

[REDACTED]

16<sup>th</sup> April 2013

Dear Sirs,

### **Daily Mail, 17<sup>th</sup> August 2013 – Breach of Article 1**

I write to complain regarding a story that appeared on the Daily Mail website on 17<sup>th</sup> August 2013, and I assume was printed in the newspaper on the same day, under the headline “Now EVERY weekly bin collection is to be axed and families made to separate rubbish into five containers”.

The article rests on a fundamental misunderstanding of a [speech](#) made by Lord de Mauley on 4<sup>th</sup> June 2013, which the Mail rather oddly reports as though it was a new announcement. The key quotation is the remark that local authorities are obliged to “separately to collect the four dry recycle materials where this is necessary to facilitate recycling and recovery and where this is practicable”.

#### **What “Separate Collection” means**

The Mail reads this to mean that the four types of material must be collected separately from one another, so that, to quote the article, householders will be required to “sort metal, paper, plastic and glass into separate waste bins”. It takes the view that the collection of all recycling in a single bin (“commingled collection”) will no longer be permissible.

In this interpretation the Mail is rather wide of the mark. The meaning of “separate collection”, written into UK law through the Waste (England and Wales) Regulations 2011 has been litigated twice, amended by the Waste (England and Wales) (Amendment) Regulations 2012 and remains somewhat unclear pending the issuing of guidance by Defra. The issue has been whether “separate collection” means “separate from one another” or can mean “collected together but separate from other, non-recyclable waste”. In this litigation, Defra has sought to maintain the latter interpretation while, representatives of the UK reprocessing sector have taken the former view. The complexity of the issues has been widely discussed in the recycling trade press under titles such as “[Judicial Review – Commingled Collections OK](#)”, and the current lack of clarity is well explained [here](#).

As Lord de Mauley explained in his speech, Defra’s view following the judgement is that it remains for “local authorities to make local judgements about where separate collection is necessary and practicable”. They will need to take account of Defra’s guidance and consider “how best to reduce cross contamination by materials such as glass, and whether different collection arrangements might be appropriate in different parts of the same local authority.” These will not be straightforward judgements to make.

Even if local authorities conclude that materials should be collected separately from one another, this does not imply that they must be presented in separate bins by each householder. The authority where I live, North Somerset, collects the required materials separately, but householders simply use two recycling boxes to store their recycling. This entirely satisfies the strictest interpretation of the law, without resulting in a profusion of bins.

Such an approach is also entirely compatible with weekly residual waste collection, although if food waste is collected separately, it would be rare that a weekly collection of what remains would be necessary. Bath and North East Somerset, for example, has the same “kerbside sort” recycling collection as North Somerset, but also has weekly residual waste collections.

The Mail’s error is a basic misunderstanding of what “separate collection” means in law, combined with a complete lack of operational understanding of the implications of different interpretations of this technical term. As a result, it has published an article that will mislead many householders, and appears to have unnecessarily caused distress to Doretta Cocks, who is reported as feeling disappointed and let down as a result of the Mail putting its utterly mistaken interpretation of Lord De Mauley’s speech to her.

### **Repeated Error**

The article also repeats the Mail’s erroneous interpretation of a survey of UK recycle reprocessors conducted by the Waste and Resources Action Programme, which I complained about in relation to an article dated 6<sup>th</sup> April 2013. At the time of writing, this matter (complaint 131881) has yet to be resolved.

The Mail states in the new article “a high proportion of domestic recycling is rejected by recycling plants as poor quality. It then goes to landfill or is shipped abroad.”

As I explained to the Mail through the PCC in an e-mail dated 11<sup>th</sup> June 2013:

“When household recycling that is collected mixed together, or “commingled” in the industry parlance, it has to be separated out at a Materials Recovery Facility (MRF). The separation process is not perfect, and as a result the recycling output typically contains some level of contamination. If the contamination level is too high, it may not meet the standards required by the reprocessors that turn the recycling back into new raw materials. In WRAP’s of UK reprocessors, the majority said that “some” and a few said “hardly any” MRF output met their quality standards.

Mr Bannister glosses this finding as “60 per cent of reprocessing managers say that some or hardly any of the material they are sent by materials recovery facilities is good enough to use”. The Mail’s article draws the inference that material that does not meet the standards (“is not good enough to use”) will typically end up in landfill.

This conclusion is entirely unsupported by the report. The Mail perhaps envisages a simple scenario like this:

- A MRF produces some output
- It delivers it to a reprocessor
- 60% of reprocessors decide that the loads they receive don’t meet the quality standard
- The majority of the output goes off to landfill instead

This would be a very impractical model, which would be time-consuming for reprocessors and financially disastrous for MRFs. But it is the product of a complete misreading.

