

TRANSCRIPT

ROAD SAFETY COMMITTEE

Inquiry into motorcycle safety

Melbourne — 19 October 2011

Members

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Witness

Mr K. Growcott.

The DEPUTY CHAIR — Good morning, and welcome to the public hearings on the Road Safety Committee's inquiry into motorcycle safety. I apologise on behalf of the chair, Mr Thompson, who is unable to be with us in the early part of this morning but he will join us later.

The committee has received 68 written submissions since releasing the terms of reference and inviting submissions. The purpose of this hearing is to obtain further evidence from select witnesses covering the terms of reference. I thank all witnesses who will join us this morning. You are reminded that anything you say or publish before the committee today is protected by parliamentary privilege. However, once you leave the hearing anything you say or publish outside this room is not so protected. Hansard will be recording the proceedings today and will provide a proof version of the transcript to witnesses so that any typographical errors can be corrected.

I am pleased to see there are a number of observers in the room, as has happened in the last two days, indicating the high level of interest that this issue generates. I would ask observers to respect the rights of witnesses and the responsibilities of the committee by keeping the noise and movement to a minimum. I would also remind observers that the use of mobile telephones, cameras and recording devices are not permitted. At this point I ask everyone to ensure their mobile phones are switched off or on mute.

The first witness this morning is Mr Kris Growcott. I invite you to make some opening comments should you wish to do so, after which the committee will proceed with questions.

Mr GROWCOTT — Thank you for having me. My experience with the motorcycle industry is, I suppose, unique. For a year and a half I was the marketing manager for a motorcycle jeans manufacturer, Draggin Jeans, and in that position I was responsible for marketing and selling casual protective clothing in Australia, the UK, New Zealand and Canada, and advertising throughout the world through the MotoGP schedule and magazine.

As to my experience in motorcycle riding, I started riding when I was probably five on family farm bikes and dirt bikes and only recently came to road riding, just over two years ago. My road riding experience is fairly fresh, but my motorcycle experience is quite lengthy.

My involvement in the community, obviously in Draggin Jeans, was participation at all levels of the superbike and MotoGP events in the trade exhibition area. My experience with the community after my position at Draggin Jeans was probably best summarised by my development of a social media movement to help an 85-year-old motorcyclist complete a solo venture to ride around Australia for his 85th birthday, and that all concluded in November last year. That is my experience, and I am happy to progress from that.

Mr TILLEY — Just in relation to the proceedings, yesterday we heard a submission from Mr Paul Varnsberry. Were you here?

Mr GROWCOTT — I used to send products, both competitive products and Draggin Jeans products, to the labs in the UK for testing, and dealt with Paul, mostly via email, but yes.

Mr TILLEY — Terrific. That is a big plus for me. Firstly, can you explain to the committee and give it some insight as to what prompted you to establish the Cavalry of One, and are you surprised with the successes that you have had over time?

Mr GROWCOTT — I suppose the driving reason for creating the Cavalry of One in that social movement was to really offer Doug Sunderland, who was the 85-year-old rider, my assistance. In my position at Draggin Jeans I had offered to do what I could, and we used traditional media. I wrote to all the editors of all the large motorcycle magazines in Australia and offered to write pieces for them — I had written editorials for them before — and to provide photos and updates. They did not come back to me. One magazine came back to me but they were concerned that he was going to die during the trip and did not really want to get involved.

As a personal promise I said I would help Doug and I really wanted to get something going. I knew from experience with the motorcycle community at the superbikes, the MotoGP, Pink Ribbon rides and toy runs that the community would get behind Doug and see him as representing what they wanted to be doing at 85, and that is exactly what happened. With a little bit of social media push we got the community behind Doug and his efforts. They were happy to support him financially, riding alongside him in certain areas, putting him in their

homes and sharing meals with him. A couple put him up in hotels for the night. They pretty much just made sure he was comfortable throughout the trip.

Mr TILLEY — Going onto the standards and back to Paul Varnsverry, and particularly Draggin Jeans, with your products are the standards similar to or the same as the tests based on the CE standard?

