

**Submission  
No 20**

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

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# Inquiry into religious exemptions for the wearing of helmets

A thorough analysis of the key aspects listed in terms of reference, providing evidence-based insights, cultural sensitivity, and practical recommendations

*“In battle time the Sikh has never been called upon to discard his turban in favour of the war hat or tin helmet worn by other soldiers under battle fire. It has been known for bullets to be lodged in the hair of Sikhs. No one would care if at that time a Sikh was not wearing a tin hat. So far as I know, right up to the present time the long hair and turban are freely accepted in the three branches of the British Armed Services. I cannot imagine that the true Sikh is ever told that his services are no longer required in any shape or form” – Sydney Bidwell MP, 1975, During the debate on the Religious Exemption of Sikhs to wear motorcycle helmets in UK Parliament.*

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IT IS ESSENTIAL FOR THE JOINT STANDING COMMITTEE ON ROAD SAFETY TO THOROUGHLY ADDRESS THE KEY ASPECTS OUTLINED IN THE TERMS OF REFERENCE, ENSURING EVIDENCE-BASED INSIGHTS, CULTURAL SENSITIVITY, AND PRACTICAL RECOMMENDATIONS ARE PROVIDED. THIS APPROACH WILL SUPPORT A BALANCED EVALUATION OF RELIGIOUS EXEMPTIONS FOR HELMET-WEARING, CONSIDERING ROAD SAFETY, COMMUNITY INCLUSION, AND THE BROADER IMPLICATIONS OF SUCH POLICIES.

BELOW ARE THE MOST CRITICAL POINTS TO CONSIDER:

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## 1. Road Safety and Crash Research (a)

- **Impact Analysis:** Studies and data on injury rates for riders without helmets compared to those with helmets across all road user groups.

Extensive research shows that helmet use significantly reduces the risk of head injuries across bicycles, motorcycles, and electric scooters. Cyclists without helmets face a higher likelihood of head injuries, with helmets substantially decreasing this risk. Motorcyclists, particularly vulnerable in crashes, benefit greatly from helmets, which lower the incidence and severity of head trauma. For electric scooters, rising popularity has led to increased injuries, with studies indicating a majority of injured riders were not wearing helmets. For instance, research from Dublin found only 8% of injured e-scooter riders wore helmets, highlighting the critical role of helmet use. Overall, helmets are proven to enhance safety and mitigate the severity of injuries across various modes of transportation.

Data on injury rates among turban-wearing Sikh riders exempt from helmet laws is limited, but several jurisdictions have implemented such exemptions. The UK has allowed this exemption since 1976, balancing road safety with religious freedom, while provinces in Canada, such as Ontario and British Columbia, recognise it to respect religious expression. New Zealand also permits turban-wearing Sikhs to ride without helmets, and similar advocacy exists in New South Wales, Australia. A study by Imperial College London found that turbans may reduce the risk of skull fractures but provide significantly less protection than helmets, suggesting the potential for enhanced turban designs with impact-absorbing materials. While exemptions aim to honour religious practices, discussions continue on balancing safety and freedom.

- **Sikh Turban Functionality:** Whether turbans provide any protective function and compare their effectiveness against standard helmets.

Turbans provide limited protective function by offering some cushioning through layers of cloth, which may reduce the severity of minor impacts. However, they lack the structured energy absorption, uniform coverage, and impact resistance of standard helmets. Helmets are engineered with materials such as expanded polystyrene (EPS) foam and tested to meet strict safety standards, offering superior protection against high-speed impacts and rotational forces. Studies suggest that while turbans might slightly reduce the risk of superficial injuries, they are significantly less effective than helmets in preventing severe head trauma. Innovations integrating impact-absorbing materials into turban designs could enhance safety while respecting cultural and religious practices.

- **Risk Mitigation:** Strategies to enhance safety for Sikh riders, such as public awareness campaigns or skill-based training.

To enhance safety for Sikh riders, culturally sensitive public awareness campaigns can educate about road safety risks and promote alternative safety measures. Skill-based training programs tailored to turban-wearing riders can improve hazard perception and defensive riding techniques. Encouraging the development of turban-compatible helmets or impact-absorbing turban enhancements provides innovative safety solutions. Conditional exemptions, such as limiting helmet exemptions to lower-speed zones or designated routes, can reduce risk exposure. Collaboration with Sikh community leaders ensures initiatives respect religious practices, while ongoing research supports evidence-based policy and safety improvements.

