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Human Rights and Equal Opportunity Commission

HUMAN RIGHTS AND EQUAL OPPORTUNITY COMMISSION

NATIONAL INQUIRY INTO RURAL AND REMOTE EDUCATION

MR C. SIDOTI, Commissioner
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TRANSCRIPT OF PROCEEDINGS

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THE COMMISSIONER: Good morning, ladies and gentlemen. We'll make a start with those that are here and we'll have people coming in and out during the course of the day. First I should introduce myself. I'm Chris Sidoti, the Human Rights Commissioner from the Human
5 Rights and Equal Opportunity Commission. I am conducting this inquiry as the principal Commissioner involved in it, on behalf of the Human Rights Commission. With me is Brian Devlin, who is the Co-Commissioner for the Northern Territory.

10 The Inquiry into Rural and Remote Education has a Co-Commissioner sitting with the Commissioner in each of the jurisdictions that we go to. The Co-Commissioner has two principal roles. One is to provide expertise on the local situation and the second
15 is to contribute to the national report. For that reason we have people from a range of backgrounds as Co-Commissioners, who are able to bring particular expertise or specialisation into the consideration of the national report; so it's not just a matter of what's happening in the NT that Brian will be assisting on but also in the final report of the inquiry.

20 Other Co-Commissioners come from a range of backgrounds, as I've indicated. Brian is from the University of Northern Territory. He's been involved in education here for 20 years. The others include educational administrators: in Western Australia, an administrator from the Catholic school system who has also been involved in remote
25 education for a long period; in Queensland a woman who established the Isolated Children's and Parents' Association, and remains very active as a state president in that; in New South Wales, an Aboriginal woman who's been involved in community organisations and work both there and in Queensland, the Northern Territory and Western Australia
30 over a very long period of time. So it's quite a range of people who are assisting us, and the expertise that they bring is critical to our inquiry.

 Today we've got a quite heavy program and for that reason people will come and go during the course of the day quite quickly.
35 First we have Margot Ford. Margot, do you want to come up? What I ask, Margot, is if you could just introduce yourself and make your presentation. Brian and I might have some questions at the end of it to ask you. If you're using any documents, we'd be grateful if you'd leave us a copy of them; it just adds to our records, in addition. Thank you.

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MS FORD: My name is Margot Ford, I'm currently a lecturer in the Faculty of Education in the Northern Territory University. I specialised in early childhood education, Aboriginal education and social justice and cultural diversity issues. First I must apologise. Isaac Brown, who's
45 the Dean of the faculty of Aboriginal and Torres Strait Islander Studies, was going to do a joint presentation with myself. We will be preparing a joint written submission. He was unavoidably detained and couldn't be

here this morning, so I just wanted to give his apologies for not being here.

5 I looked through the terms of reference that was given here and I thought I might focus on the third one, which is "whether the education available to children with disabilities, Indigenous children, children from diverse cultures, etcetera, complies with their human rights". I thought by doing that I might respond directly to the articles 30 to 28.1 and 29 of the Convention of the Rights of a Child, in order to respond to that.

10

[Bilingual education]

15 The first one, article 30, I wanted to talk a little bit about the bilingual education program in the Northern Territory. I suspect today there will be a number of people that will be talking about this, so I just wanted to raise a couple of points, rather than go into it in any depth.

20 According to the Department of Education, the reasons for axing the bilingual programs was that "children from bilingual schools are, on average, performing slightly worse than their counterparts in non-bilingual schools, in English, numeracy and literacy". This is a direct quote from a letter that I received from the Minister of Education, Peter Adamson.

25 In terms of that, I'd like to raise a few questions about the basis for that statement. The first one is that I think the Department of Education should be requested by the Human Rights Commission to justify their axing of the bilingual program in some kind of formal public hearing, because I believe it does contravene article 30 and they need to explain their reasons behind that. I think they also need to release the data on which the claim was based, so that it can be examined independently. At the moment it's very difficult to ascertain exactly what is meant by "slightly worse" and particularly "on average, slightly worse", because the data isn't publicly available.

35 I think also, if it hasn't been done, they need to do a proper factual analysis so schools can be matched for proper comparison, rather than something that's kind of more general, but, of course, until that data is released we really can't make many comments about exactly what it is that is so different from bilingual and non-bilingual schools.

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45 Finally, I feel that they should be upholding article 30 of the Convention of the Rights of the Child with regard to Indigenous children of the NT, and this needs to be at the forefront of their programs in Aboriginal education.

[Racism in schools]

5 The second aspect, article 2, which covers discrimination against children generally. Again, it's difficult to ascertain the precise nature of discrimination in schools because in Australia there's not a lot of research in this area, as I understand. There are some good research models, particularly from Britain, which examine racism in schools, that we could use, I believe, and learn from in terms of how we approach research in Australia. But I think, to say that racism does occur in the schools is indisputable.

10 An institutional example of this is that we're already familiar with low retention in school performance rates of Indigenous students, particularly mainstream, urban and rural schools, compared with their non-Indigenous counterparts. That's something that's fairly publicly known at the moment.

15 I'd also like to talk about a personal example of racism, and to sort of supplement that - I don't know if you want to keep this - this is a photo of my daughter, she's on the right, all right, just to give you some sense of the colour of my daughter's skin in terms of what I'm about to tell you. Her father is Indonesian. When Dina was five years old she attended school and, although I always had a sense that I would need to confront issues of racism at some stage, I was kind of expecting it to happen around the ages of eight or nine but, to my shock, at the age of five and a half, after six months in school - this was in a school in rural New South Wales, not in the Northern Territory - my daughter came home, saying that a boy had said to her, "I can't play with you, you've got brown skin." There was another, a few days later, where someone else said to her, "Black and white people shouldn't marry." These are five-year-olds we're talking about.

20 25 30 When I confronted the teacher about this, first she denied that it had happened and then I said, "Well, if these kinds of incidences do occur, what strategies do you have in place in the school to deal with it?" Apart from her saying the particular perpetrators would be chastised, there really was very little that the teacher could offer in terms of how she would deal with those sorts of incidences. What actually happened was that for about the next four or five years this was a very serious issue for my child, and it was a long process over, you know, those years to deal with that issue of colour that she had come across at the age of five.

35 40 45 On the one hand I think we need to have some research into the extent of discriminatory practices in Australian schools, and one way of doing this would be to take a random example of schools across the country and examine discipline records, such as expulsions and suspensions, and match these for gender, ethnicity and socio-economic status, to have a sense of what is going on.

5 In my experience, schools are more willing to deal with individual incidences of racism, rather than tackle it at the institutional level. I think the incidences of racism are often perceived as individual, and therefore institutional practices go unscrutinised. I believe that the onus is therefore very often on parents to deal with reactions of their own children's racism, and one of the things that perhaps HREOC could consider is developing materials that would be useful in helping parents deal with this issue.

10 I'm an education lecturer. I've been involved in education, but I was still unprepared for dealing with my own child's experiences, and it was really a matter of trial and error to finally get her to come to terms with her skin colour when she used to do things like sit in the bath and scrub her skin until she hoped it would become white. I think that there
15 are many parents out there that could be helped by developing materials that they can use, so that there are strategies that they can have access to.

20 The other thing, of course, is that I was surprised at how young my child had received these kinds of experiences, and, of course, strategies for very young children are different from strategies that you use with 9 and 10-year-olds and they're different from strategies that you use with adolescents, and so that needs to be taken into account. I think these could be done fairly simply and could be a very useful
25 resource.

[Access to secondary schooling; school discipline]

30 In terms of article 28.1, which refers to access to schooling, I think that the lack of access to secondary education in the Northern Territory, in remote communities, is of particular concern, and I'm sure again there is quite a number of people today that will talk about that in more depth. I wanted to focus again on the notion of expulsion and suspension as a means of controlling children in schools. Again, there's
35 very little doubt on this but I suspect that the groups that are most affected by this are Aboriginal children, children of colour and children of low socio-economic status. It's a counter-productive measure because it isolates the very children that need the education most, and I believe that states and territories should be obliged to set up
40 alternative education facilities for children that are being suspended or expelled from school. Also, again, I think we need more research on precisely what kinds of children are being most targeted in this kind of disciplinary action.

45 I think in regard to rural and remote areas, this is particularly problematic, because the choice of skills is reduced. Children very quickly become known entities and labelled as troublemakers, and, of course, this immediately has a self-fulfilling prophesy effect on the

children from teachers who have already labelled certain children as troublemakers.

[Human rights education; tolerance]

5 In terms of article 29, which refers to students having the right
to have knowledge about human rights issues generally and which, I
believe, encompasses notions of tolerance, I think we should be
thinking now of strategies to prevent the type of tragedy that we learned
10 about less than two weeks ago in the USA, which was in part
racially-motivated. Rural areas are particularly vulnerable and therefore
we can't be complacent. All the elements are there: there's a gun
culture; evidence of increasing extreme right-wing attitudes; high youth
suicide rates, which among boys is often associated with gun use; and,
15 generally, rural areas in deep economic crisis - this is coupled with high
proportions of Aboriginal people in those areas. So I think for us to be
complacent and say that those kinds of violent incidences won't happen
here is perhaps not very insightful.

20 Because of that I think we need to develop some up-to-date
effective anti-racism materials, for children of all ages but particularly in
high schools, that directly focus on rural children. We also need to train
teachers to use materials properly. I think that, where there has been
some training for teachers in the use of cross-cultural materials or anti-
25 racist materials, sometimes the training is very ad hoc and I think you
can actually do more harm than good, often, with untrained people
dealing with children having to deal with these kinds of issues. So it's
very important that the materials are well done but also that there's
plenty of training for teachers and others in the use of those materials.

30 I think that schools need specific anti-racist policies. I believe
that most schools these days seem to have policies which cover all
forms of discrimination but I suspect that what we really need is some
very specific anti-racist policies, more like the sexual harassment
35 policies that already exist in a lot of schools, specifically for that area of
discrimination.

40 I think too, particularly in high schools, that time needs to be
set aside to deal more directly with adolescent issues, conflict
resolution and stress management. Unfortunately, the way high school
curriculums are organised, they're very fragmented into subject areas,
it's a very full curriculum, and I believe that this doesn't kind of lend
45 itself to giving adolescents the opportunity to deal with a lot of very
serious issues that they have to deal with these days and I think that
needs much more time spent on it.

 Human rights issues generally, I think, need to be developed
across curriculum, rather than focus specifically in one area, so that
there's a consistency in approach. The area that I feel most concerned

5 about is the arts curriculum. Schools are often choosing to spend in areas of technology, and I notice that that's specifically included in one of your terms of reference. Often what suffers here is the arts curriculum. Where money is put into one area, it is taken away from another, and it's the arts curriculum that it's often taken away from.

10 I feel that this is a short-term gain and it's through the arts that can express their feelings, can express themselves successfully and can explore social and emotional issues in a safe environment. There's a number of projects that the arts have in schools, specifically designed for helping students dealing with the problem issues that they're facing; and it's through drama, dance, art, music that these things can be expressed more appropriately.

15 I think while the emphasis in schools is on economic rationalism and gaining employment, this is taken over from the more socially-oriented purpose of schools, particularly high schools, and I believe this is to our cost and that we need to re-evaluate what is going on in high schools, to make sure that we're catering for children's social and emotional needs as well as their physical and their intellectual needs, in terms of what happens to them when they leave school.

That's it.

25 **THE COMMISSIONER:** Thanks, Margot. Would you like to lead off?

30 **THE CO-COMMISSIONER:** Margot, I know you've done a lot of work on measures that schools might take to assist their anti-racist programs. I wonder if you could talk just a little more about that. You were saying that what schools need are some specific anti-racist policies. Can you just go into a little bit more detail about that?

[Anti-racism programs]

35 **MS FORD:** I think that the difficulty is that when the schools have incidences of racism, they look at them individually and they will say, "It's this particular child," or, "It's this child's background," and the way that it's dealt with is that often in high schools a child might be taken in to say - a counsellor might deal with that and they may not be punished but the perpetrators are really chastised about, you know, "It's not a nice thing to do," and it's left there.

45 Until it's embedded in the school curriculum and it becomes part of the ethos of the school, at a deeper level, and there's acknowledgment that institutional racism does occur, that teachers can be racist, that children can be racist and school activities can not so much promote racism but do very little to stop it happening - so if there's an anti-racist policy, it's something that then is embedded in the whole curriculum, it's written in black and white, so to speak, and

therefore can be accessed by students and teachers alike. There's also an accountability factor then, that the school itself has to be accountable in those terms, in the same way at the moment that many schools hold themselves accountable in sexual harassment cases. The children know and can be educated about a policy.

The difficulty is that it's no use having just an anti-racist policy in itself because it's a much more complicated thing, obviously, and what has to be dealt with and confronted is the way that children generally approach resolving issues of conflict and stress management, because that's where it stems from; it has to come from there. That's, of course, a much wider issue again, but it's no use just having that anti-racist policy; it's got to encompass and confront the issues that adolescents, particularly, are dealing with today. Schools just simply are not doing that, in my experience, but, again, we just don't know. We haven't got the statistics, we haven't got the data to really make categorical statements about the levels of discrimination that are going on in our schools.

THE CO-COMMISSIONER: I have just one more question, if I may. You mentioned, Margot, that it's not enough to provide appropriate packages for schools indicating how staff might be guided in cross-cultural anti-racist programs but these materials have got to be delivered by trained staff. That, of course, raises the question of teacher preparation. Do you feel in the Northern Territory that teachers are being adequately prepared to handle such materials, or do you feel that more needs to be done in that area?

MS FORD: I think there's a big dilemma in teacher training, which I don't know how you resolve, but in the Northern Territory we have a number of compulsory units in the Bachelor of teaching that deal with - social justice and cultural diversity is one of them, and we've had another one, language and culture in education, also, students here have a compulsory unit in Aboriginal studies. So there's a number of ways that students can raise issues of social justice.

One of the difficulties is that - it can raise an awareness and this can often be quite effective but, as we all know, attitude change is very, very difficult. What concerns me is that there are still students with racist attitudes that go through the course successfully and are then in schools. That becomes a human rights dilemma in its own right, because how do you resolve that? I mean, you can't start saying, "You've got the wrong attitude, you shouldn't be in a school. For me this is a very big dilemma because there are some students that hold onto their racist attitudes pretty strongly and they have passed, because the criteria that students get passed in is each individual unit. Some of them learn how to play the game, they learn how to talk the talk, and they feed you what you want to hear. Although you can sort of

see through that to some extent, it's still not adequate if academically they're doing what they're required to. Okay?

5 So, although these issues can be raised in those units - and I think they do have some effect, judging by student feedback - it's still not enough, and it worries me that some - it's a very small proportion, I hasten to add. I think that they probably reflect the proportion of people with racist attitudes in the community as a whole, obviously, so it is a small proportion but, nevertheless, they get out there.

10 I think, within the school system then, in-service courses need to continue. I know in the Northern Territory there's been a number of - each school has had some cross-cultural in-service training, which, I think, lasts for a day or maybe a couple of days. So each of the schools has received that, but I believe that's inadequate. These things have to be continually revisited, they have to be done properly and done well. Then teachers that espouse these attitudes do need to be held accountable and need to be made aware of the fact that they are on notice against criteria which include attitudes towards people of colour, as part of their professional development and part of their professional behaviour. Of course, at the moment, that doesn't happen.

25 **THE COMMISSIONER:** Just a couple of questions, Margot, if we can stay on that for a moment. You mentioned the need for explicit anti-racist policies in schools. What's the approach taken by the NT Education Department? Does it have a Territory-wide anti-racist policy that it expects the schools to adhere to, or is it left to individual schools?

30 **MS FORD:** Not that I'm aware of. As I understand it, the schools do have anti-discrimination policies which cover all forms of discrimination. As I referred to, this is most fully developed in the area of sexual harassment. So children in, I'm talking, high schools here are particularly aware of inappropriate behaviours in terms of sexual harassment, for example. But there isn't, as I understand, specific policy, specifically dealing with issues of race, apart from their general policies that no child in the school should be discriminated against on the basis of race or colour.

40 **THE COMMISSIONER:** You mentioned in your opening comments the need for alternative educational opportunities to be provided for children who are expelled or suspended. To what extent are those opportunities now available, in your experience, and do you have any ideas on how that can be done in small communities?

45 **MS FORD:** That's one of the problems, of course, it's always a matter of resources. As I understand it, there aren't - again, I'm not absolutely

sure on this and you may want to approach - if there are Department of Education people here - - -

THE COMMISSIONER: Yes, we see them this afternoon.

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[School discipline]

MS FORD: Ask them that but, as I understand it, there aren't any provisions made for children that are expelled or suspended to have access to education. I think that probably goes across most of the states and territories, that that is the case. Whether it means - again, I think, the approach there is that schools themselves have to look at why those children are not succeeding in school, rather than, again - it's a blame the victim policy at the moment, it's the child's fault, the child is misbehaving. The child may be violent, whatever, and, therefore, the answer is, "We don't want them in the school."

15

What that means, of course, is an immediate cycle of not performing in school, which leads on to unemployment and then the sort of cycle has already begun. That's what really concerns me, and, of course, these children have a right to an access to education.

20

I think there could be small units that may be attached to a particular school but they need to have specialist staff in those schools that know how to deal with children with behavioural difficulties, behavioural problems, and that can also counsel children. They could be drug-dependent, you know, come from abusive homes. There's a whole range of support mechanisms that children need, that are getting into trouble in schools, and I think that that's what needs to be kicked in when a child is suspended or expelled, rather than just leave them to wander the streets and then get into crime, which often happens, or sit at home and smoke bongs all day, which I think is another thing that occurs for the children that are just not at school.

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It's not a productive approach and I think that those children need to be supported by the education system but, of course, by other social services as well.

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THE COMMISSIONER: New South Wales is the only jurisdiction that has in its act a right to education for children. It's a recent provision in the Education Act but it is designed to start dealing with this very issue, that if a child is expelled, particularly a child under the age of 15, there is an obligation on the state to provide an alternative because the child has a right. Whether it eventuates in practice, of course, is another matter entirely.

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My last question just concerns an area you haven't dealt with, and that is education of disabled students. You mentioned earlier, I think, in your introduction, that you were doing some work in this area

of special educational needs. Have you done work in relation to education of children with disability?

MS FORD: No.

5

THE COMMISSIONER: No, okay, thanks. Thank you very much. Peter Toyne. Thanks for coming along, Peter. The way in which it works is we invite you to introduce yourself and make whatever opening comments you want to and then Brian and I may have some questions to ask you afterwards.

10

MR TOYNE: Okay. I'm Peter Toyne, I'm the Shadow Minister for Education and Training in the Legislative Assembly. I'd like to just give a quick background of my own background in Aboriginal education and remote education in the Territory.

15

I started in the Territory in 1981 and spent two years working as a community adviser for the Urapuntja Council in the Utopia area, and that involved looking at community development and enterprise development; a lot of adult education aspects to that. I then moved across to Yuendumu and spent six years there as an adult educator, setting up things such as the Indigenous art enterprise, the Warlukurlangu Association and a whole lot of community training activities there.

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I then moved into the community education centre as the principal, and spent seven years as the principal, in charge of the primary, secondary and adult programs in the community. I then spent a further five years there, working on telecommunication development and other community issues that the community wanted me to be involved in. Then I became a politician, I don't know why.

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THE COMMISSIONER: It sounds like you became a member of parliament, you'd always been a politician.

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[Indigenous education]

MR TOYNE: Yes, that's probably right, I think so. I'd like to just give a quick, very broad overview of how we see the way Aboriginal education is travelling in the Territory, and I would probably do it in sectors. The key ones that I'd like to talk about are primary and secondary, although there's a lot you could say about adult education as well. I think the low academic outcomes of particularly our remote schools are pretty well documented so I won't go into the detail of it but, clearly, we're not getting the outcomes in any of the core academic areas - like literacy and numeracy outcomes are incredibly below the national averages and the urban averages for the Territory.

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5 We're seeing continuing problems in staff recruitment and the retention of staff, with the exception of Aboriginal graduate teachers, who have, in many schools, stabilised the staffing beyond what it was before. We're seeing still a whole raft of problems to do with the family and community perceptions of what the school education is in their particular home communities and there are, associated with that, problems in terms of the attendance of children and the general support of the school or the education programs by that particular community.

10 I think you could sort of characterise the primary level as being - it's there in most communities, in probably other than very small communities, but it's still very dysfunctional, in terms of getting Aboriginal kids up to any sort of viable level, compared to the rest of the Territory and the rest of the country.

15 When you look at the secondary level, there's still a significant lack of coverage of the age group. Some years ago I was commissioned by the Education Department to look at the 12 to 20 16-year-old age group and see what sort of coverage they had beyond the primary level. At that stage there were 25% of over 1,000 kids that I surveyed who had no program whatsoever; they were just simply outside the education system altogether. 50% of the group had coverage with programs but it was of the type of post-primary education, which, compared to a normal secondary level program, 25 where you've got specialist teachers and a whole range of specialist facilities and programs available to teenagers - they were simply in a single-teacher operation with a teacher generally primary trained. So it in no regard could be considered as a secondary course. The other 25% were in community secondary-type programs or they were at 30 boarding schools, doing a secondary course. So, clearly, that's well below the mark in terms of even covering the compulsory-aged students, let alone looking at the senior high school levels.

[Remote area education models]

35 The problem still remains settling on an effective delivery mode or a model of delivery. Boarding schools have always been fraught with problems such as the students getting homesick or getting teased by their peers, wrong liaisons between male and female, such as the parents or the community wouldn't want to see. The combination of all 40 those things means that there's a very high attrition rate of students going to boarding school. Boarding school is also a very expensive option. I've seen estimates of the cost of about \$20,000 per head per year for secondary delivery.

45 The other major model is correspondence school and out bush - I suppose I'm in a good position to talk about it because both my own children did secondary correspondence. It's a miserable way to do a secondary course. It's very mono-layered; it doesn't have any of the

interaction between students and teacher and student that you'd normally find; it's very dilute, it's not a strong enough mechanism to actually carry a full secondary option.

5 There are some very promising models, I think, being trialed in various parts of the Territory and elsewhere - what I'd call a mixed-mode multi-campus model, which is where you have various modes of getting the course material in front of the students. Some of it might be correspondence, some electronically-based through computer contacts and things like video conferencing. Multi-campus meaning that you might have a classroom in half a dozen communities, with one teacher based in that community, and then cross-deliver the course work either with electronic links or with workshops where the students or the teachers move, such as has been done in the Ngaanyatjarra College down at Ayers Rock area, the Ngaanyatjarra area.

 Again, if I can give a broad characterisation of it, I think it's an unfinished task to extend the secondary program across to all Territory students in that age group. There are many that are not doing it at all, possibly about 2,000 students, Territory-wide. There are many that are doing courses that wouldn't be considered anywhere else as a secondary course; they're generally dilute and inadequate courses. We've still got a fair bit of work to do on the actual infrastructure if we're going to improve the actual mode of delivery that we use for that level of education.

 I think with primary it's very important to have a primary teacher who makes a personal bond with the students. At secondary level you can have a combination of a tutoring presence there and have specialist teachers delivering it through another mode, so there is more scope to do that, as there is with adult education.

 Without looking at the levels in particular, the whole problem of delivery to our remote communities - there's been a lot of light thrown on the root causes of the dysfunctions at the moment through the Griffith Service Access Frame, which is a method of measuring need to control the distribution of resources, which was developed by Dennis Griffith here in the Northern Territory. He himself has done studies in Western Australia, Northern Territory and Queensland on the correlation between isolation and disadvantage, as measured by his formulation. His formulation consists of considering the distance of the school from the nearest service centre, plus the cost and difficulty of travel to and from the service centre, in the form of whether you have to use airfares or what sort of quality roads and so on; and then the economic strength of the community in which the school exists, which is measured in terms of the number of jobs or enterprise activities that are going on there.

5 The thing that he showed was that there was over 95% correlation between the academic outcomes of a school and the measure of isolation and disadvantage by the GSAF, which says that the root causes are holistic causes; they're not to do with the particulars of a school program or the particular attitude, I guess, of the community to the school on a more specific level. So if we're going to deal with the low outcomes and the general vulnerability of education programs out there, we've got to look at the whole situation the community is in.

10 I'd suggest that a starting point for a solution came out of the recent statehood referendum and the ensuing I'd call it a bunfight rather than a debate on where we recovered any sort of sense of one community pursuing the prospect of statehood. The combined
15 Aboriginal organisations have called for a heads of agreement in which the government and the Aboriginal groups go right back to the start again and say, "What is the relationship between the government and the communities going to look like?" and in particular both in areas of economic development and in areas of service delivery, such as health
20 and education.

25 I think what we're seeing is that the attitude of communities to their schools is being increasingly or progressively framed by the cycle of non-production of any beneficial result. If you've got children who have gone through a six-year school program or even, in some cases, nine, 12 years and they still end up unemployed in a community, or if you've got adults that have been going for 20 years or more on training programs who never achieve the jobs that they're always told they're training for, then, obviously, there's going to be an erosion of goodwill
30 and trust in the process.

35 So what the corporate heads of agreement is trying to do is to say, "All right, let's confront that and let's look at where we are and what we can do at this stage, and look at an integration between the types of things that a government might do to promote the regional economic health of an area, in the form of sort of employment opportunities for a community and how they can relate it back to the secondary and primary levels of education or indeed to adult
40 education."

That's the big picture, as we see it, and I guess we'd read any specific issue in remote Aboriginal education in that sort of context.

45 **THE COMMISSIONER:** Thanks, Peter. Brian?

THE CO-COMMISSIONER: Peter, I'm very interested in the model you sketched of multi-mode, multi-campus delivery of secondary education, utilising tutor support and specialists delivering materials by other

means. I'm also particularly interested in the corporate heads putting together a proposed agreement. I'm wondering if I can link both to the existing telecommunications infrastructure in rural areas, and I wonder if you could give us your take on that. You've had quite a lot of experience working with telecommunications provision for education. What are the prospects for secondary education expanding by means of on-line delivery? What are the prospects for this corporate agreement incorporating Telstra and its significant improvements to the infrastructure?

MR TOYNE: I think the reason why we believe a heads of agreement and a look at the way in which to deliver services has been timely is that we have trialed models now where we know that if you look at the function of a teacher and seeing it as being a combination of a tutoring role and a lecturing role, it's easier to find a suitable tutor in even a small community, because essentially you need someone who the students respect the authority of and who's got a working knowledge, at least, of the basic literacy and numeracy. So it opens up the possibility of having Aboriginal community members act as tutors within an overall delivery model, at the same time as being able to recruit from urban teaching communities the specialist teachers that you might want to have involved in secondary level delivery.

It plays to the strengths of the existing situation, rather than the weaknesses. It's obviously very expensive and very difficult to recruit and retain yet another layer of teachers in a remote community. In fact, in most cases the community would probably have reservations about a further impost of non-Aboriginal community members. So we feel that that's the argument for a mixed-mode model, which is to say that you don't act on having a full set of teachers in each place relied on to deliver the program.

[Technology]

In terms of the technologies, the other thing about mixed mode is that you don't see any particular aspect of the delivery as being the answer to the problem in itself; it's a combination of the strengths of several different ways in which you can deliver education. So that print material is still important, electronic delivery has its role to play, and preferably in several modes of that type of delivery. Video conferencing is good for lecturing, because a teacher can work to a classroom of students, the same way as they would in a conventional school; whereas interactive computer links can be a very good tutoring medium, one teacher, one student, or maybe two students at the most, and interacting through a computer screen, with a telephone link to support it.