Mr GROWCOTT — The CES was originally developed for leather products. There are some requirements in the CE about colour lasting that are quite difficult to pass as a denim brand, but the owner at Draggin Jeans, Grant Mackintosh, was very resolute in making sure that his products passed what they could of the CE. When I started they were passing all of the burst, tear and abrasion requirements. But Grant was working with his denim manufacturer on creating a denim that would cover the colour-last requirements. There were a couple of requirements, like securing the clothing around the ankle, that also needed to be got around, and also the amount of coverage of the protective material. When I got there they were passing all the practical, impact and abrasive sides of the tests. There are two levels of testing at the CE level. There is a level 1 and a level 2. From my understanding the level 1 is for general road use and commuting, and the level 2 is a higher standard applied to race and competitive protective wear. From memory the jeans were passing all of level 1 and in certain tests were passing level 2 as well. But from a brand point of view the guys at Draggin Jeans were very dedicated in applying those tests to their products and were very concerned about the other products that were riding on their coat-tails that did not provide the same sort of protection.

The DEPUTY CHAIR — Is this an Australian product, and are the tests carried out in Australia?

Mr GROWCOTT — No. From my knowledge — this may not be exact, and Paul is probably the one to ask — the tests are applied across Europe. There does not seem to be a similar test here. There were competitors submitting their products for tests in Australia, but the tests in Australia were developed for wear of material on public transport and to see how many times someone could sit on a material seat without the seat wearing through.

There was no particular test that I knew of in that position that would test the motorcycle safety of non-leather fabrics. I am not even aware of a leather testing standard in Australia. The only one that we in Draggin knew of was the CE testing, and that was done through the UK labs.

Mr TILLEY — You would not by chance have an example of your product with you today, would you?

The DEPUTY CHAIR — Size 46!

Mr GROWCOTT — I am wearing the products. I do not ride my bike without Draggin Jeans, and actually I do not even own a pair of leathers any more. I have five pairs of Draggin Jeans. As much as I do not work for the company any more, I completely believe in the product. It was interesting. I was responsible for taking the test results out to the market, and we had a few trade practices issues and a few issues with naming brands. The Draggin position was that this was true. We took everything we could and we made it as independent as possible and had evidence of that.

I published the results as part of a comparative advertisement that had all the different product results. I received all the results from SARTRE. I sent the product away, and in certain circumstances I was the one buying the product from the suppliers. Because the Mackintosh family were very well known it was hard for them to get the supply of product from stores. On some occasions I got store members to sign the jeans when I had bought them to show that they were bought in store. So I can personally vouch for the credibility of the results we found across all of the competitive products.

Mr TILLEY — Apart from testing, have you ever had any personal experiences of the integrity of the product?

Mr GROWCOTT — Touch wood, no.

Mr ELSBURY — Good on you, Bill.

Mr GROWCOTT — I suppose everyone asks a motorcyclist if they have ever come off. It happens all the time. I was responsible for dealing with testimonials that came in. We used to get products sent in with congratulatory letters on the quality of the products, and we used to get that product framed. We used to have

them in the office, but now I think you will find them in Draggin stockists across Australia. They are framed products with testimonials from riders who have come off, and some of their testimonials were pretty amazing — like 80-metre slides and no problem.

The DEPUTY CHAIR — Has it had any industrial application at all, to your knowledge?

Mr GROWCOTT — With denim?

The DEPUTY CHAIR — Yes.

Mr GROWCOTT — The products inside Draggin jeans are Kevlar and Dyneema, both of which started as industrial products. Obviously everyone is aware of Kevlar from military use, and that is how it came into the area of knowledge for Grant: he was in the US during the first Desert Storm times, I think, and met a military guy who had access to the material, and they came together. Grant had a history in denim manufacturing, and they came together and thought this was a perfect technology to take to a casual product and give motorcyclists an option that was a little bit more comfortable on the bike. Dyneema was developed more recently and is used in industrial roping and fishing. It is a lot more expensive as a product, but from my research it is about 40 per cent stronger than Kevlar, so the combination works really effectively.

Mr TILLEY — Is that effectively the same as what fishermen call braid?

Mr GROWCOTT — I am not sure. I know both Kevlar and Dyneema are also used in protective chainsaw clothing, so a lot of guys who do tree maintenance and things like that wear jeans made of this and know of the product.