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## 2. Active Transport Uptake (b)

- **Barriers for Sikh Riders:** How mandatory helmet laws discourage Sikhs from adopting cycling, motorcycling, or e-scooter use due to their religious practices.

Mandatory helmet laws discourage Sikh riders from adopting cycling, motorcycling, or e-scooter use, as these laws conflict with their religious practice of wearing turbans, which cannot accommodate standard helmets. This creates a significant barrier to participation in active and sustainable transport options, limiting their mobility and access to certain forms of transportation. The lack of culturally appropriate safety alternatives further exacerbates this exclusion, discouraging many Sikhs from engaging in these activities altogether

- **Benefits of Inclusion:** Potential environmental, health, and community benefits from enabling greater participation in active transport by Sikh individuals.

Enabling greater participation in active transport by Sikh individuals through inclusive policies can yield significant benefits. Environmentally, increased use of bicycles and e-scooters reduces carbon emissions and traffic congestion. Health-wise, it promotes physical activity, contributing to improved fitness and reduced lifestyle-related illnesses. Community benefits include fostering social inclusion and equity, as Sikhs gain broader access to sustainable transportation options. This inclusivity can enhance cultural understanding and demonstrate respect for diversity while supporting broader active transport adoption goals.

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## 3. Exemption Models in Other Jurisdictions (c)

- **Australian Examples:** Policies in jurisdictions like Queensland and Victoria that provide religious helmet exemptions.

In Australia, states like Queensland and Victoria provide helmet exemptions for cyclists wearing religious headdresses, such as turbans, which prevent proper helmet fit. These policies aim to balance road safety with cultural and religious inclusivity,

enabling greater participation in cycling while respecting religious practices. Introduced in 2013, Queensland's exemptions align with similar provisions in Victoria, South Australia, and Western Australia, though they apply exclusively to bicycle riders, as motorcyclists and scooter riders are still required to wear helmets. These measures promote cycling participation without compromising religious observance.

- **International Examples:** Exemption approaches in countries like Canada, the UK, and India, focusing on scope, implementation, and outcomes.

Countries like the UK, Canada, and India have implemented helmet exemptions for turban-wearing Sikhs to respect their religious practices. In the UK, exemptions for motorcycle helmets have been in place since 1976, later extended to workplace safety helmets. Canadian provinces, including Alberta, British Columbia, Manitoba, and Ontario, have introduced similar exemptions through legislative amendments, acknowledging the turban's significance in Sikhism. In India, turban-wearing Sikhs are generally exempt from helmet laws, though recent court rulings clarified that exemptions apply only to those wearing turbans. These measures aim to balance religious freedom with safety concerns, fostering ongoing discussions on their implementation and outcomes

- **Lessons Learned:** Best practices and challenges in applying for exemptions elsewhere.

Implementing helmet exemptions for turban-wearing Sikhs has highlighted several best practices and challenges. Best practices include fostering collaboration with Sikh communities to ensure policies respect religious beliefs while prioritising safety. Clear legislative frameworks, as seen in Canada and the UK, provide consistency and help avoid legal ambiguities. Public education campaigns promote awareness and compliance. Challenges include addressing safety concerns, as turbans provide limited protection compared to helmets, and balancing religious freedoms with public safety. Additionally, the lack of alternative safety solutions and potential opposition from broader communities underline the need for innovative approaches and ongoing dialogue.

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#### 4. Helmet Technology and Alternative Designs (d)

- **Innovative Solutions:** Investigate the development of modular designs that accommodate turbans while providing adequate safety.

The development of solutions accommodating turbans offers a promising solution to balance safety and religious practices. Innovations could include modular designs that integrate impact-absorbing materials into the turban itself. Lightweight, flexible materials such as advanced polymers or memory foam could enhance comfort and protection. Collaboration with Sikh communities, safety experts, and manufacturers is crucial to ensure designs meet both safety standards and cultural requirements. Prototypes tested for compliance with existing helmet safety regulations would further validate their effectiveness, promoting inclusivity without compromising safety.

- **Collaborative Efforts:** Recommend partnerships between Sikh communities, safety experts, and manufacturers to design compliant alternatives.

Collaborative efforts involving Sikh communities, safety experts, and manufacturers are essential for designing helmet alternatives that respect religious practices while ensuring safety. Engaging Sikh leaders and organisations can provide cultural insights and community support for such initiatives. Safety experts can contribute technical expertise to develop designs that meet regulatory standards, while manufacturers can innovate materials and production methods. Partnerships could focus on creating and integrating impact-absorbing materials into turbans. Pilot programs and feedback loops with the community would refine designs, ensuring practicality, acceptance, and compliance with safety requirements.