They're all shown to be quite beneficial. I mean, there have been trials of each of those separately but never in combination. I think

that we have got enough useful trialing to say that it's certainly worth a full-scale attempt to put this sort of mode together.

5 In terms of the actual bandwidth that you need, in many cases that doesn't exist at the moment. A lot of communities are still on the terrestrial microwave systems, DRCS, and that won't carry the more advanced or the high-capacity computer links. Against that, the regional telecommunication infrastructure fund that's currently being deployed and there's certainly one indigenous bid, the outback digital network, which is expected to introduce these sort of technologies into about 120 communities in northern Australia. If that's infrastructure is appearing, then obviously it's timely to start thinking about the way you could apply that to educational delivery at this stage.

15 Going back to my other comments about the heads of agreement, this has all got to stand on trust, it's not just simply on the technologies and the teaching strength, it's got to stand on some belief that the exercise of putting your kids through six years of secondary, for example, is going to resolve some tangible benefit, which it hasn't in the past, generally speaking. We see it as being absolutely essentially that the heads of agreement accompany any specific kind of attempts to set up trialing.

25 I think the other point we'd make is that for years the Territory government has pillaged the federal program funding as it came through as administered here. I mean, taking 48% of on-costs out of Indigenous delivery programs is absolutely unwarranted. My understanding is that the federal funding agencies are getting increasingly restive about that situation as well. If those funds were handed on in full, there would be more than enough money, in my view, to carry the communication costs and the other development costs for the sort of initiatives that I'm talking about. So in other words, it's just a matter of being honest about the use of funds that you're accepting from the federal department and putting it directly into the coalface.

35 **THE CO-COMMISSIONER:** Peter, would you want to say anything about the provision of education for children with special needs?

[Students with disabilities]

40 **MR TOYNE:** Yes, certainly. The agreement between the Commonwealth and the Northern Territory Department of Education has a major goal, the special education needs of children. At the start of this triennium the Northern Territory Department of Education basically had to say to the Commonwealth, "We really don't know the extent of the need out there and we will now undertake to do a profiling of it." I'm not sure exactly where that exercise has got to but I would expect that at this stage of the triennium there should be some profiling available.

5 Just in terms of my practical work as a school principal working out at Yuendumu, the need connected with otitis media and hearing impairment alone would be a very major special education area. At any one time 40% of the students in Yuendumu school had significant hearing loss due to otitis.

10 The best way to find out what that means to a teacher in practical terms is - if you put on a set of industrial earphones or headset like they use, say, at an airport, people that are working around jet engines, and hear what you actually hear, which is a very dead, very lifeless version of sounds around you, that's what those kids are dealing in a classroom, and that's what the teacher is dealing with, particularly if their voice is only marginally above the ambient noise in a classroom, unless it's been sound-conditioned. A lot of these classrooms have got evaporative air-coolers which put out a significant amount of background noise. A lot of them have got very hard surfaces, where you get echoing and reverberations around the room.

20 When we did sound studies of the classrooms at Yuendumu we found that in some of the classrooms they were putting up an equivalent sound level to a truck prime mover being parked 10 metres outside the door, and that's what the teacher is trying to project their voice above. So there are really very basic things, very commonsense things that simply haven't been done in the older facilities that have been put out. I think it is starting to be addressed in the newer classrooms that are being put up.

30 That's just one area and I think in a significant number of cases there's permanent hearing damage to those kids. Mostly it cycles so that at any one time the 40% that have got a hearing impairment will be a different list of names, year to year and even parts of years. So really you have to have strategies that prepare the teaching space to maximise the teacher's chances of dealing with hearing-impaired kids.

35 That's only hearing impairment, apart from the other mentally-impaired students that you might have in a classroom or chronically-ill students that are struggling with another organic disease which is going to affect their ability to learn - even simple things like skin sores which are extremely painful when they're coming to a head. If you've got two or three of those on your body, it's really hard to concentrate on what a teacher is trying to teach you in a maths lesson or something, because it's hurting, so you've really got to deal with that as well.

45 Really, health and education are very closely interwoven; if you've got bad health, it will have a major effect on the ability to achieve educational outcomes.

THE CO-COMMISSIONER: Peter, do you see any prospects in the short or medium term for significantly increasing the prospects of community-based employment?

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[Post school options]

MR TOYNE: Yes, I do. I think that native title, for example, contains the provision for regional agreements, and regional agreements would, ideally, bring Aboriginal community members together with other stakeholders in an area, like in a community of interest; and that could include things like mining companies that are operating in that area, tourism, pastoral properties. I'm talking about an ideal world here, where everyone sort of abandons set positions and says, "Look, we've got a common interest."

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I think we're finding that, increasingly, people are realising that - our overall economic development and our social development in the Territory - we're all in the same kind of like community and there are many constraints on our further development which will only be settled when we go back and start to delineate our common interests and start to build on areas where it's to everyone's advantage.

20

I think, clearly, for example, in Central Australia, where 40% of the Central Australian economy stands on Aboriginal programs of one sort or another, it's in the interests of the business community down there to further develop the activities of the Aboriginal communities, and vice versa. That's the kind of process that we'd turn to. If we formed government, we'd want to initiate an extensive program of regional negotiations aimed at trade-offs between the different stakeholders within the area. For example, the Aboriginal people often control the land resources, through either land rights or their residual native title holdings on other land, and they would bring to that that strength, plus the strength of their regional knowledge and particular cultural knowledge.

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We found in telecommunications, for example, Aboriginal perspectives on how you communicate actually add whole new dimensions to the use of the technologies that hadn't been thought of, even on a worldwide basis. So there are quite unique viewpoints there that are actually a strength that can be built on if you've got the right approach to it.

40

The reason we see native title agreements as being a potential for growing employment is that they'd be attached onto the act. I mean, they're attached to compensation packages; the federal government would put 75% of the contribution to them. I went to New Zealand's south island and had a look at the Kaitahu land claim settlement there, and that's a very comprehensive settlement which allows the Maori

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people to, for the first time, gain a significant part in the south island economy; both by buying into existing economic areas and also by establishing new areas that extend the economy there. It includes things like fisheries, vineyards and wine production, tourism.

5

At the same time, the Maori interests are built now directly into the government mechanisms. For example, the control of the use of greenstone, the material that jewellery is carved out of for the tourist market, is now in Maori hands, in terms of its artistic content and also the actual mining of the resource. That's actually added a whole credibility to the sale of these sorts of objects to tourists that may not have been there entirely before; it's very parallel to our use of acrylic paintings here with Aboriginal artists. Also in terms of land conservation and the use of fishing rights and so on that have been contentious for 150 years there, they've been able to build all those things into the agreement, to the extent that everyone now has a very clear position in it.

I think, you know, talking to not only the Maori groups there but also business people in the south island, they all feel that everyone has won out of it and that the economy as a whole is going to be grown through the agreement. The government package that funded that was \$170 million, which is money being spent directly into the south island economy. It's a bit like, you know, kick-starting the economy after the depression or something because it hasn't been performing very well. It's a major impetus into the economic life there.

THE COMMISSIONER: Thanks Brian. Peter, you mentioned this 120 communities technology link, computer link or - - -

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[Technology]

MR TOYNE: It's bandwidth, it's actually carrying the telecommunications sufficient power so that you can start using Internet and video conferencing and those sort of - - -

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THE COMMISSIONER: That will work by satellite, rather than by landline?

MR TOYNE: Both. It doesn't matter how you deliver it - it's a digital stream, so you can deliver that over satellite or through the optical fibre, if it's around, or high-capacity radio links.

THE COMMISSIONER: I see. Would that be, therefore, an integrated network where you could have people using different forms of transmission but all communicating with each other, as a group?

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MR TOYNE: Yes. Bandwidth is pipeline and you can flow information through the different formats all at the one time, as long as you've got enough capacity. So you could have video conferencing being used in an education program at the same time as interactive computer or
5 Internet access, as a sort of adjunct to what the library might be able to do out in a remote community. It's just really a matter of looking at the inherent costs of that compared to other ways of doing it, or the lost-opportunity costs of not doing it at all.

10 There are quite well-formed studies worldwide as to what impact high-level communications have on remote communities of all sorts; farming communities, indigenous communities. They're now quantified, and there is very much an opportunity cost of not doing it, but it needs to be appropriately done and it needs to be embedded in a
15 strong process where the people themselves shape how it's done.

THE COMMISSIONER: Yes. Do you know what the cost is to establish this network at the Top End and when it's likely to be completed?

20 **MR TOYNE:** The Indigenous bid has been funded to \$15 million, to get that 120 communities going. That will cover the actual hardware and bandwidth provision. It doesn't cover the operational costs because the way in which it's been modelled is that the indigenous company is given the infrastructure which it then takes back to the governments at
25 all levels and the private sector, to gain them as customers. What they'll probably do is intercede a carrier, like Optus or Telstra, to actually run the network for them and put it in. They'll bolt onto the end of it, basically showing the government people how they can get the best delivery arrangements out of a community and maintain them. In
30 other words, they'll have, hopefully, indigenous community members working at the community end, making sure that the delivery is effective into the community by working with their community and with teachers and nurses and so on, specialists in that type of technology.

35 **THE COMMISSIONER:** When I was at Yuendumu last October, you were involved in the video conferencing we actually had at that stage - - -

40 **MR TOYNE:** Yes.

THE COMMISSIONER: The Tanami network is starting to form, but that's not going to be anything near as large as what's being proposed up here at the Top End.

45 **MR TOYNE:** No. The Indigenous bid is actually based on a whole lot of regional operations similar to Tanami because I think the need to have really meaningful Indigenous control over the development and use of

5 technologies in the communities means that you've got to keep it on a scale so that the local Aboriginal authorities are going to be effective in controlling the project. I don't think they're thinking of a monolithic development and I think a national segment to it would be just simply coordinating the thing and also maybe negotiating the federal agreements and also agreements with nationally-based companies that might want to deal right across the top of Australia.

10 **THE COMMISSIONER:** The money for the Top End network is coming from the federal government, rather than the Territory government?

15 **MR TOYNE:** Yes. It's part of the money that came from the third sale of Telstra, which is \$250 million in all, so there's quite a lot of money there to extend this wherever people wanted to do it.

THE COMMISSIONER: Thanks. Just moving from cyberspace to the very specific, you mentioned about the problem with teacher turnover rates. Have you got any ideas on how that can be addressed?

20 **[Staff turnover; staff support]**

25 **MR TOYNE:** Yes. I think that there are clearly things you can build into the conditions of employment and I think, as an ex-remote teacher myself, the most important thing in the conditions of a remote teacher is the ability to take regular time away, preferably study leave or paid leave. I think the accelerated award system that we've got in the Territory is certainly a step in the right direction.

30 The other thing that we've constantly battled with is the lack of being in a collegial network. You know, you feel very isolated, particularly if you're in a one-teacher school or a very small school, you don't feel like you're part of a professional body. I think that's where, perhaps, the further use of these sorts of technologies could link teachers together. I think one of the best models that I saw was what's called the Walpiri Triangle. There are schools in the Walpiri-speaking area that have, virtually on their own bat - and I think Paul would know a lot about this too - banded together to do development of bilingual teaching approaches to different areas of the curriculum, not only the teaching of language itself but, for example, there's been a whole series of workshops done on the teaching of maths within a bilingual framework; for example, how to use the Walpiri language and Walpiri worldview as an adjunct to the teaching of mathematics and in fact what areas of mathematics aren't open to Walpiri concepts. The use of language can often be very misleading to students, as well as being helpful, unless you actually map out where it's helpful and where it's actually going to impede the development of maths concepts.

I think the Walpiri Triangle has done a lot of useful work in curriculum and development but, more importantly, it's established a

sort of a regional entity for the teachers so that they feel like they're not battling it out day after day in the classrooms, with no-one else sharing their situation. I think that would probably stabilise the employment out bush.

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The other ones are the practical things, like, you know, the quality of housing that's available, the amount of orientation of teachers to go into a bush community and understand what's happening around them, because it's a very unique environment that most teachers coming there actually don't understand when they first arrive.

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They're all factors in it but I think, going back to what I said about the GSAF, it's a combination of all sorts of things, that are to do with isolation and are to do with the poverty of communities and the cultural uniqueness of them, that all weight towards difficulties in terms of retention.

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The other thing I mentioned earlier was that graduate Aboriginal teachers have stabilised the area. I think that our own experience of teaching out bush, both my wife and I, is that it was our strong association, and continuing association in my new work, with significant Aboriginal community members and particularly those that were graduate teachers in the school that got us through the difficult bits, you know, where you're starting to feel really, "Do I really want to be here?" or, "Does this mob actually understand my needs as much as I'm trying to understand theirs?" It's often those people that actually bring the teacher through it and set them for another period of work there.

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THE COMMISSIONER: Thanks very much, Peter, thanks for coming along. Sr Anne Gardiner. Just for the information of others, we'll be taking a short break in about half an hour, to enable us to set up some video equipment. The Papunya community has sent us a short video which we'll be showing after the break but we'll break for about 10 or 15 minutes in about a half an hour, until we get that video equipment set up. Would you like to introduce yourself and make your comments?

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SR GARDINER: Thank you. I am Sr Anne Gardiner. I have worked in the Territory since 1953. I had six years out at Nauru, central Pacific. I am aware of not only the Catholic schools in remote areas but of the government schools as well. My paper deals specifically with the phasing-out of bilingual education, and I would like to refer to my paper now.

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THE COMMISSIONER: Thank you.

[Bilingual education; Indigenous education]

SR GARDINER: The invitation to make this address today filled me with excitement, because bilingual education is a topic that is dear to my heart; I was not quite like a cat with a bowl of milk but almost. I am not an indigenous person, nor do I speak on behalf of our indigenous people of the Northern Territory; they are quite capable of speaking themselves. I speak with sincerity, as a person who has worked with indigenous people over the past 40 years. I speak as an educationalist, who has grown with the system from the days of slate boards, in the 50s, until now, 1999, when technology has taken over the classrooms, even in our remote areas.

In this paper I wish to dwell on the linguistic background to determine "whether" - point 3 in your terms of reference, which you set up, states, and I quote - "the education available to children with disabilities, indigenous children and children from diverse cultural, religious and linguistic backgrounds complies with human rights". I would prefer to rephrase this statement and reflect on whether the education available to Indigenous children, with their various linguistic backgrounds, complies with their human rights.

In my early educational experience, I took part in the NT education policy of assimilation and we were urged to create an atmosphere where white is right. I am a product of those times and I was shaped by the philosophies of those days. Finally and fortunately, I was challenged by the Indigenous people themselves to let go and to allow them to do it their way. I accepted that challenge.

When the policy of self-determination was introduced, it was quite some time before the Indigenous people had the right to take responsibility for setting the course for further change, to specify the agenda for action and to control implementation. Part of the process of self-determination was the growth of the movement among Indigenous Australians to have their rights acknowledged. With this growth in self-confidence came a cultural revival in the north of Australia. Part of this revival was the desire from some groups to maintain their language and have it taught in their schools. It seems now, 25 years later, this right is being taken from them.

I quote from the United Nations Declaration on the Rights of Indigenous People, Part IV, Article 15:

Indigenous children have the right to all levels and forms of education of the state. All indigenous peoples also have this right and the right to establish and control their educational systems and institutions, providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning. Indigenous children living outside their

communities have the right to be provided access to education in their own culture and language. States shall take effective measures to provide appropriate resources for these purposes.

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To move to the focus of my paper, does the education available to Indigenous children, with their various linguistic backgrounds, comply with their human rights? In our remote areas there are many linguistic backgrounds. These languages are the lifeline for the remote communities, because you cannot separate culture from language. We could argue that the language in some remote schools stood the test of time and was there in 1974 when bilingual education was introduced. This is true but the policy of self-determination gave the Indigenous people the right to not only use their language but to have their language taught in school, if they so wished. Language gives identity, it gives self-esteem, it makes Indigenous people unique.

In today's educational climate here in the Northern Territory, the Minister for Education is in the process of phasing out bilingual programs in schools and replacing it with ESL programs. It seems that there is confusion with the understanding of "bilingual", which literally means "two languages"; it is not an either/or situation.

Second language learning should be based on the solid foundation of first language. It took me over 20 years to realise this and it took many moments of pain to realise my role was simply to empower the Indigenous teachers, who possess the key to teaching their own children, and that key is language.

This is surely supported by Prof Peter Austin, president of the Australian Linguistics Society, when he writes, and I quote:

We do not understand why sensible, staged ESL teaching cannot be carried out in bilingual schools. The premise of bilingual in the Northern Territory that indigenous and materially disadvantaged children better in their first language is backed by the findings of a wide range of international second language research.

It is my opinion that the phasing-out of the bilingual program appears to be very discriminatory. Children think in their own language. Thus, a 4-year-old child entering preschool thinks in his or her own language. Is this child once again to face, as did his forebears, discrimination because of language?

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Literacy levels in all schools is low. Yet the Minister speaks of low literacy levels in bilingual schools. Most Indigenous children in the Northern Territory are currently in English-only schools, which form the

majority in the Top End. It seems therefore that only the teachers and students in 21 bilingual schools are blamed for the overall literacy levels of all Indigenous students. Is that not discriminatory?

5 Dr Christine Nichols is a socio-linguist at Flinders University. Before that she was the principal education officer responsible for the curriculum of bilingual education in the Northern Territory Department of Education. Prior to that she worked almost a decade as the principal of Lajamanu School in the Tanami Desert, where Walpiri is used
10 alongside instruction in English. On 20 February this year, on Radio National, she said:

15 *One very powerful argument for retaining these bilingual education programs is the fact that the children in many instances enter the schooling process with no English whatsoever, so they don't actually understand what's going on when instruction is exclusively in the English language.*

20 I quote Christine Nichols one more time:

25 *It is difficult to interpret the Territory's government decision, which is endorsed by federal government, as anything but a direct attack on the relatively few remaining strong indigenous languages and the human rights of their ever-decreasing number of speakers. The decision will also mean job losses for many of the dedicated bilingual education workers in remote rural communities, the majority of whom are indigenous
30 people. In turn, this will translate into even higher levels of unemployment among rural Australians.*

35 Many Indigenous parents want their children to speak better English; however, not at the expense of losing their own language. Parents of students in bilingual schools have stated that they want better English, in addition to learning in and through their own languages. That is why school communities have chosen bilingual education. Better English is but one of the consequences of an
40 effective bilingual program.

45 It has been said that parents could maintain their own oral language at home, but, with today's social pressures and family backgrounds, I seriously question whether parents are able to pass on linguistic knowledge to their children. Are they, the parents, able to assure language maintenance and real access to literacy through the language in which the children think and operate, the organised learning of English as a second language in the way bilingual schools currently do?

5 The personal and collective choices made within bilingual schools have been supported by the communities for the past 25 years. These communities want their children taught through their own language at school, and that's a basic human right.

10 It is important to draw attention to the bilingual appraisal process that has taken place every three years since 1985. Each bilingual school was visited by the departmental people for a period of at least three days, after which a report was sent to the head of the Department. Schools were notified of the results of the appraisal and, if successful, were given another three years timeline to work with the program. Some of these schools would have had their appraisal recently and would have been given the green light to go ahead for the next three years. Yet, contrary to this, bilingual programs are being phased out. What commitment did the Minister have to the program, if appraisal was carried out only for the school to be told, "Yes, you were successful in the appraisal, but now all that is finished"? How would the teachers, the students and parents feel?

20 The big picture begs some questions. What is education for? Where are the jobs in remote areas for school leavers? Are we able to offer any job satisfaction which will enthuse our students? Have we been able to set a goal for primary students, that secondary education would be available for them in their own remote location? It seems that we have not been able to provide positive responses to these questions and will continue to do so until funds are provided to enable progress in these areas.

30 Why are so many non-Indigenous people still being employed in our remote areas? Could the answer lie in the oft-repeated phrase, "They (the Indigenous people) can't do the job" or "They're not ready"? Perhaps my own example throws some light on this situation. I spent 33 years on Bathurst Island and for these years was principal of the school. Now, in retrospect, I believe I held on too long, perhaps because I was too caught up in, "Are the Tiwis really ready to take this responsibility?"

40 In holding a position of authority, we must question, "What is this doing to the self-esteem of our Indigenous people?" Perhaps we should be aware that a power game may be being played out daily in our remote communities. There are many reasons why remote schools seem to be failing in what is expected as the end result in education. I believe it is not because schools run bilingual programs. No, the problem is greater is that, a problem that needs to be seriously investigated.

5 In the parliamentary debate of 24/2/99, Mr John Ah Kit, member for Arnhem, refers to some of the strong words said by our new Chief Minister. These came towards the end of his statement, the Chief Minister's statement, given to the assembly on 16 February of this year, and I quote our Chief Minister:

10 *Territorians should be able to live their lives, go about their business, without an interfering government telling them what to do, when to do it or why they shouldn't be doing it.*

15 Our Indigenous people are Territorians. I hope they are able to somehow relate to this statement, particularly in regard to the phasing-out of their bilingual program. These programs were hard-won in the first place, and the communities have said loud and clear that they want these programs. The huge investment of resources, time, money and people that have been invested over the years in educating and forming our Indigenous people to teach in their schools has been colossal. Were we wrong?

20 These programs should have more money put into them, rather than having all their resources slashed, and I quote article 38 from the United Nations Declaration on the Rights of Indigenous People:

25 *Indigenous peoples have the right to access to adequate financial and technical assistance, from states and through international cooperation, to pursue freely their political, economic, social, cultural and spiritual development and for the enjoyment of the rights and freedoms recognised in this declaration.*

35 The empowerment of the Indigenous people is through a valuing of their culture and their language. Culture and language are inseparable. A respect for the people implies a respect for their language and its preservation and continuance. I quote again from Part III, Article 14:

40 *Indigenous peoples have the right to revitalise, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and to retain their own names for communities, places and persons. States shall take effective measures whenever any right of indigenous peoples may be threatened, to ensure that this right is protected.*

I have a big question there.

In conclusion, I would like to go to a poem written by Maisie Cavanagh, an Indigenous person from West Sydney, who knows the pain of having a language taken from her, yet still trying to hold it intact. The poem is called Language:

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*Mother tongue, when I am dreaming
like a flood, you come rushing through
and I speak to you oh so fluently
seems I've always known you*

10

*When I awake, another language,
from a land so far away, dominates the scene now,
imposed without a say
though in deep, deep dreams, where're I walk,
with river great or creek,
every feature of land, every rock and tree, in my
language their names I seek*

15

20

*In bushland I walk and as friends we talk,
the flora and fauna there
as the songs come through and dances too
for me, I know you care
And ancestors wait the fall of night,
when in dreams we meet again
and by fires bright we will yarn all night
words will come like falling rain.*

25

Thank you.

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THE COMMISSIONER: Thank you, Anne, very much.

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THE CO-COMMISSIONER: Sr Anne, you bring a unique background and experience to the inquiry. You were working at St Teresa's, as it was then, 1953 to 1973/4, when bilingual education was introduced. Now, in 1999, you look back on 40 years of involvement in Aboriginal education, 33 of them on Bathurst Island at St Teresa's, or Moollaputyanu as it's now called, of course. In looking back, what do you see to be the strengths and weaknesses of the bilingual education program that was introduced 26 years ago, vis-a-vis, the all-English program that preceded it?

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SR GARDINER: I'll do the weaknesses first. I see that the weaknesses in our bilingual programs is that, having put many, many hours into the translating and the maintenance of the language and having to deal with the social problems and social structures that existed at Moollaputyanu at that time. The weakness was that the local Indigenous teachers had to carry pressures from home that were too much for them to bear, and then expected to come in and teach in

school the next day. So I see that there was a great weakness there, when our teachers, qualified as they were, still had to handle situations that are unknown to us as non-Indigenous teachers.

5 The strengths, I saw that, even though I fought against it, as I said in my paper, because when I came back from Nauru and bilingual education had commenced, suddenly I couldn't read what was going on in the early childhood. I couldn't follow that the power lay in the hands of Indigenous teachers but it took me time to go through that. What I
10 saw happened was the self-esteem and the ownership not only of their language but the beginning of the ownership of their school, the difference in the children - suddenly they had a language that they could speak in and they could write in, and, to me, these are the educational values that we should be looking at at this time.

15 **THE COMMISSIONER:** That's a very good answer, a strong answer, thanks, Anne. By way of comment, I'm sure that I'll hear a lot about bilingual education this week and I want to hear what the concerns are. What has struck me, though, ironically - in 1991 I was on the Australian
20 human rights delegation that the Australian government sent to China, and we went to Tibet. One of the major issues raised by the Tibetan people with us, in private conversations, was the question of bilingual education in Tibet. They were concerned that Chinese was the major medium of instruction and that they would lose their culture and their
25 identity as a people without being able to teach their children in Tibetan.

 This experience has come back to me constantly as I've read more and more about the bilingual debate here in the Northern
30 Territory. It doesn't resolve the issue one way or the other that, when we are so concerned about human rights in China, particularly in Tibet - this was one of the questions that was raised so persistently as a primary concern there. I just say that by way of diversionary comment. We're going to Bathurst Island tomorrow and I'm very much looking
35 forward to seeing the schools and the developments there. I haven't been to Bathurst before, so it should be terrific.

 I really wanted to ask you whether there were comments you wanted to make about your Bathurst Island experience, beyond the bilingual education one. You've focused on that and I'm pleased that
40 you have but there may be many other things, from 45 years in the Territory, that you could also tell us.

[Social and cultural pressures]

45 **SR GARDINER:** Like fishing and things like that? Now, what really worries me - and I say this in all sincerity and not taking away the people's, at Bathurst and Melville Island, good name, but what I saw happening over the years was when the media and TV and videos and

all that technology came onto the island, together with the addiction to drugs - that's when I really became perturbed within myself as to the future of the children.

5 What I was relating to there in my talk regarding whether the
parents would be able to maintain the language, the pressures that are
now on Indigenous people - like, we've asked them to move - from
1950, when I first went there, and there was nothing, there was just
humpies, and we were out hunting every day for food - to a social life
10 now that has all the technology in the world. What education was given
for passover into that? It was marvellous what determination in the
Whitlam government - that was excellent.

15 They weren't prepared for it, and it just worries me that our
parents, who we expect to be the ones that are getting the children to
school every day and seeing that education is so very, very important -
maybe they haven't got the skills or the tools to see that or to do that.
That was a worry but I learnt much from the Tiwi people, I'm a better
person for having worked with them and I think I learnt far more from
20 the Indigenous people out there than I gave them. I'm very privileged to
have had such a long time with the Tiwi people.

THE COMMISSIONER: Thank you. Could I ask that you leave the text
25 that you used with Fabienne, who's sitting in the back corner. It helps
us, if people are reading or presenting papers to us today, to actually
leave the text as well. Thank you very much for coming in.

SR GARDINER: Thank you.

30 **THE COMMISSIONER:** We'll break for probably about 10 minutes until
we set up the video equipment and then resume from then until 12.30.
Thank you.

35

(Videotape played)

THE COMMISSIONER: We record our thanks to the Papunya
40 community. I was in Papunya in October last year and, I must say,
having visited the community and seeing how strong they are, I'm not
surprised by the quality of their video presentation.

45 Is Michael Christie here? Come on up, Michael, thanks. I'd just
ask, Michael, if you could introduce yourself and then make the
comments that you wish to make and Brian and I might have some
questions for you after that.

DR CHRISTIE: My name is Michael Christie, and I work at NTU in a program which teaches Yolngu languages and culture through negotiations with Yolngu communities, which are communities in Milingimbi, Galiwinku, Ramingining, Gapuwiyuak, Yirrkala and the
5 homeland centres there. Thank you for asking me to come along.

