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Submission from the Australasian Sleep Association

ACCC Infant sleep products consultation

11 September 2022

Introduction

The Australasian Sleep Association congratulates the ACCC for the thoroughness and depth of analysis of the consultation paper and is grateful for the opportunity to comment on proposed new regulation to improve infant safety.

The Australasian Sleep Association (ASA) is the peak scientific body in Australia and New Zealand representing clinicians, scientists and researchers working in sleep health and sleep medicine. It promotes and provides education and training to members and the broader health community. ASA also fosters scientific research and establishes best-practice clinical guidelines.

This submission was prepared by a members' working group of paediatric sleep and respiratory physicians, and researchers with experience studying sudden unexpected death in infancy (SUDI) and infant sleep. The working group included Professor Rosemary Horne, who explained the findings in her expert report completed in the previous stage of this consultation process. With ACCC permission, the working group reviewed Professor Horne's Expert Report. The working group also reviewed the Queensland Government's [Best practice guide for the design of safe infant sleeping environments](#) and considers this a very comprehensive and up-to-date resource setting out the principles for product design that will keep infants safer while sleeping.

Preferred option

The Australasian Sleep Association agrees that the current lack of regulation of Inclined Sleep and Non-Sleep Products is detrimental to the safety of infants and is diluting and diminishing public health efforts to explain safe sleeping practices to parents. The Association is strongly supportive of the move to increase regulation of these products and make regulation consistent across all infant sleep products including cots.

The current recommendations for safe sleeping in infants, both in Australia and internationally are for infants to be slept on their backs in their own cot in the parent/caregiver bedroom for the first 6-12 months after birth. The sleeping surface should be clean, flat and firm. It is important that the mattress fits snugly in the cot so that the baby cannot become wedged between the mattress and the cot frame. There should be no loose or soft bedding, pillows, cot bumpers, lambswool or soft toys in the cot which could cover the baby's face. Inclined sleep products do not adhere to these recommendations as they are both inclined, so the infant is not placed flat, and are frequently made of soft padded materials that can obstruct breathing.

The Australasian Sleep Association agrees with the ACCC's preferred approach as set out in Option 7 in the consultation paper:

Option 6: Mandatory safety standard focusing on all Infant Sleep Products, including general requirements for all Infant Sleep Products and additional specific requirements for discrete product categories (such as household and folding cots), plus a mandatory information standard focusing on all Infant Sleep Products and Inclined Non-Sleep Products, plus an education campaign.

Option 7 (preferred): In the short term, implement a permanent ban on the supply of Inclined Sleep Products with an incline greater than 7 degrees, plus Option 6.

This approach offers consistency of regulation across all products marketed for infant sleep, and provides safety options for Inclined Non-Sleep Products that will reinforce safe sleep education messages.

The Association is particularly supportive of the inclusion of public health education alongside regulatory responses in the proposed option.

Public health education

Anecdotally, the strength of messages around safe sleeping may have diminished over recent years, and possibly not kept up with changes in information-seeking behaviour among new parents. If the preferred option is implemented, there is opportunity to adjust and reinvigorate efforts in this area. The Association would be happy to provide further assistance on a safe sleeping education campaign.

It is important that the education campaign reflects the safe sleeping messages being communicated by key organisations such as Red Nose and the Sleep Health Foundation.

With the increasing popularity of inclined and padded products for infant sleeping, there will need to be a strong emphasis on the dangers of allowing infants to sleep in an unsafe space where because of the incline, infants under 3 months of age are at risk of positional asphyxia either by their head tilting forward into a chin to chest position or their face becoming too close to the padded side of the product. Even older infants are at risk as the incline makes it much easier for them to roll over and a number of infants have been found in the prone position with their airways obstructed by the soft padding. It appears that this message is not currently being heard by parents.

Another important message is that devices are only "safe" when they're used for the purposes for which they're designed. For example, a safe infant car seat will protect a child in the event of an accident, but is not a safe sleeping environment for prolonged periods of time and infants should not be left in these devices once travel is completed. Similar to the warnings on car seats to not leave the child unattended, an Inclined Non-Sleep Product must have clear warnings that it is not suitable for infant sleep.

In addition to this education about safe sleeping products, education should include information about safe sleeping practices where ever baby sleeps as set out in the Red Nose guidelines.

Many new parents turn primarily to social media and online sources for information about caring for their baby. A safe sleeping education campaign will need to have a strong presence in these forums to communicate effectively with new parents.

The education campaign should also include culturally-appropriate and language resources for Aboriginal and Torres Strait Islander people as well as people from other culturally and linguistically diverse backgrounds. The preparation of these resources should be led by (or in very close consultation with) people from the relevant cultural background.