



## WITNESS STATEMENT OF XRI REARDON

I, Xris Reardon, care of [REDACTED] in the State of Tasmania, LGBTIQ+ Lead Schools Inclusion Coordinator, do solemnly and sincerely declare that:

1. I make this statement on the basis of my own knowledge, save where otherwise stated. Where I make statements based on information provided by others, I believe such information to be true.

### BACKGROUND AND QUALIFICATIONS

2. I am currently the LGBTIQ+ Lead Schools Inclusion Officer at Working it Out. Before moving to Working it Out, I held the role of Projects Officer with Merri Health. I also worked on a number of projects on family violence and intimate partner violence with the Migrant Resource Centre, Melbourne University, Cardinia Shire Council, and Drummond Services. I have also worked with Easter Access Community Health.
3. I hold a Masters in Community Cultural Development and a Masters in Narrative Therapy and Community Work from the University of Melbourne.
4. Attached to this statement and marked **XR-1** is a true copy of my curriculum vitae.

### WORKING IT OUT

#### *Overview*

5. Working it Out is Tasmania's sexuality, gender and intersex status support and education service. It provides support and advocacy services for lesbian, gay, bisexual, transgender, intersex, queer and other Tasmanians (collectively referred to as **LGBTIQA+**), as well as education and training programs to schools, workplaces, and government and non-government organisations.
6. Working it Out employs 13 staff in total, most of whom are part time. Some of these part time employees only work one day per week or run a monthly group only. The CEO is the only person who works full time. Staff responsibilities range from book-keeping, communications, safety planning, advocacy, group work, training, and direct support for adults only.

7. Until February 2022, I was the only person at Working it Out who worked with young people (that is, persons aged 18 years old and younger). Last year, Working it Out received additional funding from the Tasmanian Department of Premier and Cabinet to employ one other worker to work alongside me in my role. This funding came about thanks to a consultation with community services and young people that evidenced the need for more support for LGBTIQ+ young people in schools.
8. My role is focused on delivering on the four pillars of the *Valuing Diversity Framework*. One of the pillars of this framework involves working one-on-one with young people and their families on safety planning. We use safety plans or what we term (Gender) Affirmation Plans (GAPs) to advocate for young people's needs to be met in *all* Tasmanian schools.
9. We also draw on other guidelines, including the Tasmanian Department of Education's *Supporting Sexual and Gender Diversity in Schools and Colleges Guidelines*, to support and back our work. Attached to this statement and marked **XR-2** is a true copy of those guidelines.
10. Working it Out provides confidential in-person support sessions for individuals and their families and friends regarding sexuality and gender identity. Most referrals come from social workers, psychologists and parents. However, occasionally a young person will contact the service directly. Referrals also occur through other organisations like Headspace, The Link and Pulse. It is not uncommon for Working it Out to receive around 25 referrals for young people a week for support services.
11. The support provided by Working it Out varies depending on a client's needs. I have worked with people as young as 3, all the way up to clients who first contact the service as 18-year-olds. Some clients will require only a handful of sessions, while others will need support on and off for years.
12. Some young people that I see one-on-one want to affirm their identity (sexuality or gender). For example regarding gender that may want to be known by another name or different pronouns. This comes with concerns as to how their parents might rationalise what it means to their family to have a young person assert that

they are not the gender they were assigned at birth. Sometimes young people will express desires to self-harm, suicidal ideation or other risks to their safety.

13. The biggest obstacle to a young person's safety when asserting that they are not the gender which they were assigned at birth is not being believed, belittled, intimidated, ridiculed or threatened. This can involve direct and indirect violence and, at times, assault. Perpetrators of this violence include siblings, alleged friends, peers, adults and family members, including parents.
14. One issue that I face in my role, which presents a risk in itself to the safety of LGBTIQ+ young people, is outing them. Many of our social workers and school psychologists do not understand these risks and therefore do not engage in appropriate risk assessment before disclosing a young person's assertions or questions around their sexuality or gender. Poor risk management can lead to family breakdowns, incidences of violence, homelessness and verbal and physical abuse.
15. At times, I work with parents with conflicting feelings about their young person's assertion regarding their gender identity. Sometimes young people witnesses arguments, physical violence and assault due to claiming their gender identity.
16. Working it Out also holds regular **support group sessions**, including gender identity peer support and discussion groups, and support groups for parents of LGBTIQ+ young people and partners of transgender and gender diverse people. We also provide safe spaces for LGBTIQ+ people, their friends and families to chat and connect.
17. Working it Out provides advocacy to, for and with the LGBTIQ+ community and allies. We have trained the Tasmanian Department of Police, Health Services, and some other allied health professionals. We also facilitate training in aged care facilities and other not for profit organisations regarding language, culture and personal safety. Working It Out sits on the Tasmanian Lesbian, Gay, Bisexual, Transgender, Intersex and Queer+ (LGBTIQ+) Whole-of-Government Reference Group and is part of the LGBTIQ+ Issues in Education Working Group, Justice, Health Fire and Emergency..