When I thought about whether I would be able to make any contribution at all, I thought to myself, as Alison [Anderson, Papunya community council administrator] just said on the video, most of the
10 things that I reckon people in the Northern Territory want to say about remote and rural education they have already said over and over again, many times. So I thought I would just confine myself to three points that I thought didn't get as much exposure as I think maybe they should do. They just happen to be, I guess, my own hobbyhorses. I have written
15 those three things down on pieces of paper. Can I hand you those? For you others, you'll just have to listen.

Just a bit more about my background. I arrived in Australia in 1972, went straight to Milingimbi from New Zealand and worked at
20 Milingimbi. It was the first year that the mission had decided that they could no longer provide education, and they invited the government to come in. I was there in the transition between the admissions school, which was basically just teaching skills to people, life skills, to a sort of government-style education which really thought that literacy and
25 numeracy, per se, were the objects of education and were somehow going to be, of themselves, enlightening.

[Bilingual education]

Very soon after that, bilingual education came in and I got the
30 job as the teacher linguist and worked as the teacher linguist working on the languages, making books and stuff like that, which I did really for the next 20 years at Milingimbi and at Yirrkala. Now, teaching with a Yolngu lecturer at the university, we are only able to do that work because of all the wonderful work that was done in bilingual schools, at
35 Milingimbi and places like that, in the early days of bilingual education and right up until more recently.

One of the things that really impressed me and one of the
40 points that I would like to make is how bilingual education changed the relation between communities and education processes. That bilingual education was soon faced with the whole notion of Aboriginalisation and the idea that Aboriginal notions, Aboriginal pedagogies, Aboriginal content, Aboriginal everything needs to somehow be properly
45 incorporated into the school. Despite the fact that many people thought that Aboriginalisation was something that was supposed to happen to Aborigines, it was in fact something that happened to happen to the school, and did and, in fact, in many interesting ways, happened in all different schools all around the Territory.

My three points. The first point is that it seems to me that one of the things that people can't - especially the Northern Territory government - quite get into their head is the ongoing demand of
5 Aboriginal people, that *both* their languages and cultures and histories and ideas be represented in the school adequately and properly, *and* that the government has a responsibility to teach English properly to people everywhere. It always seems as though people think that one of
10 them has to obtain to the extent that the other one is somehow diminished or compromised.

There's no reason why there should be any compromise like that at all. There needs to be a balance between the input of the community and the power interests and all the interests in the
15 community into the school and an input from somewhere outside from the government, from national curricula or core curricula, curricula that come in in the sort of delivery of education.

That notion of delivery is a really hard one because it sounds
20 like mail being delivered, as if something comes along and just gets dropped there for people to work through. It's a bad idea. One of the things that's come out of bilingual education is this notion of Aboriginalisation where community elders and community interest groups are always somehow involved in ongoing negotiations with how
25 the school is structured, how it's administered, how the philosophy of education reflects the history and the interests and the needs of the group.

There are all sorts of results that come out of that. One of the
30 interesting ones that seems to me, is how the emphasis on the age at which education should be most intensive seems to rise, so that, as in schools all around the world really, people increasingly realise that it's the young adults and the adults who are the people who are most interested and most need to be involved in those educational
35 processes. With community control, it seems quite natural that the forces that are at work, educational forces at work, in the community allow that sort of change to take place.

[Indigenous education]

40 The second point, I guess, I want to make is that it seems - in a little bit of work that I've been doing recently, thinking about it and helping remote schools, white fellas' schools, it seems to me that, in fact, those demands that Aboriginal people seem to be making about their own schools are perfectly relevant to white schools; it's just that
45 white fellas don't seem to have quite caught up on the idea. Certainly, that notion of the balance between community interests, community histories, community aspirations and the stuff that's delivered from outside needs to be constantly worked on.

5 I have had a few discussions recently with Jabiru school,
talking about mounting and trying to develop a LOTE program in the
Aboriginal language of Jabiru, which is in the Kakadu park. It seems to
me that remote schools everywhere have interests where their
community building and community celebration of community life and
history are troubled in their call for involvement in the school because
of this notion of delivery and because of the power from outside. I won't
talk a lot about the Jabiru program, except to say that it's an uphill
10 battle. In Languages Other Than English - there's a perfectly viable
Indonesian program of work there but to get an Aboriginal language
program going there is really difficult and involves heaps of
commitment, and commitment to the relation between the community
and the school.

15
Part of that too is the call of Aboriginal people in those areas
and everywhere, and not only Aboriginal people, for support in
archiving their local history and their local languages in such a way that
it can be accessed through the school as an ongoing celebration of
20 community life and history.

[Information technology]

25 The third point, I guess, that I wanted to make is to do with
information technology, that it seems that if I think of my experience in
the Yolngu communities in the last 20 years, the amount of work that's
been done trying to get children up and speaking English and reading
and writing English - the whole problem of English literacy is a terribly
difficult one, especially when you've got a happy, vibrant community
where everybody can lead their entire lives without ever having to
30 speak English. However, Aboriginal parents everywhere demand that
their children get taught proper English and it seems to me that we
have definitely missed out so far on the opportunity of using information
technology in the Internet to do that.

35 In my work at the moment I'm trying to organise it so that
Aboriginal Yolngu languages can be taught from Yolngu centres
without the locals being moved to Darwin, to the university, and it's a
real problem just trying to get the information technology infrastructure
to work. It does seem to me that in that really difficult problem of
40 teaching English and one, as we all know that the Northern Territory
government is barking on about at the moment - it seems as one that
can be solved through the information technology systems and one
which - in a way, which doesn't compromise the celebration of local
cultures and local languages and traditions in the school at the same
45 time.

I think that's about all that I want to say.

THE COMMISSIONER: Thanks, Michael, that's very succinct.

5 **THE CO-COMMISSIONER:** Michael, I'd like to ask you two different forms of questions. The first one is drawing on your long experience at Milingimbi and Yirrkala and the presentations that you've given over the years at conferences, nationally and internationally, where you've talked about more than balance, you've gone beyond that in those presentations and you've talked about contributions that Indigenous epistemologies, Indigenous knowledge systems, Indigenous culture
10 can make to the shaping of western science, for example. Would you like to just comment a little on that?

[Indigenous education]

15 **DR CHRISTIE:** Yes. I guess one of the interesting things that came out of this whole Aboriginalisation thing - by this time I was at Yirrkala - was the insistence that Aboriginal elders be called in to actually talk about traditional Aboriginal theories of where knowledge comes from, what's it like, how is it produced and what sorts of protocols need to be at work
20 before knowledge can be produced in such a way that it enriches everybody's life and their claim to their land and their history and their knowledge of who they are.

25 Along came these elders and told stories, ancient stories, of their own lives and experience, which talked about knowledge production in a way which is completely different from the normal transmission metaphor that we use in the west. Most schooling is built on a notion that information is in the head of the teacher and passes through the mouth and along an imaginary pipe and into the brain of the person that's learning, and has the same shape in the student as
30 what it has in the teacher.

35 From a Yolngu point of view, that's impossible and it's undesirable because it's assimilation, especially if you've got a white teacher. The Yolngu have always had a model for the production of knowledge, which is negotiated, which is talked about using a ceremonial metaphor. I think if you go to Yirrkala you'll hear more about this, it's not my position to talk about it too much. It's to do with how knowledge comes out of a relation between language and the land, and it's only formulated through respect for people's positions from which
40 they speak from, and through some sort of negotiated celebration of the moment. In other words, truth, for example, is not something which is universal and transplace but it's something which is momentary, which is negotiated and celebrated together, relevant to a particular moment and to a particular place.

45 So that's one example of the way in which we, as white fellas, have a lot to learn about how we ought to organise our education through different epistemologies.

THE CO-COMMISSIONER: Michael, I asked you that question not only because I felt the answer would be valuable in and of itself but as a lead-up to a second question. If we bring information technology into the equation, first of all, what are the current problems? You referred to them without giving an indication of what some of those problems are. What are the prospects? I mean, how can the information technology be used to enhance education in remote rural areas in the Northern Territory, without just falling into the education as delivery model, in ways which go right against the kind of model of knowledge production that you have just sketched? So, what are the current problems and what are the possibilities?

[Information technology]

DR CHRISTIE: It seems to me, every time you pick up a CD these days, one of those computer CD things, it says, very sensibly, "This thing here isn't supposed to replace the teacher, it's supposed to be used by the teacher." There's no way in the world that we can get information technology organised in such a way that it will do the teaching for us. However, we know now, with Aboriginal pedagogy, that all books and things like that are taken only as artefacts, rather than as arbiters of the truth, so that we can in fact trust that people will use information technology in a way which supports their ongoing work of claiming and celebrating who they are in their lives.

I've just finished making a CD and it nearly killed me. The real problem is, first of all, that there isn't enough money being put into providing and training programmers. There just aren't programmers that are willing to do the job. Also, now that we've got the CD, there just simply isn't the computer infrastructure there to use it. We are up to pace on all of the aspects of our delivery, except that we just can't guarantee that the computers are going to be there. The closure of bilingual education is a worry about that too. I don't know the extent to which it should be a worry but it worries me.

Also, it seems to me that when you look at programs which are developed to teach English - I don't know much about them but they're not that good, I don't think. They're not as good as some of the stuff we had in the 70s at Milingimbi. We had some great video-based things in the 70s which did conjure up sorts of experiences where children can be who they are and experiment with who they are using English. It just seems to me that there's not much good stuff around. The amount of money it costs to build a secondary school, you could have a fantastic program delivered and used properly, I think, on the Internet as a way of solving the English problem.

THE COMMISSIONER: I didn't understand the point, Michael, that you mention, that the IT raises problems for you with the abolition of bilingual education, or would be the reverse - - -

5 **DR CHRISTIE:** Only that all the materials that we use are materials that I use in teaching the Yolngu languages and the Yolngu lecturer uses in teaching Yolngu languages were produced through bilingual education.

THE COMMISSIONER: I see.

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DR CHRISTIE: At the moment we have Yolngu students in Arnhemland studying with us, and the only access they have to a computer is through the literature centres. If the literature centres are closed down they might decide to put the computers somewhere else, but I'm not sure. The thing is that we depend upon the extent to which the Yolngu communities can celebrate their culture and their language in an ongoing way, and we don't want to have to teach it at the university as an artefact of something that happened in the 70s and 80s and 90s.

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20 **THE COMMISSIONER:** How many students do you have learning the language?

DR CHRISTIE: About 20 or 30.

25 **THE COMMISSIONER:** Right.

DR CHRISTIE: At all levels, post-graduate and undergraduate, and all levels through - but we are - in fact, we have got now grants to offer it through Open Learning Australia. So that subject to another 18 months of negotiation with the Yolngu stakeholders and intellectual property owners, we eventually, I hope, will be able to offer on a national or even an international basis, but really it needs to be done from the Yolngu communities, and a lot of computer infrastructure required to do that.

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THE COMMISSIONER: There's 20 or 30; are they predominantly Aboriginal or predominantly non-Aboriginal?

DR CHRISTIE: No, mostly not.

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THE COMMISSIONER: Mostly not.

DR CHRISTIE: But maybe a quarter would be Aboriginal; and we've got at the moment maybe five Yolngu students who are in fact doing the same course, but because they already know how to read and write the language they are producing stories of their own history and analyses

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of the relation between their land and language and things like that. So we've got Yolngu students working on it as well.

5 **THE COMMISSIONER:** The issue of IT infrastructure that you mentioned; is it simply not having the computers or is it about access to the airwaves or programs, software?

10 **DR CHRISTIE:** All of the above. Certainly you need the computers to see whether it's going to work or not. We've have the computers at Millingimbi and tuned into the Internet a couple times are really slow, but I think that that's come along. As I say, I think we need to be in a position, especially if we're looking into helping communities to archive, to negotiate with Aboriginal people, protocols for storing, and ways of doing it - storing and archiving their stuff on computer and getting
15 protocols for access to that information. So it's the whole lot really, including the politics of it.

20 **THE COMMISSIONER:** You mentioned your long experience at Yirrkala. One of the issues constantly raised is this question of what's called educational outcome. Have you seen changes in educational outcomes in Yirrkala over the last 15 years you've had association with it?

25 **DR CHRISTIE:** Yes; and I would say that in terms of English writing and reading ability, the place where that is now most at work, as I said before, is in that upper post-primary area, and even in the way somehow a lot to do with the interaction between the community elders and the teachers, that in a way the literacy levels and the way in which the younger Yolngu teachers especially use literacy as a sort of social
30 practice for their own ends is changing. Certainly in terms of how confident people are and speaking out and speaking of their own culture and making their claims to their history, I think there's been a big change as a result of that curricula at Yirrkala; and I think at Millingimbi and other places as well, although I'm less familiar with
35 them.

THE COMMISSIONER: Thank you very much for coming along.

40 **DR CHRISTIE:** Thank you.

THE COMMISSIONER: And thanks for providing the text too, Michael.

45 Bill Griffiths next. Welcome. Would you like to start off by introducing yourself, telling me what it is you wanted to say, and then, as you saw, Brian and I will have a few questions that we'd like to ask you.

[Catholic education; Indigenous education]

MR GRIFFITHS: Bill Griffiths is my name. I'm the director of Catholic education in the Northern Territory. This is my seventh year in this job, so while I've not got a lot of experience, I'm no longer a neophyte, to
5 use the local term, to some insights. I'm pleased to be here. The Catholic education sector will work towards putting a submission in by the due date, which is the end of September. So this is basically an exploratory meeting and a discussion about issues, a conversation perhaps. I'm not sure what the Commission's work plans are, but there
10 seems to be a gap in your hearings at the end of August where there might be possibly some feedback from the Commission about how things are going. So I suppose we're just seeing how the Commission's work will develop, directing our own ideas, with a view to getting something in by the end of September.

15
There are five issues that I would like to raise that will form the backbone or the core of our submission. We'll say something about Catholic education in the Northern Territory by way of its history and its scope and range, issues that it deals with. We would say something
20 about the nature of Catholic education generally as a generic form, and particularly with regard to Indigenous education in the Territory, how we bring forward that message within the church's teaching. I would like to say something about national issues with regard to disadvantage and how that's dealt with particularly within funding forums apropos the
25 Northern Territory. I'd like to talk about cost structures within the delivery of education in the Northern Territory in Catholic schools. Given your definition we regard the whole of the Territory as rural; that seems to be that that's what your definition says quite clearly.

30 **THE COMMISSIONER:** It seems to.

MR GRIFFITHS: Yes. I finally would like to say something about Indigenous education, particularly in the bush, as being an area of
35 great concern and interest for us. So if I could just skip through the beginning parts of that and talk in some detail about the issues at hand.

Catholic schools have been a feature of the Northern Territory education scene since before World War I. The first Catholic school opened here in 1907 in town at the present St Mary's School. The first
40 school in the bush was opened at Bathurst Island in 1912 by the missionaries, and since that time, in the 30s, and up to present-day schools have developed so that we have a network of 15 schools educating 5000 young people in the townships of Alice Springs, Katherine and Darwin and in remote Aboriginal communities, Port
45 Keats near Bathurst Island, Santa Teresa out of Alice Springs and Daly River, south and west of Darwin.

5 The schools generally operate on what you might call a
decentralised model. The Catholic Education Office is a small service
organisation that coordinates the work generally and provides a
mechanism whereby policies can be developed and implemented and
whereby accountability of the various stakeholders can be expressed.
A lot of responsibility in terms of staffing and financial management,
education and curricular management lies in the hands of the individual
principal of his or her school both in remote and in rural cities. That's
my first point.

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15 The second point, we would lay claim, I suppose, as part of a
wide Australian Catholic education network for certain basic principles
or aspects of a theory or a philosophy of Catholic education with regard
to both what the Catholic Church has taught about the nature of the
human person and the context of knowledge and human identity over
many centuries. We would also reflect, in our submission, on the nature
of Catholic education in Australia which has been a feature of the
educational framework, I suppose, of countries since well before
20 federation, and reflects something of the context in which that occurs
today where in Catholic schools across the country one child in five of
all those in schooling is in a Catholic school. There's a very strong and
vibrant network that enjoys, I would put to you, strong community
support.

25 Within the Northern Territory the Catholic school population is
about 13-14% of the total population of children going to school, which
is a bit below the national average. There's a steady, but not
spectacular, growth in that percentage from year to year.

30 Particularly we would lay claim, as a system of Catholic schools
or integrated Catholic schools to be at the service of the wider
community, to be at service for those particularly who are marginalised
on the edges of society. We would lay claim to being very much
interested in developing a sense of Christian community in our schools,
35 of being open to consultation with parent and students, community
leaders. And we would lay claim, I think, to an integrative view of how
curriculum and how schooling is organised and how children are
taught. Again, there will be chapter and verse on that in our
submission.

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[Rural education funding]

45 Point number 3, and this is I suppose my reflections looking at
the operation of Catholic schooling in the Northern Territory, which by
definition is a rural and/or a remote area, however we define it. We
would argue - and I think our colleagues at the Department would
argue too - that there needs to be serious consideration given to the
way in which disadvantage or rurality or remoteness is defined in terms
of programs that either allocate or carve up Commonwealth funding for

5 general and specific programs in school education. The Department of Education would talk about the Griffith Service Access Frame, GSAF, as a process whereby they and, we would say too, ourselves are involved in allocating funding within our network, and the government has had some success in persuading national Commonwealth education authorities in some instances to adopt the GSAF as a basis for looking at education, disadvantage and distribution of funding accordingly.

10 There is a degree of frustration, I think, in the Territory, for all of us involved in schooling that the definition of disadvantage was stopped on the western suburbs of Sydney and Melbourne, which is a difficulty for us because although it is only a very small percentage of the population in the Territory there are obviously factors which are
15 very different quantitatively and qualitatively I think in terms of how disadvantage is defined.

20 So we would argue in our submission I think that if the Commission could focus a debate on how in terms of funding allocation these problems are defined and these definitions are drawn up that would be very helpful because the sheer weight of numbers in the Sydney and Melbourne access is a little bit frustrating I think and I don't think necessarily reflects an understanding of education in rural areas.

25 I suppose what we'd argue, again without labouring the point, is it's not simply a matter of population; there's got to be some more complex discussion and formularisation of how funding is developed - and Dennis Griffith is appearing here - I take it you've taken up some of those issues with him because they're of some moment, I think, in
30 terms of national policy. So we would support an investigation of those sorts of more sophisticated, I would suggest, understandings of how disadvantage and rurality is calculated and expressed.

[Education costs]

35 Point number 4, and a very practical basis, the cost structures of delivering education in the Northern Territory for us are severe. The Commonwealth published figures will point out there is a very significant margin on the average cost of educating a child in the primary school sectors in the Northern Territory generally; a factor of
40 975% over the average costs in Sydney and Melbourne, as published by the Commonwealth Department of Education, Training and Youth Affairs. That hides a multitude of problems I think for us in providing a curriculum with provision of development support for teachers and for classrooms in the Territory; dealing with a high staff turnover where
45 there is quite severe recruitment in service placement costs. The question of accessibility and availability of information technology infrastructure is an issue too once you get off the main arterial - the road from down south.

[Professional support for staff; staff development]

5 Developing and sustaining contact that aids professional growth between and within the schools, we find, is very expensive. This afternoon we'll go to Alice Springs; we have a school in Alice Springs and a school at Santa Teresa, so just to get there costs me \$1,000 plus whatever accommodation. I've got to hire a four-wheel drive to get out to Santa Teresa. These sorts of costs are very difficult to deal with.

10 I think in terms of our schools too we have to invest significantly in staff development. We have a lot of younger people working in schools who themselves won't stay as teachers for a long time; so there's a foreshortened professional development cycle, which creates
15 problems in the schools. No sooner do you get somebody organised then you've got to do it again. It's like the Sydney Harbour Bridge only worse. There's a question with student transience too, and dealing with that is a difficulty in terms of providing the support for teachers and the programmatic support, and the curriculum structure doesn't enable
20 them to make sense of what in some schools is a fairly rapid turnover of students.

[Students with disabilities]

25 With regard particularly to service provision for children on the margin, I wouldn't need to elaborate the difficulty of supporting a child with special learning needs in remote communities; it's very hard, it's very difficult. It's not just a question of money. Even with the money, it's finding the people that have got the skill, have got the interest and the stickability to go out and work with a child who has a physical or a
30 learning disability. Providing materials is, in some ways, the easy part; it's finding the appropriate people and supporting them in the job, and that makes it very difficult.

35 So certainly there is a cost imperative in all of this and there's a people imperative too. Without wishing to sound too (indistinct) just the provision of more money is not enough; we've got to have a way of actually using that money and working out how to find people and support people who are prepared to see remote and rural education as a significant career opportunity, I'd say. And while the money is very
40 important, there's a whole stack of what you might call intangible or related factors which have to be dealt with as well in terms of providing the support. People need to function for - in terms of professional people - long periods of time outside the major capital cities in Australia.

45 **[Indigenous education]**

Finally, Indigenous education. There are about 1,000 Aboriginal children in Catholic schools in the bush in the remote community schools. The Aboriginal population of our town schools in

Alice Springs and Katherine and Darwin is around 15%; some would be more than that, some would be a bit less than that. We would enumerate a number of goals as a network of schools which underpin our work in Indigenous education. Some of those would be improving attendance and retention rates, literacy and numeracy outcomes for Indigenous kids, supporting programs that teach respect of cultural diversity, consolidating secondary boarding opportunities for students from remote communities, provision of more locally-based opportunities for mainstream junior secondary education for kids in the bush, finding a balance that's most appropriate between vernacular and standard English programs in remote community schools, working to establish productive understanding with local community leaders about the role of school and the purpose of schooling in remote communities and determining how best we can support the school in terms of localisation and Aboriginalisation in remote communities.

Just two examples to finish off, I think. One would be our initiative on Bathurst Island where we have two schools cheek by jowl. Over the last two or three years we have implemented a mainstream Year 8 and Year 9 initiative for students in Nguiu and Bathurst Island where these two schools are situated, boys and girls who have got the capacity and the standard to undertake mainstream junior secondary education at home. It is a question that I would suggest which would be very dear to the heart of the commission in terms of the basic article 28.1 in terms of availability and accessibility. It would seem to me it's a question of justice, that if the only options for young Aboriginal people in the bush are correspondence, however defined, or boarding school, I think that that's not adequate because there would be an option available to most others of being able to do a significant amount of junior secondary education in the home community, most other Australian young people.

So the Catholic Education Office is taking this initiative, and because of the funding arrangements of the Northern Territory Department of Education we have worked up the concept of an area school to allocate some additional funding for this particular school. It's incremental, it doesn't require the establishment of a capital-S secondary school at Bathurst Island with the huge capital costs that that would entail and the huge expectations that that would raise. But in terms of an area school, which is a sort of bureaucratic concept which already exists, to establish such a school with the funding that goes with it in terms of supporting staff and materials for junior secondary age kids, there's some quite good outcomes.

We now have classes of Year 8 and Year 9 for boys and girls; they're still separate. You'll have a look at this tomorrow, I believe, when you're in Bathurst Island, perhaps a chance to talk to some of the young people involved. The people are not prepared to have

co-education as such, but both the girls' and the boys' classes are taught by a group of three or four teachers with the secondary training experience under the direction of one of the two school principals at Nguuu.

5

I'm not pretending all this is easy; it's quite a difficult exercise to do. We have to be flexible in terms of how we program different subjects, how we teach certain subject, we have to be flexible, perhaps, to expect that Year 8 might take 18 months to complete rather than the traditional 12; but again, I think, being committed out of a sense of justice at least to exploring and to provide hopefully mainstream Year 10 outcomes for young people in the bush is a very important part of our endeavour at the moment, the rationalisation being that if they have a Year 10 certificate, a JSSC as it's called here, they're of an age and of some competence which would then support successful boarding school, possibly, experience in Darwin or somewhere else to work towards the Year 12 certification process or into vocation, education and training options which are open to kids at that age. So that's the one local example.

20

The other one would be in remote communities, again the commitment to localisation, to Aboriginalisation. The Catholic Education Office has a strong commitment to working with local communities to train and employ local people as teachers in the bush. It's a - difficult is the wrong word - it's a very challenging process in that it raises a whole host of explicit and implicit issues about the nature of schooling, the west centrism, if you like, of schooling and how it fits within Aboriginal language and culture, and concepts of the purpose of schooling and what flows after that in terms of work opportunities for kids. It raises all sorts of questions about what self-determination means; if that is indeed a policy that we can support how "self-determining" should a school be with substantial Aboriginal leadership? And the tensions that come out of the arguments and discussions as that happens - as it will - and how that locks in with what is expected in terms of education being like a national right for children and structured in such a way as to reflect the totality of Australia rather than just the particular community.

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There are two of schools with Indigenous principals using some Commonwealth funding through the Northern Territory Department of Education. We've got a program of mentor support for these school leaders and in other schools to support the development of school leaders. Within that comes a whole lot of discussion again about what it is to be a school principal, and I think it would be fair to say we have learnt an enormous amount about other models, other approaches, different approaches to how leadership functions are expressed in a way that combines the needs and the imperatives of Aboriginal culture in that particular community and the needs of the education system, the

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bureaucracy, the funding arrangements, the paperwork that has to go with running a school, concepts of group leadership, of shared leadership, of arrangements that reflect the details and niceties of local responsibilities and family structure.

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There has to be a re-thinking and continual, I would say, working through of the issues that we might take for granted within the terms of how we provide schooling and what really will work in terms of Aboriginalisation. That's a tremendous challenge, and I'm not sure that we're all that successful at it, but there's a lot of work going on.

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So, Mr Chairman, thank you.

THE COMMISSIONER: Thank you very much. Brian.

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THE CO-COMMISSIONER: I've got a number of questions I would like to ask. I'm not sure that time will permit to ask all of them, so I'll just make a start.

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In your view, what can be done to improve and extend secondary education in the bush?

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MR GRIFFITHS: I think our initiative in Bathurst Island gives us a few clues, or it gives us some grey understandings about how this can be done. My own personal view would be that trialing something on a low-profile basis - we haven't made a big fuss about this - we don't raise people's expectations unnecessarily; we don't go to the government seeking \$4.5 million to build a secondary school, which multiplied by any number of communities where there are large populations would be very difficult to summon up. Using existing facilities with some minor modifications, finding staff - which can be difficult but not impossible - working out a curriculum negotiating with the community.

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I think that sort of incremental approach at the local community level would be the way that I would favour because I think to be too optimistic about it or too forthright about it would run the risk again of imposing or being seem to impose a whole range of educational constructs which might not suit. I mean, secondary education is very cultural specific in my view; much more than primary education. There's a whole raft of stuff which is implicit in the way secondary education works and teachers look at their role. So I think we've got to hasten slowly with that.

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This is an aside - that's been quite difficult for some of the non-local people in this trial program at Bathurst Island because they feel that we've gone far too slowly, and everybody knows that this is what you do in Year 8. Again, that reflects where they come from, but in

terms of making a lasting change that reflects what's achievable in the bush we have erred on the side of haste rather than speed.

5 **THE CO-COMMISSIONER:** Bill, then let me ask you about teacher turnover and teacher shortage. You're aware of the fact that Barbara Preston, research officer to the Australian Council of Deans of Education, has been saying for a number of years that we face an impending national shortage of teachers, and the fear has been that there will be an impact in the Northern Territory. From your perspective
10 as director of the Catholic system in the last seven years have you seen evidence of this? Have you found it progressively more difficult to recruit teachers and to replace them?

[Staff recruitment and turnover]

15 **MR GRIFFITHS:** The turnover this year is just over 20%, which is the highest we've had, one in five; but again, that's a global statistic. If I could break some of that down, with our remote community schools we don't offer non-local people anything more than a two-year contract or secondment. Some people would argue that's problematic in itself in
20 terms of continual turnover there, but the rationale is that we've got to retain positions of a permanent nature for the local people if and when they have the qualifications and make application to be employed.

