

# Submission to the Public Consultation Issues Paper on Improving Child Restraint Rules

December 2025



# Recommendations

## Discrepancy between child restraint rules and best practice guidance

1. RACV supports updating child restraint rules to keep pace with best practice, clarifying when children should move to the next category of restraint, and defining terms such as 'suitable restraint' more clearly.
2. RACV supports updating child restraint rules to require children to remain in a booster seat until they pass the 5-step test.
3. RACV supports extending the requirement for children to sit in the back seat from birth to 12 years of age, instead of the current requirement of birth to seven years of age.

## Community Acceptance

4. RACV recommends that changes to Australian Road Rules of child restraint requirements be accompanied by comprehensive education for parents and carers on safe use of child restraints, including guidance for children with disabilities.

# Introduction

RACV welcomes the opportunity to respond to the National Transport Commission's Public Consultation Issues Paper on improving child restraint rules.

RACV supports updating the Australian Road Rules (ARR) relating to child restraints and the safe transport of children to reflect best practice guidance.

RACV acknowledges there is strong evidence that the child restraint rules, which have not been reviewed since 2010, do not align with current best practice guidance. This discrepancy creates ongoing confusion for parents and carers about how to transport children safely, including children with disabilities.

Our annual sentiment research also shows that a majority of Victorians want child restraint rules updated to reflect best practice rather than minimum requirements.

Education and awareness will be critical to ensure community understanding, acceptance, and compliance with any changes to child restraint rules.

## About RACV

Representing over 2.3 million members and an additional 500,000 customers, RACV exists to improve lives in the areas of home, cleaner energy, motoring, mobility and leisure.

RACV is proud to provide exceptional experiences for our members and customers through a range of products and services. These include Emergency Roadside Assistance, Bike Assist, Motor Insurance, Home Insurance, Home Trades and an increasing range of options in the cleaner energy space, such as RACV Solar.

In addition, RACV has ten Club and Resort properties across Australia and a range of domestic and international holiday packages, tours and cruises from our trusted travel partners.

Helping Victorians is at the heart of RACV. In 2024-2025, RACV:

- provided 1.15 million members with motor insurance policies
- covered 1.6 million members for Emergency Roadside Assist
- responded to 865,000 Emergency Roadside Assist call outs
- provided 914,000 members with home insurance policies
- assisted with 56,000 home emergencies through Emergency Home Assist.

This means RACV is in a Victorian home every six minutes.

Since 1903, RACV has had a longstanding role advocating for road safety outcomes and providing information to Victorians on road safety issues. Each year, RACV delivers the free Safety Squad program to approximately 150 primary schools and 15,000 students, focusing on safety at home and on the road. The program covers passenger safety, best practice for child restraints—including booster seat advice and the five-step test—and provides parents and carers with important road safety messages. Additionally, RACV offers child restraint fitting services at over 50 locations throughout Victoria, available through the RACV auto service and repair centre network.

RACV also provides Victorians with comprehensive information about changes to the road rules as well as expert advice on correct use of child restraints and booster seats, safe driving, vehicle choice and journey planning.

# Response to the Issues Paper

## Discrepancy between child restraint rules and best practice guidance

RACV recognises that land transport crashes remain the leading cause of death for Australian children aged 1–14 and that correctly fitted, size-appropriate restraints are essential to reducing this risk.

Recent research and national surveys indicate that Australian parents demonstrate strong compliance with child restraint rules, with the Royal Children's Hospital National Child Health Poll (2025) finding that most parents adhere to minimum legal requirements<sup>1</sup>, and an NSW observational study showing that almost all (99.3%) were using an appropriate restraint as defined by the current legislation<sup>2</sup>.

However, these same studies highlight a persistent gap between legal compliance and following best practice guidance, with widespread errors in restraint use and premature transitions to forward-facing seats or adult seatbelts which expose children to unnecessary risk.

The child restraint requirements in the Australian Road Rules have not been updated since 2010. In that time, there have been significant improvements in restraint design and research into best practice use. To keep children as safe as possible, it is vital that the ARR is brought into line with current best practice.

RACV supports the National Child Restraint Best Practice Guidelines developed by Neuroscience Research Australia (NeuRA) and Kidsafe Australia, which provide clear, evidence-based advice on optimal child restraint use beyond the minimum legal requirements. Incorporating these guidelines into legislation would help minimise the risk of serious injury or death by reducing misuse and ensuring children are restrained in the safest way possible. It would also reduce confusion for parents and carers who currently receive conflicting messages between legislation and best practice; closing this gap is essential for clarity and safety.

