

**Submission
No 64**

INQUIRY INTO PUBLIC TOILETS

Organisation: Illawarra Shoalhaven Gender Alliance

Date Received: 2 December 2024



Illawarra Shoalhaven Gender Alliance

Submission to the Public facility committee of enquiry, NSW Parliament.

Illawarra Shoalhaven Gender Alliance represents and advocates for trans and gender diverse people in South Coast NSW covering an area from Wollongong to the Far South Coast of NSW.

Trans and Gender Diverse (TGD) people come from all walks of life, young, old, parents, single people, people with a disability and people with a chronic illness.

Illawarra Shoalhaven Gender Alliance firmly supports the principles of universally accessible design to be applied to all new public toilet facility builds ensuring every toilet is accessible for use by people of any gender and / or ability or care needs. Where new builds are not viable then existing facilities should be modified to maximise their accessibility. The provision of sanitary item disposal facilities is a simple matter of providing a bin in every toilet. For toilets that are fully self contained (i.e, have a toilet and sink in a safe and secure space) there is no discernible reason why such a facility should be designated for use by any one particular gender.

Currently many public toilets in regional areas are older and present a number of problems for TGD populations. These include in particular:

- Many do not provide facilities for non binary people. This presents the problem that someone who is non binary must choose between a toilet that clearly does not match their gender presentation or one that is not equipped to provide sanitary care e.g. a trans masculine person with a beard who needs to use a facility that has sanitary bins for personal hygiene item disposal.
- Many facilities are not accessible for individuals who have a mobility impairment or who need assistance in personal hygiene.
- Many male designated single sex toilets do not have appropriate facilities for changing and disposal of incontinence items.
- Baby change and care capability are often only supplied in female designated single sex facilities

- Facilities that are accessible and inclusive are often not listed or incorrectly listed on search applications

Of particular concern is the lack of a public facility design to enable TGD people to go to the toilet without fear of harassment or intimidation. TGD people often suffer from severe anxiety surrounding the need to use a public toilet with many choosing to either not go to the toilet when out resulting in an increased risk of medical conditions of the urinary tract, or choosing just not to go out publicly at all.

The following are experiences of TGD people when using public toilet facilities:

“I often experience fear of being misgendered and not 'passing' in either gender toilets... often monitoring and watching toilets for a while (whilst needing to go to the loo) to see who is going in and out to ascertain risk of harm to myself” Anonymous

“Can we also include accessible bathrooms that are actually built by people with disabilities 🥹 I often use the accessibility bathrooms because I hate choosing which bathroom to go into and half the time the lock gets stuck saying occupied and I have to wait for no one or the door stays open for an absurd amount of time with no way to manually shut it.....if my disability clients are inside & I want to give them privacy but they call out to me saying they need help I have to open the door while they're in the toilet and wait a long time for it to shut, opening the door to everyone walking past with no way to close it! The only other option is for me to wait in there with them giving them no privacy” Eren

“I have had countless experiences when using bathrooms where I have been accosted, questioned about my gender, told I am in the wrong bathroom and stopped when trying to enter. It is deeply distressing and the impact of these interactions is long lasting. I do not feel comfortable anymore using the female bathroom unless I am totally desperate and out of options and ideally have someone with me (eg my partner). I have never used the men's bathroom and don't feel comfortable to do so, even though, because of my gender presentation, I am read to be male. I have an extra layer of anxiety and stress when travelling anywhere new because of the unfamiliarity of available bathrooms. While the Refuge Restrooms app/website is useful, because it relies on its users to upload bathrooms, it's not uncommon for there to be no bathrooms close by (depending on the area I am in). I work in the construction industry that requires living 'on site' in Donga accommodation. They only have one working disabled in the whole camp at most. I also think this issue of not having freely available toilet options will result in negative health impacts in the future, bowel etc.” Jade

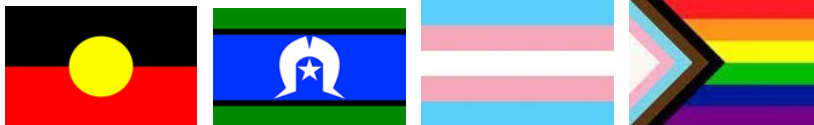
"I don't use public bathrooms stopped using them about 6 years ago. I have learnt to hang on until I get home. If by chance I get caught out I go straight for a disabled toilet as the fear of harassment is too great. It doesn't matter which bathroom I use now I'm not accepted in either !!" Claire

Thank you for your consideration. Further information and clarification of any matters raised in this submission should be directed to:

Kate Toyer (She / Her)
Treasurer



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Dharawal & Yuin Country

The Traditional Owners of the lands on which we live and work, and pay our respects to Elders past, present and emerging. We extend this respect to all Brotherboys, Sistergirls and other First Nations LGBTIQ+ peoples whose courage and activism are paving the way to a more inclusive future for all.

Illawarra Shoalhaven Gender Alliance is committed to working with First Nations LGBTIQ+ organisations and initiatives to mobilise the resources they need for their important work.

This always was and always will be Aboriginal land, and sovereignty has never been ceded.