***Education-based work***

18. I am currently the Schools Inclusion Officer at Working it Out. I have held this position since March 2015. In this role, I work with parents, teachers and students to create safer and more inclusive school environments for LGBTIQ+ young people in Tasmania. While I predominantly work in public school settings, I work with students in independent schools from time to time.
19. Before becoming the Schools Inclusion Officer, I was the Safe Schools' Project Officer. My role was initially confined to schools in the state's south, however it later became state-wide.
20. In or around 2018, following a great deal of lobbying, Working it Out entered into a partnership with the Department of Education to provide funding to implement a bullying prevention initiative across Tasmanian schools.
21. As part of this partnership, I developed the 'Valuing Diversity Framework'. The Department of Education ultimately funded Working it Out to roll the framework out across all Tasmanian schools. Attached to this statement and marked **XR-3** is a copy of the Valuing Diversity Framework brochure.
22. The Valuing Diversity Framework is a holistic framework that is based on evidence-based practices, with necessary adaptation to make the practices culturally appropriate to Tasmania. Attached to this statement and marked **XR-4** is a bundle of documents that informed my development of the Valuing Diversity Framework.
23. Practices need to accommodate the history of the LGBTIQ+ community in this state and the ways Tasmanians have navigated their responsibilities towards LGBTIQ+ people. As someone who came from the mainland, my experiences is that Tasmanians, like other regional communities tend to be more relational (given the small interrelated population numbers. They also do not simply take on language and ideologies without understanding the need for change.
24. The Valuing Diversity Framework professional development has been modified to meet the local and geo-culturally specific realities of delivering the Framework in Tasmania, for example, by including references to Tasmanian laws and

guidelines. Additionally, professional development includes discussions about community attitudes across Tasmania and the state's history of decriminalisation, gender law reforms and other LGBTIQ+ milestones. We also speak to how National Standards need to be contextualised to a Tasmanian specific response capacity, building peoples' knowledge but also asking them as educators to attend to their responsibilities in this area, both legally and morally. Finally, in professional development, we never speak to the experiences of any one individual or family as Tasmania being a small island culture, lends itself to the danger of inadvertently disclosing someone's identity. This aspect of safety, as well as safety planning generally, is a key focus in all training and in all interactions in our work with schools, families and students.

25. The Valuing Diversity Framework has four component pillars. They are:
- (a) Working with the school association: promoting inclusive school policies and practices. Schools must be aware of the responsibility to create, develop and implement policies that promote and protect inclusive environments for LGBTIQ+ young people. The entire school community must be aware of those policies. As part of this, Working it Out was directly involved in developing the Department of Education's guidelines in relation to inclusive language and supporting sexual and gender diversity in schools. Before the most recent redrafting, I worked with teachers and educators when delivering professional development sessions about these guidelines. I believe that only 5% of those teachers and educators that I asked were aware of their responsibilities in this area, which was not helped by the fact that the Department of Education does not have any mandatory training requirements of educational staff and are sometimes disconnected from what happens in schools.
  - (b) Professional learning: developing and upskilling school staff. School communities require education about the various risks, vulnerabilities and dangers faced by LGBTIQ+ young people. The obligation to protect LGBTIQ+ young people from harm is not a matter of personal preference or opinion but a clear legal obligation owed by anyone who engages with the school system. Working it Out runs various forums and workshops with school staff, including principals, teachers, business managers, ground staff

support workers, psychologists, nurses and social workers. This pillar is also concerned with inclusive practices in terms of curriculum frameworks. We continue in all our professional development sessions to make schools aware of the guidelines as well as the professional standards for teachers and other laws around young people's safety. One of the key focuses of the professional development sessions that we run is supporting people to understand the concept of cultural safety for LGBTIQ+ young people, particularly in schools and amongst friends and families.