25 We've found that there has been a drop-off in the volume of people interested in responding to our ads in the paper for employment. We have gone about a secondment process with the major Catholic employers in the big cities, and that's worked out quite well. With no disrespect to the deans of education, my theory is that there will always be a range of people who want to come to the
30 Territory because most of our teachers come from outside rather from the NTU, out of a sense of adventure or for a whole host of other reasons - some good, some not so good. So I think that the bodies will be there; perhaps not as large a number. We have been very keen through the secondment process to try and attract the quality of people
35 we would like to have. We, of course, are then still faced with a very severe turnover problem in terms of keeping curriculum and school policy alive.

40 **THE COMMISSIONER:** Bill, I just have a few more specific things. You mentioned that in the towns 15% of the student population were Aboriginal. How does that compare with the percentage in the state schools in the same towns?

45 **MR GRIFFITHS:** Some would be lower, some would be higher. Our school in Katherine has very few Aboriginal children; it's a primary school - we're going to Year 8 this year. They'd have a handful compared to other primary schools in the town, one particular primary school in the town. Our school in Alice Springs would have - there's

three campuses – 1,000 children, from kindergarten to Year 12. There's quite a large percentage of Aboriginal children there. I'm not sure how it would relate to the whole town because again there are certain schools within the Alice Springs area that have a much higher than average
5 Aboriginal role in town. The situation in Alice Springs draws young people from the town of Alice Springs and various town campuses. That's quite a complex issue in terms of providing education for Indigenous kids. I think it would be on a par at Alice Springs.

10 In Darwin the average might be 20% so again we're getting a little bit shy of that; 15 this year on average. But in my time here it has been - in one year it was a bit over 20%, so there must be something about the way people move around and that sort of change in the percentage of the population that's Aboriginal. I'm not sure that I can
15 say there's any reason for it.

THE COMMISSIONER: There's a concern in some parts of Australia that the Catholic school system may become the refuge for white parents to send their kids as the government school system becomes
20 more Aboriginal in population in some of the rural areas. Is this an issue here in the Territory, or do you see it potentially becoming one?

MR GRIFFITHS: I don't think so.

25 **THE COMMISSIONER:** I'll give you an example of a town in New South Wales where the state school is 97% Aboriginal and the Catholic school is 80% non-Aboriginal.

30 **MR GRIFFITHS:** You're on the way to the Kimberley. You'll find the exact opposite there, where the Catholic schools are substantially Aboriginal population, the town schools are white kids. Part of the tradition of the place, I think.

35 I think the Aboriginal population in some of our primary schools and towns depends more on what's on offer in the school. One of the ongoing professional debates is whether you have a unit, a holding station, a separate classroom for Indigenous kids or whether you integrate them into the regular classroom; and in some of our schools it ebbs and flows a bit, and the population ebbs and flows with it. One of
40 our primary schools had run a unit which was a separate class, totally separate - not physically separate, but in a working sense totally separate from the rest of the school - and after long consideration we decided we would try and place as many children in this group in regular classrooms, only to find a lot of them didn't come back because
45 they enjoyed the security, I imagine, of the single, discrete Indigenous classroom. That debate is now swinging back the other way, so I think the same school will be reinstating its unit at some stage because it's

the nature of the debate, I think, in the profession. It tends to sort of ebb and flow.

5 So I don't think there's a tendency for Catholic schools to be more favoured by white fellas than Aboriginal people. The exception might be Katherine. Katherine is a very difficult town, I think. I'm not really across how the population works in terms of schools that they go to; but until very recently we were the only school on the east side of town, which is the developing area, we're towards the RAAF base, and
10 our principal had picked up quite a bit of anti-Aboriginal feeling there and the parents, particularly some of the people who only been there for a short time, who now go to another Education Department school which has been set up in the next street. So again, that pressure has drifted off a bit.

15 So that's simply anecdotal evidence, but it's the only school of ours which I've ever felt that there was an issue with regard to my having to speak strongly when I spoke at parent meetings about the obligation to enrol all and to be fair and to be catholic with a small "C" rather than just put up the barriers. I think generally our schools will try
20 and will work hard to maintain real contact with Aboriginal families, and real education services for Aboriginal kids in the towns.

25 **THE COMMISSIONER:** We have heard and will continue to hear a lot about the bilingual education issue with government schools.

MR GRIFFITHS: Yes.

30 **THE COMMISSIONER:** How has the Catholic school system addressed this question?

[Bilingual education]

35 **MR GRIFFITHS:** In some ways we were let off the hook because the local Minister said that we don't have to worry about; he'll simply give us the money. It's a bit cute, isn't it really? We have had a standing working group which rejoices in the title of Language Teaching and Learning in Remote Community Schools. They've been meeting since 1996, I think, twice a year, involving people from all of our remote community schools, not just the three nominated bilingual schools. That
40 group will up the pace a bit in this term and next term to make some recommendations about what we should do. My own feeling is, at the end of the day very little will change and the word "bilingual" might be on the nose and that might change but in terms of what happens - in terms of what the needs are in schools and in terms of
45 what happens in schools, I can't see a great deal of changing.

My own view would be to say, "Well, I would hope that this committee we've got will come back with a recommendation that says

5 there should be a compact or some sort of arrangement worked out with each community about what they want." There are these resources in terms of literacy production centres or teacher linguists Aboriginal people would experience in language programs of various sorts, non-local people likewise.

10 My own view would be that we'd need to have some sort of review cycle, perhaps a three-year cycle, where we try and say to people, "Well, how do we measure progress? How do we look at educational outcomes?" It's a very complex issue, in my view, in the bush. It's got very little to do, very little to do, with the language program in place, but a lot to do with attendance and a whole lot of other extraneous factors which will inhibit children's learning in anything and everything.

15 There's a whole lot of community issues we would like to be involved in. If it were me, some sort of a compact, if we can work out some sort of an arrangement with the community, that says, "Well, yes, we want these programs, we're looking towards these outcomes, in terms of language learning and learning through language, and English language outcomes." I would hope that they might take a step back and look at other aspects of school service too and what we provide in terms of better opportunities for kids. I'm not sure how we'll manage everything in the space of just a few months' review.

20 I would see at the end of the day, in practical terms, not a great deal changing but it does depend, it does depend, at the end of this discussion process, what each community says, because, as much as I think we are there to provide an education, which is the key to a doorway, and the doorway might be able to deal with Darwin and Canberra and the wider Australian society, which is an English language based society. Nevertheless, there has to be significant local say in how that is achieved and the processes whereby those goals are achieved, some of which, but only some of which, have to do with language programs. A whole lot have got to do also with curriculum, teacher training, teacher retention, attendance retention rates, and employment opportunities for kids in communities.

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40 **THE COMMISSIONER:** My last question was just to ask a little bit more. You touched on the subject of children with disability. Could you tell us a bit more about what you see the issues are there in the Catholic school system and how they're being addressed?

45 **[Students with disabilities]**
MR GRIFFITHS: The Catholic Education Office provides a centralised service to town schools and a little bit to remote community schools but not much in terms of assessing children who present with learning difficulties. There's a process whereby these are referred, usually by

the class teacher but sometimes by the principal or special needs teacher in the school. Our town schools would all have somebody who is, with one exception, somebody who is employed as the special needs coordinator or a special education teacher.

5

Very often the concerns the teachers have would relate to what you might call low-level concerns. One of the big problems, I think, the children face in the Territory is the coming and going of their life and the interruption that that causes to their social development, with their developing language and their developing numeracy skills. Our teachers, I think, are very vigilant in terms of watching their kids come from, and what they can and can't do, and how that fits into what their expectation is of children this particular age, and what support can be arranged to try and provide any sort of additional help.

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Children with disabilities: quite frankly, I don't know how any school system, let alone our school system, is going to fulfil the obligations laid upon them by the Commonwealth *Disability Discrimination Act*, it would be extraordinarily difficult. If the regulations are introduced in some sort of a building-code mentality, just the sheer financial obligation on schools would be very difficult.

20

There is a negotiation process with principals and interested parents at the point of enrolment, which is allowed under the act, at which we'd try and put as many cards on the table as we can with regard to what the parents expect for their child with disabilities and what the school, in all reasonableness, can provide. There are two problems with that. One is the child's needs often change as the child grows older or develops over time and what might be perfectly feasible in a Year 3 classroom doesn't really work in a Year 9 classroom. That's often a cause of contention. The other problem is that there are some parents who don't confess or don't report that their child has a significant learning disability. That is also problematic for us, I have to say, although I can sympathise with those parents and their need to sort of get their kid into the school that they would like. The occasional lack of openness causes us big problems too but there is recourse under the act for that. Again, how it will be developed over time and how the standards will be actually worked up for educational institutions is a concern, I think.

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THE COMMISSIONER: You mentioned its physical accessibility and difficulties there. I would have thought that most of the Territory schools would be one-floor things, rather than a multi-floor.

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MR GRIFFITHS: We run a building in Alice Springs with three floors, would you believe, God bless us, and there's nothing on the ground floor. It's just one of those things that's happened over the years, a 1970s building it would be. So, yes, the lift question is not a huge

concern but there would be three schools, at least, with more than one storey; so with those three schools of our 15 there's an issue, isn't there?

5 **THE COMMISSIONER:** Yes.

MR GRIFFITHS: A quite significant issue. I think the big difficulty for our teachers too is that group of disability that's characterised as social disability or emotional disability. You've heard that before too, I'm sure.
10 The children who present with poor sight or poor hearing or other sorts of physical disabilities are not easy but they're easier because somehow you can see the problem, see the issue - - -

15 **THE COMMISSIONER:** There's a physical solution.

MR GRIFFITHS: There often is, or there's a physical sort of way in which that can be met, yes. The increasing number of children with emotional disabilities is a great concern, I think, too, to teachers, which, again, I'm not sure how we're going to address in the context of
20 obligations under the act, which, if interpreted in a certain way, could be quite draconian, I think.

Of course, in the context of rural and remote Northern Territory it's very difficult to deliver in terms of a child in Katherine, two children
25 in Alice Springs, one at Port Keats and two at Palmerston, for example.

THE COMMISSIONER: Thanks very much, Bill. John Sheldon and Chris Howse. John Sheldon is here. Okay, come on up, John. You get the free lunch shift.
30

MR SHELDON: Marvellous, came at the right time.

THE COMMISSIONER: John, could you just introduce yourself and where you're from and go straight into whatever comments you want to make?
35

MR SHELDON: Yes. My name is John Sheldon, I'm the legal policy manager from the North Australian Aboriginal Legal Aid Service; NAALAS, for short. I was also hoping that a colleague of mine, Mr Chris
40 Howse, who is from the Aboriginal Justice Advisory Committee, or AJAC for short, would also be here. Unfortunately, he couldn't make it due to other commitments. Together we're working on a submission to this inquiry but to, I guess, make it clear from the start, NAALAS and AJAC don't really have any expertise in relation to delivery of
45 educational services to rural and remote communities.

5 However, the expertise that we do have is in relation to the
various laws which may have impacts on the lives of children in rural
and remote places in the Top End. NAALAS provides legal services to
Aboriginal and Torres Strait Islander people in the Top End. We visit
10 courts in most of the towns and communities in the Top End where
court goes to, except Nhulunbuy and also Alyangula and Groote and, I
think, Croker Island. All the other towns we go to now, which includes,
in the Tiwi, Port Keats, Daly River, Oenpelli, Jabiru, Maningrida, and I
15 think there's one other. That's the area that Chris Howse also has been
working in recently, so I guess that's the area that we can talk about in
terms of what may impact on young people's lives in those
communities.

[Impact of NT laws]

15 I suppose what NAALAS and AJAC would be urging on this
inquiry is to look at the whole experience of a child's life in remote
communities. It is those whole experiences which may impact upon how
education services are going to be provided to those people. There's
20 just one area which NAALAS and AJAC wanted to concentrate on, in
terms of this inquiry, and that is the potentially drastic impact of the
mandatory minimum sentencing regime. I suppose a good question
might be, "What's that got to do with education?" It's our view that,
potentially, it has a great deal to do with the education of Aboriginal
25 young people in remote and rural communities in the Top End for the
following reasons.

30 Mandatory minimum sentencing, potentially, is going to have a
really drastic impact in some communities. At this stage the information
that we have is anecdotal, so I won't name any communities at the
moment, until we have proper statistics, but, certainly in at least a
couple of communities in the Top End, in areas where NAALAS visits, it
would appear that those communities are on a threshold where great
35 numbers of their young people are at risk of being taken away from
their communities for up to a minimum of 12 months. 12 months
imprisonment is the mandatory minimum sentence for young people
when they're on what's called their third strike in relation to mandatory
40 minimum offences, which are mostly property offences. If it's your third
strike, there's no discretion, as you're probably aware, in terms of what
is prescribed, and your third strike is a minimum of 12 months
imprisonment.

45 It's the view of NAALAS and AJAC that if large numbers of
young people are being removed from their communities for that length
of time, it's going to have a drastic impact on the education that they
get. As I've indicated, there's no discretion in relation to that, which
means that all sorts of relatively minor offences are netted by that
regime, and, the way the regime operates, it's the view of NAALAS and

AJAC that it tends to target young people and, in particular, Aboriginal young people in rural and remote communities.

5 The reasons for that are: firstly, the offences that young people
tend to commit are minor property offences, and I don't know that that's
anything special about the Northern Territory, I think that's probably
fairly common across the board in Australia, and mandatory minimum
sentencing tends to target minor property offences. Before mandatory
10 minimum sentencing, people committing serious or significant property
offences were going to gaol anyway, so the introduction of mandatory
minimum sentencing means that people committing minor property
offences are placed into custody. That means that young people tend
to be the target of that regime or, at least, one of the targets of that
regime, to a fairly large extent.

15 It's the view of NAALAS and AJAC that, in particular, young
Aboriginal and Torres Strait Islander people in rural and remote
communities in the Top End are pretty vulnerable to that regime of
laws. The reason is this, in rural and remote communities there's nearly
20 100% clear-up rate of offences. That's because the communities are
very small and most people know who has done what, and there isn't
really, very widely, an exercise of people's right to silence. People tend
to tell the police what they've done and, because it's such a small
community, it's generally no secret that someone has done something.

25 As I say, there's generally 100% clear-up rate, which means
that most of the young people who may commit minor property offences
in those communities are going to be brought before the courts, and if
they're brought before the courts they're within that regime and there's
30 no discretion but to send them into custody. So it's the view of NAALAS
and AJAC that the way that the mandatory minimum sentencing
operates tends to unfairly disadvantage young Aboriginal people in
rural and remote communities and, because of the way that that system
operates, it will ultimately have a fairly significant impact on how
35 education services are provided in those communities.

I guess that's where our expertise lies, in mandatory minimum
sentencing and that law, in particular, because that's probably the most
dramatic example of a law which is impacting on kids' ability to lead a
40 stable life in their own community. That's what we'll be concentrating
on.

I was hopeful to have something written by the time you came
out but today we don't, because of various other things that AJAC and I
45 have had; we will be preparing one in due course and, hopefully, with
those firmer statistics, which will indicate what I've indicated, that
threshold that a lot of communities are on at the moment, with their kids

coming through and up to their third strike. That's pretty much what we'll be concentrating on.

5 **THE COMMISSIONER:** Thanks, John. Certainly, the statistics that you provide will be very useful. I must say, though, I'd appreciate your expertise more not in the analysis of the law but in what can be done about it. I have found that talking to the Northern Territory government on this subject, a subject on which the Human Rights Commission and I have strong views, has failed on the basis of human rights, because
10 they're not interested in the fact that the Convention of the Rights of the Child clearly makes this improper. They're not interested in ethics, in that the punishment is out of all proportion to the offence. They're not interested in research, because there is no evidence whatsoever that this system has any impact on offending rates. They're not interested
15 logic, because it makes no logical sense.

If I failed on the basis of human rights, ethics, fact and logic, can you tell me how I can succeed?

20 **MR SHELDON:** I was coming to you guys and hoping that - - -

THE COMMISSIONER: We've still got a few tricks up our sleeves which we hope to actually pull during the next few months but I'm almost at my wit's end in dealing with a government that is, on this
25 subject, more recalcitrant than any government in Australia.

MR SHELDON: I suppose that where I'd be coming from is that the more people who know about the system operates, it makes it more uncomfortable for the government up here to continue with the regime.
30 That was part of the reason why I wanted NAALAS to speak to the Human Rights Commission when you came up, but, obviously, you're well aware of the regime. I suppose the more that people all over Australia know about the law and how it works and perhaps internationally, the more people internationally know about the law and
35 how it works, then, hopefully, if the message coming from all the different quarters around Australia and also perhaps internationally, maybe there will be the will to change the regime up here.

40 There has been, in recent times, suggestions that the regime is going to be expanded, and that's currently before parliament up here. At the same time as expanding it, there's been discussion of bringing in a very limited form of discretion for the sentencing magistrate or judge, which, it would be hoped, would at least reduce the impact of mandatory minimum sentencing. However, it's my view that the
45 changes currently proposed by the government in the Northern Territory will have almost no effect whatsoever in relation to the bulk of NAALAS clients and, in particular, children living in rural and remote communities.

5 Whilst, I guess, there's some change suggested, that change is
not really going to change anything in terms of the experience of young
people, in my view, particularly because the changes suggested will not
affect third-strikers whatsoever. I think there's one case I'm aware of
recently where someone took a towel off someone's clothesline in order
to sleep on it and that person is facing 12 months gaol. That person is
a homeless person. There is nothing which is being talked about by the
current government that's going to change that, in terms of the current
10 changes.

15 Albeit it's good there are people talking about change, it's not
really going to affect the lives of a lot of people. How do we change it? I
don't know. There may be legal avenues that people like NAALAS can
try and pursue in the courts, although we've already been to the High
Court and we went down on that, which really only leaves open
international action. There may be other cases, if we can think of other
legal arguments around it. Other than that, telling lots of people, so that
people can at least know about it and perhaps tell their governments
20 and representatives that it's not right.

THE COMMISSIONER: The international avenue is one that is open.
Do you know if a complaint has been lodged with the Human Rights
Committee?
25

MR SHELDON: Not that I'm aware of. NAALAS hasn't done it, taken
that step, but it is, obviously, something which is in our minds.

THE COMMISSIONER: Yes. I've been surprised, in fact, with some of
30 the more notorious cases, that there hasn't been a complaint under the
International Covenant of Civil and Political Rights.

MR SHELDON: Yes. Given that we've been to the High Court, I think
that we probably are within jurisdiction, if the right complainant came
35 along. It is certainly within our minds but it hasn't happened yet.

THE COMMISSIONER: Brian, I jumped in before you, I'm sorry.

THE CO-COMMISSIONER: No, that's fine. You've really asked the
40 question that I was going to ask, which is, what could you recommend
as far as dealing with the impact of this regime (indistinct) answers.

MR SHELDON: Yes. Well, until the law is changed, there's not much
you can do about the impacts of it. The impacts are fairly clear, people
45 get locked up for long periods of time, often for incredibly minor
offences. The impact of locking people up, I think, is well documented;
there are plenty of studies about what impacts that has on people

5 who've been locked up for long periods of time. I suppose the impacts with kids, particularly in rural communities, being removed for long periods of time from their culture, from their community, from everything they know, is potentially even greater than what some of the studies that I'm aware of from down south have said about the impacts of being locked up.

10 In order to address the impact, I think the only way to do it is to change the law. I was hopeful that coming here and speaking to you might help - have a few ideas on how to get the law changed.

15 **THE COMMISSIONER:** As I say, there are a few more options available, one of which, I think, is in your hands, which is a complaint to the Human Rights Committee.

THE CO-COMMISSIONER: Yes, under the Optional Protocol.

THE COMMISSIONER: Yes. Thanks very much, John.

20 **MR SHELDON:** Thanks very much for having me.

THE COMMISSIONER: We adjourn until 2 o'clock. Thank you very much for coming along this morning.

25 (Luncheon adjournment)

30 **THE COMMISSIONER:** We'll resume the hearings today of the National Inquiry Into Rural and Remote Education, and welcome representatives from the Territory Department.

MS HENDERSON: Thank you.

35 **THE COMMISSIONER:** Katherine, would you like each of you to introduce yourselves and then you can go straight into the comments you want to make, and Brian and I at the end will have a few questions we can ask you.

40 **MS HENDERSON:** Thanks. I'm Katherine Henderson and I'm the deputy secretary of the Northern Territory Department of Education, responsible for Aboriginal education, curriculum services, student services - which is the area that supports children with particular needs so they can get a full education - and schools north, which is the northern region of the Northern Territory; so I have a strong interest
45 directly in what happens in schools. Peter?

MR JONES: I'm Peter Jones. My work in the Department of Education for the last period of time has been involved with Aboriginal and Torres Strait Islander education.

5 **MS HENDERSON:** Peter is actually supporting me specifically in putting together information in the Department for this submission. I thought I'd talk about a couple of things and then give you some background to the material we've already given you.

10 Firstly, I think, paragraph 2.1 points out that the whole of the Northern Territory, I think, is covered by your terms of reference. We would distinguish between education and educational opportunities for people in the main centres and remote education, and particularly remote education for Aboriginal students.

15 The second thing I wanted to say was, at this stage the information we're putting before you is fairly bland and it's simply a picture of what we do. It doesn't have any value, or very little value, of comment in it and doesn't relate specifically to your terms of reference, in terms of the articles. There's very good reason for that, which goes to the third thing I wanted to talk about generally.

[Structural changes in the NT Department]

25 The Northern Territory government has recently made some quite substantial changes in the Department, and there were two or three reasons for that, one of which is that the government has said quite clearly that it wants the Department to take a different approach to Aboriginal education. I'm going to talk about that in relation to the fact that remote in the Northern Territory - there are issues for isolated children who are non-Aboriginal children but the big issues in education are for remote Aboriginal children. In terms of your terms of reference, that also includes urban Aboriginal children, although their issues are slightly different.

35 The government changed the top three senior managers in the Department and charged us with, I suppose, developing a different approach within the Department to Aboriginal education, and also created a branch called the Aboriginal Education Branch, which reports to me. The purpose of having that branch is to give a much stronger focus and clearer direction to the work of the whole organisation in relation to Aboriginal education. As I'm saying very, very carefully to people within the Department, the purpose of that branch is not to have all the issues of Aboriginal education reside within it and to take responsibility for all those issues, it's to assist the whole Department in every area of its business, to be clearer and more focused in what it's doing about Aboriginal education, because 38%, I think, or close to, of our students are Aboriginal students.

[Indigenous education]

Aboriginal education is core business for the Northern Territory Department of Education, I think, arguably much more so than for any other jurisdiction. Probably it's fair to say that every school in the Northern Territory is a school which has ESL learners in it, and a large number of those students would be Aboriginal students.

The government put a new team in place and created the branch. The next thing that we've done is the new CSO, whose name is Wal Czernezkyj, and we'll have to help you to spell that later, commissioned a review of Aboriginal education to be conducted independently of the Department and to report to him, and that's being led by Bob Collins, who is an ex-senator from the Northern Territory. That will be reporting in July, August, not sure exactly when.

Out of that, we hope to get broad directions for Aboriginal education so we can set a plan for five years, and we're saying that plan will be set in a 20-year program, because while we believe there are a number of things we could be doing differently and better now, we also recognise that the difficulties that we're facing are not going to be resolved overnight. Those difficulties specifically are, of course, that Aboriginal children are not achieving satisfactory outcomes from education, from the western education that's offered by the Department. That might not be the best way of expressing that.

We believe that's not going to be resolved overnight and that it's bigger than education. There are a lot of issues impacting on that that the Education Department doesn't have control over, but our responsibility is to look at those areas where we do have control, and maximise the opportunities for Aboriginal students, through the work that we do. So what you have in front of you, it's almost like a list of the things we do now, and I didn't think that was a really productive submission to give you, except as background, and we don't intend to give you a full submission until we have the results of the review being conducted by Bob Collins, which will be very informative and which will, from our point of view, set directions.

[Bilingual education]

The other issue I want to speak about now, because it's obviously dominating the considerations in the Northern Territory of anything to do with education, is the decision the government has taken about bilingual education. I just wanted to say that the government has taken a decision, and the decision was put in terms of withdrawing funds for the bilingual education program in favour of English literacy. This decision has had a very, very strong and powerful reaction from people in communities and schools and more broadly than that too. I want to put that decision in context, in that the decision is not a decision that says there is no place for Aboriginal languages in

5 schools. It's not a decision that says there is no place for Aboriginal culture in schools. In fact, in the Northern Territory in remote schools and remote schools which are predominantly Aboriginal, every school would be having programs which are in vernacular languages and in English.

10 The decision focuses on a particular NT government-funded program which has been in place for over 20 years, and the schools that are part of that program have additional extra funds going into them, and those schools, from the evidence that's available to the Department, there is no evidence that the children in those schools, on average, are performing better; in fact, if anything, slightly worse; although that's not a large degree. But there's no evidence that they're performing better; so the government is saying, "Well, we're funding 15 these programs, and the primary, first goal of those programs was to improve literacy and English and there's no evidence that that's happened." So the government has made that decision. However, there will be absolutely no change to the programs in 1999.

20 Secondly - and we should be writing to schools within the next two weeks - there will be a process by which every school and every school community that has a bilingual funded program through the Northern Territory Department of Education, as distinct from new 25 bilingual programs run in the independent sector - that is, the 17 schools affected by this decision - every one of those schools or communities will have an opportunity to have detailed discussion with the Department about the impact of the government's decision; and there will be a range of opportunities for those schools and communities to look at what they're doing now, consider what current 30 outcomes they are able to demonstrate, consider what they would like to commit to, and then look at how those resources are allocated or reallocated within their school and community; or more broadly, depending on that discussion. The government has said clearly all along that money will not be taken out of remote community schools.

35 Also, all funds that are allocated for Indigenous employment in the program will stay in the communities and schools, so there will be no loss of Indigenous employment, and that's a guarantee from government.

40 Finally, the government has said that it's interested in hearing what comes out of the review that Bob Collins is conducting; it's interested in outcomes and it's open to opportunities and proposals that are put through that providing they're linked to outcome.

45 I'm not planning - unless you ask me to - to read through the list of programs and the approaches that we take in the Northern Territory.

That's why we gave you this material. But this is not our submission, it's background.

5 **THE CO-COMMISSIONER:** Anything else? Peter, did you want to add something?

MR JONES: No.

10 **THE COMMISSIONER:** No. Okay. Thank you both; and yes, we noted that the material you've given us is a pre-hearing submission, as you describe it. Very helpful, thank you, to get the total view of numbers of students and where they are and over what area and so forth. I found it very helpful to prepare myself for coming this week. So thanks for that.

15 **MS HENDERSON:** That's okay.

THE COMMISSIONER: Brian, would you like to lead off.

20 **THE CO-COMMISSIONER:** It's actually difficult to know how to ask you both questions because I think that the presentation you've made is really quite appropriate in the circumstances, and I think it is entirely proper to await the outcomes of Bob Collins' review. Nonetheless, I would be very interested in your views on a couple of questions.

25 I guess the first one I would like to ask is, we hear a lot of talk about ways in which educational provision in remote and rural communities of the Territory might possibly be improved utilising information technology.

30 **MS HENDERSON:** Yes.

35 **THE CO-COMMISSIONER:** And we hear about the promise, we hear about the potential. We know that the federal government is releasing funds from the third sale of Telstra. But on the other hand we are very much aware of existing problems. The universal service guarantee, for example, just says that the minimum rate that Telstra will guarantee is 2.4 kilobytes per second, which is really not enough to access the Internet.

