

22nd July 2018

Online Lodgement

Re: Submission in Response to Phasing out Single-use Plastics

*"It is something most people do not notice, but for a disabled person, straws are an accessibility tool."*¹

1. Thank you for the opportunity to provide feedback to the Discussion Paper on phasing out single-use plastic in the ACT. Advocacy for Inclusion endorses and supports the changes to eliminate plastic waste and to take steps towards a responsible, environmentally ethical and sustainable approach. , AFI welcomes and thanks to the ACT Government for including and consulting with local disability organisations to find a creative solution to a difficult problem.
2. This submission will focus on the impact that the single-use ban may pose on people with disabilities living in the ACT from both an advocacy and evidence-based research approach. Our membership cohort and the wider disability community has highlighted that straws are most needed out of single-use plastics and we will focus our submission on the recommendation that straws are accessible and limited to those who need and request them. AFI has questioned the necessity of banning plastic straws when they are required by a small to medium cohort of the ACT population. It does not go unnoticed that activism and media focus on plastic straws has led to confusion and fear by people with disabilities and potential recklessness of suboptimal policy outcomes over time. We urge the ACT Government not to be rash in its approach, unlike Hobart², South Australia and the US.
3. Plastic straws are universal, and it is harmful to take an item away from a cohort of community that depends on it. People with disabilities live in a world that was never built for them, and every little bit of access is treasured and hard-won. The message from advocates argues that the bans on plastic straws are regressive, not progressive.³
4. Environmentally, straws have been outranked by plastic bags, cigarette buttes, balloons, fishing equipment and food packaging as the most dangerous to our ecological system however digested

¹ Alice Wong in 'People need them': the trouble with the movement to ban plastic straws', *The Guardian* (Online), 25th August 2018 via <https://www.theguardian.com/us-news/2018/aug/25/plastic-straw-ban-california-people-with-disabilities>

² In March 2019, City of Hobart councillors voted in favour of a by-law to support the ban and impose fines on those that don't comply, including people with disabilities who require plastic straws in public spaces from 2020.

³ Wong, A. (2018) 'The Last Straw', *The Eater* via <https://www.eater.com/2018/7/19/17586742/plastic-straw-ban-disabilities> (rephrased and amended for submission purpose)

when it reaches landfill or marine waste cycles.⁴ However, plastic straws remain a small waste generation by material category and in short, banning them will impact community members who require them.⁵ The plastic straw debate has effectively overshadowed products that are creating the highest environmental waste impact^{6 7} – in turn, the proposed banning of straws is effectively putting the cart before the horse.

5. As a solution, plastic straws can be a restricted item that is still useable and contained; however other plastic wastes listed in the discussion paper require more urgency to be removed and can be banned with more effectiveness. We remind the ACT Government that an exemption to the ban is not just required by people with disabilities who live independently and access single-use straws for their own use⁸ but also for people who are institutionalised through group accommodation means as well as a growing ageing population within aged care and hospital facilities. People who require plastic straws require them to be repositionable, flexible, bendy, soft in the mouth and durable without additional risk of ‘breaking’ or the person biting through the plastic.

"If you have not got good control of your body movements and you are leaning forward to a metal straw, you could shove that straw right down your throat or in your eye or up your nose. All these things have happened."⁹

"For those who are using straws which may have compromised immune systems, those reusable straws could actually be very difficult to sterilize properly. Metal and glass straws can get really, really hot if you're drinking a hot drink, like coffee. For those who have tremors or spasms, for instance, those harder straws could also — you can get poked in the mouth, poked in the gum, and that does not even get into the phase around paper straws or pasta straws, which can also be choking risks."¹⁰

6. Alternative and durable solutions could be used, however, for some people, harder plastics like silicone or acrylic straws can harbour harmful bacteria if not appropriately washed but break down in durability if washed too often or aggressively. It is not about the material of the straw either. It is also about the safety and well-being of the person using the straw.¹¹ Too often, the disability community are told to use a reusable alternative; however, the ‘reusable’ options are yet to become ‘common’ in our society enough to assess the dangers they pose for some people within the population. Forcing the disability community to be on board with ‘reusable’ options and the ban when there is yet to be a viable alternative created and supplied to replace the trusty plastic straw that works safely and flexibly, is unrealistic and unequal.