- (a) (Gender) Affirmation planning: counselling and supporting LGBTIQ+ young people, their families and providing advocacy in schools. This involves creating safety plans for people who want to affirm their gender and sexual identity in school environments. These safety plans ensure that everyone in the school community understands what is expected of them, including in terms of social and legal. The process is dialogical: it involves working closely with the young person to understand where they are at and encouraging them to think deeply about what they want.
- (b) Pride groups in schools. Setting up and sustaining pride groups in schools can help to create an environment in which LGBTIQ+ students feel accepted and supported. These groups also assist members of the broader student community to be engaged with challenges faced by their LGBTIQ+ peers and generally make for more inclusive environments for all students.

26. These four pillars provide a holistic framework for the creation of LGBTIQ+ safe and inclusive spaces in school communities. In 2021, the Department of Premier and Cabinet agreed to directly fund the Valuing Diversity Framework following the result of a survey into the needs of young people living in Tasmania.

## **CHILD SEXUAL ABUSE AND HARMFUL SEXUAL BEHAVIOUR**

### ***Particular vulnerabilities of LGBTIQ+ young people***

27. LGBTIQ+ young people have additional vulnerabilities in school settings. These young people can become withdrawn and isolated, particularly when their identity is not validated, visible, welcomed and accepted by the school and the broader community.

28. LGBTIQ+ young people are often pressured to fit the dominant heterosexual cis-gendered culture. As a result, young people suppress their true identity, which leaves them incredibly vulnerable to grooming. Perpetrators of child sexual abuse or instigators of harmful sexual behaviour pay attention to signs and cues that a young person is isolated and vulnerable and then build a relationship around that vulnerability that is entirely inappropriate and harmful for the LGBTIQ+ young person.
29. As an example, we know there are predators operating in Tasmania who create fake identities on social media sites such as Facebook, Instagram and Snapchat. The predator claims to be a young person, when in fact they are much older. They encourage the young person to explore their sexuality in an environment that is perceived to be private and safe. The predator then takes advantage of the relationship to perpetrate child sexual abuse. In one case I have been involved in, a young person had an online relationship with a person they thought was of a similar age. This person was introducing the then 12-year-old to pornographic sites and asking them what they thought, inviting them to send photos and engage in voyeuristic encounters. Sometimes this involved sending pictures of their genitals. I also know of young people who are isolated, who feel shamed and who fear rejection which is detected by these online strangers and groomed into sexualised relationships that the young person then feels they can tell no one about.
30. This predatory behaviour can give rise to compounding layers of shame. *First*, the young person is shamed because their sexuality and/or gender does not conform to the dominant social culture; *second*, they are shamed about accessing these websites and putting themselves at risk.
31. I once worked with a young person who was exploring their sexuality online. Unfortunately, this involved engaging with someone who was preying on the young person's vulnerability due to unaddressed trauma and a lack of community acceptance of their sexual and gender identity. The family responded by removing the young person's iPad and restricting their online access. This was entirely inappropriate because it made the young person feel culpable for seeking to explore their sexuality online in circumstances where the community did not provide them with the opportunity to do so safely and transparently. There is an

opportunity that needs to be taken up to talk about cyber safety that must include LGBTIQ+ risks. Or we leave young people vulnerable to silences around speaking out.