40 At this stage, regardless of what the Collins review may or may not recommend, what do either of you, Katherine or Peter, see as a possible way of making use of information technology, on-line means for providing access to education, in ways that would fit with the needs and preferences of remote communities? What do you see being
45 possible?

MS HENDERSON: You should perhaps talk about what we are doing.

[Information technology]

5 **MR JONES:** All right. I think the starting point here is that technology in
itself is not the answer. The newer technologies which are becoming
available, and certainly when digital satellite kicks in, that will be
another major boost. But I don't think that the road to go down is one
which is guided by the thinking that every time there's an improvement
10 in technology then that will extend real access in terms of secondary
education in the bush; and I think that's what you're sort of getting at
here, Brian.

Moreover, what I think there needs to be is further development
of the pathway which the Department is already going down, that is,
15 through the Northern Territory Open Education Centre - it used to be
called the Northern Territory Secondary Correspondence School. That
group in particular is using the technologies which you are referring to
and are increasingly using them. However, that they have technologies
in Darwin is one thing, but unless the whole package also works on the
ground out in the schools, unless it works at that end as well, then
20 we're only sort of part-way there.

I think the way to go is to continue the work of the Open
Education Centre both by using the technologies, but also in
25 developing a better package in terms of options available in Aboriginal
communities and that means the Department looking at what it's doing
in terms of secondary age children; and there are a number of things
happening there, and there's things I briefly mention in the submission.
If the commission wishes, certainly more information can be provided in
terms of the details of those programs.

30 But I think the way to go is to look at an overall enhanced
approach looking at increased on-site delivery. This will obviously be
something easier to do in the larger bush communities because in
those places there's already a much better developed infrastructure;
35 but it's something which also, I believe, over time can be extended into
the much, much smaller communities as well.

MS HENDERSON: We could get these figures. I don't think they're in
there already; but our Northern Territory Open Education Centre
40 figures, the numbers of students, the numbers of hours of teaching of
the subjects students are doing has doubled in the last couple of years,
and that is mainly attributed to an increase in the number of Aboriginal
kids in remote communities tackling secondary education courses.

45 **[Remote student access to secondary education]**

Chris, I would rather give you the accurate figures, but just as
an indicator, we've got a project now where we're looking at secondary
education for remote students, and to me there are several issues. One

of them is the appropriate curricula, and another is the modes of delivery and the access and the availability, and related to that is the staffing support that we can give. So I expect that secondary education will be a big issue arising out of the discussions that Bob Collins is currently having across the Northern Territory if he can get the time after he's explored the issue of bilingual education.

THE CO-COMMISSIONER: I guess a second question I would want to ask is, a comment I'd make about the Collins review and indeed I'd make about this review, is that it's typically met with a level of cynicism because people, particularly Aboriginal people in remote areas, say we've had that many blasted reviews and inquiries, we have said what we want to say, we're clear about what we want; it doesn't seem to make all that much difference, we don't see the take up by government nationally or at Territory level. I realise you're not in a position to comment in any authoritative way on what the possible take-up of the Collins review might be, but it does seem to me that the NT Department of Education is clearly setting some store by that review; and let's suppose it does recommend the major investment of funds to boost access to secondary education. What likelihood is there that this could make a difference?

[Indigenous education]

MS HENDERSON: The first thing I'd say is the cynicism is understandable; and in my room I've this big bench, and on the big bench is a layer this thick of report. And I haven't actually waded through all of them by any means; although I have looked at a few key ones like the Public Accounts Committee examination done by the Northern Territory government a couple years ago; and I think the Minister Tom Harris looked at Aboriginal education three or four years before that. So there's an extraordinary amount of written material, one way or another, about Aboriginal education, and a lot of it is the material that's been gathered from reviews.

So I tell you, if I wasn't sitting in my seat I would probably be fairly cynical. And there's nothing we can do about that because the measure of that is in the results, not in the present; although I think that people should take some heart from the fact that the review is being conducted independently of the Department and reports to the Department. From where I'm sitting there is some reason for some optimism. I can give you absolutely no assurance at this stage of what government will take up and what it won't take up out of the review. No-one could do that.

The grounds for optimism are (1) that the Northern Territory government has been quite explicit in saying that it wants to change its approach and put a new team of people in, change the organisational arrangement within the Department and so on, as some evidence of its

5 intent. The second, to me, is that there is a significant interest at the Commonwealth level which I think is different, and I think that there's been - I'm not sure where we are with the official Commonwealth budget announcement, but if they're not announced already I'm fairly confident in predicting there'll be a big increase in funds for Aboriginal education through the Commonwealth funds.

10 **THE COMMISSIONER:** It's been leaked already, but I don't think it's been announced yet.

15 **MS HENDERSON:** And for literacy. So that in terms of opportunity, there is opportunity there now, both at the Northern Territory government level and the Commonwealth government level. I can certainly guarantee you that there's will, in terms of some of the senior management of the organisation - I'm not sure to what extent that will was there in the past - I wasn't there. The hope and expectation is that Bob Collins will be able to get real input from people who are not department people, and we're also looking at information from the Department, but from people who are parents and communities who have a strong interest in this area. I do accept that at the moment it's very hard for people to move beyond the issue of bilingual because that has created a lot of distress, but I think he is gathering information which is broader than that; and out of that we can look at issues like - I'm very interested in early childhood education, secondary education, 20 appropriateness of curricula, what it is that lies behind the fact that there are really serious problems with attendance of Aboriginal children in schools both in remote communities and in urban schools as I understand it. There are several issues like that.

30 So, no, I can't answer your question, I can give you no guarantees at all; but I've got some grounds for optimism and they may be misplaced, but I think there are some real explicit objective signs that there are opportunities now that may not have been there in the past.

35 **THE CO-COMMISSIONER:** I've got a question that I wanted to ask you about the proposed cancellation of bilingual programs. I realise that it's difficult for either of you to answer it; neither of you were responsible for the decision. But I'll just put it to you like this: as you both know, 40 bilingual programs were first introduced in 1973-74, and the typical way in which a program was started was the community concerned would get together and prepare a letter, and a dozen or so people would sign it, and in would go that request which would be evaluated and if accepted a bilingual program would commence. Over the years - for 45 example in 1982 - Lajamanu was given agreement to start a program.

Apart from the initial year when there was a blanket decision that bilingual education would start in those communities, it's been a

patchwork quilt of individual communities having to negotiate - and in some of the cases that negotiation was pretty slow. As opposed to 1 December 1998 the NT government makes a pre-emptive strike and a series of initiatives are announced, including the decision to phase out bilingual education, which looks very much like a centrist move to tell communities what they can and can't have by way of a language program. It's a tough question, I know, but it would be interesting to hear your comment about that because what I hear a number of people worrying about is the damage that the decision has made to, if you like, the level of trust between communities and government.

MS HENDERSON: I'm just not sure what your question is, Brian.

THE CO-COMMISSIONER: My question is whether you feel the NT Department of Education can do something positive about that.

MS HENDERSON: I've got no question that we can do something positive about the present situation; and the present situation is, in the context of a government decision where the government has said there will be no change at all until the consultation has taken place with each school and each community so that whatever is the result for that school and that community will be negotiated with that school and that community. The government has expressed interest in outcomes. The negotiation can focus on those possible outcomes. The government has expressed interest in literacy outcomes; the negotiation can focus on those possible literacy outcomes. There is a lot of room in that. The government has said the money won't come out of remote education and go elsewhere. The government has said there will be no change to the level of employment of Indigenous people in the communities. It seems to me there's a great deal of room in that for communities to work with the teams that will come to consult with them and come up with a productive result.

I think I'm quite confident that despite the fact that people are distressed about the way the decision has been announced and has been made, I'm quite confident that when we're talking and working through issues with specific communities they will be very interested in exploring what works and what doesn't, what they value, what they want to hold onto and what's possible. That's where my optimism lies. I'm not worried about how things have come about. The past is not open to rearrangement, so I'm interested in working from hereon in; and the government has been very clear that there will be no change in 1999, there will be no reduction in Indigenous employment, that it is very interested in hearing what comes out of the Bob Collins review, that it's very interested in working through with each community in detail through the consultation process. So I suppose that's why - - -

5 **THE COMMISSIONER:** Perhaps Katherine, before I move on to some of the broader issues, if I just ask one question in relation to this. We have been told in a number of our submissions that we've received that there was some education review that reported to the Minister in 1998.

MS HENDERSON: There was. That's why I'm here.

THE COMMISSIONER: Pardon?

10 **MS HENDERSON:** That's one of the reasons I'm here.

THE COMMISSIONER: Has the report of that review been made public, and is it intended that it would be made public?

15 **MS HENDERSON:** No, there's no public detailed report. There is a folder which we can certainly provide to you called *Schools, Our Focus*, and that actually outlines the 17, I think, initiatives that arise out of that review, and I'm happy to make a copy of that available to you and to get that to you later if you like.

20 **THE COMMISSIONER:** All right. Thank you. The decision in relation to bilingual education, according to the Minister's statement, was made on the basis of some data which has been gathered or research that's been done comparing the literacy results - but it seems only the literacy results - of bilingual schools as against other schools. I understand that that data hasn't been released even on a global comparative basis. I also understand that there's been no release of the actual methodology that's been conducted - or I don't know what - - -

25 **MS HENDERSON:** I think the most specific set of data was the map testing, and there were all sorts of national and local jurisdictional policies around what out of map testing is released to whom and on what terms. Correct me if I'm wrong about this - schools get their own map test results compared to a NT-wide - - -

30 **THE COMMISSIONER:** Yes they do.

MS HENDERSON: Yes; but it's not broken down by student. And we're not interested in publishing a kind of league ladder of schools.

35 **THE COMMISSIONER:** No, I don't think anyone would be, except perhaps the New South Wales government. Is it possible though, seeing as how the Minister has made this comment about the comparison, it is possible to publish or release aggregated data that actually is the data for that aggregated comparison of bilingual versus non-bilingual schools?

MS HENDERSON: We can have a look at that but we'll have to let you know.

5 **THE COMMISSIONER:** Okay. Thank you. Clearly, I certainly wouldn't
be interested in seeing any data that tries to ascribe particular
performances to individual schools. If there is any information as well
as to the methodology by which the map test was conducted - because
again, this is something raised in submissions to us that the extent to
10 which the methodology was or was not reliable and accurately
measured what it reported to measure.

The decision, it appears, has been taken in relation to the data
on literacy only. I understand that there are a number of objectives of
the bilingual program.

15 **MS HENDERSON:** Yes.

THE COMMISSIONER: Has there been assessment of the other 8
objectives other than English literacy?

20 **MS HENDERSON:** My understanding is the decision is based on the
literacy results.

THE COMMISSIONER: Right.

25 **MS HENDERSON:** But through that consultation process we will be
very interested in exploring the range of benefits or outcomes or values
of the bilingual programs in any particular school or community. And if
we can link outcomes in any proposed approach to literacy that that
30 supports literacy and languages other than English, or that supports
increasing the number of Aboriginal people who have a place of
authority in the school as teachers or as principals or in some other
role, or that supports some other benefit that was an initial goal of the
bilingual program, that would be a big plus as far as I'm concerned.

35 **THE COMMISSIONER:** So the actual assessment of the other 8
objectives can be done in this process and alternative ways of pursuing
those objectives found.

40 **MS HENDERSON:** That has been part of the accreditation process that
applied, and there's no reason why we can't incorporate that and value-
add any - Peter can give me the details, he would know this better than
I; but in our commitment to the Commonwealth government some of
those other several goals of bilingual program are - you know, coincide
45 exactly with those commitments. So it's not that they're lost or they're
discounted or they don't matter any more. And it's also not that they

haven't been present in educational programs in schools which didn't have bilingual funding, and they won't continue to be.

THE COMMISSIONER: Thanks.

5

MS HENDERSON: It is important for me to stress that we have not, in the Northern Territory, cut out the place of Indigenous languages. We have not said there is no place for culture in schools. We have not said that we don't want Aboriginal people to have a key place in the schools and in their communities. We have not devalued the critical factors across the education system, which in the long term support Aboriginal control and valuing of education.

15 The government has made a very clear decision about a particular funded program; it is not a decision to knock out Aboriginal languages and cultures. We are not returning to the days when children weren't allowed to speak their own language in school.

THE COMMISSIONER: Thanks, Katherine. I'd like to move on to a couple of other areas. Understandably most of what we've heard today has focused on Indigenous education, but our inquiry is broader than that.

MS HENDERSON: Yes.

25

THE COMMISSIONER: Could you say a little, please, about the approach that the NT government takes to the education of children with disability, how that operates in some of the particular remote areas, what general, I guess, philosophical basis for it is and particulars.

30

[Students with disabilities]

MS HENDERSON: Beyond what's here I would rather wait till we put our first submission in. I can list programs. I'm not walking away from it. As well as the review of Aboriginal education, we're currently completely exploring the way we - the whole of the basis of our curriculum organisation, delivery and the assessment and certification. We're also about to launch into a review of the student services. So I'm not being tricky in saying I'd rather wait because for two reasons I'd rather wait. One is I couldn't probably answer that question well now, and I'd rather have more information myself; and secondly, out of those activities we will have much better information to give to you, both about our present commitments and the directions we're going, and if they're different from the way we're looking at things at the moment.

45

What I probably can say to you will be a question I'll be asking is, what are we able to do about giving more support to children in remote communities because I'm quite sure as I have a health

background - I was in the Health Department before I was in education
- that we could and should be doing a lot more. It's a matter of what
resources are available. The NT Minister raised at MCEETYA
[Ministerial Council on Education, Employment and Youth Affairs] at the
5 last meeting, a proposal that every jurisdiction document the demand
for resources for support for disabled children in education; and that go
watered down a bit, but that (indistinct) somewhere is going across the
country as a result of his expressed concern about that area. But I'd
rather, as I say, wait to reply to the question.

10

THE COMMISSIONER: Thank you. The other area was some matters
relating to distance education. I assume you want to put that in the full
submission too.

15

MS HENDERSON: Yes, we will, yes.

THE COMMISSIONER: We have a particular interest in the issue of
children in isolated properties.

20

MS HENDERSON: Yes, so do we.

THE COMMISSIONER: So if there's material about ways in which that
is - both the current situation and then likely future directions for
distance education in the Territory.

25

MS HENDERSON: Yes.

THE COMMISSIONER: It ties in with the question that Brian was
asking about IT, of course. That would be good.

30

MS HENDERSON: Yes, but I want to put - I want to subsume IT under
education, rather than the other way around.

THE COMMISSIONER: Yes.

35

MS HENDERSON: IT ultimately could make a profound difference to
the way in which we can provide good education.

THE COMMISSIONER: But it could also have the opposite effect.

40

MS HENDERSON: It could have the opposite effect; and it's education
we're after, not more machines or more - you know.

THE COMMISSIONER: Thanks, Katherine.

45

MS HENDERSON: Okay.

THE COMMISSIONER: Do you have any more, Brian?

THE CO-COMMISSIONER: No.

5 **THE COMMISSIONER:** Okay. Thank you both very much.

MS HENDERSON: You will get heaps from us, as I said.

10 **THE COMMISSIONER:** Yes, thanks, I appreciate that. Thanks for your time today, too.

MS HENDERSON: Thanks a lot. And we will get to you later today, *Schools, Our Focus* and look at the (indistinct) goes down. I'll let you know what we can provide you with on that sooner rather than - we won't wait for our report - - -

THE COMMISSIONER: Okay. Thanks, Katherine. Rosalind Djuwandayngu.

20 **[Bi-cultural education]**

MS DJUWANDAYNGU: First I'd like to make comment on article number 30. Indigenous and minority children must have access to education which ensures their right to enjoy their culture, professional and practice their religion and use their own language. At the moment -
25 for three years we've been developing this (indistinct) curriculum. It's based on Aboriginal language. This here represents a story, the (indistinct) represents a story, and it's a history of the Barramundi during the Dreamtime. The Barramundi left a place called Barramoey and travelled towards Milingimbi, and as you can see, there's a
30 (indistinct) rivers which was created by a Rainbow serpent.

This is about bi-cultural education. We are after bi-cultural education. On the tree it says, "Seasons (indistinct)". This is what we've got to teach children in our first language. There's contents such as
35 social education, bush medicines as a topic, (indistinct) relationship and kinship and relationships, history of our land, significant things. What created the land, that's part of our culture and language. It goes hand in hand.

40 Three things that I wanted to talk to. One is bi-cultural, bilingualism. Other thing is housing for local recruits, and how do you call it, community-based programs. Through my Batchelor College training there it was an aspiration, so the elders they wanted teachers, an Aboriginal teacher in the school. It was part of the Aboriginalisation
45 or localisation that I, during my training I went to Batchelor College to do my teacher education. There was a lot of funds, and we used to do it

community-based; but now things are going - it is difficult because of lack of funds. That's discriminating against Yolngu.

5 For stated curriculum we put in submissions nearly every year,
Commonwealth programs. There's a lot of students that bid for money.
Some of us are disadvantaged; we don't get money because there's a
lot of other submissions. First of all, we don't want people making
assimilations. We want to try and work on this to improve children's first
10 language then we'll think about learning the other language, the foreign
language which is called English.

[Teacher housing]

15 The third thing that I wanted to talk to was the housing for local
recruits. There's teachers in our communities. It has been an issue for
a long time, housing for local recruits. It's the government policy that
Aboriginal teachers are not entitled to a house. That's a discrimination
act against other people, Indigenous people.

[Remote school facilities]

20 Facilities in remote schools is inadequate. In my school most of
the buildings are 40 years old. In 1930s, when the first mission was
establish, Milingimbi, the school that we are in, the upper primary and
the office area, administration office is nearly 40 years old, and there's
inadequate buildings, facilities. Again, I would like press that every year
25 we go for submission for minor repairs. They allocate money for only
painting, and we're doing it, cladding, and we miss out on good
facilities. Example, people in remote schools are disadvantaged. If
people in urban schools ask for new building they are granted, they get
the money; whereas in remote (indistinct) we don't.

30

[Students with disabilities]

We've got a lot of special needs students. They need to have a
full opportunity and have adequate facilities. Most of them are
disadvantaged group. For example in Stuart Park in Darwin they've got
35 a special needs class and a special needs teacher; but in Aboriginal
communities we want the same.

[Social and cultural pressures]

40 We need (indistinct) because of (indistinct) changes - social,
economic and political circumstances, such as television, employment
increasing contact and cooperation with the wider community at state
and national level; that is, need to preserve our Yolngu culture and
balance of the Balanda culture. We need to group children's
45 mainstream. Children need to improve on the first language before
getting a mainstream education that is literacy and numeracy. They
need to include parents and community members, elders, in
participation in educational activities of the school and its running
process of consultation, participation.

5 However, we want to stress that if it was between bilingual and bi-cultural education, teaching one of the language does not necessarily imply the integration of Yolngu cultural values and principles into mainstream education.

10 We want to have ownership of the program; people need to be proud of what they are and what we are. We don't want people coming into our school and changing everything. It happen a long time ago, assimilation, and now we're going backwards again.

THE COMMISSIONER: Thank you very much, Rosalind. Brian.

15 **THE CO-COMMISSIONER:** This Gattjirr group, my understanding is that people in the school listened to what the elders were saying, and started to develop a curriculum which incorporated those ideas, those suggestions. Then the school invited in some outsiders to assist over the three-year period, and the last I heard you were talking about seeking some kind of recognition by the NT Board of Studies as a curriculum. Can you just let us know what happened there, whether this
20 curriculum was given that recognition? Did you apply for that recognition?

25 **MS DJUWANDAYNGU:** No, we haven't. We are in a process of applying this to the Board of Studies, but then we need to have a funds made available for a non-Aboriginal staff working alongside with an Aboriginal person to get up to the stage where the Board of Studies - - -

[Teacher training]

30 **THE CO-COMMISSIONER:** I just want to ask two questions about the Batchelor teacher education program and Milingimbi. The first one has to do with the number of teachers at Milingimbi who have been through Batchelor College. There have been quite a number, and I think from
35 1992, most of the teachers at Milingimbi were trained at Batchelor College. I wonder if you can just tell us a little bit about that. Did those new teachers from Batchelor College have any assistance in the classroom? How have they been supported? Just tell us a little bit more about that.

40 **MS DJUWANDAYNGU:** Those new recruits they supported through mentor schemes only when we put in a submission because there's other schools that bid for money.

45 **THE CO-COMMISSIONER:** My last question is, there's been quite a lot of talk about ways in which people in remote communities might be given more access to better secondary education. Some people say, "Well, maybe we can use the technology." Other people say, "Perhaps we need to put up new facilities." Some say, "We need to send the

children to Darwin or Alice Springs." Can you tell us a little bit about how you think secondary education could be improved for Yolngu students?

5 **MS DJUWANDAYNGU:** Yes. Secondary education, see I went to a secondary school at St John's college and attended Nhulunbuy area school. That was the only - it was a residential college. But they brought other people from different communities. Since then, 1977, it was officially closed, and it would be good if the secondary schooling should be offered in communities. Instead of using new technology there should be area school based in all communities if they are phasing out bilingual.

10
15 **THE CO-COMMISSIONER:** Rosalind, how many students do you have at Milingimbi?

MS DJUWANDAYNGU: 240; 120 comes from two outstations.

20 **THE COMMISSIONER:** So they're from about five up to 12, 13.

MS DJUWANDAYNGU: 12, 13, 14, 18.

THE COMMISSIONER: Even up to 18?

25 **MS DJUWANDAYNGU:** Up to 18 .

THE COMMISSIONER: So they just stay as part of the same school?

30 **MS DJUWANDAYNGU:** Yes.

THE COMMISSIONER: Do the older kids do any secondary work or secondary-related work at the school?

[Secondary age remote students]

35 **MS DJUWANDAYNGU:** There's a program for secondary-aged students or secondary students. There's four or five doing correspondence, through the Northern Territory Open College. There's two in Year 9 and Year 10; two in Year 10, two in Year 9.

40 **THE COMMISSIONER:** So those four come into the school each day and so basically do their correspondence course under supervision from the other teachers?

45 **MS DJUWANDAYNGU:** No. There's a teacher/tutor.

THE COMMISSIONER: Let's suppose that Milingimbi community was to say to the government, "Please give us a secondary facility. We want

5 somewhere where our students can go and receive secondary education." And what if the government was to say, "We can't afford it. It costs us about \$4.5 million to set up a secondary facility. We will have to do it some other way." If that happened what would your second choice be?

10 **MS DJUWANDAYNGU:** Most of the parents doesn't want their kids going to another community. It's a problem, social, they get into a lot of other things. The second choice would be they'll stay and do their schooling through Northern Territory Open College.

THE COMMISSIONER: Do many secondary students go away at the moment?

15 **MS DJUWANDAYNGU:** No.

THE COMMISSIONER: No. Any? Can you think of any? No.

20 **MS DJUWANDAYNGU:** None at all.

THE CO-COMMISSIONER: None down at Tanilmera?

MS DJUWANDAYNGU: No.

25 **THE COMMISSIONER:** So basically for these kids, except for these four who are using the correspondence, the rest would basically finish school at the end of primary.

30 **MS DJUWANDAYNGU:** Yes, if they want to go on it's up to the parents and the students.

THE COMMISSIONER: With the primary school kids, about what proportion or percentage would come to school each day?

35 **MS DJUWANDAYNGU:** On average - that's another problem in communities, if they don't live in one community, they travel around to another due to ceremonies.

40 **THE COMMISSIONER:** Does the school timetable adjust for ceremonies and other things so that - I mean, if you've got a big ceremony time do you close down the school for a week? Can you do that?

45 **MS DJUWANDAYNGU:** Yes. Most of our staff who are Indigenous who take part in that and only for one day we go and attend the ceremony.

THE COMMISSIONER: But that's just for one day. You don't have ceremonies that would go three, four days?

5 **MS DJUWANDAYNGU:** Basically they are young men and they are marked present whenever they're in a ceremony.

[Students with disabilities]

10 **THE COMMISSIONER:** I see. Okay. Have you got kids in Milingimbi who have disability of some kind?

MS DJUWANDAYNGU: Yes, three or four.

THE COMMISSIONER: Are they physical disability or learning?

15 **MS DJUWANDAYNGU:** Two have physical disability and two have learning disabilities.

THE COMMISSIONER: How does the school support or handle them?

20 **MS DJUWANDAYNGU:** There's funds made available from special needs, and we employ PTI people to work with them.

THE COMMISSIONER: Sorry, what's PTI?

25 **MS DJUWANDAYNGU:** Part-time instructors, people from the community.

THE COMMISSIONER: Okay. So they'll work with them on a part-time basis.

30 **MS DJUWANDAYNGU:** Yes.

THE COMMISSIONER: Do you feel that you have enough resources to give those kids the attention they need?

35 **MS DJUWANDAYNGU:** No.

THE COMMISSIONER: What things would you like to do for them that you can't do?

40 **MS DJUWANDAYNGU:** In-services for PTIs, part-time instructors; go to a different - to go to a school where there's a special needs teacher, or adequate facilities.

45 **THE COMMISSIONER:** You know the review that the Northern Territory government is doing into Aboriginal education, Bob Collins is doing; have you had a chance to meet with that review yet?

MS DJUWANDAYNGU: They'll be coming around 5 June.

5 **THE COMMISSIONER:** So they'll come out to Milingimbi and talk to people out there then.

MS DJUWANDAYNGU: Yes.

10 **THE COMMISSIONER:** How do people there at Milingimbi feel about the review coming and meeting with them?

15 **MS DJUWANDAYNGU:** There's been a process of meetings held at the school involving people from communities to look at the terms of reference of Bob Collins' review. So most people are looking forward to them to come.

THE COMMISSIONER: Thank you very much. Thank you for coming forward.

20 Dr Dennis Griffith. Thanks a lot for coming. It's not often that we have an opportunity to talk to somebody who's got something named after him or her.

25 **DR GRIFFITH:** I'm representing the Australian Rural Education Research Association, and I'll be talking as a visiting research fellow out of James Cook University, so I want that to be clear. If I may I'd like to be economical with the Commission's time. I'd like to lead through a couple of issues, if I may, and answer any questions as I go through. Is that acceptable to you, sir?

30 **THE COMMISSIONER:** That's what we'd like, thank you. Yes, please.

[Definitions and disadvantage]

35 **DR GRIFFITH:** Thank you. I think a major issue for rural people is the lack of agreed national definition and classifications for geographical areas, socio-economic status and language proficiency. I say that because until we get some clarification of these definitions it's almost impossible to make any comparisons. The need for nationally comparative data, if comparisons on cost of delivery of educational services and educational outcomes are to be made, once again, we have to have some comparative framework.

45 The established data is that rural and remote students are poorer and more access disadvantaged than urban students. By access disadvantaged, that's if you like a more technical speak for rural and remotely disadvantaged. To make meaningful comparisons of cost and outcomes requires like population profiles to be compared with

like. For example, it's no good comparing students from Cape York and the Kimberley with students from Swan Hill because there'll be very different cost regimes and very different population profiles.

5 If that sort of differential is not made - I refer you to Derek Tomlinson's report from Western Australia, which was a report for the Western Australian Education Department, which basically said that there was no difference between the performance of rural and urban students except for their socio-economic status. That sort of thing is very damaging, I believe, and ARERA believes, for rural and remote communities. If you don't clearly define what is rural and remote you get a false picture. For example, if Darwin was classified as urban and Alice Springs was classified as remote, in the town centres probably the educational outcomes or health problems or everything else would be very similar to an urban centre. Where if in fact if you classed them in a more sophisticated way you would then be able to - the next problem would be Alice Springs being classed as a rural centre with a large population would then damage the statistics of the other rural communities, other rural remote communities because you'd have a large population mixed in with a very different atypical population.