This approach involves updating child restraint rules to align with best practice, clarifying when children should transition to the next category of restraint, and defining terms such as 'suitable restraint' more clearly. RACV also advocates for children to remain in a booster seat until they pass the recognised 5-step test, which ensures they are physically ready for an adult seatbelt and prevents premature transitions that increase crash injury risk. The 5-step test assesses whether a child can: (1) sit with their back against the seat back, (2) bend their knees comfortably over the front edge of the seat cushion, (3) position the shoulder belt across the mid-shoulder, (4) keep the lap belt low across the top of the thighs, and (5) maintain this position for the entire trip.<sup>3</sup> This test, supported by the Royal Children's Hospital, helps ensure optimal seatbelt fit without a booster seat.<sup>4</sup>

Furthermore, RACV recommends extending the requirement for children to sit in the back seat from birth to 12 years of age, rather than the current limit of seven years, as rear seating provides the highest level of protection in a collision.

### Recommendations

1. RACV supports updating child restraint rules to keep pace with best practice, clarifying when children should move to the next category of restraint, and defining terms such as 'suitable restraint' more clearly.
2. RACV supports updating child restraint rules to require children to remain in a booster seat until they pass the 5-step test.
3. RACV supports extending the requirement for children to sit in the back seat from birth to 12 years of age, instead of the current requirement of birth to seven years of age.

<sup>1</sup> The Royal Children's Hospital National Child Health Poll (2025). Kids and car seats: Are we doing enough? Poll Number 36 The Royal Children's Hospital Melbourne, Parkville, Victoria accessed 26 November 2025

<sup>2</sup> Brown J, Albanese B, Ho C, et al. Updated population-level estimates of child restraint practices among children aged 0–12 years in Australia, 10 years after introduction of age-appropriate restraint use legislation. Injury Prevention 2024;30:100-107.

<sup>3</sup> Neuroscience Research Australia and Kidsafe Australia: Best Practice Guidelines for the Safe Restraint of Children Travelling in Motor Vehicles, 2nd Edition. Sydney: 2020

<sup>4</sup> Car Seat Safety Fact sheet, The Royal Children's Hospital Melbourne, Parkville, Victoria accessed 5 December 2026

## Community acceptance to amend child restraint laws

The Issues Paper highlights that the effectiveness of child restraints relies on correct use and suitability for a child's size. It is therefore vital that any changes to child restraint legislation receive broad community support.

RACV supports parents and carers by promoting best practice in child restraint safety through multiple channels. This includes promoting the Child Restraint Evaluation Program (CREP), which provides independent and consistent safety ratings that go beyond minimum Australian Standards, giving families clear information on crash protection and ease of correct use offered across different child restraints.

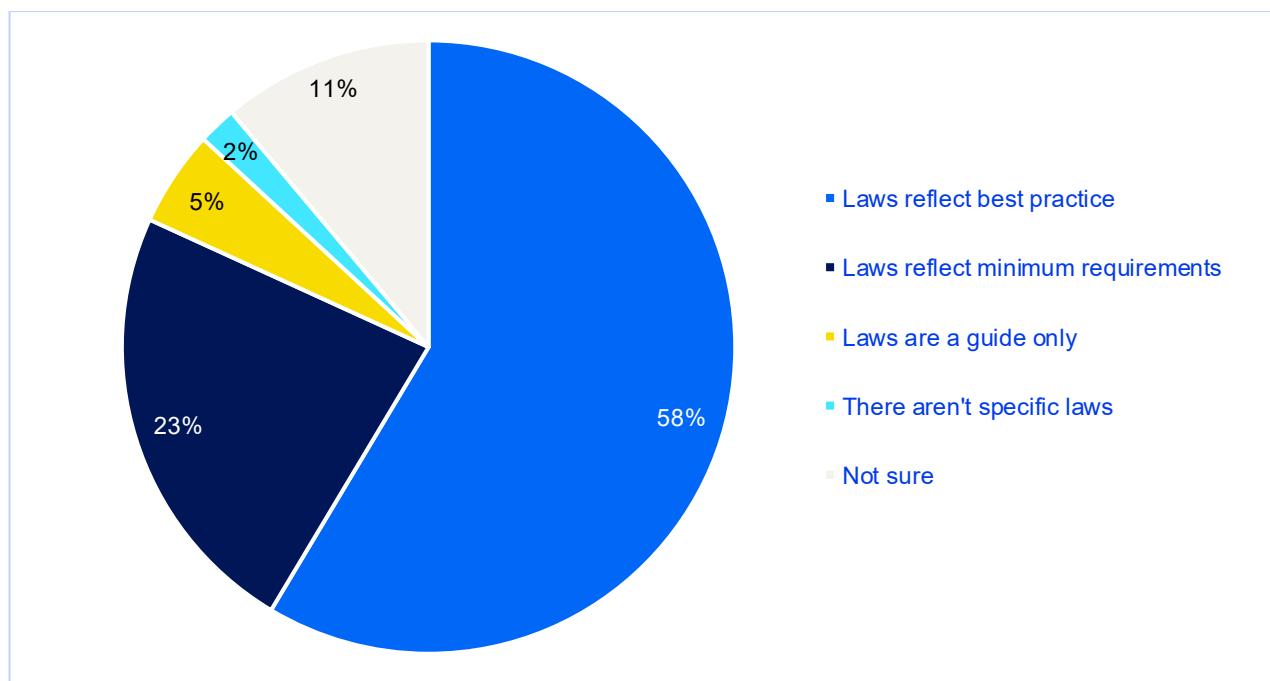
RACV supports updates to Australian child restraint standards that bring safer products to the market and phase out unsafe options, such as the outdated booster cushion. In addition, RACV leverages its RACV News platform, which reaches 1.1million people, to share stories and practical advice on child restraint use, reinforcing our commitment to child safety across Victoria.