The DEPUTY CHAIR — What about dangers associated with temperature — for example, the differences in temperature between Darwin, Melbourne and Tasmania or between winter and summer?

Mr GROWCOTT — With regard to the Draggin Jeans product?

The DEPUTY CHAIR — Yes.

Mr GROWCOTT — They are a varied product range. There is a lighter, more cargo pant material where the Kevlar lining is only on all the contact points. I am wearing the winter equivalent. This one is fully lined with a sports liner, a denim, which is a warmer product. All of the denim products breathe more freely than leather, so from a temperature gauge perspective they are a lot better for summer and warm climates. Then in winter you have variations of density. As I said, there are warmer jeans and there are lighter jeans, depending on what your comfort level is.

Mr PERERA — Do you think protective clothing should be mandated?

Mr GROWCOTT — Compulsory? No. I think there should be regulation on what suppliers and distributors can classify as protective. The hardest thing with getting our product into suppliers was that there were cheaper products out there and there was no restriction on the wordage they could use. As long as they said they were a Kevlar motorcycle jean, they could say they were protective. There was nothing to show that they had been tested. There was no Australian standard being applied, like there is with helmets.

When Draggin Jeans introduced a jean that was fully CE certified and tried to get it into stores, the stores were unaware of the CE requirements, even though they had been selling and continued to sell most of the armoured products by big brands like Alpinestars and Dainese, which are all CE certified. They were unaware of what that meant and how it applied. To be honest, most suppliers were driven by the margin they could make on a product. They were willing to pass the requirement of looking after yourself onto the rider. We were trying to educate around that, but it was a difficult situation to be in because at the time I was at Draggin Jeans competitors were entering the market every five or six months because they could get access to an inferior Kevlar product. They could get access to manufacturing offshore and bring in a product that was probably giving the supplier 20 to 30 per cent more margin than the Draggin Jeans product. That was a huge difficulty, and there was no push down from the government position on suppliers having knowledge of or even understanding the CE or applying any kind of Australian standard. But I definitely do not think protective clothing should be mandated.

The DEPUTY CHAIR — Given that the committee has received very passionate submissions, if I may say, on both sides on whether or not it should be mandatory, do you have a considered position as to why it should not be?

Mr GROWCOTT — I suppose because of ultimate freedom of choice. I believe in educated freedom of choice. I think the government's position is to educate and give us as consumers, as humans or as Australians the right to make the choice for ourselves, and I think the government's responsibility is better served in educating than in imposing mandate. I am resistant to the growing nanny state, and I think mandatory protective clothing would be a further extension of that.

The DEPUTY CHAIR — Have you used social media for the purpose of canvassing those views, by chance?

Mr GROWCOTT — No, they are my views. I know that there are views across the board. There are always views across the board on every topic. I have had heated discussions about seatbelts and helmets as well, but those are my views and I do not push them politically or anything. That is just where I stand.

Mr ELSBURY — Given my broad experience with motorcycles, having sat on a police motorcycle at age five and then gone off and got a learners permit with 6 hours experience on a motorcycle — —

The DEPUTY CHAIR — When was that?

Mr ELSBURY — That was about 10 days ago. What are your thoughts on advanced riding training, and can it improve rider safety?

Mr GROWCOTT — I think those are pretty obvious questions. It is a positive to improve any type of riding skill, and yes, it will improve rider safety. The bigger issue is the ease of licensing. I was amazingly surprised when I went for my motorcycle licence how easy it was and how unrestricted the access to a full manual motorcycle licence was. I was surprised at the difference between automotive licensing and motorcycle licensing. When I went for my car licence, back in the day, I learnt on a manual car because I had to take the manual test so that they were aware that I knew how to drive a manual car. When I went to get my licence on the motorcycle, I could have ridden a small scooter with no gearing at all and then walked away with a manual licence.

The DEPUTY CHAIR — When was this again?

Mr GROWCOTT — It was August 2009. To my knowledge, that has not changed.

Mr ELSBURY — No, it has not.

Mr GROWCOTT — I think that is ridiculous, to be honest. When I did my test there was a young lady who said she had ridden before, so they gave her a manual bike. She instantly stalled and dropped it, and then they said, 'Here, have a scooter, and you'll get your licence'. I think that is ridiculous.