25 The difficulty for the rural and remote people are that most researchers in universities are located in urban areas and funded by government departments and urban interests, and basically very often do not have a lot of interest in getting down to the detailed analysis that's required, because at the end of the day it will produce results that are not very satisfactory to the people who are probably funding the research. For example, if somebody comes up with an idea that moves a lot of funds, resources or needs into remote areas at the expense of the person commissioning the report or government body commissioning the report, you wouldn't be very popular. It's therefore vitally important that rural universities or government uses rural researches to do some of the detailed profiling and analysis, I believe.

35 **[Service benchmarks]**

40 Before you can measure the extent of somebody's disadvantage it's important to have nationally acceptable levels of service. This can be done by establishing what is an acceptable level of education or health or other service that is acceptable to mainstream Australia, then determining where that can be accessed, which terms it can be accessed in, and then you can measure what everybody else's relative access disadvantage is to that particular level of service or service. If that isn't done then it's very difficult to get a handle whether in fact this any disadvantage.

45 In some of the work in the Griffith Service Access Frame, for example, full primary and secondary provision was taken as the acceptable standard, and that's been tested across 87% of Australia

now in all states except Victoria and New South Wales, and the reasons for that is there's not a lot of interest in those states because they realise if you've got this sort of measure it could have an influence on resource allocation, Grants Commission and a host of other areas.

5

These issues are of crucial importance to rural populations, both to attract sufficient resources to address disadvantage and to allow them to make fair comparisons of service delivery, efficiency and education and their outcomes. If you've got a national agenda that is basically going to talk about efficiency you're looking at resources going in at one end and what you're going to get out of it at the other end, the bang for your buck, if you like. If you're measuring very different populations you could end up spending a lot more money in a remote area getting very poor educational outcomes or health outcomes or any service, and the decision will be they are very inefficient; where in fact you're dealing with very, very different populations and problems. So it would probably make more sense to look at the outcomes and costs that relate to like areas in Australia, for example the Kimberley, Cape York, parts of the Northern Territory.

20

Even the current definition that this Commission has chosen for the inquiry, the DPI Metropolitan, Rural and Remote; that methodology has been found under analysis to be fundamentally flawed as a classification, and although it's used by quite a few Commonwealth agencies - there's been quite a bit written on it - but it clearly shows it's not up to the job for a meaningful classification. I believe Dr David Max Long of the Rural Education Research and Development Centre at James Cook has also raised this issue with the Commission. I believe once clear definitions and classifications are agreed and utilised, comparisons in regard of service delivery, costs and educational outcomes can then be usefully made.

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Now socio-economic disadvantage: there is a commonly used index of socio-economic disadvantage. The index of relative socio-economic disadvantage, it's a standard ABS classification, so it's universally accepted, and it measures down to collector's district. The reason collector's district is important - and that's what DPI's methodology does not do - when it's talking about vast rural areas, unless you go down to CD level you can't get any meaningful analysis; and to be quite honest, even at CD level, some of the CDs in northern Australia are so large you still have to do some further analysis sometimes. But at least you're down to the bottom base unit used by ABS for their objective data collections, and on that basis you can do some meaningful analysis. That's if you're doing comparative socio-economic disadvantaged comparing urban and rural and remote areas.

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If in fact you want a better index for rural and remote areas the index of economic resources is a better one because it can pick up communities that are resource rich but cash poor; it catches the people in the poverty trap on the farms and on the rural Australian areas.

5

Any classification, be it geographic or otherwise, that has no capacity to measure economic disadvantage has to be inequitable. All the research will tell you that people who do not have the economic resource base to travel, that's a significant factor on top of any distance or other vocational disadvantage. A classic example of that, to bring to your mind's eye, would be a mining community sitting cheek by jowl with an Aboriginal community, where you would see one get, because of the employment, because of the perks, because of the services delivery aspect, the mining community would be far less access disadvantaged although geographically on a model it would look exactly the same.

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The Griffith Service Access Frame has been used, as I say, across 87% of Australia. It's the only methodology that has actually been tested across at least three (indistinct) with the people and shown to have a high correlation. South Australia and the Northern Territory use it to allocate Commonwealth resources in the country areas funding. I believe it's worthwhile - whether the GSAF is used - I don't just want to sound to be plugging one methodology - but either that or another methodology that can look at the factors of size, distance and economic factors, a combination of those should be tested across Australia, because I believe it would develop zones of relative access or it may be under a different name, that will allow some meaningful comparisons across a whole range of services to be measured, the cost of providing this service, the accessibility of the service and the outcomes for government agencies in those services.

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Finally, for rural people, especially Aboriginal communities, there's the measures of language proficiency. There is no standard measure of language proficiency, and it's urgently needed not only for Aboriginal people but also pockets of ethnicity in rural Australia. So I think there are three key areas that cannot be left off any report on rural education in Australia. That is geographic location, how to identify and classify the socio-economic basis of the communities that's reliable, and yet to be found, but needs to be urgently promoted, a language proficiency model. I believe that could probably be done by education departments working together or even individually to look at certain standards and subsets of language proficiency within the normal range of testing.

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Finally, I'll just say this, and then that's the end of firstly my base presentation, I will bring the Commission's attention to the fact that South Australia has just developed a Web site called

www.countrycall.nexus.edu.au. I'll provide that to you separately or to your officers. It's the results of similar consultations as yourself, where the executive director of the new country operations directorate in South Australia has consulted widely with rural communities in the last
5 few months. So therefore I think it would be current and will probably help you as Commissioner perhaps with some of the places you couldn't visit to give you extra information. I've been asked to relay that to you by ARERA members in South Australia.

10 That's all I would like to say as an opening statement.

THE COMMISSIONER: Thank you very much and thank you for that lastly. We would like the full particulars, if you don't mind, because we'll make use of it. I don't know whether you've noticed on our website, we
15 also have, over the last 12, 18 months, been writing up the broader meetings that we have for the same purpose, just to make them generally available so people don't have to reinvent or not see at all some of the good information that we're getting from people.

20 **DR GRIFFITH:** Yes. I've seen it.

THE COMMISSIONER: It's a good thing.

25 **DR GRIFFITH:** I read it regularly.

THE COMMISSIONER: Brian.

THE CO-COMMISSIONER: Dennis, Peter Toyne in his presentation earlier today made reference to the GSAF, and he referred to a 95%
30 correlation between what he called outcomes and isolation. You probably want to term that access disadvantage. Would you be able to comment on that?

DR GRIFFITH: Yes. That's incorrect actually, it's not outcomes. When
35 you do a correlation between perceptions of - the correlation is misinterpreted; it's simply this one: when the GSAF was tested in three states it was put across 17 regions where at least 20 people in each of those regions were asked to classify the schools in their regions on their relative access to the centre that provided full primary and
40 secondary education. This was done independently by three statistics units, one in the Northern Territory, one in Queensland and one in Tasmania. Then a correlation was carried out between the scores produced by the GSAF model, the rankings, and the rankings of the people on the ground, through knowledge if you like.

45

The correlation was mostly .92, where the - as you know probably the highest correlation you'll ever get is about .95. There were two variations to this, but this was because of very atypical population

structures in Calliope and near Mackay; the alternative lifestyle people got tangled up in the data who weren't taken into account by the school community. But that was the only setback, if you like. But the correlation was extremely high, and as a result it's caused those states to continue using it; and I believe the Education Department in Queensland is playing around with some of this measurement.

I think what's been confused there is, in the Northern Territory we looked at the correlation between map testing and zones of relative access. That hasn't been published anywhere, but basically it was very promising in relation to there being a relationship between zones of access and educational outcomes. But that hasn't been published yet and it needs to be tested further. All I'd like to say about that is it's promising research that needs to go further. And I think the confusion with Mr Toyne is through reading the papers and being excited by this correlation and reading about another correlation which was really justifying the model. So well-intentioned I think, and nice to hear, but not quite accurate.

THE CO-COMMISSIONER: If we think about the national application of a model such as yours, it's clear that the advantage could be that relative zones of access or access disadvantage could be established, and that would have clear indications for the allocation of federal funds. But what about the implications at the Territory level? In his presentation earlier, Dr Bill Griffiths was also referring to this methodology, and he was urging the Commission to look at its wider use. If it's already used in the Territory for the allocation of Commonwealth moneys, what do you think that Bill would be driving at as far as the Catholic system is concerned?

DR GRIFFITH: It really takes you back to these early points I made. What the zones of relative access do is clearly show that these people are living in different circumstances with different economic bases, different degrees of disadvantage. Now, unless you can sort out the difference between somebody, say, at Drouin in Victoria, which some people would say is a rural town - for example, under the Commonwealth Country Areas Program, Drouin is treated exactly the same as Turkey Creek. Drouin is about 150 kilometres from Melbourne, and Turkey Creek is 1176 kilometres from Port Hedland. I don't think it takes a lot of imagination to see they're vastly different places yet they get funded exactly the same way.

Unless you've got some way of identifying where the Turkey Creeks are, at least from a geographical perspective or access service, we're starting to compartmentalise these people. What frightens a lot of people off when policy-making is we all know no matter how much money you've got these places would soak them up. But the thing is, governments and policy-makers have finite resources, but at least if we

distributed them on this basis, although they may not be sufficient to tackle all the problems, at least people will clearly in a transparent way that the right proportion of funds is going out of the available disadvantage funds to the people who needed it most; and that's what is not happening because of the lack of research or the broad definitions that are being currently used.

Having established that there are - the thing about zones of relative access, you could have a zone in Cape York, one in the western desert and one in the Kimberley, that rank in the same zone but they're non-contiguous, they're not joined together on a land mass, they're separate. However, they are homogenous because all the characteristics of those populations are represented in three zones. So if in fact you wanted to see if - even from a government efficiency model, if you wanted to see how much it costs you in the Kimberley, the western desert and Cape York to provide a service, and then you wanted to look at what the educational outcomes were in those three zones, it would probably indicate who's doing it cheapest and who's doing it best. You wouldn't be confused with your Drouins or your Swan Hills or these other places, you could clearly see it.

So a range of what's commonly used is six zones. Through that range of six zones what you may find by analysis is those zones could be concentrated down to three. We don't know, we haven't done the research. But in any event you will have discrete zones with discrete cost regimes and probably discrete educational, health and other sorts of outcomes. For the first time you would have a clear picture of what needed to be targeted most urgently.

The old doctrine of triage - I don't know if you read Humphrey's stuff on health, but it's very true. The problem is in a three-year election cycle it's very tempting for policy-makers - you know the doctrine of triage; you look at the battlefield wounded and you say, "This guy is going to die so forget it." Right? "This guy, if we give him a bit of treatment, he'll be right and this guy will probably be all right anyhow." What tends to happen with Commonwealth funding, we go for the middle group because we've got to get a bang for our buck, a political outcome or result from that middle group, and the other guys get neglected because you could spend a hell of a lot of money, but in the time-frame you've got it'll look like you've achieved nothing.

All you'll attract is criticism from the opposition, whoever they may be, who say, "You spent all this money and it hasn't been proved one jot." If you can get down to a much more scientific way of doing it everybody will have to come to terms with we're dealing with very different regimes. And it's much easier in zone 2 to get a result than it is in zone 5 or 6; because in zone 5 that's where you're finding groups of people that have language difficulties, very low socio-economic

5 profiles, health problems, all these associated factors, and they're common to groups 6 and 5, where you don't find those in 2 and 1. All of a sudden you've got a manageable approach to how we want to deliver services, be it on social justice, be it on health, education or welfare provision.

10 **THE CO-COMMISSIONER:** Dennis, we've heard also a bit today about the decision to phase out bilingual education programs to a large extent because a set of data obtained by the NT Department of Education when aggregated showed a group of students in schools with bilingual programs are purportedly achieving at rates that were slightly less than a group of students in schools without bilingual programs. You independently have been looking at multi-level assessment program data in relation to a number of factors and variables. Would you care to comment either on what you've found to this point and/or what you think about the methodology of comparing two sets of data in that way without reference to background variables and other factors such as attendance?

20 **DR GRIFFITH:** The research we did didn't pay any attention to whether schools were bilingual or not. To be honest, the Australian Rural Education Research Association has no position on bilingual education, so I can't really answer those questions. The only thing I could say is, with the other position, obviously if education is going to be owned and managed by a community there is a good argument that there should be ownership, and that ownership has to be such that people associated have an affinity with it. But that's all I'd like to say on that.

30 **THE COMMISSIONER:** Thanks, Brian. Dennis, I only have one question, and that was - no, two questions, I'm sorry. The first was the issue that you raised about benchmarking. Do you know of any work that is being done to do that?

35 **DR GRIFFITH:** No.

THE COMMISSIONER: Right. Nothing at all?

40 **DR GRIFFITH:** The knowledge you'll need urgently. You see, the problem is we have COAG, or the Commonwealth-state groupings for efficiency and in-service provision, and this one of the constant problems, that we really can't progress. Let me put it this way: I think it might be beneficial if you went on to the education Web site of the BBC in the United Kingdom, and you looked at some of the reports produced by OFSTED on individual schools. What they end up doing is creating a league table of schools against the educating - in England there are education authorities. So you get a mean for the authority and you get a national mean, and then you get a school score against that.

I think it was only at a recent Canberra press conference there was a British educationalist visiting, and what he said, the best thing it proved was the league table had a direct correlation with
5 socio-economic status, and I believe that. I think this is what we're going to get, I believe, with the efficiency push to get this measure. Unless you get down to the basic differences between populations and their differences it's quite obvious who's going to come bottom of the league. And the states or territories who have the biggest number of
10 these disadvantaged people are going to be bottom of the league. It's quite easy to see. But if you isolated say Darwin and Alice Springs for example in the Territory, the statistics would probably reverse; so that in Canberra we'd probably have the best figures.

15 So you can't progress down the path of economic rationalism, efficiency, measuring outcomes, improving education for all Australians unless you do some clear analysis of the different starting points; and that's where the key areas, once again, I say, are those who are
20 geographically isolated or access disadvantaged as I prefer to call them, the socio-economic factors. I mean, Dr Gareth Ross of Deakin University was producing clear evidence of this back in 1983 when the Disadvantaged Schools Program came in. In fact, it's out of Ross's preliminary work that these indexes ABS developed came to fruition because what he did was showed a clear linkage between
25 socio-economic disadvantage and educational performance.

So unless rural people get a fair go in the way that they're compared like with like and service deliveries who compared like with like communities, the whole exercise is relatively meaningless. The
30 statistics looked - if you argue about Aboriginal population in the Northern Territory; and it's easy to do to think that that is one-third of 1% of the nation's population. When you start looking at the extent of the number of secondary kids who are not actually performing at secondary level, you get a figure of about 68% of Australia's kids in that
35 category. When you start looking at some of the secondary figures the Territory's proportion of those is very significant. And the same would apply if you started looking at the peninsular or Kimberley; but because we're talking about relatively small people, and from your own figures a small percentage of rural people, if you don't classify those, if they're
40 classified into Mt Isa rather than a region out of Mt Isa, then you've got real problems in getting it into the data.

I'll give you an example. Under the DPIE methodology that DEETYA was trying to promote 18 months ago you will find that they
45 were wanting to tie postcodes to the DPI index. You got the amazing outcome that Broken Hill, because it took in Tibooburra, Tibooburra became an urban centre. Tibooburra is counted as an urban centre. Actually it just escapes me, but there was a major town - I think it might

have been Wentworth - not Wentworth, that's a small town - there's a major town that gets classified as rural while Tibooburra is in this other classification. It's completely nonsensical.

5 Then when you look at the postcodes, everything in the eastern
part of the Northern Territory is postcoded into Queensland. Some of
the postcodes in Queensland are broken up into about 17 pieces from
the Northern Territory border to Palm Island; and the Northern Territory
10 gains part of Western Australia and South Australia in that
classification. When that was put to DEETYA their argument was,
"Well, they're only small numbers." But I mean, in a small population
they're devastating and it makes your data absolutely useless. There
has to be a much - it's boring old stuff, statistics, to a lot of people, but
15 unless you get the parameters set for how we're going to do this, some
sort of matrix where we can actually have a look at what type of people
we're talking about, what their similarities are, what their differences
are.

20 What you could easily find is that people may be access
disadvantaged for education services but by happenchance have quite
good support for health because somebody decided in an
absent-minded moment to place a GP in the area. What you've got to
do is get service specific and then do this sort of analysis on the level
of service or basket of services and then run out a range of these
25 zones of access.

THE COMMISSIONER: My other question was just a simple one. You
referred to the language proficiency work that needs to be done. Is
anybody starting to do that, the measure of language proficiency?
30

[Language proficiency]

DR GRIFFITH: We've got some very broad classifications of language.
I mean, for allocating Commonwealth funding the non-English speaking
background classification, the ESL program, Paul Keating's sons
35 qualify, so his kids qualify purely because one of the factors is if one
parent was born overseas. I don't think that's what we want to target at
all; but people are jealous to give up an advantage in any funding
scenario. What we need to do is move it away from some sort of ABS
classification down to some soundly-based educational classification
40 which basically tells you can somebody speak at a certain proficiency
or not. And because dollars are finite we may have to draw some
arbitrary line that if somebody can't speak at all what do we fund, and
then maybe creep up as people improve or resources become
available.

45 I don't want you to go away with the idea I have this utopian
picture that the dollar is to fix all this. I don't. All I'm saying is, out of the
limited dollars any government has available at any time we need to

show it is targeted for equity or special needs and that we're doing our very best to see it gets to the most needy. Without the work and the underlying methodologies to do that we're failing abysmally.

5 **THE COMMISSIONER:** Thank you very much. Thanks Bill.

DR GRIFFITH: I will leave this just as a pointer to serve you and you want to ring me up.

10 **THE COMMISSIONER:** Yes. Thank you.

DR GRIFFITH: Thank you for the opportunity.

15 **THE COMMISSIONER:** Is it okay if we just stretch for five minutes before we call on the AEU? Good thanks.

20 **THE COMMISSIONER:** Would you like to introduce yourselves and straight into your submission?

MR LAIRD: I'm Robert Laird, the president of the Northern Territory branch of the Australian Education Union.

25 **MS HEAP:** And Lisa Heap, the federal women's officer for the Australian Education Union.

30 **THE COMMISSIONER:** Thank you.

MR LAIRD: Thank you. Thanks for the opportunity to make a submission. Just as some preliminary remarks we will be making a formal written submission where we'll have detailed descriptions about the tiers of access to education according to population centres as you've broken down in the terms of reference, notwithstanding the points made by Dennis Griffith a moment ago. We'd like to briefly outline some of the main issues impacting on the provision of education in the remote Northern Territory, and we've provided this dot-point format for you this afternoon to broadly speak to.

40 **THE COMMISSIONER:** Thank you.

[Retention rates]

45 **MR LAIRD:** By way of introduction I'd like to quote some statistics, some of which may be out of date, but presumably you'll be able to get more up-to-date ones from appropriate sources; and that is that while Northern Territory-wide there are Year 12 retention rates of 42% only

4% of our Indigenous students achieve Year 12 level, and we think that this is pointing to a provision of education which is clearly discriminatory on the grounds of race.

5 We would also like to make some comments about sexual
discrimination as it exists in the Northern Territory as well; and Lisa,
our federal Women's Officer, has been visiting some very remote and
rural areas of the Northern Territory and would like to make some
10 observations in that area. We also have some observations to make
about the discrimination on the grounds of disability and the lack of
access to educational services for students with special needs.

15 In Aboriginal education the story is generally a sad one and it
needs to be seen in the context of a responsibility by this government
for the provision of public education, quality public education for all
members of the Northern Territory.

[Education funding]

20 Nationally the percentage of GDP spent on education has
slipped over the last 20 years and in the Northern Territory the story is
much more bleak. Only 22% of government outlay is spent on
education compared with 27% as a national average of other state and
territory governments. This government should be spending a lot more
25 on education and it stories about optimism - while I share a sometime
optimistic frame of mind, its stories of optimism have to be regarded
quite cynically in the context of the litany of reports which sit on the
shelves of senior managers of this government.

[Indigenous education]

30 From 1979 there was a comprehensive report into the provision
of Aboriginal education undertaken by SHIMPO through the reports that
have already been mentioned today, like the 1996 Public Accounts
Committee Report, and the government from time to time reports on its
implementation of those recommendations, but we, from the Australian
35 Education Union, say that that's not nearly good enough because
students are still missing out where students should have equal access
to educational services, as students anywhere in Australia.

40 Education for the, particularly, underprivileged, we would say,
multiply underprivileged, means priority for those students, and so they
should be getting additional pieces of the cake. I take what Dennis
Griffith said in the realms of economic rationalism, that's all very well,
and we would concur that the distribution of the cake certainly needs
45 attention but we think that in order to reverse some of those very sad
stories - and we're talking about over-representation in the prison
system as well as over-representation in the youth detention centres -
there needs to be more cake. It is no longer good enough to say that
we will look at the way that we rearrange the crumbs on the table and

think that those that fall off will be good enough for our most remote and most underprivileged students.

5 So that's where we're coming from as the Australian Education Union, because we have a firm belief in the responsibility of governments all around Australia to provide quality education for all, and are particularly concerned by the performance of this government in that area.

10 To Indigenous education and access equity and participation. I spoke briefly about retention rates. Participation rates are extremely sad. There have been stories all through the day about the low attendance level at schools but, to compound the problem of low attendance, when there is very good attendance at a school, those schools and students and communities are not rewarded with additional attention to their education, they don't get additional staff, usually because additional staff can't be found.

[Remote area staffing issues]

20 At this current moment, our most remote communities are short of teachers that they are entitled to under the staffing formula of the Department of Education. They're short of teachers because there is a national shortage of teachers, but they're also short of teachers because there are no facilities for those teachers to live in, so there's a shortage of housing. This is on top of the shortage of housing that's already been referred to by my colleague from Milingimbi, and the entirely discriminatory practice of not providing public housing to Indigenous teachers in their own communities, the so-called local recruits clause.

30 So not enough housing, not enough teachers, for a start, not enough housing and not enough classrooms and resources and things around the schools when they do get there. So for communities who do have a good attendance pattern for a while, they get frustrated and the students don't receive the attention which they certainly deserve.

40 There has been, in the past, public provision of boarding education at Dookma College in East Arnhem and Kormilda College in Darwin and at Yurara College in Alice Springs, and all of those places, closed during previous reviews or cost-cutting exercises during the 80s. So in terms of a way forward, back to those times might be one of the ways forward but what we are hearing from most of our members in the larger remote communities is that we want to have access to secondary education in those communities. At the moment there isn't any. There are some programs which are run for secondary-age Indigenous students but they are "one program fits all", which comes down to the one program not fitting very many at all.

I understand that there is the Bob Collins' review, and we'll be very interested in the outcome of that and we'll take the opportunity, after our formal written submission, to provide a supplementary submission incorporating some response to those outcomes. We share the concern of the Commission and hope that they will be implemented outcomes, rather than outcomes than sit on a shelf to be reported that, "We've implemented some but not others," the ones that cost money.

We're disturbed to report, since the beginning of the year, after the promise of, for the first time, an Indigenous director of Aboriginal education, that the opportunity has been missed to appoint one and a white director of Aboriginal education has just been appointed last week, in an acting capacity and on a temporary basis.

[Bilingual education]

It would be remiss if I didn't mention the bilingual program which we've heard about already today, the Commission has heard about. It has provided appropriate access to literacy learning for students who speak any number of languages before they approach the formal school setting, and it would be a gross point of history, a terrible shame, if this decision was allowed to stand and the government didn't revisit it on the basis of the consultations which are yet to take place, because the preservation of those languages is part of our civic responsibility, as well as the continuation of a program like that provided to some communities in bilingual education, being an educationally-sound program.

It also provided the access point, as we've heard, for an appropriate curriculum, so that communities can have some measure of input into that curriculum and provide some more appropriate and relevant options for their students.

[Staffing formula]

I'd also like to say something about the staffing formula, which is set by the Department of Education. It continues the inequities in provision of staffing between urban and remote centres. As part of the most recent review, cost-cutting exercise, there were some additional staff provided for early childhood education within school settings but that only applied in urban centres, and we would like to know why the government took the view that it would provide, out of all this cost cutting, some additional staff for urban schools but no additional staff where early childhood education is just as important, if not more so, for our rural and remote settings and schools.

While we're on that, the English as a Second Language ratio, which in urban schools is 1-10, is not applied to recognised English as a Second Language students in our most remote communities. Instead,

they are staffed on the basis of 22-1, which, we would argue, is totally inadequate to deal with the needs of those students.

5 I might draw breath on that point about discrimination and hand over to Lisa for a moment.

MS HEAP: Thank you. Thank you for the opportunity to address the Commission. I would like to talk to the Commission on the issues associated with the overlaying interplay between racial discrimination and sexism within the delivery of education from the Department of Education.

15 I appear here today before you as a person with national responsibility for the union in coordinating our submissions to this inquiry, and also as the federal Women's Officer. In particular, as federal Women's Officer, I have been asked to attend specifically the Northern Territory by women employed in the Northern Territory, to hear their stories associated with their experience and the particular experience of women in rural and remote communities.

20 **[Women teachers]**

I'd like to talk to you today about this question of women in the education workforce in the Northern Territory and how this links to the question of the retention of quality of teaching staff for those communities. I'd also like to delve into the way women in the system are treated, impacts on the expectations for girls and also, in fact, for the expectations for boys who are students in this system.

30 In the Northern Territory, as Australia-wide, there are few women in leadership positions, albeit with a recent couple of noted exceptions in the Northern Territory. This is not unique to the Northern Territory. Australia-wide, women make up 70% of the education workforce and make up less than 30% of those in leadership positions.

35 In my visits around the Northern Territory in the last two weeks I've not been surprised about that ratio - the ratio is reflected in the Northern Territory, although it's a little bit worse, from what I can work out - but what I have been surprised about is the overtness of the sexism in the system. In fact, in many instances it's an element of pride for many within the system.

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45 I had - I was going to say the good fortune but maybe it wasn't - the good fortune of speaking to a male head teacher in a remote community last week, who indicated to me that the problems of support that I was talking about to him, from the Department to teachers in rural remote communities, obviously weren't related to men; obviously, the only thing I'd been doing was talking to women. When I asked him why he'd come to that conclusion, he indicated, "Because we're okay. It's

the women with the problems. The system works well for men. I'm one of those. It's working well for me. It depends on who you rub and how you rub them, you've got to learn to rub them the right way, and I'm going to continue with that practice."

5

This person had clearly identified the culture of the system and how, for him, he was able to work through that system. He also identified, though, quite clearly, that he knew the disadvantages that other people in the system were experiencing and in fact he knew that those experiences were the experiences of women.

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I'd like you to ask to look, when you're going through your inquiry to some of the remote locations in this system, at the number of young women who are in teaching jobs in these communities. For many it is their first job and they have great pride in their work but they are struggling because they receive very little support in the communities they go to. Many of them are struggling with the cultural aspects associated with gender and many are also struggling with the fact that, for them, the only avenue is increased work in their non-teaching time, that is, during their hours outside of work they focus on their work, so on evenings and during the weekend they are going to the school and using that time to prepare and do additional duties, while many of their male colleagues enjoy a rural lifestyle of hunting, sporting, fishing and exploring.

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[Professional development]

It's clear for them that they are struggling with two aspects. Firstly, many of them are young and are experiencing their first job as teachers, and they are struggling with the fact that there is limited professional development support for them. Secondly, they are struggling with the issues around culture in those communities and their gender. Then they are struggling with the issue around the culture of the Department and their gender and the way those things interplay.

