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Queensland
Family & Child
Commission

Director
Button Battery Taskforce
Consumer Product Safety Branch
Australian Competition and Consumer Commission
GPO Box 3131
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By email: nationalprojects@accc.gov.au

Dear Ms Meadley

The Queensland Family and Child Commission (QFCC) welcomes the opportunity to make a submission to the Australian Competition and Consumer Commission (ACCC) in relation to the need for regulatory or other options to address the issue of button battery safety.

The QFCC was established on 1 July 2014 with a role to promote and advocate the safety and wellbeing of children and young people, particularly those who are vulnerable. As part of this, the QFCC has a statutory responsibility to maintain the Queensland Child Death Register (CDR), which contains information relating to the deaths of all children and young people in Queensland since 1 January 2004, and report annually on trends and risk factors. The QFCC also has functions to reduce the likelihood of child deaths including making recommendations, arising from keeping the CDR and conducting research about laws, policies, practices and services.

As noted in the ACCC's *Button Battery Safety Issues Paper*, one of the two child fatalities from button batteries in Australia was in Queensland. Summer Steer was four years old when she died from injuries sustained after ingesting a button battery. The Issues Paper also refers to information from Dr Ruth Barker, Queensland Injury Surveillance Unit, which indicates hundreds of children have presented to Emergency Departments across Australia since 1999 after ingesting or inserting button batteries, and some of these children have serious and life-threatening injuries. Considering the speed with which damage occurs to internal organs, each of these incidents could have been fatal without prompt treatment.

The coronial inquest into Summer's death made a number of specific recommendations, including the development of regulation mandating the Australian standard for child resistant packaging of non-pharmaceutical products to apply to all battery packaging, including button batteries.

The QFCC is of the view the recommended safety actions in the voluntary *Industry Code for Consumer Goods that Contain Button Batteries* (Code) have the highest likelihood of reducing button battery-related injuries.

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The Code is a guide for suppliers in making responsible decisions about button battery safety when procuring, designing, developing or retailing button battery-powered devices. It recommends products containing button batteries must be designed such that:

- the battery compartment is secured and not accessible to young children under normal use or foreseeable misuse;
- a tool is required as well as two or more independent and simultaneous actions to gain access to the batteries; and
- the packaging has clear warnings and labelling as well as information at the point of sale about the dangers of button batteries.

The voluntary nature of the Code means an opportunity exists to further strengthening these safety standards by making the industry code mandatory. The QFCC supports mandating the product standards as a strategy for reducing the likelihood of children being inadvertently exposed to button batteries through poorly designed products.

The QFCC also notes, a General Safety Provision (GSP), which ensures that only safe products are made available to the market, is in the process of being introduced. The QFCC also supports the introduction of the GSP to provide an additional safety net for products and complement the specific product safety legislation.

If you or your officers have any queries in relation to this submission, they may contact Fiona Boorman, Manager, Child Death Prevention, on (07) 3900 6030 or child_death_prevention@qfcc.qld.gov.au.

Yours sincerely



Cheryl Vardon
Principal Commissioner
Queensland Family and Child Commission

30 SEP 2019