⁴ Wilcox, C., Mallos, N.J., Leonard, G.H., Rodriguez, A and Hardesty, B.D. (2016) ‘Using expert elicitation to estimate the impacts of plastic pollution on marine wildlife’, *Marine Policy*, vol. 65.

⁵ National Waste Report 2018 (2018) *Figure 1: Waste Generation by material category and stream, Australia 2016-2017 (core waste + ash)*, Blue Environment Pty Ltd for the Department of the Environment and Energy, p.10.

⁶ The *National Waste Report 2016* noted of the trends in waste generation indicates that less municipal solid waste per capita is being generated, while more commercial and industrial waste and construction and demolition waste are being generated.

⁷ Commonwealth of Australia (2019), ‘Never waste a crisis: the waste and recycling industry in Australia’, *The Senate: Environment and Communications References Committee*, p.11

⁸ Faithfull, E. (2018) ‘Ban on plastic straws has unintended consequences for people with disabilities who rely on them’, *ABC News: Opinion* (Online) via <https://www.abc.net.au/news/2018-04-25/the-problem-with-banning-plastic-straws/9689346>

⁹ Glenda Lee in ‘Disability advocates condemn South Australia’s proposed ban on single-use plastics’, *ABC News* (Online), 10th July 2019 via <https://www.abc.net.au/news/2019-07-10/plastic-straw-ban-condemned-by-disability-advocates/11287500>

¹⁰ Jeff Preston in ‘Expert raises disability concerns over proposed single-use plastics ban’, *Global News* (online) via <https://globalnews.ca/news/5379457/disability-concerns-single-use-plastics-ban/>

¹¹ Harvey, P. (2018) ‘There are some single-use plastics we truly need. The rest we can live without’, *The Conversation* (Online) via <https://theconversation.com/there-are-some-single-use-plastics-we-truly-need-the-rest-we-can-live-without-99077>

7. AFI endorses the social media graphic¹² that has been shared for awareness-purposes under the #SuckItAbleism campaign regarding what types of straws are considered unusable, high risk and dangerous for people with disabilities, particularly those with high support needs. It is a perfect example of what will work from some but will not work for others. It demonstrates well why plastic straws are often the only alternative due to its shape, plasticity and durability.

MANY DISABLED PEOPLE NEED PLASTIC STRAWS TO DRINK, EAT, TAKE MEDICATIONS, ETC. HERE'S HOW CURRENT ALTERNATIVE, REUSABLE OPTIONS ARE A HARM TO US.

	CHOKING HAZARD	INJURY RISK	NOT POSITIONABLE	COSTLY FOR CONSUMER	NOT HIGH-TEMP SAFE
Metal		✓	✓	✓	
Bamboo		✓	✓	✓	
Glass		✓	✓	✓	✓
Silicone			✓	✓	
Acrylic		✓	✓	✓	✓
Paper	✓		✓		✓
Pasta	✓	✓	✓		✓
Single-use					

by @sarahbreannep

*Pressure to create bio-degradable straw options that are safe for the environment AND for all disabled people should fall upon manufacturer, NOT marginalized disabled consumers.

*Once we accept the necessity of plastic straws, we can work together on other environmental initiatives that are effective, inclusive and accessible.

8. The public debate currently calls for people with disabilities to carry their own straws – but it cannot be single-use plastic. It is unfair to argue that a person with high needs should and be required to carry their own straw for repurposing, due to health implications and harmful bacteria of being stored in a bag or case until use and be expected to use the straw for multiple purposes throughout the day.
9. We welcome the ACT Government's initiative in working with production companies alongside environmental waste organisations to find a solution that works. It is recognised that compostable and 'environmentally friendly' alternatives are costlier than plastic to be produced (biodegradable plastics made of polylactic acid, silicone) – placing additional environmental strain on forests and other plant-based mechanisms to make them. We also consider the policy frameworks that are encouraging a shift towards sustainable consumption and production patterns are recognised and should not compromise the social benefits for a smaller population cohort who should be exempt. Widely, the sustainability of consumption grows through awareness and advocacy for production companies to reconsider their cheap products (straws), which, in turn, moves consumers in the right direction to change habits towards compostable alternatives.

