

**Submission  
No 2**

## **RELIGIOUS EXEMPTIONS FOR THE WEARING OF HELMETS**

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# Vishal Oberoy

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## Joint Standing Committee on Road Safety (Staysafe)

Parliament of New South Wales

Re: Inquiry into Religious Exemptions for the Wearing of Helmets

Dear Committee Members,

I am writing to submit the inquiry into religious exemptions for the wearing of helmets, particularly regarding the Sikh community's request for exemptions based on religious practices. As a concerned citizen who values road safety and religious freedoms, I would like to present my views on the matter.

### Balancing Safety with Religious Freedom

The turban is integral to the Sikh faith, symbolising honour, spirituality, and equality. For many Sikhs, removing the turban to wear a helmet is not a simple inconvenience but a deeply personal and religious challenge. It is essential to consider this significance when evaluating helmet laws, as any changes could impact the Sikh community's ability to engage freely in daily life without compromising their beliefs.

However, it is equally important to address public safety concerns. Helmets have long been recognised as essential protective equipment for riders and cyclists, reducing head injuries and fatalities. The challenge, therefore, is to strike a balance between accommodating religious practices and ensuring the safety of all road users.

### Safety Considerations and International Precedents

In other countries, particularly the UK and Canada, exemptions for turban-wearing Sikhs have been in place for several years without significantly affecting road safety:

**United Kingdom:** Since 1976, Sikhs in the UK have been exempted from wearing helmets while riding motorcycles under the Motorcycle Crash-Helmets (Religious Exemption) Act.

<https://www.legislation.gov.uk/ukpga/1976/62/enacted>

In November 1976, Her Majesty the Queen gave her Royal Assent to the Bill that formally exempted turbaned Sikhs from this requirement. This exemption was introduced following years of advocacy and acknowledges the religious significance of the turban. More details are available on the Sikh Motorcycle Club's website

<https://sikhmotorcycleclub.co.uk/sikhs-and-helmets/> and the UK Government's announcement

<https://www.gov.uk/government/news/government-overturms-turban-workplace-rule>.

**Canada:** Several provinces, including British Columbia, Alberta, Manitoba, and Ontario, have provided similar exemptions to Sikhs riding motorcycles. Notably, there has been no recorded increase in motorcycle accidents involving Sikh riders because of these exemptions. Ontario, the most recent province to adopt this policy in 2018, follows the example of other regions that have upheld both safety and religious freedom. More information can be found on the World Sikh Organisation's press release

[https://www.worldsikh.org/wso\\_welcomes\\_ontario\\_motorcycle\\_helmet\\_exemption\\_for\\_sikhs](https://www.worldsikh.org/wso_welcomes_ontario_motorcycle_helmet_exemption_for_sikhs)

These examples show that helmet exemptions for religious purposes can co-exist with road safety regulations without disproportionately increasing risk. Moreover, any increased safety risk is borne directly by the individual rider, who makes an informed decision based on their beliefs.

**Further Considerations for Construction Sites:** In addition to helmet exemptions for road safety, the Committee should consider similar exemptions in construction sites where hard hats are mandated. Sikhs who

wear turbans as part of their faith may face challenges complying with the current workplace safety requirements.

Exempting Sikh workers from wearing hard hats in construction—similar to exemptions granted in road safety—could prevent discrimination while ensuring their full participation in the workforce. Furthermore, SafeWork NSW should be engaged in this process to assess and provide guidance on potential alternatives or exemptions for religious headwear in high-risk work environments. Their input would ensure that safety standards are maintained while respecting religious freedoms.

### **Future Considerations**

While helmet exemptions for Sikh riders have been successful overseas, NSW may also consider alternative safety measures:

1. **Innovative Safety Solutions:** Recent progress has been made in designing helmets that can accommodate religious headwear. For instance, in Canada, a helmet designed specifically for Sikh children has been developed, allowing them to maintain their religious observances while meeting safety standards. Similar designs could be explored for adult riders to balance safety and religious freedom. More details are available in this Global News article.  
<https://globalnews.ca/news/9403148/sikh-kids-helmet-turbans-tina-singh/>
2. **Education and Awareness Campaigns:** In countries with helmet exemptions, promoting road safety education targeted at Sikh riders has helped mitigate risks. Similar initiatives in NSW could enhance awareness about safe riding practices.

I urge the Committee to carefully consider both the cultural significance of the turban for the Sikh community and the safety concerns that have informed helmet laws in NSW. By consulting with the community, studying international precedents, and exploring innovative safety solutions, the Committee can propose a solution that ensures religious freedom and all road users' safety.

Thank you for the opportunity to contribute to this inquiry. I look forward to the Committee's findings.

Yours Sincerely,

Vishal