Making helmets compulsory: ethical arguments for legislation


Summary of original paper

The paper examines the medical/ethical arguments around using the law to enforce behaviour that is perceived as good for the community. A cycle helmet law is the example chosen. The authors judge the issue against four criteria: a) Is the goal of the programme good? b) Does the programme achieve the goal effectively? c) Does it do so efficiently? d) Does it do so in a manner consistent with the values and liberties of the target population? The conclusion is that all criteria are met, although the argument in favour of mandation is weakly paternalistic. The authors believe there to be a strong case for making cycle helmets compulsory for cyclists of all ages.

BHRF Commentary

To show that cycle helmets are effective, the authors reference four observational studies which, they say, reveal a strong association between increasing helmet use and declining rates of injury. These studies are:


The first two papers are unreliable because they are undermined by the falls in cycle use and falling head injury trends for non-cyclists concurrent with increases in helmet use in the target populations and of which they take no account. The Monash paper and evaluations in subsequent years by the same institution (Newstead, Cameron, Gantzer and Finch, 1994; Carr, Dyte and Cameron, 1995) contain many contradictions, in some cases indicating an increase in head injury relative to pre-law trends. A more comprehensive analysis from Australia (Hendrie, Legge, Rosman and Kirov, 1999) showed no benefit from increased helmet wearing and the concluded that the law had not been cost-effective. The two English references lack independence, being the author's own works. Their 2000 paper has no reliable helmet use data and no comparision of trends.

To demonstrate that helmet laws are effective in achieving their goals, the authors cite two references, one the same as above:

- Scuffham P, Alsop J, Cryer C, Langley JD. *Head injuries to bicyclists and the New Zealand bicycle helmet law*. Accident Analysis & Prevention, 2000;32,p565-573. [Link includes commentary]

The Monash study is unreliable for the reasons given previously. Data from Scuffham et al has been reanalysed to show that over a more representative period either side of the New Zealand law, cyclists have fared no better than the population at large with regard to reductions in head injury, whilst the law led to a large decline in cycle use (See also Robinson, 2001; BHRF, 1237).

As people who have followed the debate about cycle helmets, the authors must be aware of the serious criticisms
that have been made against all of these papers, much of it published in the medical press. However, they make no reference to such criticism and do not seek to address the issues that have been raised. Instead, they infer incorrectly that opposition to cycle helmet compulsion is based only on grounds relating to civil liberties, whereas in recent years it has been increasingly on matters of evidence and fact. Similarly no reference is made to more recent authoritative analyses from Australia (Hendrie, Legge, Rosman and Kirov, 1999) and New Zealand (Taylor and Scuffham, 2002), that concluded that cycle helmet laws had not proved cost-effective.

The authors also dismiss the possibility of a helmet law leading to substantial reductions in cycle use, citing unreferenced ‘evidence in our possession’ as their sole justification, even though this runs counter to substantial and widely accepted evidence to the contrary. Throughout, the paper makes no reference to any of the substantial body of evidence that has found no benefit from an increase in helmet wearing. The paper is therefore unable to present a balanced view of the evidence and its conclusions lack substance and credibility.

References

BHRF, 1237

Robinson DL, . Costs and benefits of the NZ helmet law. .
http://www.cyclehelmets.org/1237.html

Carr, Dyte and Cameron, 1995

http://www.cyclehelmets.org/1093.html

Hendrie, Legge, Rosman and Kirov, 1999


Newstead, Cameron, Gantzer and Finch, 1994


Robinson, 2001

http://www.cyclehelmets.org/1146.html

Taylor and Scuffham, 2002

http://www.cyclehelmets.org/1233.html

The Bicycle Helmet Research Foundation (BHRF), an incorporated body with an international membership, exists to undertake, encourage and spread the scientific study of the use of bicycle helmets. Also to consider the effect of the promotion and use of helmets on the perception of cycling in terms of risk and the achievement of wider public health and societal goals.
BHRF strives to provide a resource of best-available factual information to assist the understanding of a complex subject, and one where some of the reasoning may conflict with received opinion. In particular BHRF seeks to provide access to a wider range of information than is commonly made available by those that take a strong helmet promotion stance. It is hoped that this will assist informed judgements about the pros and cons of cycle helmets.

For more information, please visit www.cyclehelmets.org.

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