

STATES OF JERSEY



COMPULSORY WEARING OF CYCLE HELMETS (P.4/2010): AMENDMENT

Lodged au Greffe on 2nd March 2010
by the Deputy of St. Mary

STATES GREFFE

1 PAGE 2 –

After the words “Technical Services to” insert the words “set up a review into whether making cycle helmet wearing compulsory is feasible and desirable, the review to consider the positives and the negatives of compulsion, all relevant States policies, and to consider also how to achieve the greatest possible gains in road safety, and to”.

2 PAGE 2 –

After the words “bring forward,” insert the words “in the event of the review concluding that compulsion is the best option,”.

3 PAGE 2 –

For the words “– (a) persons aged under the age of 18 years; (b) persons aged 18 years and over.” insert the words “whatever categories or ages might be specified by the review.”

DEPUTY OF ST. MARY

REPORT

Introduction

1. Deputy Green's proposition P.4/2010 seeks to bring in a law which would directly affect 46% of the population of Jersey,¹ on the basis of a 24 page report which even its proposer would have to agree is utterly one-sided. In no other field would the States bring in a law without proper consideration of its feasibility and effectiveness, or of the potential unintended consequences which might be good or bad for Islanders.
2. Cycling brings many benefits, both to those who cycle and to the wider community. If experience in other jurisdictions is borne out in Jersey, then helmet compulsion will cut the numbers cycling, reduce all these benefits and increase the risks for those cyclists who remain. None of this is mentioned in Deputy Green's Report.
3. In particular, the drop in the number of people cycling caused by helmet compulsion will have a serious impact on the health of the community. Fitness levels will decline and mortality rates² will increase. As part of the process of deciding whether or not to legislate in this area, we have to weigh up the negative impact on public health (and other areas of life) against the benefits which increased helmet-wearing might bring.
4. Whereas the evidence for the benefits of cycling is very strong, the evidence for helmet effectiveness is weak. The most comprehensive and recent review of the literature was prepared for the Department of Transport by the Transport Research Laboratory in November 2009.³ On page 27, the authors write: "There are methodological shortcomings with many of the studies reviewed, and these are discussed in detail in Appendix E. These shortcomings make it impossible to definitively quantify the effectiveness or otherwise of cycle helmets based on the literature reviewed."⁴
5. The situation is therefore not as clear-cut as a first reading of Deputy Green's report might suggest. Expert opinion is sharply divided. Much of the research, especially the research cited by Deputy Green, is flawed. Many jurisdictions have rejected legislation. At a population level research shows that cycle helmet legislation does not show a reduction in head injury risk. None of this is mentioned in Deputy Green's report.
6. My amendment will ensure that this far-reaching proposal goes through a proper process of consideration and evaluation before legislation is decided upon and enacted, if it is found to be the correct thing to do.
7. I would add that it is my belief that this whole discussion around making cycle helmet wearing compulsory by law misses the point and is rather a negative

¹ JASS 2009, page 32.

² Mortality rate = "the proportion of a given population group who will die in a given year".

³ "The Potential for cycle helmets to prevent injury – a review of the evidence" Hynd D., et al. TRL, November 2009.

⁴ This is the same review as featured on the front page of the JEP on 4th January, where Deputy Green is quoted as saying: "The evidence is very clear that helmets do save brain injuries and so save lives and the UK Department for Transport have just come out with a report saying that." Maybe he was misquoted!

way of proceeding. In the whole of the report there is no mention whatsoever of other interventions to improve road safety and whether they might be more effective.

8. Towns, cities and countries have all achieved the double success of higher numbers of cyclists and at the same time greater safety for cyclists. Finding out how they did it with a view to doing the same here might be more useful than discussing whether to force people to wear cycle helmets.

Financial and manpower implications

9. The review would presumably be set up by the Transport and Technical Services Department, as they are the Department named in the proposition. I do not spell out how this would be done. It could be, for example, via a working group set up interdepartmentally, or via a purely TTS review which would formally seek the views of other departments. In either case it would be normal practise, as this is a proposal for possible new legislation, to seek the views also of interested parties and members of the public. However it is set up, the review would form part of the ongoing work of the department in evaluating, and then if necessary bringing forward, new possible legislation, as they are currently doing with the street works legislation. There are therefore no additional financial and manpower implications.