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## 5. Perspectives of First Responders and Health Services (e)

- **Post-Crash Care:** Insights from healthcare professionals on the implications of exempting individuals from helmet laws.

Insights from healthcare professionals highlight significant implications of exempting individuals from helmet laws. Exemptions may lead to an increase in head injuries, including skull fractures and traumatic brain injuries, which are more severe and resource-intensive to treat. First responders may face challenges in managing such injuries at accident scenes, as turbans provide minimal protection compared to helmets. Long-term care requirements for serious head injuries could strain healthcare systems and increase rehabilitation costs. Additionally, healthcare professionals emphasize the importance of public education and proactive safety measures to mitigate risks if exemptions are implemented.

- **Response Challenges:** Any unique difficulties first responders face when dealing with injuries of turban-wearing riders.

First responders face unique challenges when treating injuries of turban-wearing riders exempt from helmet laws. Turbans, unlike helmets, do not provide adequate protection, potentially leading to more severe head injuries that require immediate and specialised care. Removing turbans to assess injuries can be sensitive due to cultural and religious significance, requiring responders to act with respect and understanding. The lack of uniform protection also complicates triage and initial assessments. These challenges underscore the need for training in cultural competence and preparedness for managing such scenarios effectively.

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## 6. Work Health and Safety & Insurance (f)

- **Food Delivery Riders:** Potential risks and responsibilities of companies employing Sikh riders who may seek exemptions.

For companies employing Sikh food delivery riders who may seek helmet exemptions, there are notable risks and responsibilities. Without helmets, riders face increased vulnerability to head injuries, especially given the high-risk nature of frequent road use. This could lead to higher workplace injury rates, impacting insurance premiums and liability coverage. Employers must ensure compliance with work health and safety regulations, potentially requiring alternative safety measures or tailored risk management plans. Furthermore, companies bear a responsibility to support religious inclusivity by advocating for culturally appropriate solutions, such as turban-compatible safety gear, while maintaining a strong focus on rider safety and legal obligations.

- **Insurance Coverage:** How exemptions can impact personal injury insurance and workers' compensation policies.

Helmet exemptions for turban-wearing riders can complicate personal injury insurance and workers' compensation policies. Insurers may view the lack of a helmet as a failure to take reasonable precautions, potentially leading to reduced payouts or denial of claims. For workers' compensation, employers might face higher premiums or liability risks if helmet exemptions result in increased injuries among employees. Clear guidelines and tailored policies are essential to address these complexities, ensuring that exemptions are recognised while safeguarding access to fair compensation and coverage for affected individuals. This may require collaboration between insurers, employers, and regulators to balance inclusivity with financial and legal responsibilities.

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## 7. Cultural and Religious Sensitivity

- **Freedom of Religion:** The importance of accommodating religious practices within road safety laws to uphold multicultural values.

Accommodating religious practices within road safety laws is vital to upholding multicultural values and promoting inclusivity. For turban-wearing Sikhs, the turban is a deeply significant religious symbol that cannot be replaced by a helmet. Allowing exemptions demonstrates respect for freedom of religion and fosters a sense of belonging in a diverse society. Balancing safety concerns with religious accommodation is essential to ensure equitable access to transportation while preserving individual rights and cultural identity. Such measures affirm a commitment to multiculturalism, reinforcing the principle that safety laws can coexist with respect for religious diversity.

- **Community Perspectives:** Testimonials or surveys from Sikh community members to reflect their concerns and aspirations.

Incorporating testimonials and survey data from Sikh community members is crucial to understanding their concerns and aspirations regarding helmet exemptions. Many Sikhs express a strong desire for policies that respect their religious practice of wearing turbans, highlighting the cultural and spiritual importance of this tradition. Surveys often reveal concerns about safety risks and a willingness to explore



innovative safety solutions. Community members also value dialogue with policymakers and stakeholders to ensure their voices are heard and their perspectives shape inclusive and practical road safety regulations. This input fosters trust and supports balanced decision-making.

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## 8. Balancing Safety with Inclusivity

- **Policy Recommendations:** Conditional exemptions (e.g., limited to specific speeds or types of roads) to minimize risks.

