



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON PLANNING, TRANSPORT AND CITY SERVICES
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Submission No 30 - Ms Clare de Castella Mackay

Inquiry into the Road Transport (Safety and
Traffic Management) Amendment Bill 2021 (No 2)

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The Committee Secretary
Standing Committee on Planning, Transport and City Services
ACT Legislative Assembly
Sent via email: LCommitteePTCS@parliament.gov.au

28th July 2021

Dear Members of the Standing Committee

Submission on the Inquiry into Road Transport (Safety and Traffic Management) Amendment Bill 2021 (No 2)

I write as someone who recently had a collision with a car as I was riding my electric bike on a bike path in broad daylight (19th April 2021). I was wearing a high visibility vest, and the bike lane was marked with no less than four signs stating that cyclists had priority over cars on the approach to the spot where the collision happened.

A car turned left off the road adjoining the bike path, crossing the bike path directly in front of me and I was unable to stop in time to avoid hitting it. I was knocked to the ground and left lying on the road whilst the car drove off without stopping. Some passers-by came to my assistance and called an ambulance and the police, but unfortunately none of the witnesses had managed to get the number plate of the car, which was clearly at fault. I was taken to hospital with a deep facial wound, had stitches in my face, a black eye and felt generally very sore, battered and bruised. Luckily my injuries were not serious.

A colleague of mine mentioned this to Pedal Power who asked me if I would like them to follow this up with the police. The next day the investigating police officer called me to say that they were going to issue a media release to try and find the culprit. I'm not sure if this timing was a coincidence or if the police were spurred to take action due to advocacy by Pedal Power (I suspect the latter).

Ten days after the collision, much to my surprise, the driver came forwards. She was very apologetic and offered to pay for any damage.

But there was a massive disconnect between her response and what had happened to me as a cyclist. Firstly, she was offering me financial compensation when the damage had been predominantly to my body and my sense of security as a cyclist. When a car hits another car, then the damage may often be to the vehicles. When a car hits a cyclist, unfortunately there is usually physical damage, pain and distress to another person. I wanted first and foremost to give her a sense of what it feels like to be hit by a car which is completely at fault and then drives off leaving you lying on the road. I also wanted her to understand that it could have been so much worse. Her negligent driving could have killed me and if she keeps on driving like that, she could be responsible for killing or seriously injuring other people.

The police told me that she would get two infringement notices, one for negligent driving and one for leaving the scene of an accident without sharing contact details – this would equate to about \$700. I believe that this is vastly inadequate considering that the driver had caused considerable pain and distress due to her negligence.

Recommendation 1: I strongly support the Road Transport (Safety and Traffic Management) Amendment Bill 2021 (No 2) in introducing a new offence for negligent driving that causes harm to a vulnerable road user.

However, there also need to be other changes in the way that we approach cycling in ACT. Cycling obviously has enormous benefits for the community in terms of improved health and wellbeing, as well as as a means of transport that can play a major role in reducing our greenhouse gas emissions (obviously a core priority for the ACT Govt).

However current policies and strategies to encourage more cycling and increase cycling safety are not fit for purpose.

For example, if we genuinely want to increase the penetration of cycling in the community, we need to change social norms and reposition it from being seen predominantly as a high-performance sport to also being a convenient, safe and healthy way of getting from A to B, so that Canberrans will consider substituting bicycle transport for short car trips.

At the same time (as my collision shows) cycling safety is still a huge issue. Educating road users and potential cyclists about safe cycling needs to be a priority.

Currently in Canberra whilst it's easy to get driving lessons, it is difficult to access training on cycling safety, apart from via a handful of schools. The ACT Govt funds some activities by the Physical Activity Foundation, but this is inadequate to the task because it is under resourced and is a voluntary program that offers only patchy coverage of the ACT population.

One critical way to change social norms around cycling (for Canberra families) is to make cycling education much more widely available in schools, or ideally mandatory in the same way that we have with swimming lessons. For example, in England, [Bikeability courses](#), teaching road cycling safety, are available in most local authorities and are taught in large numbers of schools. Currently it's not possible to access this kind of training in the ACT, unless you attend one of a small proportion of schools. This kind of training is really important as whilst ideally the ACT would have a comprehensive network of bike paths, it's still a necessity for most cyclists to travel on roads for at least part of their journey. A core benefit of making this education more widely available is that it not only teaches kids about safe cycling, it also normalises cycling for their families and networks, many of whom are likely to be drivers who may well need to be more careful around cyclists and / or have the potential to become regular cyclists themselves.

Recommendation 2: Make cycling safety education much more widely available in the ACT and fund it appropriately.

Thank you for the opportunity to share my experiences and recommendations.

Yours faithfully

Clare de Castella Mackay