



Medical opinion in litigation

A letter published in the May 2003 issue of Bicycle Business subsequent to a feature on cycle helmets

I am a senior solicitor for Cycle Aid Ltd. Over the past 14 years I have dealt with numerous cases where, despite safety helmets being worn, cyclists have suffered head injuries of the maximum severity.

I am currently acting in three cases. One cyclist has sustained a fracture of the medulla, rendering him totally paralysed with eye movement only, whilst being constantly alert. A motorist travelling at 70 m.p.h., who failed to brake prior to impact, hit him from behind.

Second, a cyclist who was struck by a lorry emerging from a side road, who, as a result of a head injury, has a cranial lobotomy.

Third, a cyclist cycling across a pelican crossing was hit by an oncoming vehicle chancing the amber lights. This cyclist sustained a serious and permanently disabling head injury, which has left him with profound reasoning problems.

I quote from the reports of one of England's most eminent neurological surgeons, who advised in two of these cases:

"Turning now to the question of the cycle helmet. The BMA has recommended that cycle helmets should be worn by pedal cyclists but the evidence in support of this recommendation is at best slim and does not give the whole picture relating to head injury and cycle helmets. Most experienced trauma surgeons believe that cycle helmets give only very limited head protection. Studies in Australia have shown that they give only marginal prevention of mild head injury and no effect on severe head injury, or death.

"That is certainly my own position ... They may be useful in preventing scalp lacerations, provided the helmet stays on the head.

"[Mr. X] had a really severe serious closed head injury. I think a cycle helmet would have made no difference of any significant nature."

Accordingly, it is my view and experience in dealing with head injured cyclists that the conclusions reached by this neurosurgeon are correct. When there is a major impact, a cycle helmet offers little protection.

I would add that it is my experience that the defendant's solicitors are abandoning allegations of contributory negligence for failure to wear cycle helmets.

Simon Holt

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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