Policy recommendations for helmet exemptions can include conditional measures to balance safety and religious accommodation. Exemptions could be limited to lower-speed zones, such as urban or residential areas, where the risk of severe injuries is reduced. Riders could also be restricted from high-risk environments, such as highways or high-speed roads, to mitigate exposure to greater dangers. Additionally, implementing mandatory safety training programs for exempted riders and encouraging the use of enhanced turbans with impact-absorbing materials can further minimise risks. Such conditional exemptions promote inclusivity while maintaining a focus on public safety.

- **Trial Periods:** Pilot programs to evaluate the effects of exemptions on road safety and participation rates.

Pilot programs can be implemented as trial periods to evaluate the effects of helmet exemptions for turban-wearing riders on road safety and participation rates. These programs could be conducted in specific regions or among targeted groups, with exemptions granted under controlled conditions, such as low-speed zones or specified road types. Data collection during the trial would assess changes in accident rates, injury severity, and participation in cycling or motorcycling. Feedback from participants, first responders, and the broader community would provide valuable insights. These pilots offer a measured approach to policy-making, enabling evidence-based decisions while addressing safety and inclusivity concerns.

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## 9. Broader Implications

- **Legislative Consistency:** Potential implications for other religious groups or communities requiring similar accommodations.

Allowing helmet exemptions for turban-wearing Sikhs raises the need for legislative consistency to address potential implications for other religious groups or communities seeking similar accommodations. If exemptions are granted, policies must establish clear criteria, such as the religious or cultural significance of the practice and the feasibility of alternative safety measures. This consistency prevents legal ambiguity and ensures fairness across diverse groups. Policymakers must also consider the broader impact on road safety standards and public perceptions of inclusivity, balancing the need for equitable treatment with overarching safety

priorities. Transparent, inclusive dialogue with all stakeholders is essential to crafting balanced regulations.

- **Public Awareness:** Education campaigns to foster understanding and compliance with any new policies.

Public awareness campaigns are essential to foster understanding and compliance with helmet exemption policies. These campaigns should educate the public on the cultural and religious significance of exemptions for turban-wearing Sikhs, promoting empathy and inclusivity. Simultaneously, they must emphasise road safety by encouraging exempted riders to adopt alternative protective measures, such as enhanced turbans. Targeted outreach, including multilingual materials and collaboration with community leaders, ensures broader engagement. Incorporating testimonials, real-life examples, and data on safety can further enhance credibility and acceptance. Such campaigns create an informed and respectful environment while supporting compliance with the new policies.

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## 10. Evidence-Based Approach

- **Data Collection:** Further research to bridge knowledge gaps, especially in local contexts.

Comprehensive data collection is crucial to bridging knowledge gaps regarding helmet exemptions for turban-wearing riders. Research should focus on local contexts, including accident rates, injury severity, and the effectiveness of alternative safety measures such as enhanced turbans. Gathering input from Sikh communities, first responders, and healthcare providers ensures a holistic understanding of the implications. Comparative studies with jurisdictions that have implemented similar exemptions can offer valuable insights. This evidence-based approach supports informed policymaking, balancing road safety with cultural inclusivity while identifying areas for innovation and improvement.

Further data analysis of the UK, Canada, and New Zealand jurisdictions can be provided by the author of this report if made available and needed.

- **Cost-Benefit Analysis:** Comparative analysis of exemptions versus mandatory helmet laws' economic, social, and safety impacts.

A cost-benefit analysis of helmet exemptions for turban-wearing riders highlights trade-offs between economic, social, and safety impacts. Economically, exemptions may lead to increased healthcare and insurance costs due to potentially higher injury rates, offset by benefits like broader participation in transport modes that reduce traffic congestion and emissions. Socially, exemptions promote inclusivity and respect for religious freedom, enhancing community cohesion and equity. Safety impacts are more complex; while exemptions might increase the risk of head injuries, conditional measures and innovative safety solutions could mitigate these risks.

Balancing these factors requires careful assessment to ensure policies are both equitable and practical.

## **Conclusion**

Granting helmet exemptions for turban-wearing Sikhs in New South Wales reflects a commitment to religious freedom, cultural inclusivity, and equity in a diverse society. By respecting the deeply held significance of the turban in Sikhism, NSW can foster social cohesion and affirm its multicultural values. Conditional exemptions, such as limiting exemptions to lower-speed zones, coupled with public education and the development of innovative safety solutions, can mitigate potential risks. Drawing on successful examples from jurisdictions like the UK, Canada, and Victoria, this policy can balance safety concerns with the principles of equality and respect, setting a progressive precedent for inclusive policymaking.