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In my conversations with more experienced women I asked them about what the issues were for women in education in the Northern Territory and was given the response, "Where do we start?" and, "There's no point in starting," that the system is a system based on male hierarchies, there are few women who do well in that process. The women who feel that they want promotion opportunities indicate that they will leave the system to achieve those promotion opportunities. Other women indicated that they would maintain just the level they had gotten to, because they had a commitment to community education, education in the communities, but they therefore had to give away an expectation of promotion opportunities.

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What I'd like to say in relation to this is that I believe this is fundamental to the question of how to retain quality teaching staff in

5 these communities. Women, making up the majority of the education workforce - there are a lot of experienced women within the workforce, who, in a system that provides a culture that says, "There's little or no opportunities. We'll go elsewhere to obtain those opportunities" - they won't get them in the Northern Territory, from what I hear, and they will either limit themselves and just work with their communities in a limited way or they'll go elsewhere.

[Female students]

10 I'd like to talk just very briefly about the interplay of this, this culture for women in the system and the interplay in relation to girls who are students of the system. I believe the sexism of the culture for women in the system is reflected in the way that students are looked at. Again, the same teacher who provided me with that incredible quote,
15 about rubbing and how you rub and who you rub, provided me with another incredible quote, for work that I will do into the future, about the fact that his expectation as a head teacher in a school was that - he'd seen the girls who leave post-primary, who are no longer in the primary school - what they do is they get pregnant and that is the end of their
20 life. When pressed about whether or not there was responsibility for schooling in this area, he said, "We don't provide any secondary support, and that's not our issue."

25 If teenage pregnancy for Indigenous students is a fact, and what we're finding in relation to our conversations with people is that it is a fact - many teachers talk to us about the fact that in their culture many of these girls reach the age of 13, 14 and 15 and there are expectations about pregnancy and there's a desire to become mothers. If, therefore, this is a fact, why is this not being planned for in terms of
30 educational provision? There is not a reason why the system could not provide for alternative delivery, programs for reintegration, child-care arrangements and support for these students. Rather than doing this, it's seen as not a responsibility, and that's the end of those girls' lives; and that's a community responsibility, to deal with that.

35 The system has indicated its lack of commitment to pursuing gender equity strategies by the abolishment last year, without consultation, of its Gender Equity Unit. This unit was to look at the impact of gender and gender construction on the outcomes for boys and girls. I also want to indicate that I think that there is a gendered
40 aspect in the expectations for boys also within the system; that is that, once they've left post-primary, if they don't go away to school or when they go away to school and that fails, they are just moved into the CDEP program in the community. So there are gendered aspects for
45 both boys and girls.

The Gender Equity Unit was really required to look particularly at those students at risk, and Aboriginal girls are in the highest at-risk

group, largely because of teenage pregnancy. There is no support for how teachers can look at gender equity strategies now within the system at the local level. I was asked on my rounds last week about how a primary school teacher could look at gender equity in a culturally-sensitive way in her community. We struggled together to look for work that would assist her in this area and we could not identify anyone in the Territory, particularly the Territory Department of Education, who would be able to assist her with this work. It was a genuine need, she felt, within her classroom.

I would like to say to you here that the issues of racism and race discrimination that the union is submitting as part of the government system of education is also overlaid for many students by this issue of sexism, and that the sexism within the culture of the Department is permeating down to the expectations that the Department has and people within the Department, teachers within the Department, leaders of teachers in the Department have for their students. Thank you.

[Students with disabilities and other disadvantages]

MR LAIRD: Thanks, Lisa. I want to pick up on the threads of lack of support which impact on the provision of education services to students with special needs, and that's about, well, multiple disadvantages, if you like, and it goes to low socio-economic background students from Indigenous families, poor health of the students. Hearing impairments is at an enormous rate in our remote communities and there have been programs from time to time but there need to be ongoing programs and sustained programs to address all of these issues, let alone the disadvantages of being geographically isolated in some of the most remote locations in Australia.

That lack of support comes down to questions about funding, and it is up to central and regional office support workers to provide support in the areas into remote schools and particularly to schools with small staff, who face an increased burden because they have to teach the students, run the administration, organise support and often be the janitor and cleaner and so forth and so on as well.

Those support positions have been cut back, and have just been cut back once again by the Northern Territory government in this most recent review, to a drastic extent. The "3% efficiency dividend", if I can insert that in inverted commas, which is taken off by the Northern Territory treasury each year, has traditionally come from those central and office-based functions. So we had the situation in one year where the whole of the southern section of the Department of Education, who has its central office in Alice Springs - none of the advisory positions, including speech pathologist, occupational therapists, ESL advisers and so on, could travel after about the middle of the first term, in order

to provide the "3% efficiency dividend" to the Northern Territory treasury. This is just inequitable, because those students who are in the urban areas are still able to access those support staff, whereas those who are not in the urban areas cannot.

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This is going to significantly worsen as the years go on, because, as a result of this massive slimming down of the Department of Education, there will be no more cuts to be made from central and regional offices; and so that efficiency dividend will be taken from schools. We've seen evidence most recently of this in last week's Northern Territory budget, where there were cuts, actual cuts, to remote and Aboriginal education loan items in the budget, presumably in order to make up this "efficiency dividend".

15

That is the story that we would like to portray, it is one where it is our students who are least obvious, here in Darwin and other urban centres like Alice Springs, who are missing out on the support services, they're missing out on fundamental education services. When it comes to supplementary Commonwealth funding in order to enhance literacy and numeracy outcomes, schools in remote areas most frequently apply for funds for basic school needs, like acoustic materials; we're talking about carpet on the floor, and sound amplification devices, in order for students with hearing difficulties to be able to hear what is going on in the class before they can start then understanding through the English transmission as a second, third or fourth language; whereas schools in urban areas who apply for those supplementary funds are applying for literacy-enhancement materials and experiences for their students, which are well on top of the basic program which is provided.

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So it's a story almost of two sections, one outside the mainstream areas and the other which is in the mainstream areas, which may compare to Sydney, Melbourne and other places around the world but that will be for the Commission to judge. Thank you.

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THE COMMISSIONER: Thank you both very much.

THE CO-COMMISSIONER: Given the range of problems you both identified in your comprehensive reports, what would you want to highlight as the most important critical areas where investments of time and funds need to be made in order to redress the situations that you've described?

[Bilingual education]

45 **MR LAIRD:** If I can make one comment about retention of the bilingual education program, because not only is it about valuing students' first language and those educational reasons, as well as saving our national heritage, it's also about employment of Indigenous educators

and providing meaningful employment for Aboriginal people in their own communities - we have people working as literacy workers, as assistant teachers and in a range of other positions, including teacher linguists, who are facing the chop as a result of this decision, despite
5 what the Department of Education may say about retention of positions, because it is the most casualised workforce that we have coverage of - 48% of assistant teachers work on a part-time basis, so that's a real fear.

10 That's why I've provided a supplementary paper there on a scheme for teaching support officers, which is in the process of being recognised both by the Department and other unions involved, and will be recognised by the Industrial Relations Commission shortly, because we think that recognising real career structures for Indigenous
15 educators provides a role model and one way out of or one way through this cyclic problem that has been identified of low expectations. I wanted to start on that. What do you want to start on, Lisa?

[Indigenous education]

20 **MS HEAP:** Another thing I'd say is that - what we've been hearing is that it's the provision of education in the communities which seems to be the priority. The answer to the solution for many people is not to send their children away and for many of the girls it won't be allowed, they won't be allowed to go away in the same way. What I think that
25 means is then actually biting the bullet on this question of how do you maintain quality trained staff in those communities? The turnover rate of staff has got to be - before you even start talking about staffing formulas - one of the questions in this area. So how you actually get people to - they're quality trained staff, and trained in their areas,
30 because the other problem is that they're actually not teaching in the areas that they're trained for - how you get them into those communities and how you provide at that level is important?

35 The other thing for me, was a real shock, and this might be my sort of urban, white, middle-class upbringing, was that I didn't realise that when you're talking about Aboriginal education in the Northern Territory you're talking about primary school; you're actually not really talking about any system approach to secondary provision in the Northern Territory. I was shocked, that when you came up here it was
40 predominantly primary school you were talking about when you were talking about Aboriginal education. There were some initiatives in other - you know, some things happening but, as a system-wide approach, it wasn't there, secondary provision.

45 **[Professional support for staff]**

MR LAIRD: I'd like to follow onto that staffing issue, if I may, and talk about proper preparation for staff who go to our remote areas, because at the moment very few have qualifications in ESL or even a thorough

5 preparedness for working in cross-cultural contexts. Despite an initial orientation program which is run by the Department of Education, and I understand that that's a winner of some awards, a lot more needs to be done. This comes back to increasing the size of the cake, rather than talking about its redistribution.

10 Teachers need to be more professionally prepared for work in remote areas. 15% are provided by the Northern Territory University, 15% of our teaching service. That means 85% comes from, it might as well be, outer space; it's a long way away from Willowra and Yirrkala and so forth. Proper preparation for them needs to be done and ongoing support during their experience of teaching, because you can't provide all of the preparation before people get there, you need to provide consistent and ongoing support. Despite the improvements in 15 the information technology, it won't be the panacea to all our woes, because people, both professionally and personally, need the support of face-to-face contact and briefing and debriefing from people about broader issues across the Territory.

20 It's a sad state that it's one of the few professions in the Northern Territory where there are single - and I talk about white person - single white person operations, nurses and police are always in larger communities, and it assists in professional development and addressing situations, to have more workers.

25 **MS HEAP:** You didn't get one from us but the other thing that follows on from that is the question of leadership in the schools, for local level. I think it's really important for people to be in leadership positions in 30 those local communities, outside of the urban centres, who have an affinity and a commitment to the provision of education in those communities. There are a number of those out there but we're finding that there are a number also who may not have that commitment, and that's very hard for the teachers in those areas, to get quality leadership from them and support and development from them, and for 35 the community themselves to work - for the school to be seen as part of the community and to work effectively.

40 **MR LAIRD:** We need our best staff out there. I'm not denying that there are some good young new graduates and all that sort of thing but it's a difficult and multi-layered job, and it needs special qualities and preparation and support during that process. Lisa's issue of leadership is crucial; we need our best leaders in those positions, who are particularly expert at supporting people in the cross-cultural context.

45 **THE COMMISSIONER:** Thank you. I think we better leave it at that. Thank you for giving us the summary. The submission that's coming, is it from the NT branch or from the national union or is it both?

MR LAIRD: Both.

5 **MS HEAP:** It will be both, yes. There'll be a nationally-coordinated submission in relation to particular aspects of Commonwealth involvement and trends, we're hoping to do some of that work, and then each state and territory of the union is committed to providing specific local submissions on the aspects.

10 **THE COMMISSIONER:** Thanks, Lisa.

MS HEAP: Thank you.

15 **THE COMMISSIONER:** Thank you, Robert. Beverley Angeles and Maria Stephens, Indigenous Education Council? They may not have come in yet, the Batchelor College people. We might take a five-minute breather, I think. Batchelor College is due on at 4.30, so they may be coming into town still.

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THE COMMISSIONER: Would you like to introduce yourselves and then make the comments that you've prepared?

25 **MR BROWN:** My name is Joseph Brown, I'm with the Indigenous Education Council.

30 **MS ANGELES:** My name is Beverley Angeles, I'm from the Indigenous Education Council too.

THE COMMISSIONER: Thanks.

35 **MS ANGELES:** I've got a couple of written responses here to those terms of reference. One is from Yipirinya School, where I work, and the other one is from the Institute of Aboriginal Development. We're both located in Alice Springs, for those who don't know. I'll start off with ours, it's more.

40 Educational issues for Indigenous families in the Alice Springs and central Australian area. We've just sort of marked it down in dot-point form.

THE COMMISSIONER: Sure.

45 **[Access for Indigenous students in Central Australia]**

MS ANGELES: The availability and accessibility of education: for families living on their homelands just out of Alice Springs, like Yambah

and other areas, they have extremely limited access to any education, whether it's early childhood, primary or secondary. The only available education for those mob is School of the Air, which is inappropriate for a lot of them, culturally and in other ways. Secondary schooling is non-existent just about on any community in Alice Springs, and the only option is to send students to boarding school.

A number of families seem to be unable to access education on the homelands, therefore, Yipirinya School is looking at doing a needs analysis of compiling one so that we can then see how many children are not receiving any form of education.

Transportation is a big issue. At the moment, where we are, we pick a lot of the students up from the outlying communities, about 80, 90 K's north of Alice Springs, but that's a big strain on our school, physically and financially. Another issue was, secondary programs for remote students in the communities are mainly offered by religious colleges, contravening articles 29 and 30 of the Convention on the Rights of the Child.

Many Indigenous students of secondary age have extremely poor literacy skills, so they find it difficult to cope with the secondary education curriculum. Bridging courses, foundation studies, intensive English and general studies is inappropriate and doesn't prepare the students adequately to access mainstream education, and it's repetitive, that's all they seem to do, just those, so it's pointless really.

[Bilingual education]

The quality of educational services: as everyone knows, the NTED has recently announced the phasing-out of the bilingual program, and this is going to have a drastic effect on the programs delivered in schools and, again, it goes against all the rights relevant to education in the *Convention on the Rights of the Child*. Also, we need to support special programs for the young Indigenous students that are struggling due to their poor literacy and numeracy skills. Again, that usually comes down to money, like most things.

School curriculum needs to include Indigenous language and culture at both primary and secondary levels of education. Primary schools have to teach all Indigenous students how to read and write in English, on a par with the non-Indigenous students. We've, at Yipirinya School, implemented a scaffold literacy approach, which we are hoping will address that issue. A higher rate of teachers to students is needed too in the learning situation, as intensive one-on-one work is needed for a lot of our students. As you know, with big classes, I know you are probably teachers, it's just impossible to give them the quality of learning that they should be entitled to.

[School funding; income support]

5 Funding to schools needs to reflect the wider social issues of
Indigenous students, transport, provision of food, clothing,
accommodation, assistance with counselling, medical support. With the
changes to Abstudy too, with most of our Indigenous students, you'll
find that they're independent from, usually, a younger age than maybe
non-Indigenous students. I'm speaking from Alice Springs, I can't
comment for here; usually by the time they're 13 they've usually left
home, staying elsewhere. So Abstudy needs to address that issue or
10 your DEET, DEETYA, whatever they call it.

15 We've found cultural factors too need to be considered in any
form of educational service delivery. Aboriginal children are considered
as adults by the time they're 13, the young men, and time off
sometimes may be needed for ceremonial business, ceremonially
(indistinct) business and maybe other cultural factors.

20 Greater access and financial support is necessary for
Indigenous students to learn about new technologies, computers,
Internet, etcetera. Schools require more funding to do this properly.

25 Greater financial support for students who are physically,
socially and emotionally disadvantaged because currently students
requiring intensive one-to-one support are not being accommodated.

Funding ratio of Indigenous students to staff needs to be
reduced - I'm not sure if this is the correct ratio - from 1-17 to 1-5 in
Indigenous schools, when working with Indigenous students.

30 A really important one, I think, is to recognise the Aboriginal
community members as playing a key role in supporting students at
school and to provide funding for these people as employees in the
school. We find at Yipirinya School that, if the students have got family
there, they're more inclined to come to school and to stay there. If
35 there's no-one there, family, you might get them for the odd one or two
days a week or a few weeks and then you don't see them again.

[Indigenous education]

40 Teaching staff employed in the communities have little
understanding of the Indigenous culture and maybe non-Aboriginal
teachers need to have ongoing workshops about culture and Aboriginal
education issues, to even begin to understand how to teach or
effectively teach Indigenous students.

45 Enhance the pathways for Indigenous people wanting to be
educators in their community.

Recognition and equality for Indigenous language and cultural specialists to work in the schools.

5 Another point: secondary-aged students can only access private religious college education, which limits their right to an education, which then ensures their right to learn their language and culture. I know at Yurara College in Alice Springs that, for instance (indistinct) isn't spoken, and that's the language for the central Australian region.

10 Getting the mainstream education system and teachers to understand and value Aboriginal kids and culture, and incorporate that into the school for the whole community to benefit from.

15 Current mainstream schools perpetuate attitudes and values which do not reflect the culture and lives of Indigenous students.

20 Greater support for Indigenous parent involvement in the school. That happens to a certain extent with the ASSPA [Aboriginal Student Support and Parent Awareness committee] but that could be improved on.

25 Greater funding to support professional development of Indigenous educators, in particular, independent community-controlled educational settings, to upgrade their skills as educators and be recognised as equal.

Identified Aboriginal teaching positions in all schools.

30 The last point is support through scholarships, HECS payments to get qualified Aboriginal people employed in the education system, both mainstream and independent.

35 That was just quickly ours from Yipirinya School. We could have wrote more but we realised we only had not long.

40 The next one is from the Institute of Aboriginal Development in Alice Springs. This one I've been asked by Donna Ah-Chee, who is the director, to - this one is a bit longer and I sort of don't really feel comfortable about going through it all, because I sort of didn't have time to really sit down and talk with her about it. I might just table this, if that's all right.

45 **THE COMMISSIONER:** Yes, you can just leave it with us, Beverley, if you like.

MS ANGELES: Yes.

THE COMMISSIONER: Yes, that's fine. Maria, welcome. Sorry that you had to go off and were called elsewhere. Are there things that you'd like to say to us?

5 **[Secondary education access in remote areas]**

MS STEPHENS: Just something about the terms of reference. I'm just looking at the terms of reference. I think the main concern for the Indigenous Education Council is the availability of secondary education and the quality of the education that the children are receiving in the
10 remote communities. There is very limited secondary education, I think there are five area schools which provide secondary education. We've been talking about looking at developing cluster secondary education in communities.

15 The educational support, I think, needs to be looked at in greater depth but I think, overall, the main concern for the Indigenous Education Council is that there are quite a number of recommendations in regards to Aboriginal education and we would like to see the
20 recommendations reviewed, to see what actually has been implemented and to what depth it's been implemented; also, how the funding is given out to communities, how the disbursement or allocation of funding, in terms of ratio, is conducted.

[Students with disabilities]

25 It was interesting, apparently there was a disability review not long ago, I think it was the end of 97 or 98, I'm not too sure, and apparently there were no moves to introduce a disability policy for education in schools. That was apparently turned down and for the
30 Indigenous students in the remote areas I think that's a great concern, in terms of what they need to access. Also we found in the education area that there's a high focus on hearing, when you need to look at the overall holistic approach, in terms of physical and mental disabilities, if it's linked to education, because the foetal alcohol syndrome (indistinct)

35 The other real concern is the quality of the training. Even though there's been a lot of movement towards quality training, I'd like to see how these are linked to national training modules for our Aboriginal teachers as well as our VETs in schools program and those areas.

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THE COMMISSIONER: Thank you. Brian, do you have any questions?

THE CO-COMMISSIONER: I do. Beverley, I wonder if I could put this
45 question to you. You gave us a very good sense of what the situation is like for Indigenous youngsters living out of Alice Springs, in homeland centres, places like Yambah, where the alternatives that face them are to go away to boarding schools run by religious groups or to take School of the Air lessons. Let's suppose you were in a position to

influence how this might be done differently and you had a pretty substantial sum of money and quite a lot of people to help you at your disposal. What changes would you want to see made?

5 **MS ANGELES:** What we're talking about at the moment is having a couple of teachers that are - I don't know what you call them - roving teachers, where Yipirinya School in town would be the base and we'd provide all the resources, and the teachers actually go out for three, four days a week and then maybe bring the kids into the school in town
10 for one day a week.

THE CO-COMMISSIONER: These would be like specialist secondary teachers with expertise in, say, two key learning areas, that kind of thing? Is that the idea you've got? They'd go out and work with children
15 in those communities and perhaps bring them back?

MS ANGELES: Yes. Our focus for the next two years is literacy and numeracy, so it would have to tie in with that, yes.

20 **THE CO-COMMISSIONER:** You said, "We need to support young Indigenous students who are struggling. This comes down to money." Would you like to just say a little more about that?

25 **MS ANGELES:** Most of our students have hearing problems, what's termed, and I quote, "behaviour problems", but we've got - because we're an independent school, sometimes we can access NTED student support officers but, like, they're sort of pretty busy with all the other schools. A lot of our kids need amplification in the classrooms and we just haven't got the money. That's just one instance.

30 **THE CO-COMMISSIONER:** Yes. I've got heaps of other questions but I'll leave it at that.

35 **THE COMMISSIONER:** The question of the bilingual education program's future has come up repeatedly during the day, as you'd imagine. Has the Indigenous Education Council taken a formal policy position on this, and, if so, what is it?

[Bilingual education]

40 **MS STEPHENS:** They haven't supported the abolishment of bilingual education. What we actually looked at in terms of bilingual education is the distribution of resources in regards to bilingual education.

THE COMMISSIONER: Could you explain a bit more?

45 **MS STEPHENS:** What happened was, as the Indigenous Education Council, we did a comprehensive review of the Department's allocation

of funding, in regards to several programs within its operational plan for the 1997/99 triennium. We looked at how the allocation of funding was actually distributed amongst these areas and what we found was there was something like all the ET2 positions and above - there were
5 39 ET2 positions all together, and only 8 of those were Indigenous. All the AO positions were actually Indigenous.

We started going through, program by program, how this was actually broken up and we worked out that \$6.5 million went in salary at
10 the system level, \$2.6 million actually went to committees and resources, and \$385,000 actually went out to 22 communities throughout the Northern Territory.

THE COMMISSIONER: These are allocations under the bilingual
15 program?

MS STEPHENS: No, that was the overall, and that \$385,000 was an allocation to the bilingual program. That was a major concern for us, that whilst there's a promotion of a lot of money going out to Aboriginal
20 communities, just that review itself showed that very limited money was actually going to Aboriginal communities. So what we needed to look at was how that was actually distributed equitably amongst the Indigenous people, rather than at the system level, particularly at the Indigenous community level.

THE COMMISSIONER: Is a copy of this review available?
25

MS STEPHENS: No, that's what we did internally ourselves. I actually conducted the review so that I could inform Council how the money was
30 distributed. We have a breakdown of all salary components, we have a breakdown of all positions and how it's allocated within that as well; so it's rather comprehensive.

THE COMMISSIONER: If there were some way, through a submission
35 from the Council, that information could be made available to us, we'd be very grateful for us, it would be very useful.

MS STEPHENS: Yes. The other issue that concerned us was the amount of money that was actually spent in the Aboriginal education
40 area, in the development of curriculum as well. We were rather concerned with that. Over a period of time there's been an enormous amount of financial resources put into that and yet our students are still coming at a less than secondary education level. We were wondering, how do we break the bridging cycle within that process. That's also
45 included in the review as part of that financial resourcing.

THE COMMISSIONER: It would be very helpful, thanks. My last question concerns the Abstudy changes. Have you found that there are young people who used to be on Abstudy who have lost it since the changes, or others who would have been able to get it but now can't get it, and actual cases of individuals that have come to your attention?

[Abstudy]

MS STEPHENS: I don't think any individual case has come to us but there was a level of concern raised by different institutions in the Abstudy affecting their own areas. We've had a lot of parents actually come to us and say that they were concerned about the effects of Abstudy on their own family resources as well. When you have someone like - there was a gentleman, I think, who had seven children actually in the education system and each individual child was assessed individually against his income, rather than a bulk assessment against his single income.

THE COMMISSIONER: But the actually funding formula enables a deduction from income on the basis of other dependent children, I think, so that there should be some standard figure that takes into account the number of kids.

MS STEPHENS: I don't know. There tends to be different - - -

THE COMMISSIONER: That's true.

MS STEPHENS: Yes. I think one of the major issues that has come to light recently is a letter that's been circulating throughout the Northern Territory from Centrelink, actually advising Aboriginal students that they only have to attend school one day per term, which is four days a year, and they're still entitled to their Abstudy. I think these are more the underlying problems than the Abstudy itself.

When the Abstudy review initially took place, it was going to affect about 80% of services in the Northern Territory. When we originally discussed the Abstudy component, they were talking about the medical component, where they were actually entitled to subsidies for things like medication and that. We said it wasn't really relevant because they already have access to those services in their communities, so we don't know what the trade-off was in regard to that. Also with the Abstudy review - that families on Abstudy didn't actually receive any area of support in terms of accommodation, so the Abstudy component of what they received was just basic and there was no additional moneys put to it.

THE COMMISSIONER: If you know of cases or people who are involved in the council know of individuals or categories of individuals

5 that aren't getting it who previously did, it would be good to know that. We're basically being told that the Abstudy guidelines and processing have changed but in fact it's not making things any different for any individuals, and so we're just trying to find out whether or not that is the case.

10 **MS STEPHENS:** Okay. We have a system, which we call assessor system, in which we collect information from individuals as well as communities and organisation. We can provide that to you, that we've collected over the last two years. That's got a lot of information that's come from communities. It's structured in a way that it gives you what the issue of concern is, what the current situation is in relation to that issue, if there is any policy or legislation relevant to that issue. It also identifies stakeholders who need to be involved to address the issue and the recommendations and the outcomes, and whether the issue was resolved or not. We'll be able to pass that on to you.

20 **THE COMMISSIONER:** That will be terrific, Maria, thank you. Thank you all very much, thanks for taking the trouble of coming to talk to us. Is Batchelor College here? Welcome. Would you like to introduce yourselves first and you could then just go straight into your comments? Thank you.

25 **MS ARBON:** I'm Veronica Arbon, and I'm presently the assistant director of Batchelor College.

MR McCLAY: I'm David McClay, and I'm the deputy director. I should add that Veronica is the incoming director, about two months' time.

30 **MR WATT:** I'm Ron Watt, head of school and education studies. Can I say that we thought this afternoon was a large forum with everybody bouncing ideas off each other, so when we came in and saw that we'd be sitting up at this little table we all went, "Oh-oh," but, nonetheless - - -

35 **THE COMMISSIONER:** I think Batchelor College has a long and noble tradition of making the best out of the worst. I'm sure you'll survive.

40 **MS ARBON:** Okay. We thought we might try to walk through about seven points, and I'll do some and then David might pick up some and perhaps Ron later. Basically, the first is that Batchelor College is a tertiary institution that is multilevel, I guess, because it offers both VET and higher education, it's multi-campus because it operates in several places in the Northern Territory and in many communities. We have an access in about 30, I think, or 35 at the moment - not access, study centres.

5 We have about 1,500 students who come mainly from remote areas of the Northern Territory, probably about 95, 92% of those students are from remote areas, and it seems to dip in a sort of a V across the north of Australia, our main group of students. 75% are women. The age group we're attracting is dropping slightly but we're mainly in the mid-20s upwards. Previous educational achievement is an issue.

[Education outcomes]

10 Our second point, I guess, is that we feel quite strongly that the outcomes of primary and secondary education, even though that's not really offered out there - I'm one of those people who was brought up out there and didn't have access to education in the time I grew up out there and had to leave my community, I guess, to access that
15 education. We feel very strongly that the outcomes of primary and secondary education are inadequate. It's inadequate because we have to, I guess, then attempt, with the scarce resources we're allocated, to address the issues that we're confronted with. Those issues are to do with English language literacy and understanding the social context I
20 guess that language is embedded within, and the social context of the new knowledge that the students are trying to grapple with.

25 The third point, I guess, that we need to raise is that there's a number of issues that concern us in tertiary education, and that's the costs associated with those issues I raised previously but also the costs of working in that broad spread of remoteness. How do we deliver? How do we support? How do we address those complex issues in remote education? It all comes down to, as somebody mentioned earlier, money.