The DEPUTY CHAIR — Where was this, if I may ask you?

Mr GROWCOTT — I would rather not say. I went to one of the most reputable licensing establishments. I know of other licensed establishments where it is easy to get your licence, and I thought mine was easy. That is an indication of where the teaching and learning should happen — before the licence, not after the licence. A lot of my friends have gone out and got their licence, ridden a few times and put themselves in dangerous situations and then have not ridden again. I would much rather them have to commit to five days of rider training, and more time and money, before they get their licence, so that when they do leave with a fully manual licence to ride up to a 600 cc bike they actually know what they are doing. I was amazed that that was the case, and I was sad to see it. I have seen riders on the road who do not know how to handle their bike. It is not something that you learn in a day on an asphalt soccer pitch.

Mr ELSBURY — Some of the comments we have heard and some of the submissions have also mentioned a need to divest licence training from licence testing. On the day I did mine, the same person who taught me tested me. Would you support VicRoads imposing a much more open system where the person who teaches you does not provide you with the licence in the end?

Mr GROWCOTT — I can see the benefit in doing it. There is an obvious benefit in separating the two things. We were tested strictly, but it is impossible to say that he did not bend and flex because he had taught us, so I think there is benefit in separating the two. Again, I see benefit in greater training prior to testing. The testing does not really replicate what you are going to experience on the road, so I do not see it as a very accurate representation of our licences.

Mr ELSBURY — I was caning along at 30 k!

Mr GROWCOTT — Yes. There are no vehicles, there are no pedestrians. I think that is a big issue. I think the testing and the actual teaching, yes, would be better separated, but there are bigger issues than that small issue, I think.

Mr ELSBURY — What are the bigger issues?

Mr GROWCOTT — I think the bigger issue is that there is no time requirement on road experience before you get your licence. I think it is ridiculous that you can test on an automatic scooter and then get a full manual motorcycle licence. They are completely different experiences, different machines and much different power. I think those are the bigger issues, and those are what I would be driving for rather than mandating safety wear or the separations of the testing and the teaching.

Mr PERERA — What specific outcomes would you like to see from the committee from this inquiry?

Mr GROWCOTT — Since my role at Draggin Jeans I have always hoped that there would be some sort of regulation on safety wear here. Definitely not mandatory for me — it is just not where I think we should go — but I think there should be a measure applied to retailers, distributors and importers on what products they are bringing into Australia and what products they are representing as being protective.

The reason I have made the suggestion about the Draggin Jeans is that it is unfortunate that if you strictly applied the European standards, because they were built for leather, only one of the Draggin Jeans products has been able to qualify for that full CE certification, but I know from experience and from seeing the burst test and abrasion results that the products work. I think there is a middle ground, but I would really like to see a standard applied to both bring retailers into line and make riders more aware.

I would like to see stricter licensing. I think people can go and get their motorcycle licence at a whim, and I think that is a really bad way to look at motorcycling. It is a serious activity. I love it. It is a passion for most riders, but every rider knows that it is a dangerous activity and you should be more educated on how to use the machinery that you are getting access to, and there should be some greater education on the quality of the products you are putting on your body that you consider protective. I think those are the two areas where I would really see positive development.

Another massive issue is the growing divide between motorcyclists and road users — automobile drivers. A lot of the current campaigns probably push that divide further rather than — —

The DEPUTY CHAIR — Which ones do you refer to, for example? Can you recollect?

Mr GROWCOTT — I am not a huge fan of the current campaign that they have relaunched again this year.

The DEPUTY CHAIR — The TAC one?

Mr GROWCOTT — Around the MotoGP.

The DEPUTY CHAIR — Why not?

Mr GROWCOTT — It paints all motorcyclists with a pretty negative brush, and that is not exactly helping our cause as riders on the road, nor is it helping automobile drivers understand the risks they put us in. Yes, there are riders who take risks, but there are also car drivers who take risks. Most of the experiences I have had on the road that have been near collisions or that have put me in danger have been as a result of vehicle drivers not understanding where I am at or what I am doing and not understanding that a small move to them that might otherwise result in a scratch on the side of their door would result in me hitting the ground and possibly going under a car. I do not think they link the two, and I do not think the current campaign really helps. Motorcyclists

understand that motorcycling is dangerous; they do not need to be told every day. They experience it every day. You just have to ride in traffic on any roads in Melbourne and you will understand that motorcycling is dangerous inherently.

