2024, in accordance with the Legislative Assembly's resolution of 9 May 2023, and the Assembly's guidelines for the coverage of proceedings for parliamentary committees administered by the Legislative Assembly.

3.4 Questions taken on notice and supplementary questions

Resolved, on the motion of Mr Butler, seconded by Mrs Ward: That the Committee adopt the following process in relation to supplementary questions and answers to questions taken on notice:

- Members to email any proposed supplementary questions for witnesses to the secretariat by 4pm, Friday 13 December 2024.
- Secretariat to then circulate all proposed supplementary questions to the Committee, with members to lodge any objections to the questions by 4pm, Tuesday 17 December 2024.
- That witnesses return answers to questions taken on notice and any supplementary questions by 4 pm, Friday 31 January 2025.

The deliberative meeting adjourned at 9:38 am.

3.5 Public hearing

The Chair opened the public hearing at 9:51 am. Witnesses attended the public hearing in person and via videoconference. Members of the public were admitted. The Chair made a short opening statement.

The following witnesses were admitted:

- Mr Michael Timms, Chair, NSW Chapter, Australasian College of Road Safety, sworn and examined.
- Dr Ingrid Johnston, Chief Executive Officer, Australasian College of Road Safety, affirmed and examined.

Evidence concluded and the witnesses withdrew.

The following witnesses were admitted:

- Mr Brian Wood, Committee Member, Motorcycle Council of NSW, affirmed and examined.
- Mr Peter McLean, Chief Executive Officer, Bicycle NSW, sworn and examined.

Evidence concluded and the witnesses withdrew.

The hearing adjourned at 10:50 am and resumed at 11:17 am.

The following witnesses were admitted:

- Mr Mavleen Dhir, Chairman and Founder, Singhs Social Motorcycle Club Australia, affirmed and examined.
- Mr Tarandeep Singh, Legal Advisor, Singhs Social Motorcycle Club Australia, affirmed and examined.
- Mr Amar Singh, President and Founder, Turbans 4 Australia, sworn and examined.
- Mr Bhupinder Singh, Committee Member, Sovereign Sikh Riders, affirmed and examined.
- Mr Eshbeen Singh, Committee Member, Sovereign Sikh Riders, affirmed and examined.

Evidence concluded and the witnesses withdrew.

The following witnesses were admitted:

- Dr Petrina Casey, Executive Director, Strategic and Corporate Services, SafeWork NSW, affirmed and examined.
- Ms Mandy Young, Chief Executive, State Insurance Regulatory Authority, affirmed and examined.
- Ms Lauren Sayer, Acting Executive Director, Motor Accident Insurance Regulation, State Insurance Regulatory Authority, affirmed and examined.

Evidence concluded and the witnesses withdrew.

The hearing adjourned at 12:47 pm and resumed at 1:46 pm.

The following witnesses were admitted:

- Dr Valerie Malka, Clinical Director, NSW Institute of Trauma and Injury Management, Agency for Clinical Innovation, NSW Health, sworn and examined.

- Dr Tom Evens, A/Executive Director, Medical Services and Research, NSW Ambulance, NSW Health, affirmed and examined.

Evidence concluded and the witnesses withdrew.

The following witness was admitted:

- Dr Tom Morrison, Neurosurgery Registrar, St Vincent's Hospital Sydney, AMA NSW Councillor, affirmed and examined.

Evidence concluded and the witness withdrew.

The hearing adjourned at 2:29 pm and resumed at 2:54 pm.

The following witnesses were admitted:

- Mr Bernard Carlon, Chief, Centres for Road Safety & Maritime Safety - Safety, Policy, Environment & Regulation, Transport for NSW, sworn and examined.
- Ms Louise Higgins, Director Road Safety Policy - Safety, Policy, Environment & Regulation, Transport for NSW, sworn and examined.

Evidence concluded and the witnesses withdrew.

The public hearing concluded at 3:28 pm.

3.6 Post-hearing deliberative meeting

The Chair opened the deliberative meeting at 3:29 pm.

3.7 Publication orders

Resolved, on the motion of Mr Butler, seconded by Mr Atalla: That the corrected transcript of evidence be authorised for publication and uploaded to the Committee's webpage.

3.8 Acceptance and publication of tendered documents

Resolved, on the motion of Mr Butler, seconded by Mr D'Adam: That the Committee accept and publish the following document:

- A letter from the Australian Sikh Association, tendered by Sovereign Sikh Riders; and that the Committee accept the following documents:
- US Department of Justice document, entitled 'Common Sikh American Head Coverings', tendered by Sovereign Sikh Riders.
- 'The Turban Victory', tendered by Sovereign Sikh Riders.

4. Next meeting

The meeting adjourned at 3:32 pm until a time and date to be determined.

MINUTES OF MEETING 11

9:00 am, 19 February 2025

Room 1254

Members present

Mr Warren (Chair), Mr Atalla, Mr Butler, Mr Latham and Ms Wilkinson

Apologies

Mr Kirby (Deputy Chair), Mr Cross, Mr D'Adam and Mrs Ward

Officers present

Rohan Tyler, Jerson Balaton, Mengyuan Chen, Abegail Turingan and Janish Hettigama

1. Confirmation of minutes

Resolved, on the motion of Mr Atalla, seconded by Ms Wilkinson: That the minutes of the meeting of 9 December 2024 be confirmed.

2. *****3. Inquiry into religious exemptions for the wearing of helmets****3.1 Answers to questions taken on notice**

The Committee noted the following answers to questions taken on notice received to date:

Organisation/Individual	Author's requested publication status	Publication recommendation
Transport for NSW	Not specified	Public
NSW Health	Not specified	Public
Australian Medical Association (NSW) Ltd	Not specified	Public
Sovereign Sikh Riders	Not specified	Public
Bicycle NSW	Not specified	Public

3.2 Publication of submissions

Resolved, on the motion of Mr Butler, seconded by Mr Latham: That submissions 20 and 21 be published in full, with contact details and signatures redacted.

4. *****5. Next meeting**

The meeting adjourned at 9:18 am until a time and date to be determined.

UNCONFIRMED MINUTES OF MEETING 12

1:32 pm, 15 May 2025

Room 1254 and via videoconference

Members present

Mr Warren (Chair), Mr Kirby (Deputy Chair), Mr Atalla, Mr Butler, Mr D'Adam, Mr Latham (via Webex), and Mrs Ward (via Webex).

Apologies

Mr Cross and Ms Wilkinson

Officers present

Rohan Tyler, Jerson Balaton, Ilana Chaffey, Rhea Maggs.

1. Confirmation of minutes

Resolved, on the motion of Mr Atalla, seconded by Ms Ward: That the minutes of the meeting of 19 February 2025 be confirmed.

2. ***

3. Inquiry into religious exemptions for the wearing of helmets

3.1 Publication of answers to questions taken on notice

Resolved, on the motion of Mr D'Adam, seconded by Mr Atalla: That the Committee authorise the publication of answers to questions taken on notice at the public hearing on 9 December 2024 in full, with standard redactions.

3.2 Consideration of the Chair's draft report

Resolved, on the motion of Mr D'Adam, seconded Mrs Ward: That the Chair's draft report be considered *in globo*.

Resolved, on the motion of Mr D'Adam, seconded by Mr Atalla:

1. That the Chair's draft report be the report of the Committee and that it be signed by the Chair and presented to the House.
2. That the Chair and committee staff be permitted to correct stylistic, typographical and grammatical errors.
3. That, once tabled, the report be published on the Committee's webpage.

4. ***

5. Next meeting

The meeting adjourned at 1:50 pm until a date and time to be confirmed.