32. Another example involved a client at a primary school in the north who was receiving photographs of penises from another young person at a different school. The young person was experimenting with his sexuality, but was doing so in an unsafe environment. The young person eventually alerted their year level coordinator—who was alerted to changes in this young person's behaviour—to the fact that he was receiving these images. When the police became involved, it was apparent that the person who sent the photographs was known to the police.
33. Clients often report being 'felt up' or groped at school. One client reported someone coming up behind them and putting their hand in between their legs to feel their groin and see whether they had a penis or a vagina. Other clients report having their dresses lifted by others to see their genitals or their shirts lifted to check if they have breasts
34. Some people brand these instances of harmful sexual behaviour as curiosity, but to me, they arise from a lack of proper education. When we condition our community to view itself through a cis-gendered hetero-normative lens that establishes that gender is a binary concept and that sex is assigned only at birth based on physical characteristics, we leave young people who do not conform to that model very vulnerable to abuse.
35. Schools often respond to peer-to-peer harmful sexual behaviour by minimising the issue. Peer instigators of harmful sexual behaviour are often suspended from school as punishment as if they had been caught smoking or playing truant. But harmful sexual behaviour has significant consequences and should be treated much more seriously. Failing to do so can lead the victim-survivor to think that their bodily integrity is not respected or valued.
36. I also think that there is a cultural reluctance to acknowledge harmful sexual behaviour between young people of the same gender as a form of abuse. We tend to compartmentalise abuse as something that occurs between a cis-gendered female as the victim and a cis-gendered male as the perpetrator. But, sexual violence can happen between any two people of any gender.



37. In addition to being more vulnerable to child sexual abuse, LGBTIQ+ young people who do not feel safe and accepted within their school community are less likely to step forward to report sexual abuse. When they do report abuse, it is not uncommon for LGBTIQ+ young people to be told that they are making things up or that, because the sexual abuse has not been reported by another student, it doesn't exist. They also have to come out to speak up. Many young people do not feel safe to be out.
38. Often adults perceive that young people are making things up, and outside of that, it is awkward and uncomfortable for them to deal with and know how to respond when a young person indicates sexualised harm. Teachers have limited training in this area. On top of that, if the young person is LGBTIQ+ there is an additional awkwardness and fear or repercussions if they out themselves. This is often due to the fact people are not schooled in talking about diverse sexualities and genders. This results in people being more prone to approaching students without first having examined their unconscious biases. Given this, young people are not likely to report being subject to sexual abuse.
39. Tasmania Police acknowledge that if an adult needs to come out as LGBTIQ+ to properly report an assault, they are not likely to report it because of fear of reprisal and discrimination. I imagine this is even worse for young people who also have to disclose their sexual or gender identity before reporting an assault. Only challenging these silences through robust education will change things.

### ***Other client experiences***

40. In this section, I provide some other examples of client experiences of child sexual abuse and harmful sexual behaviour and the consequences of such abuse and behaviour. The examples are intended to be representative of the sorts of issues that LGBTIQ+ young people experience in school settings generally. Not all examples relate to public schools.

#### ***Example 1***

41. I work with a young high school student who is living in an out of home care setting in the north of the state. Other students accosted the student in the schoolyard and pulled their shirt up in an apparent attempt to identify their gender

– that is, to see whether they had breasts. The perpetrating students said words to the effect of ‘who are you really?’.

42. No action was taken by the school in response to the abuse. When I attended the school to discuss the incident of sexual abuse, the response from the principal and assistant principal was that no student would engage in actions like that, and there were other transgender students at the school, none of whom had reported any incidences of physical or sexual abuse. In my experience, this is not an uncommon response.
43. The young person then disengaged with school and their education and began spending a lot of time on the streets, where they continued to be subjected to gendered violence, being beaten and harassed by their peers outside of the school environment. The young person’s out of home environment was not aware this was happening because the school failed to report the young person’s abuse and truancy to their carer.
44. This example illustrates what can happen when schools do not do sufficient work to ensure that the curriculum teaches students that sexual abuse is wrong in all circumstances. Without wanting to dismiss the personal responsibility of the perpetrators or the inappropriateness of their actions, I do think that the Tasmanian education system is responsible for the conditions within which young people operate at school and the standards of behaviour that are acceptable. When the system has not done enough to educate young people about LGBTIQ+ matters, members who identify as part of that community are exposed to higher risks of child sexual abuse through the fear of being discriminated against, hated on, if they come out.

#### *Example 2*

45. A client at a school in the south was sexually assaulted by a peer at school. At the time, the client was questioning their sexual and gender identity but had not yet transitioned. The other student grabbed them from behind and said ‘is that how you like it?’. Following a notification from the client’s parents, the school suspended the young person who had sexually assaulted them, that is, the school dealt with the situation in the same way they would deal with a student being caught smoking on campus.

