

Sender's address

Recipient's name and address

DATE

Dear Sir/Madam/name if known

- I am writing to express my concern over the plans/decision to create 'gender neutral' (mixed sex) toilets in your building/ park/ theatre/street/ shopping centre/ my place of work thereby reducing/removing women-only toilet provision.
- As a long-term employee / customer/visitor/user of these premises I am disappointed that the needs of women and girls have been so easily disregarded.

The backdrop to any decisions made about toilet provisions should be that women are far more likely to need public toilets than men, for reasons of menstruation, menopause, incontinence, pregnancy, caring for babies etc. Toilet provision for women is already too little as can be seen in any venue at the interval. Research shows that women spend up to twice as long in the toilet as men [1].

- There is also concern over women's safety in such toilets. A Sunday Times investigation under the Freedom of Information Act found that just under 90 per cent of complaints regarding changing room sexual assaults, voyeurism and harassment are about incidents in mixed sex facilities and it may be assumed that the same apply to mixed sex toilets [2]. In the US where these toilets are more common it has been found that some men use them to spy on or sexually assault women.
- Those in control of buildings have a common law duty of care to protect the users of their buildings and if any woman suffers assault in such toilets the management of the building may be subject to legal action if they have provided a hostile environment for women without considering the consequences.
- The provision of mixed sex toilets is usually to remove the problem of embarrassment and possible harassment faced by transgender people. Whilst the needs of this group should be considered it should not be to the detriment of half the population. May I ask what are/were your reasons for making this change? And whether the needs of women and girls were duly considered?

When recipient of letter is a workplace:

- Are you aware that this decision may be in contravention of relevant Health and Safety regulations and that breach of such legislation may be a crime punishable on summary conviction or on indictment with an unlimited fine? The Workplace (Health, Safety and

Welfare) Regulations 1992 stipulates general requirements on accommodation [3]. Nearly all workplaces in the United Kingdom are required to comply with this legislation.

Regulation 20, Sanitary conveniences, states:

1. Suitable and sufficient sanitary conveniences shall be provided at readily accessible places.
2. Without prejudice to the generality of paragraph (1), sanitary conveniences shall not be suitable unless -
 - a) the rooms containing them are adequately ventilated and lit;
 - b) they and the rooms containing them are kept in a clean and orderly condition; and
 - c) separate rooms containing conveniences are provided for men and women except where and so far as each convenience is in a separate room the door of which is capable of being secured from inside.

Can you assure me of the steps you will take to ensure that you will abide by your legal duty?

When recipient of letter is a public authority:

- Was an equality impact assessment carried out before deciding if these toilets were appropriate, taking into account possible worse conditions for women? Under-provision of toilets for women and girls could be illegal under the Public Sector Equality Duty (Equality Act 2010). This was introduced to ensure that local authorities and other public providers aim to achieve equality in the provision of goods and services including toilet provisions.
- As well as upsetting many female customers your organisation may inadvertently be acting against current guidelines.
- The desegregation of toilets may be in contravention of government guidance, given within the British Standards (British Standard, BS 6465 Part One on Sanitary installations) and the related Building Regulations which sets out the levels of male/female toilet provision required. The Building Regulation Part G on water and sanitation provides the basis for the application of these British Standards (DCLG, 2016) [4].

I look forward to receiving your reply to my concerns,

Yours faithfully,

References

1) <https://phys.org/news/2017-07-lengths-restroom.html>

(2) <https://www.thetimes.co.uk/edition/news/unisex-changing-rooms-put-women-in-danger-8lwbp8kgk>

(3) <https://www.hse.gov.uk/pubns/books/l24.htm>

(4) https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/504207/BR_PDF_AD_G_2015_with_2016_amendments.pdf