Each year, RACV undertakes policy sentiment research to gauge current attitudes on key issues, including road safety. This year, participants were asked about their knowledge of child restraint laws and how these differ from best practice. A majority wanted child car seat laws updated to reflect best practice rather than minimum requirements.

Initially, when asked their perception of current child restraint laws,

- 58 per cent believed that the laws reflect best/safest practice to minimise injury; and
- only 23 per cent believed the laws reflect minimum requirements.

**Figure 1: Understanding of current child restraints laws<sup>5</sup>**



However, when put to the participants that the current laws describe the minimum requirements for safe child restraint use rather than best practice:

- 55 per cent believed that the law should be amended to reflect best practice (see Figure 2, below); and

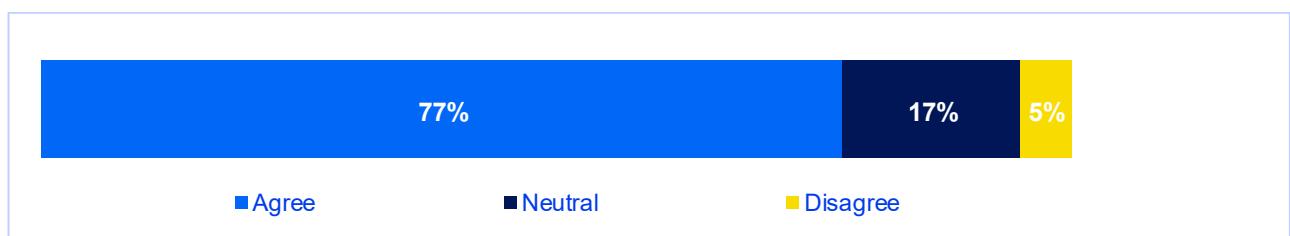
<sup>5</sup>Survey conducted by Starburst Insights in August 2025 Question: C1A - Which best reflects your understanding of the laws on child car seats and restraints? Base: Total 2025 n=1,023. Significance tested to a 95% CI.

- 77 per cent believed that further information/education is needed for parents to make the safest decision for their child (see Figure 3, below).

**Figure 2: View on amending current child restraint laws to reflect best practice<sup>6</sup>**



**Figure 3: View on need for further information/education for parents to make the safest decision for their child<sup>7</sup>**



Broad community support, especially from parents and carers, is essential for changing child restraint rules to raise the age or size limits for transition to the next category of restraints. Without this backing, road rules lose credibility and confusion persists.

Recognising this need for community endorsement, RACV advocates for amending Australian child restraint rules to align with best practice. Importantly, these changes should be accompanied by comprehensive and inclusive education and awareness initiatives, ensuring that the community clearly understands and complies with the updated requirements.

#### Recommendations

4. RACV recommends that changes to Australian Road Rules of child restraint requirements be accompanied by comprehensive education for parents and carers on safe use of child restraints, including guidance for children with disabilities.

<sup>6</sup> Survey conducted by Starburst Insights in August 2025 Question: C1B - Based on this information, which best describes your view... Base: Total 2025 n=1,023. Significance tested to a 95% CI.

<sup>7</sup> Survey conducted by Starburst Insights in August 2025 Question: C1C - To what extent do you agree or disagree with the following statements about child car seats / restraints... Base: Total 2025 n=1,023. Significance tested to a 95% CI.