The question in the report concerns attitudes, and does not ask whether the reprocessors in question ever actually receive any material from MRFs. The Mail has moved from the report’s claim (60% of reprocessors think that MRF outputs aren’t much good) to a quite different claim (60% of reprocessors regularly reject MRF material because it is no good), and finally to the completely different claim “processors reject the majority [60%?] of material”. It’s as simple an error of logic as: “60% of people think that Daily Mail journalists make too many errors” => “60% of people regularly catch Daily Mail journalists making errors” => “60% of what Daily Mail journalists write is erroneous”.

In fact, the report says very little about what happens to MRF outputs that do not meet UK reprocessors standards; what it does say tends to undermine the Mail's claim that much of it goes to landfill. It states that "Most plastics reprocessors used financial penalties to deal with non-compliant loads, rather than rejecting them" – so plastic, at least, will not be going to landfill. It also notes that "It could be that MRFs sell the bulk of their material to a small number of buyers who operate with lower standards and who are generally happy with the quality of the material they receive, while a large number of reprocessors each buy very little MRF output and are generally less satisfied." This speculation is fairly close to the mark. We tend to see reprocessors making broad brush judgements about where they are likely to get material that meets their requirements. They don't buy from suppliers in which they lack confidence. Reprocessors in the Far East have historically been more tolerant of contamination, in part because it is cheaper for them to undertake further manual sorting than it is in the UK, which is one of the reasons why some recycling is exported for reprocessing.

The Mail's claim is wrong in another way, which further betrays the lack of understanding of UK recycling that runs through the article. The WRAP survey relates, as I mentioned, to the outputs from MRFs dealing with commingled recycling. However, only a little more than 40% of authorities use a fully commingled recycling system. Almost 28% use a "two stream" system, where some materials (e.g. paper and card) is kept separate from others (e.g. plastics, cans, glass), which makes sorting much easier and reduces contamination. 32% use the "kerbside sort" system, where materials are sorted into different containers on the collection vehicle and do not require subsequent sorting at a MRF at all – they can go straight for reprocessing. Immediately after the "60%" finding discussed above, the WRAP survey of reprocessors reports 78% thought that the outputs of "two stream" and "kerbside sort" recycling were better quality than commingled recycling separated by a MRF."

It is disappointing that the Mail should continue to publish material that it knows to be inaccurate. It is not the case that "a high proportion of domestic recycling is rejected by recycling plants". It is true that many UK reprocessors believe that the outputs from MRFs endeavouring to separate material from commingled recycling collections is poor quality, and they choose not to buy it. Fortunately, they can find higher quality material from kerbside sort and two stream collections to meet their needs. The MRF output is sent overseas not because it is "rejected" (it was never "offered" to be "rejected") but because that is where the market for the lower grade material produced by commingled recycling collection is known to be found.

I know there is no obligation under the editors' code for newspapers to put forward views that are coherent. However, I would like to take this opportunity to draw out the obvious conclusion from the points above. The Mail's advocates simple, single bin "commingled" recycling systems. At the same time, it is angry that there is low quality recycling which contains contaminants and that is sent overseas for further separation before it can be reprocessed. Yet the main source of contaminated recycling is commingled recycling collections, which are terrifically difficult to separate out effectively.

If the Mail's editorial team is interested in presenting a coherent viewpoint, they might do one of the following:

- Call for more investment in high quality MRFs that will separate out recycling to a higher standard. However, it will need to accept there are physical limits to how good separation can be.
- Accept that, if recycling is to be collected in a single bin, the result will be low grade recycling that will typically be exported

- Accept that it is hardly any more difficult for householders to place recycling in a couple of boxes than in a bin, and campaign for more local authorities to adopt the kerbside sort method of recycling.

Any of these would be preferable to its current nonsensical editorial line.

### **Required rectification**

Since the entire article is based on a false premise and contains almost no accurate information, I would suggest that the following steps should be taken:

- Since the entire article is premised on a mistaken reading of Lord de Mauley's speech, I cannot see how a correction to the headline or minor revisions to the text can rectify it. I therefore request that the online edition of the article be withdrawn.
- The online article should be replaced with a correction along the following lines, which should also be printed with due prominence in the print edition:  
"On 17<sup>th</sup> August the Daily Mail published an article in which we claimed that the Government had introduced new rules that would require all households to separate waste into five different bins. We are happy to clarify that this is not the case, and no such rules are or have ever been proposed."
- The Mail should undertake to place relevant notes on file to prevent (further) repetition of erroneous claims regarding recycling

I would also suggest that the Mail considers apologising to Ms Cocks for any distress caused, and seriously thinks about talking in advance to someone who has some knowledge about recycling next time it considers publishing a story on the subject, since its journalists and editorial team appear especially prone to error in this area.

Yours faithfully



Peter Jones