

**Submission  
No 20**

## **INQUIRY INTO PUBLIC TOILETS**

**Organisation:** Justice and Equity Centre

**Date Received:** 25 October 2024

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25 October

Portfolio Committee No. 8 – Customer Service  
Legislative Council  
Parliament of New South Wales  
6 Macquarie Street  
SYDNEY NSW 2000

Dear Committee,

### **Submission to NSW inquiry into public toilets**

The Justice and Equity Centre (JEC) welcomes the opportunity to make this submission to the NSW Inquiry into public toilets.

The JEC (formerly the Public Interest Advocacy Centre), runs the Homeless Persons' Legal Service which provides legal assistance to people experiencing or at risk of homelessness. We also work with StreetCare, an advisory group of people with lived experiences of homelessness, to address the structural causes of homelessness.

Our submission draws on the experiences of HPLS clients and StreetCare's lived experience advocates.

### **Social inclusion**

We are pleased to see the Committee recognise that safe and accessible public toilets are critically important for ensuring everyone can participate in community life. Public toilets serve many functions. Alongside personal hygiene, they are also used to administer medication, breastfeed, care for children, access drinking water and find a quiet place to rest.

Access to adequate public toilets is a basic right that supports social inclusion and dignity for all people in public spaces, including people experiencing homelessness.

### **Lack of safe and accessible toilets**

There are currently not enough safe and accessible toilets in Sydney. While there are public bathrooms scattered around the city, many of them are unclean or have limited opening hours. Public bathrooms are a crucial service because private businesses with toilets are often only available for paying customers and can discriminate against people experiencing homelessness.

StreetCare members report that using public toilets can often feel unsafe, especially for women at night. We recommend the Committee consider ways to improve the safety and security of public toilets, including through providing adequate lighting, avoiding dark corners,

having clear sight lines around the toilet building and ensuring users can lock the toilet. The Committee could also examine toilet designs which allow users to view what is happening outside the bathroom while they are inside. This helps people feel safer by allowing them to check the environment outside before they exit.

### **Impact of inadequate public toilets**

The lack of safe and accessible toilets disproportionately affects people experiencing homelessness. The lack of safe and accessible toilets disproportionately affects people experiencing homelessness. People with specific user needs will be further impacted, such as people with a disability or health conditions, women, parents and carers, and children.

For a person experiencing homelessness to find a safe and accessible toilet, they often need to travel long distances, frequently throughout the day. The time and effort spent on travelling to a public toilet limits the ability for people to meet other basic needs and engage with services.

The shortage of public toilets also contributes to the criminalisation of homelessness. For example, people experiencing homelessness can be charged for public urination if they are unable to find a safe and accessible public bathroom. Where people are forced to relieve themselves in public spaces, this contributes to negative public sentiment of people experiencing homelessness, further embedding discrimination against them.

The adequate provision of public toilets can avoid the penalisation and stigmatisation of people who do not have a private dwelling for personal hygiene.

*Recommendation 1: Conduct an audit of existing public toilet facilities in NSW to assess their safety, cleanliness and accessibility.*

*Recommendation 2: Use the results of the audit to increase the number of safe, clean and accessible public toilets.*

### **Further consultation**

The design and management of public toilets should include meaningful consultation with people with lived experience of homelessness.

The JEC urges the Committee to consult with StreetCare, who are experienced at providing essential and pertinent advice to relevant stakeholders to improve laws, policies and practices for people experiencing homelessness. Reform that is undertaken with people, rather than for them, supports greater integrity and improved effectiveness in services.

*Recommendation 3: Engage people with lived experience of homelessness in reforming the design and management of public toilets.*

Yours sincerely

**Jonathon Hunyor**  
**Chief Executive Officer**