46. My client became completely disengaged from school and felt that the school had handled the situation in a really dismissive way. Subsequently, after the client had transitioned, they wanted to press charges, but the police discouraged them from doing so, saying that the situation had already been dealt with and the other student had been spoken to and that because months had passed, a prosecution would not be good for anyone. The situation was extremely distressing for the student and their parents. I ended up handing the matter over to my executive officer at the time, who I thought might be in a better position to advocate on this young person's behalf. As far as I am aware, the matter did not go any further.

*Example 3*

47. Another example involved a primary school in the south. My client was accosted by their peers on an ongoing basis and asked to confirm their gender. I had attended this school three years earlier to deliver a professional learning session to the staff, at the end of which I instructed the staff members to read some resources to their students. I know these staff member never read the resources; when I later followed up, I was told that the teachers were not teaching about diversity as they were concerned about parental pushback. They said that the young people were being curious and they did not see the harm in that. I suggested that curiosity is best managed through education, which is our job and helps prevent the perpetration of harmful sexual behaviour against LGBTIQ+ young people as a result of an unanswered curiosity.

***The importance of inclusivity in protecting LGBTIQ+ students (and all students)***

48. Theorist Irving Goffman uses the concept of 'spoilt identity' to describe what happens when the dominant social culture teaches people to hate and stigmatise other identities through silencing, shaming and other discriminatory behaviours. We need to fundamentally change how we perceive LGBTIQ+ people to a point where these identities are celebrated, not hated and stigmatised. This needs to happen at a cultural level through access to education at schools.
49. Every school needs to unequivocally incorporate an LGBTIQ+ focus and to do so without reservation, apology or fear. The Valuing Diversity Framework is aimed at ensuring that LGBTIQ+ young people are protected from child sexual

abuse and harmful sexual abuse in school settings because it works towards building a culture of safety for young people.

50. There is sometimes a perverse idea that being subject to child sexual abuse is what causes young people to want to identify as LGBTIQ+. That is to say, their non-heterosexual cis-gendered identity is assumed to be a manifestation of trauma arising from an experience of previous child sexual abuse. This is unacceptable. We must stop pathologising LGBTIQ+ identities.
51. When a young person identifies as LGBTIQ+ or evinces?? Indicates? a desire to explore their gender and sexual identity, people who operate around them need to be cautious not to draw conclusions about their identity, but to leave open the possibility that their identity may change over time as they explore it. Acknowledging and celebrating a young person's journey is really important to creating a sense of safety and preventing them from turning to harmful environments to explore and understand their identity.
52. Failure to promote a safe, inclusive and protective culture towards gender and sexuality within schools undermines the policies and procedures in place to protect against and prevent child sexual abuse.
53. Respectful relationships education (love Bites) is an example of an area that lacks LGBTIQ+ awareness. This package, which is currently under review by NAPCAN (The National Association for the Prevention of Child Abuse and Neglect) tends to be heterosexist and cis-gendered in its focus. This means young people are taught to see the world through that lens, and therefore have a limited framework for understanding and/or exploring, feeling affirmed, validated and valued, for being other than cis-gendered and heterosexual. Educators are also left with few tools and resources and have limited time, ability and sometimes skills to speak to the experiences and needs of LGBTIQ+ young people about what a safe relationship looks like for someone who is not heterosexual and/or cis-gendered. This lack leaves young people prone to or at greater risk.
54. Another example concerns sex education. Educators say things like 'girls have vaginas and boys have penises'. When educators talk in those absolute terms they exclude non-cis-gendered young people, who are a very vulnerable section

of the community. They also fail to exercise an educational opportunity that would enable all students to better understand diversity.

55. Unfortunately, when I flag shortcomings in education programs to schools, I am often met with pushback that developing an LGBTIQ+ component is 'too much work'. However the benefit that inclusive education has cannot be understated. By promoting inclusive education programs, we are able to better protect LGBTIQ+ young people, both because they will feel a sense of safety arising from the acceptance of their identity, and because the consequent shift in the dominant culture will act as a preventative measure.
56. An inclusive education does not only benefit LGBTIQ+ young people but all young people. There's a lot of research, particularly out of Canada, that shows that initiatives such as pride groups can substantially reduce suicidality in young men who are heterosexual and cis-gendered. Attached to this statement and marked **XR-5** is a copy of the results of the University of British Columbia's Stigma and Resilience Among Vulnerable Youth Centre's Canadian Trans and Non-binary Youth Health Survey. Also attached to this statement and marked **XR-6** is a copy of a Pride Guide.

