

Religious exemptions for the wearing of helmets

Hearing – 9/12/2024

Questions on Notice - NSW Health Responses

QUESTION 1 – p. 28

The Hon. NATALIE WARD: We have heard some evidence that other jurisdictions have allowed the exemption and have not seen an increase in injury, in deaths or — I think in one case it was stated — in insurance claims. Do you have — I invite you to take it on notice if you'd prefer — any evidence about that or your understanding of that in other jurisdictions? I think the United Kingdom and Canada perhaps were quoted, and some states in America.

VALERIE MALKA: I don't know if Tom wants to talk to the UK.

TOM EVENS: We don't have any evidence to that, and I think it would be hard to do that research in a way that gave useful information.

The CHAIR: Just on that point, is that because it is difficult to draw comparative evidence as a parallel to something that you don't know formally existed, or you can't substantiate the actual that is the cause and effect of that?

TOM EVENS: I think that's the most difficult thing to do, particularly also because, where people are involved in a motor vehicle accident and they die, we do not have the ability to say why that happened and the degree to which the head injury contributed to that.

ANSWER

NSW Health is unable to identify any published study relating to measured impacts on head injury, mortality, or other clinical outcomes following exemptions to laws regarding the wearing of helmets in the United Kingdom, the United States of America or in Canada.

This question is more appropriately directed to Transport for NSW.

QUESTION 2 – p. 29

TOM EVENS: I think it's worth saying that, in any crash, there is a degree to which the rider has some control over their risk but there are significant other areas where they do not have control. It's hard to factor that into changes in behaviour that people might make as a result of knowing whether or not they are wearing a helmet. There is some other evidence which is not our work but which we can reference. There was a meta analysis, which is kind of a study of studies where the data is pulled, of 43 studies that looked at data from 64,000 injured cyclists, reporting the effect of helmet use on various types of injuries. Helmet use was associated with a 69 per cent reduction in serious head injuries and a 65 per cent reduction in fatal head injuries. That's a study from 2017. There was a review in 2019, which looked at the effect of bicycle helmet legislation in Australia. The rate of bicycle fatalities in a million population reduced by 46 per cent relative to the pre-legislation trend. We can provide those references.

VALERIE MALKA: Is that something you would like for us to provide, just a list of references?

The Hon. NATALIE WARD: Through you, Chair, if I may, it might be helpful for us, if there are studies out there, to obtain that information, given that we have been given some information but it wasn't substantiated. We are curious to understand what data is out there. While it might seem obvious to wear a helmet, we have been given this information and it behoves us to find out what actually is the data out there.

ANSWER

The journal article *Bicycle injuries and helmet use: a systematic review and meta-analysis* (Olivier & Creighton (2017)) includes a comprehensive list of references about the efficacy of helmets

in preventing injuries and death of riders. The NSW Government submission also provides several references (refer to pages 6-7 of the Submission), including references to studies about the ineffectiveness of turbans in protecting against injury and death (page 8).

QUESTION 3 – p. 30-31

Mr WARREN KIRBY: Back in 1992 there were laws repealed for religious and medical exemptions on motorcycles. By your admission, relaxing them would increase. Did we see the reverse of that in 1992 where there was a noticeable reduction in deaths or serious injury when those laws were repealed?

VALERIE MALKA: What I've seen from the literature is that every time helmet laws have been introduced, there's been a reduction in traumatic brain injury severity. Whenever those laws have been repealed, we've seen an increase in injury and death. Again, I would have to forward you the —

Mr WARREN KIRBY: If we could, because we've heard about this change in 1992. By logical extension, that should have seen a noticeable difference. But we've also heard conflicting evidence that when it happened in the UK, there were no changes. We've heard that in Canada there had been no deaths since they've introduced it in jurisdictions like Ontario. So we're really struggling for somebody to provide us with actual evidence — so if you are able to provide that.

TOM EVENS: Certainly in our previous work we were not aware of publications from those jurisdictions.

VALERIE MALKA: Yes.

TOM EVENS: I suppose there's a question of where the onus of proof sits after a change. We can certainly undertake to review the literature again to see if there were publications from the jurisdictions that changed, and provide that.

ANSWER

NSW Health is unable to identify any published study relating to measured impacts on head injury, mortality, or other clinical outcomes following exemptions to laws regarding the wearing of helmets in the United Kingdom or in Canada.

NSW Health is not aware of any studies around the exemption changes in 1992 and does not hold data relating to bicycle or motorcycle injuries or deaths from this period.