¹² Packwood, S. [@sarahbreannep]. (May 21 2018). Types of reusable straws and risks they pose for a variety of disabled people. #strawban [Image description in thread] [Tweet]. Retrieved from https://twitter.com/_sbsmith/status/998632056241307649

10. We support the recent Commonwealth Senate recommendations¹³¹⁴ that the Australian Government prioritise the establishment of a circular economy which materials are used, collected, recovered and re-used, in turn, creates best-practice landfill standards. This can modified over time to fit the ACT Government's agenda to waste management. We also see benefit in shifting from bulk exporting low-grade, high-volume recyclables from overseas to creating multiple streams of high-quality, low contamination material that can be reused within Australia.¹⁵
11. Both recommendations will fundamentally lower the rate of waste management. Over time, we hope recyclable straws would be produced as an alternative.^{16 17} AFI is conscious that restricting sale and availability of straws for a population that requires them may require jumping through hoops to access supply – they should be made available when requested over-the-counter. It would be unavoidable, but would restrict the number of commercial sales (i.e. supermarkets) by making it difficult for people who do not need straws to bother accessing in the first place. If plastic straws were made available over the counter or by order, this could curb mass-consumerism of straws by the general population who do not require them.
12. By reducing the availability of plastic straws to a whole ACT population, restriction of supply to those who require them is likely to reduce the presence of plastic straws in landfill over time. It is expected that the ACT Government will monitor and evaluate the plastic ban and its effect on the environment over time. However, the evaluation should also include population requirement for plastic straws, their disposal and creation of alternative plastic disposal options over time that are unavailable now.
- “Not everyone can lift a cup to their mouth, or a bottle to their mouth. They require somebody else to hold it for them, for instance. And it is actually very difficult to pour a liquid into someone's mouth — it is a lot easier to use a straw.”¹⁸*
13. The ACT Government needs to consider the impact of where the power dynamic will shift from a consumer, who currently has free access to a plastic straw, to circumstances where consumers will need to disclose a 'medical' need to request one when in a restaurant, coffee store or bar where hospitality staff and small business owners become the deciders of access. This will be unfair for people with disability who wish to socialise and be independent in their daily lives – yet have to 'look disabled enough' to prove their requirement for a straw. If the fear of straws is not accommodated in public space and expectation to 'bring your own' will be considered a lack of inclusion within the ACT that risks running parallel into the *Human Rights Act 2004* if people who require a plastic straw are denied one. We also recognise it is a tricky balance to get right.

¹³ Commonwealth of Australia (2019), 'Never waste a crisis: the waste and recycling industry in Australia, *The Senate: Environment and Communications References Committee, Recommendations 8.18 and 8.81*

¹⁴ New South Wales Environment Protection Authority, *The Waste Hierarchy*, <https://www.epa.nsw.gov.au/your-environment/recycling-and-reuse/warr-strategy/the-wastehierarchy>.

¹⁵ Blue Environment Pty Ltd for the Department of the Environment and Energy (2018) *National Waste Report 2018*

¹⁶ Scientists in the US has developed a new strain of plastic that they say has all the vaunted properties of modern polymers but also happens to be 100% recyclable in Christensen, P. et al (2019) 'Closed-loop recycling of plastics enabled by dynamic covalent diketoenamine bonds', *Nature Chemistry*, vol.11(1), p.444 -446

¹⁷ Vietnamese Grass Straws: Hasnan, L. (2019) 'Vietnam's wild grass straws', *The Asean Post* (Online) via <https://theaseanpost.com/article/vietnams-wild-grass-straws> and *Zero Waste Saigon* via <https://www.zerowastesaigon.com/grass-straws/>

¹⁸ Jeff Preston in 'Expert raises disability concerns over proposed single-use plastics ban', *Global News* (online) via <https://globalnews.ca/news/5379457/disability-concerns-single-use-plastics-ban/>

“Then it gets into this almost interrogation. If you just want to get a coffee or a cold drink, do you want to give the barista your medical history? A person should not be required to do that.”¹⁹