### ***Positive initiatives***

57. In the seven years that I have been in my current role as School Inclusion Officer, there has been a positive cultural shift towards ensuring LGBTIQ+ young people are provided with safe and accepting environments within which they can more comfortably explore their sexuality. It is really important that we never brand any part of sexual and gender education as taboo or inappropriate for discussion with young people because it is those topics that need to be understood to protect young people from child sexual abuse.
58. Last year, three Tasmanian schools developed LGBTIQ+ policies for the first time. The Department of Education is also drafting a policy. I am often told by teachers that they are completely unaware that there are Department of Education guidelines for supporting same-sex attracted and gender diverse young people in Tasmania.

59. Policies that originate from within a school are really important because staff are more likely to be aware of their obligations and the support available to LGBTIQ+ young people when they have been involved in creating the policies. Schools really need to own the policies that they develop; otherwise, they will just be forgotten, and there will be no benefit to LGBTIQ+ young people. There is ample research demonstrating that when policies are promoted, for example, by having a dedicated webpage on a school's website, LGBTIQ+ students and parents feel much safer in their school environment.
60. Even comparatively small gestures and symbols that show that adults in education settings are aligned with LGBTIQ+ young people and acknowledge that everyone is entitled to explore and understand their sexual and gender identity safely can go a long way. Simple things like displaying posters or wearing pride lanyards signal to young people that there are safe and trusted adults with whom they can talk and express concerns, including reporting potential grooming or instances of child sexual abuse. It is, of course, important that those adults are equipped with the skills to take appropriate action or refer students to organisations like Working it Out for assistance.
61. A good example concerns a high school in the north. I initially worked with that school to establish templates for the purpose of affirming young peoples' gender and sexual identities. Working It Out now runs professional learning at the school, which also has a pride group with 35 members.
62. A school in the south now flies the Pride Flag on a dedicated flag pole. The principal, mayor and a cohort of people, including myself, attended the first flag-raising ceremony. Unfortunately, a group of individuals used the ceremony as an opportunity to verbally abuse the LGBTIQ+ students in attendance. This event provides a great example of what I call 'psychological support' because those students, despite being exposed to verbal abuse, had a strong network of trusted peers and adults to support them. It is the people that do not have this support network and are trying to navigate their sexuality and gender identity alone that need the cultural change, so they know that they are safe and their identity is validated. Without validation from safe sources, these young people turn to harmful environments where child sexual abuse is perpetrated.

63. It is important that we use pride groups as a forum in which LGBTIQ+ safety can be discussed openly and honestly. For example, to educate people on the importance of the proper use of pronouns to promote peer safety and acceptance in a way that does not embarrass them. We are starting to see an increasing curriculum emphasis on educating people on LGBTIQ+ safety.
64. Unfortunately, I have noticed through my work that there has been a historical reluctance to establish pride groups in schools in the north of the state, often because of a fear of community pushback. For example, in one regional area, there was pushback from parents for the establishment of a pride group; the parents were concerned that, by supporting LGBTIQ+ students the school was pushing gender and sexuality issues down young peoples' throats and engineering their genders and sexualities. The issue is very much cultural and until we create a cultural change that shifts the perception toward promoting safe environments for LGBTIQ+ youth, we will leave young people vulnerable to child sexual abuse and other harm.

#### **OUT OF HOME CARE**

65. Young people in out of home care settings are often subject to a range of intersectional disadvantages which can increase the risk of child sexual abuse. For example, an LGBTIQ+ youth may also be living with a disability, be Aboriginal, or have come from a socio-economically disadvantaged family or a domestic abuse household. All of these factors compound the young person's vulnerability and makes educating them in an inclusive way an essential component of keeping them safe.
66. Through my work, I do see examples of LGBTIQ+ young people being groomed in out of home care and foster care settings. Again, this comes down to the additional vulnerabilities. An LGBTIQ+ young person coming into a care situation can be at risk of a range of inappropriate physical responses, as well as emotional and verbal violence.
67. When a client is being subject to or exhibiting harmful sexual behaviour or experiences child sexual abuse, I will work with adults around them to support the client to affirm their gender identity. Once those adults establish a relationship

with the young person, I will also begin working with that young person if they disclose that they have been or are being subjected to child sexual abuse.