Mr TILLEY — Kris, I would just like to go back and explore a bit more about protective clothing and mandating. I speak from some experience. It used to be that part of my salaried employment and earnings was from riding a motorcycle. Back in those days we started out with an open-faced helmet, polyester shirt and jodhpurs. Riding around you would get a few nicks and scrapes, and sometimes in the field you were wearing nothing but cotton shirts. Employers who involve and engage their employees in motorcycle riding in a workplace now have to engage in the mandatory wearing of at least the minimum — a protective jacket, gloves, sturdy boots — and taking that from a workplace into the public arena.

I have been a rider myself over the years. I currently do not retain my motorcycle licence. I am passionate — I love it myself — but I am also guilty of riding from Melbourne to Darwin. There are times there where you drop a jacket and are riding with a T-shirt. Hindsight is a wonderful thing. Heaven forbid, I did not separate from the bike or the road and made it alive. But there are many incidents, and heightened data has been captured about the number of injuries we are getting from these types of crashes.

Can you have a conversation with us about mandatory requirements and using motorcycles in the sense of how we protect people adequately? I agree with the statement about not mandating, but apart from education how do we enforce that ideology to get riders to cover up a bit better than what we see on the roads? During summertime we see the cotton T-shirt — it is comfortable; I have done it myself — but how do we enforce that education and encourage riders to really get out there and cover up and protect themselves?

Mr GROWCOTT — I suppose it starts at the entry level. You start when they just go and get their licence. You start when they are fresh and they are really quite aware of the risks. When you first get on a bike and you are learning to take on the road you are a lot more aware of the risks. You feel them a lot more strongly, so you speak to them then and you give them alternatives that are not entirely restrictive, which is where I think the Draggin Jeans products sit. I wear mine comfortably all day, on and off the bike, and that is what they were built for, so it is not huge step from casual jeans to protective jeans. You give them that education and an ability to measure the type of protective clothing they are putting on.

As a manufacturer we were involved with some of the training sites and we would have advertising. We would sponsor instructors there and put them in our product and try to spread awareness that way. I think it just has to start right at the entry level. I think it is quite difficult to do two or three years down the track when riders are probably a little bit more comfortable on the actual bike and not feeling the risks as much. There are always going to be riders who choose to wear only the things that they are compulsorily required to wear.

Mr TILLEY — Would it be fair to say then that for entry-level novices and learning and probationary drivers there should be something stronger than encouragement and probably lesser than mandating? I can leave that with you.

Mr GROWCOTT — Yes. I had not really thought about that. I think the other issue that comes to the fore when you start mandating is that it is an imposition of quite a costly investment as well. The difficulty if you are looking at really protective clothing — so the higher end; Draggin Jeans is the high end of the casual protection — then you look at the two big brands in leather. You are looking at probably one-and-a-half to two grand investment at the start, so if there is an assistance with that, I am not really sure.

I still hold that it should not be mandatory. I think there is definitely a gap between knowledge when you first get your licence of what is out there and the alternatives to give you the protection you need. I think that is a massive gap, and we are facing it at every level.

As a marketer I was facing with Draggin Jeans — and it is probably across the board — the view that motorcycle clothing, because it had traditionally had an emphasis on a certain look and a certain style, was not appealing to a lot of the new riders coming into the fore. Our biggest competitor introduced a product that was not as protective but was styled more to the weekend riders, and that grew rapidly and was about the styling of the product. Unfortunately they did not couple the move to make products more visually appealing with a move to make them as protective as they should be. One of my roles at Draggin was to introduce a new product that filled that gap. When I was there we introduced a relatively skinny black jean that had a leather look to it, and

we took a very fashion-forward look on that. It was more about style and look, and the uptake on that product was 200 per cent on the product we released the year before.

The DEPUTY CHAIR — The time for this session has now concluded. We thank you for giving evidence to the committee. Should you have additional evidence or comments you wish to share with us, you can do so by liaising with the secretariat. Once again, thank you for coming.

Mr GROWCOTT — My pleasure. Thanks for having me.

Witness withdrew.