14. The only solution is to supply bars, restaurants and coffee shops with ‘invisible stock’ of plastic straws where people who require and request a straw. The logic is that if a person, who does not need a plastic straw, cannot see or access straws (conveniently available on the counter), their consumer habits may change at a quicker rate when plastic straws is not a viable option for them. Another solution to understand drastic change is not always positive change: it is welcomed that establishments are offering plastic as well as biodegradable for choice without alienating people with disabilities.
15. Viewing straws as a rationing component and making them available upon request is reasonable and should be part of an evaluation of waste management where small businesses, restaurants, coffee stores and bars track and monitor their supply of plastic straws. A current debate in San Francisco’s bid to reduce single-use plastic straws to those who require them is written in the language where consumers need to cite ‘medical needs’²⁰ to receive a straw. It is also optional for business to participate. This places the onus on people with disabilities to ensure they receive equitable service instead of enjoying the independence that is often taken for granted by those without disabilities. The ACT Government must consider this as a risk to our own exemptions; however, in defence to San Francisco’s policy; there is no clear answer as to how it should be ethically implemented in the ACT.
16. To begin, we recommend the ACT Government follow the footsteps of South Australia and the steps to create change involving stakeholders. Intervention measures include a stakeholder taskforce²¹ that consists of small businesses, local government and interest group stakeholders, including people with disabilities, to drive positive change to reducing and eliminating single-use plastics. Another initiative is to trial plastic-free areas in South Australia which we advocate for. However, choice must be considered for plastic straws. We also agree and advocate that ongoing participation and collaboration with the community is necessary to ensure costs and other impacts are considered within the intervention measures.²² This is particularly necessary and reasonable for people with disabilities to transition to alternative products or for plastic straws to be reduced by being available only over the counter at specific outlets i.e. chemists.
17. In conclusion, the ban on single-use plastics is required. However, it has been welcomed that the ACT Government has been open and transparent in engaging in the views of the disability community. The ACT Government, in turn, consider how to cultivate accessible and hospitable environments that champion inclusion while also reducing waste. AFI appreciates the opportunity to contribute to this consultation. We welcome further consultation on the material raised in this submission and will be most happy to continue to participate from a disability perspective and on behalf of our clients.

¹⁹ Pawlowski, A. (2019) Plastic Straw Bans Hurt Kids and Adults, Advocates Say’, *Today* (US – Online) via <https://www.today.com/health/plastic-straw-bans-hurt-kids-adults-disabilities-advocates-say-t158808>

²⁰ San Francisco’s Food Service Waste Reduction Ordinance (2018) *Environment Code – Single-Use Food Ware Plastics, Toxins and Litter Reduction: File No. 180519*, S.1606(c), p.11. City and County of San Francisco: <https://sfgov.legistar.com/View.ashx?M=F&ID=6356679&GUID=90A8C8B7-B89E-430D-8113-577439C4BB67>

²¹ Green Industries SA (2019) *Turning the Tide on Single-Use Plastic Products: Approach and Next Steps*, Government of South Australia, p.4

²² *Ibid*, p. 10

Recommendations

ACT Government to advocate and explore alternative recycling to plastic to allow plastic straws to be manufactured as recyclable. An ambitious recommendation but one that requires more research and manufactures towards a 'greener, sustainable' planet.

ACT Government to consider implementing the Commonwealth Government recommendations 1 and 18 to prioritise the establishment of a circular economy in which materials are used, collected, recovered, and re-used to apply to the ACT over time to implement best-practice landfill standards.

ACT Government fund and lead direction, in consultation with ANU and other universities to create and engineer an alternative solution that is Australian made to be tested and advised by people with disabilities as a mission to replace plastic straws over time. Another solution-orientated aim to combat plastic waste with disposal plastic straw containment and alternatives to end up in waste responsibly and ethically.

ACT Government to explore over-the-counter initiatives for people with disabilities to source their own straws for single use. The next step will be a separate consultation with people disabilities and their representative organisation of how this could be implemented effectively and fairly.

ACT Government strict obligations upon venues to track and monitor their supply of straws, how often they are given out to members of the public as part of their business auditing processes.

ACT Government to continue to evaluation waste management with the plastic ban over time, while also evaluating and monitoring the disposal of plastic straws that remain available for a smaller population over time.

ACT Government to consider similar steps and approaches as the South Australian Government to develop a stakeholder taskforce, to also include people with disability who will be impacted by ban of plastic straws, and consider trialing plastic-free areas in the ACT to test and evaluate in easy-stages of ban. Ongoing intervention and discussion over time will be required where people with disability and their representative groups will need to be consulted in.

Product companies to test and try people with disabilities as a focus population on new and innovative straw solutions that aim to replace plastic straws. The ACT Government, as part of their role in the committee group, is to place and advocate for this recommendation.