68. As part of my work with minoritised and/or marginalised cohorts without power, I have a duty of care to ask age-appropriate questions to discern whether or not the young person is experiencing child sexual abuse or exhibiting harmful sexual behaviours.
69. For some young people, once they come out, they may be subject to an ongoing barrage of inappropriate sexualised statements or innuendos by family or friends. I will refer a young person to other service providers to assist them, but in doing so, I am always sure that the person receiving them understands the ethical and cultural issues pertinent to a group of people who feel that they are labelled as deviant, sick, or wrong for being who they are or desiring who they do.
70. As in schools, I often experience cultural pushback in out of home settings on the basis that people think it is not appropriate to talk about gender identity and sexuality with young people.
71. Notwithstanding that there remains work to be done in the out of home care setting concerning LGBTIQ+ young people, I have seen a positive shift in the last two years, especially in urbanised areas. For example, a male client who was assigned female at birth was being sexually abused in a shelter for boys by an older resident. When the abuse was reported, the shelter did not hesitate to affirm his identity. They accepted that he was a boy and worked in that context. While this young person only felt safe disclosing his experiences after leaving the shelter, the disclosure allowed Working it Out to engage with the shelter and run training to become more aware of the issue and better respond to the issue.

#### **ASHLEY YOUTH DETENTION CENTRE**

72. In recent years, there have been some requests for Working it Out to run training sessions about respectful relationships, gender identity and other education programs about sex, sexuality and gender at Ashley Youth Detention Centre. The requests usually come from social workers or teachers at schools attended by residents. Despite these suggestions, and Working it Out's willingness to be



involved, nothing has come to fruition. I am not aware of management ever approaching Working it Out to run sessions at Ashley Youth Detention Centre.

73. I think it is really important that we run sessions about sexuality and gender identity, because we know that there are LGBTIQ+ young people in Ashley Youth Detention Centre.
74. I have worked with a handful of young people who are or have been residents of Ashley Youth Detention Centre. A number of them reported being subjected to grooming and feeling very unsafe because people took advantage of them sexually. Untangling and affirming the identity of residents to make sure that they are living safely in youth detention is challenging.
75. In addition to other vulnerabilities, being labelled as 'criminals' at an early age (as young as 10) can affect a young person's ability to develop meaningful and supportive relationships with safe and trusted adults. This can lead the young person to turn to harmful and unsafe relationships to satisfy basic needs for connection and support.
76. My clients have told me that Ashley Youth Detention Centre is a really homophobic and toxic environment that offered no safe space to speak about their sexuality and gender identity. A couple of clients display self-harming sexual behaviours or behaviours that make it very difficult for them to develop safe and intimate relationships with other people.
77. When residents disclosed that they were subjected to child sexual abuse at Ashley Youth Detention Centre, it was always sometime after the event as they felt too ashamed to speak about what happened at the time. Not just because of the assault, but because of the idea that somehow, given their sexuality or gender identity, they wanted the abuse or were asking for it. This fed into this idea that they are sick or perverted which makes it harder for them to disclose. It is the way we overly sexualise queers and see them, even at a young age.
78. Most of the incidents at AYDC that my clients speak to me about are between peers. The residents are not monitored appropriately and there are no trusted adults who display a willingness to help LGBTIQ+ residents with their sexuality

and gender identity. Those residents are then left to process their experience of harmful sexual behaviour without appropriate support.

I make this solemn declaration under the *Oaths Act 2001* (Tas).

Declared at [REDACTED]

on 4 May 2022

[REDACTED]

Xris Reardon

Before me:

[REDACTED]

Commissioner for Declarations

This Declaration was witnessed by audio-visual means in accordance with the 'Notice Under Section 17' dated 4 September 2021, as authorised by the COVID-19 Disease (Miscellaneous Provisions) Act 2020.

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