30 As I said earlier, there are problems of lack of access to education and poor academic achievement and English literacy achievement. Again, you need money to address that. We've tried in some ways, I guess, to address it through having lecturers based in
35 communities where possible, and having study centres where possible, in a number of communities across the Territory, but we just never have enough funding to have enough of those places. If you're going to become competent or be able to use the English language and understand its meanings, you need practice, you need time. That
40 means that you need people out there on the ground to work with students.

[Abstudy]

45 Another issue is Abstudy, it's a huge problem. I'm getting onto there in the first instance because if you're working with students who come from remote areas who perhaps don't even have access to basic infrastructure, that is housing, how are they going to easily provide evidence of who they are, whether they're enrolled, or even get the

5 form in the first place? There are huge problems of getting on there but also then of utilising Abstudy to travel students to places where we could have a big enough group, because if we have 35 students in a course, we can't go to 35 or 25 communities to deliver; somehow we have to move those students to a place or to an annex where there's a bigger group.

10 At this stage we have the right to move students, I think, eight times for about 70 days averaged across a year, and I think that's a hypocrisy, that's a farce in some ways. How can people who are grappling with the English language and its context and the context of a new content really learn about it in short workshops over a 70-day period? You know, it's just crazy. So Abstudy for us is a huge issue and it's getting worse as time ticks by because this government is hell-bent on abolishing it.

[Funding]

20 The other thing, I think, for us is the funding to the institution itself. We've, to some degree, been recognised for where we operate but it's only a very small recognition that we've had for some time in higher-ed and only for this last year in VET. So that we have a small loading on the content or the actual curriculum now. The reality is, and I think anyone you speak to in the Northern Territory knows, that the cost of delivering in remote Australia is extreme, and that needs to be

25 somehow recognised by funding authorities, whether they be here in the Northern Territory or whether they be in Canberra. I think that's about it for that up to 3. David, you might want to do that one.

[Teacher training]

30 **MR McCLAY:** Okay. I'll just pick up on a few points that Veronica raised. Why we talk about tertiary education here, where this is primarily about primary and secondary education - I would argue that this college is providing the educators, the Aboriginal educators, who will work in the primary and the secondary system, so, therefore, what

35 happens to us is important for what happens in that system.

40 Veronica has raised all the issues that we think are essential and important, and I want to stress again the costs for remote area education are not fully recognised by any government anywhere. It is better than it was but there's still a long way to go before those genuine costs are recognised. The problems of lack of prior academic achievement of our students, which is the central issue here, we have to try, in a very short space of time, to pick up and give people the literacy and numeracy that they need to undertake genuine higher

45 education courses. If they don't have it before they come into our place, into our college, then we have to try and do that, and that is a major burden on us and for some of the students it's simply too much; they

can't do it and therefore they are denied access to higher education or to VET courses.

5 The problems of Abstudy are very, very genuine. I think before
you mentioned that Abstudy really wasn't - the changes weren't having
too much of an impact on anybody. It's certainly had an impact on the
college and on our students. Prior to the May, what was it, 97 budget,
10 Abstudy was open slather, in a sense, in terms that we could travel
students for as long as we liked, as many times as we liked, and there
was no checking on it. Okay, maybe that's unrealistic but the strictures
that are now being put upon us are that we can travel our students six
trips, 40 days a year.

15 We operate under a mixed mode of education, whereby our
students - a mode that has evolved in answer to the needs in
communities. People don't want to be away for long periods of times
from their homes. That's really central. Hence, we try to deliver in short
workshops of up to two weeks' duration, sometimes three; we deliver on
20 site in the college or in annexes or sometimes in other communities,
people will cluster into one community from surrounding communities.
All of this involves travel by people and time away from home.

25 We've been reduced down from that open slather, if you like, to
eight trips 70 days per year, including the travel time, including
weekends, and now it's to be reduced further again, down to six trips,
40 days. We have stated repeatedly to the government, "We do not
believe we can maintain the quality of our courses within the
parameters of six trips in 40 days." That debate has been raging for the
30 best part of 18 months or more. Yes, we won't say people have been
unresponsive at the level of the Minister, there has been a response
but in terms of practical on-the-ground outcomes we still have yet to
resolve this issue; and it goes on and on and on. I'm saying here that
the college's future is very much at stake over this Abstudy issue and,
generally, the instability of our funding.

35 Mark would like to get a large increase for his members, rightly
so, but the reality of it is that our funding is so unstable, something like
50% of our funding is soft funding, from year to year we're never too
40 sure how much we're going to have. That does not lead to stability in
our own staffing and, therefore, the educational practices for our
students are not very good.

45 Coming onto a couple of other things - I would argue that we
should not confuse primary education and secondary education with
schooling. I think that's quite an important point to make. In the context
of communities, I believe education needs to be seen holistically, and
can be seen far more so than in a very diverse place, a large urban
centre or a large town. These are small communities, they're not

necessarily harmonious but many of them are, and people can indeed work together. Education needs to have the total view of the community, from early childhood, primary, secondary, adult, tertiary education; all of these can be addressed.

5

[Adult education]

One of the worst things, I believe, that has happened up here in the last umpteen years is the demise of adult education, real genuine adult education in the communities. There was an attempt within the Department of Education a few years ago, from the 80s, to set up community education centres but they've fallen by the wayside. Much of this is a problem, not of the Department of Education, much of it, I think, originates from within the VET sector and the way in which that has gone nationally and the national agendas that have been driven, but much of the whole approach to VET in this country ignores the needs of people, these particular groups of people and their real needs. It's industry-driven and it's not interested; it has a different focus and a different view.

20 **MS ARBON:** For us, I guess, as we see it, there's no easy fix in the NT in remote education; for example, IT. IT, as far as I would argue, is a tool of the process, not a solution to it. There are about four points I want to make. We need to have, and constantly have, involvement of communities in education, no matter which level it's at. It's just so important, it has to be equal involvement; it can't be some excuse for involvement. You know, that's an issue Australia-wide, it's an issue here in the Northern Territory.

30 We have to have places for staff, particularly Aboriginal staff, additional places, for Aboriginal people, to be involved in the school, to be in training within the schools. I think that those types of places are slowly being eroded within the system. If we're going to get, eventually, more and more Aboriginal teachers in the system, we need those additional places so that they can be training as they're participating in the schooling process.

40 We need an education that is culturally appropriate, because there's - and it's an issue that was raised by the previous group, and it's a constant issue because education worldwide is coming out of a western paradigm and comes with its own culture, and somehow we've got to include Aboriginal people, include Aboriginal content, to try and nullify, to some degree, that western culture. We have to have, along with that, bilingual education; I think it's a huge trauma for Aboriginal people in the Northern Territory that the Northern Territory government is attempting to step back from that, because that's not going to be a solution. It might be a short-term solution economically but socially it's a disaster.

45

5 We have to have, again, ongoing consultation and we have to have valuing of Aboriginal people. They're the things that are important. Those three things are central to having culturally appropriate education, that you have bilingual ed, that you have ongoing consultation and that you have a valuing, a real valuing, of the role of Aboriginal people in the schooling processes.

[Bilingual education]

10 **MR McCLAY:** I'd just like to emphasise bilingual education. You've heard it, hopefully, not ad nauseam but you've heard it and it's certainly a very strong message from educators who've been working in Aboriginal territories up in the Territory here. I'll just read what we say within our submission:

15 *Cultural Appropriateness*

20 *Moves towards more appropriate and effective services are impeded by apparent ignorance or dismissal, on the part of government and many educators, of the role played by culture in the rationale, implementation and evaluation of educational services - continues what is often seen as a mainstream tradition of devaluing Aboriginal cultures. For example, the recent decision to phase out bilingual education was justified on the basis of results of assessments in English only and completely ignores and therefore devalues the learning which students have acquired in their own languages. It also devalues the importance which Aboriginal people place on bilingual education, by using measurement as the only criterion for value and ignoring any criteria used by Aboriginal people.*

35 If we look at the rights of the parents to choose the kind of education that should be given to their children, Aboriginal people have made it very clear, and have said it for a long time, not all but many Aboriginal people and many communities have made it very clear, that they want bilingual education, for whatever reason, for their own reasons. They want it. They want their language recognised, they want their culture recognised. Leaving aside the issuer of the standards and so on, the outcomes of the schooling, that alone is enough reason to justify the continuance of bilingual education. There are many other reasons and I believe it can be argued very well but that one alone is sufficient, I believe, to continue with bilingual education in the Territory.

45 **MS ARBON:** Can I just add a point? One of the things that I've struggled with since coming back to the Northern Territory, and I was born and grew up here, is how the present policy of the Northern Territory Department of Education divides remote and urban Aboriginal

5 people and provides different things to them. I think that's someone else trying to construct us as Aboriginal people, and I think that's a huge negative for us as Indigenous people here in the Northern Territory, and that needs to be critiqued, I guess, as a part of this process.

10 **MR McCLAY:** I think perhaps, again, adding on to what Veronica is saying - I don't know my figures, I'll be up-front, I don't know the exact figures but I suspect you would find that there are very few Aboriginal people working in Darwin schools, although there are large numbers of Aboriginal children working in the schools. But that has not been the case in bilingual schools, where the bilingual program necessarily created a role for Aboriginal people to play in that school, necessarily created an important role to play for Aboriginal people in that school.

15 My real fear is that Aboriginal people will, over time, become devalued, if they haven't already become devalued, within the schooling system and find that, "Oh well, we can get a bunch of properly-trained teachers from somewhere else to do the job better," which is a fallacy but which might well be argued.

20 **[Employment conditions]**

25 Carrying on from this, therefore, I think there's a - I mean, we could talk to all - we won't attempt to talk to more than two other points in our submission but we would all agree there's a need for stability in schools and health clinics and the like in the Territory, and it doesn't exist in many places. The working conditions for staff could be better, for both Aboriginal and non-Aboriginal teachers, and there have been discriminatory practices in schools, in terms of housing for Aboriginal people.

30 I would perhaps argue - I don't know if this is a popular view or not - that you could have fewer but far better, more experienced, well-trained non-Aboriginal people in schools, so long as you have good numbers of trained Aboriginal teachers in those schools as well.

35 You can't do this on the same types of ratios that you've got in the urban centres. So I'd say fewer, better, more experienced and well-trained non-Aboriginal teachers - many years ago up here, Jim Eadle used to argue for (indistinct) of people for whom it would be an honour and a privilege to work in Aboriginal community schools, across Australia in fact. The state boundaries and the like didn't help that idea but, nonetheless, the feeling was important, and I still believe that that - rather than, "We'll send the suckers to the bush," that we only let good people go up to the bush.

45 **MS ARBON:** And that it's a positive on your CV to work in that context, you know, it's not a negative. I think that's another issue I've struggled with since coming home to the Northern Territory, that working with Indigenous people is wanted but to go and do that in the bush is not

desired. I think you can't have both, you know, or one without doing the other; there has to be some put-back into the Aboriginal community, it's not just extracting what you want out of it and then leaving.

5 **MR McCLAY:** If there's one thing that the system - and I do not come here to knock the Department of Education at all, because it's all of us in it together, but if there's one thing that the wider system could do is it could, in some senses, legislate to allow Aboriginal people who want to be trained to receive that training, and legislate with the principals of
10 those schools to allow them the release time that they need. Some people do it and some people don't. Some people, some schools are tremendously supportive, individual principals, some, are tremendously supportive but others aren't, it's the luck of the draw and who you happen to get determines whether or not - well, that's not good enough;
15 the system itself should be structured so it will assist people, over time, over a long period of time, to get the training they need. They're not all going to zip through in the nice, little neat three or four years.

20 **MS ARBON:** That's an Abstudy issue as well.

[Students with disabilities]

MR WATT: There's just a couple of issues I wanted to pick up on that have been mentioned either by David or Veronica and the previous group. The first one is the issue of otitis media. That's a middle ear
25 infection that causes temporary deafness. I'm not sure if you're aware or not but that is in epidemic proportions in Aboriginal communities, Aboriginal children. Figures are quoted like anything between 50 and 70% of the children in your classroom will have an educationally-significant hearing loss. What's particularly problematic
30 about that is that that 50 or 70% of children will change from day to day, week to week. One week it will be this particular group with a hearing problem, the next week it will be another group.

35 The issue of hearing impairment and teacher-child ratio is a really crucial one, and if anything is going to happen in Aboriginal education, that teacher-child ratio, bearing in mind the issue of hearing impairment, has to be addressed.

[Teacher training]

40 The other issue is just on the thing that we've been talking about a lot, teacher training and the role of Aboriginal teachers in community schools. In the school of education, we run a teacher training program. When I took over as head of school five years ago, there were 56 staff in the School of Education and we had a lot of staff
45 based out in communities, working with students, in communities. Today I've got 15, there's 15 staff in the school of education. Consequently, we've had to rethink our entire operations and the way we do things.

5 The consequences of that are that we've actually had to pull
out of staff from the communities where our students are, and students
have become almost unsupported in between workshops. You know,
they come into a campus for a workshop and then go home for two or
three or four weeks before the next workshop. The only support we're
able to offer students in that time, in that between workshop time, is
either telephone, fax and computers - and that's helping, that's been a
big improvement in recent years - or staff visiting. You know, 15 staff
can only visit so many students, and that's been a big change over the
years, with the decrease in the funding that's been available to the
college and the amount of support we've been able to give students in
communities.

15 **THE COMMISSIONER:** Thank you. There's quite a bit of information
there. I'm glad the first two of you allowed Ron to get a word in
edgeways before you finished.

20 **MS ARBON:** We talk too much.

THE COMMISSIONER: Brian, do you want to go first?

25 **THE CO-COMMISSIONER:** I'd just like to start by thanking the three of
you for taking the time out and for presenting a written submission as
well. I'll just confine myself to two questions. You highlighted the need
for primary and secondary schooling provision, or primary and
secondary education more generally, to value the language and culture
of Indigenous children. Although this is quite a feature of Batchelor
College's approach, you didn't actually mention how Batchelor College
itself deals with this. I just thought, for the record, you might want to say
something about Both Ways education.

[Both Ways]

35 **MS ARBON:** Both Ways, from my understanding, is a concept that
originated with Aboriginal people somewhere in the mid-80s, or maybe
even earlier, and some of those people started to write about it. My
understanding of it is that it's a way of trying to think about allowing the
room for both ways of understanding, both ways of seeing the world,
both ways of understanding (indistinct) content to be present. At
40 Batchelor we tend to talk - well, I tend to talk about multi ways and see
both ways as a snapshot of one of those ways.

45 It's a philosophy, I guess, that underpins our practice, that
attempts to allow the students to work for some of their time within their
own cultural paradigms, their own language, their own frameworks, and
we do that by encouraging the students to think from their position,
encouraging the students to break into language groups, perhaps, and

discuss something they're learning, as a group, in their own language and then come back to the bigger group. So there's a whole range of strategies, I guess, that we use in the classroom.

5 We attempt to be involved in language studies through the
centre for Aboriginal linguistics and language within the school of
community studies but, basically, the Both Ways concept is a way of
thinking that has many - like any way of thinking or any discipline can
come from a range of perspectives, and I tend to take the Aboriginal -
10 try to follow that view in what's articulated there, although people like
Steven Harris and others have picked it up and, I think, have watered it
down quite a lot and written a lot about it.

THE CO-COMMISSIONER: We've heard in a number of submissions
15 about the inadequacy of secondary education provision for Indigenous
students in remote rural areas. Batchelor College would have to have,
perhaps, the greatest concentration of expertise on what is and is not
the case in communities in the Northern Territory, because of the
frequency with which staff go out and the frequency with which students
20 come in. In your view, what could we sensibly say to the government
about the best possible way to increase secondary education provision
for remote students? Would it be to expand the area of the school
concept, would it be to make greater use of information technology,
would it be to put up some more secondary education structures and
25 schools?

[Secondary education access]

MS ARBON: Well, I think at the moment we kid ourselves if we say
there's access to secondary education in the Northern Territory,
30 because, I would strongly argue, there is no, or extremely limited,
access at this time. I think that, in itself, is an abdication of
responsibility by our government. I would probably go down the track of
trying to have high schools in language-area clusters, so that it's closer
to home, closer to country, closer to people. I haven't thought through
35 that but I think that's the way I would argue to go down. That way, you
may have a lot higher attendance rate.

MR McCLAY: I would ask whether any serious thought has ever been
given to starting up secondary education in the Territory, what are the
40 problems, and they would be major. Clearly, you're not going to have a
secondary school in Mistake Creek or whatever, but, a place like
Galiwinku, with perhaps 2,000 people there, it becomes viable. Why
was Dookma College closed in about 1980, or whenever it was? That's
the sort of cluster idea that Veronica is talking about.

45 There are possible models but the point is: get it back on the
agenda, because it's not on the agenda at all. Get it on, get it talking,
listen to the Aboriginal people themselves and maybe they'll say,

5 "There's no way I'm going to send my kids across to Galiwinku," or
wherever else, "from here," and you can forget the cluster school; but
maybe they are - maybe they're prepared to make compromises. At
least explore the ideas and the values of it and what might constitute a
secondary curriculum when the children, the young people, going into
that system have reading ages of grade 3 or grade 4.

10 That's what we get at Batchelor College and I believe we can
stand up and say that we do produce some graduates who are of great
value to Australian society to their own communities; many, many. Not
everybody is going to be a success but with that sort of a background
and that intensive level of work that we provide at the college you can
achieve some results. Of course, the major thing above all else is that
15 those people coming in in their late 20s and early 30s now want to do
something with themselves. Well, let's try to get to shift that back a little
back.

20 One of the things the college itself needs to do is address the
issue of young people leaving Kormilda and Yurara, and we haven't
done that well enough and we hope to be able to do that soon, to pick
up those children - I shouldn't call them children, I don't mean to, sorry.

MS ARBON: Young adults.

25 **MR McCLAY:** Sorry - the young adults coming out of Yurara and
Kormilda and do something with them, because right at the moment
they're going into those two systems and then - or some of them into
post-primaries, and then there's a gap of 10 years or more before they
re-enter any form of education, so that needs to be looked at.

30

[Both Ways]

I just make one other point about - a couple of points about
Both Ways education. 73% of the students at Batchelor College have
English as a second, third or fourth language, 73% of them. Both Ways
35 education values both cultures or, should I perhaps say, all the cultures
that are present in the college, because there's more than two. That
includes the dominant western paradigm, that's what a lot of people are
there to be exposed to.

40 It finds its expression in many different ways and many different
contexts because it is a philosophy as well as a teaching methodology.
It finds its philosophy in ways of assessment in content and curriculum,
in, hopefully, staff-student relationships. The staff member doesn't sit
up there as the fount of all knowledge but recognises that the student
45 brings their own culture and their own learning, their own language,
their own ways of doing things with them, and that is valued; we don't
say that's nonsense. That's valued, that's to be built upon, and that's to

be worked through. Hopefully, the student, in turn, respects the staff member and the learnings that they bring.

5 All of this - another central expression of Both Ways for us is
the mixed mode of delivery. I touched on that earlier. The one political
point to make, I suppose, is that mixed-mode education was heralded
by the Commonwealth in 1994, when the college was evaluated, and
we were told, "That's the way to do it, keep going, that's the right track,"
10 and the Abstudy funding - it is totally dependent upon Abstudy funding,
and now we find that under attack, but we are, I might add, simply
responding to a Commonwealth directive. That will do.

THE CO-COMMISSIONER: This is just a bottom-line question. I know
that when the federal government announced its revisions of the
15 Abstudy policy, Batchelor College treated this very, very seriously and
John Ingram went to Canberra, a number of representations were made
to the Minister, there was quite a bit of toing and froing. Since then the
government position has become clear and what Batchelor College is
saying is that six trips in 40 days a year is just not viable, it is not
20 possible to run a community-based program, given that. That raises a
question in my mind. What would be acceptable?

[Abstudy]

MR McCLAY: What would be acceptable? We've indeed spelt that out
25 to the government, in a very long submission, with a number of options.
In fact, we've gone to the extent of saying, "We will restructure the
college in order to accommodate the six trips, 40 days." We don't see
the government backing off six trips, 40 days. We recognise that as a
political reality, "There's the decision." and we've got to live with it, but
30 we want to say that, "If you're going to take away what is effectively a
great bunch of funding to Aboriginal education, provide it to us, or
something equivalent to it, in a different form. Provide it to us" - this is
only one of the many options we put forward but they all boil down to,
essentially, "Allow us to employ the equivalent number of people that
35 that money that has previously been going into travel for students -
provide that money to us so that we can put a lot more people out in the
bush, so that we can have another 30 or 40 staff based in the bush,
delivering community-based programs, and, in particular, working with
stage 1 students on numeracy and literacy," to overcome all the
40 problems that we've been discussing here today, and to do that close to
home, because that's where the big drop-out is.

So rather than trying to teach literacy and numeracy in 40 days
at Batchelor, let's have somebody living and working out there, doing,
45 in effect, a form of adult education on site. Those submissions have
gone off. I should say that the government has responded but we don't
yet believe adequately. They have offered us a cash grant but we

believe it's grossly inadequate for our purposes and it appears to be tied to, ironically, for additional trips for students.

5 **THE CO-COMMISSIONER:** Do you think it might be possible for the Commission to have copies of the submission?

10 **MR McCLAY:** Absolutely. It's interesting to see the submission and to see the reply side by side and try to work out which letter it might be a reply to. I really want to stress, though, that at the highest level of government we appear to be getting a sympathetic hearing. We're getting a lot of support from the senators on both sides in the Territory. We are getting that level of support but getting that translated into reality over two years - it's a long time and we've still got a long way to go.

15 **MR WATT:** You mentioned earlier that Abstudy isn't affecting individual students. Already we're having cases of students not being accepted onto Abstudy because they've taken too long to complete their course. For obvious reasons, our students take much longer to complete a three-year program than three years and we're already having Abstudy saying, "You've been on Abstudy too long, you can't have it any longer," to a number of students; and there are already students not being allowed to go and do practicum because of the number of days away from base that would involve.

25 **MS ARBON:** There are more and more being means tested out but when you live in remote Australia 35 grand is nothing and when you're means tested out of Abstudy as well - - -

30 **THE COMMISSIONER:** Yes. I can't see how these people would be means tested out. On what basis are they getting means tested out?

35 **MS ARBON:** There's a means test level within Abstudy that I think is in line with Austudy or something like that.

THE COMMISSIONER: But how would anybody living in a remote Aboriginal community be means tested out?

40 **MS ARBON:** A teacher might be, perhaps, or a council person. There's the only few but, sadly, it's starting to hurt some of those people, and some of those people are the people who may have students in Kormilda and would have their child means tested out of support to go to Kormilda perhaps.

45 **MR McCLAY:** The changes to Abstudy, the changes to bilingual education, those two things combined, have had, in my view, quite a demoralising effect upon many Aboriginal people and I think it's

reflected in our student numbers. We have never before struggled to achieve our targets in either the VET sector or the higher education sector but this year we are, and we can't blame the catchment floods any more.

5

THE COMMISSIONER: No, don't go yet, I've got a few questions. I know the time, particularly, it's well past Territory time, isn't it?

MS ARBON: Not necessarily.

10

THE COMMISSIONER: I realise you keep funny hours up here. If I can just ask a few things as quickly as I can. Just taking up that last point, David, you say you're having trouble getting the numbers. Have enrolments actually dropped or are you just having to put more effort in to getting them to the same level?

15

MR McCLAY: We have two targets, one a VET target and one a higher education target. Last year our target in the higher education sector was 495 FSU and in the VET sector 341,000. We achieved the higher education but only just, we got 503. We fell short of the other one by about 10,000 FSU in the VET sector. I suppose, because we're now linked in in a way we weren't 10 years ago, we're now so tightly tied in to these national agendas and so on, it becomes a numbers game. Everybody in the country is going to say that, "Dear me, it's a numbers game," and it's not a very nice game, but that's one of the problems that we face.

20

25

I think it's a negative in terms of education because we spend too much time worrying about whether we're going to have pay back \$300,000 next year, instead of saying, "Well, look, you know, these are the students that we're going to concentrate on, work with and not worry so much about numbers at this point."

30

Sorry, to come back to your question, are we struggling to achieve them, to find the people? I believe they're out there. I've got no doubt at all that there are people out there wanting education but I think some of them may well be shrugging and saying, "Well, it's all too hard now."

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THE COMMISSIONER: Your funding is provided by the normal per capita funding formulas for post-secondary education. Is that right?

40

MR McCLAY: Yes.

THE COMMISSIONER: You don't get any capital grants?

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5 **MR McCLAY:** Yes, we get it in the higher education sector, in the - there's a capital roll-in for Batchelor College and it's driven entirely, purely, by enrolments. We have an enrolment in the higher education sector, as I say, of 495 FSU. That generates about \$250,000 a year in capital grants. To build a decent building it takes you about 20 years of piggy-banking away your \$200,000.

10 But they're not the real problems for us. I mean, we'll live with the capital structures we've got. Of course, we need better and all the rest of it but those aren't the central issues. The capital isn't the central issue. I mean, I wouldn't want the man in Canberra to - when I go along for a new building - - -

15 **MS ARBON:** It's one of the issues.

[Remote community study centres]

20 **MR McCLAY:** - - - hear that but it's not the real central issue. It's the costs of doing things in remote communities that are our real problems. What the Commonwealth has provided us with, actually, over three years is \$1.5 million over three years, \$500,000 a year, to try and further our net worth of community studies centre. The community studies centre is a room maybe down the back of the school or in a council building or, hopefully, our own independent little demountable somewhere, with a fax, a phone machine and a place where people can come together to study.

25
30 Aboriginal people in most communities can't carry out their studies in their homes, it's just not set up like that; so these are very, very vital little - they don't cost much, you know. Per community, it might be a couple of hundred thousand dollars, but, you know, we've got a lot of places to work in.

THE COMMISSIONER: Yes, and you've got 15 of those at the moment.

35 **MR McCLAY:** We would have - - -

MR WATT: 35.

40 **MS ARBON:** 35.

THE COMMISSIONER: 35, was it?

MR McCLAY: Yes.

45 **THE COMMISSIONER:** Sorry, I thought you said 15.

MR McCLAY: But they're far from adequate. Again, it depends so often on the local school principal, the new person comes in and you go out the door.

5 **THE COMMISSIONER:** In about October last year I was in Yuendumu and Papunya, and people there were saying about how terribly the funding changes affected Batchelor. They used to have on-site courses run, so not just visits but courses, and they'd been reduced. Is this tied into, say, Ron, your comments about the teaching going from 56 to 15?

10 **MR WATT:** Exactly, that's what's happened. We'd actually have a staff person in a community and they would run a community-based program - a cohort of students in two or three communities, to lecture, travel and deliver workshops in one place, move to the next community, run a workshop there.

15 **MR McCLAY:** That is what part of our submission over the Abstudy business is all about, trying to get those numbers back up in communities.

20 **MS ARBON:** What's happened in Aboriginal education is you get the normal funding, profile funding, for higher ed or for VET and then we'd get an additional amount, two or three, and slowly the governments have whittled away those additional amounts. So we're trying to do the same or more on less and less dollars, and it's hurting out there. The communities are suffering as well because, as David said, we've got the Abstudy, we've got ATSIC's cuts and we've got other cuts that are happening and the communities can't put anything into our own education as well, because they're just so much in their own poverty.

25 **THE COMMISSIONER:** This is my last question. At this stage then, what are the grant formulas that give you more money to compensate for the remote outreach that you've got, over and above, say, what a Sydney-based TAFE or university would get? The Abstudy trip stuff is one.

30 **MR McCLAY:** Rolled into our - take the higher education sector first. We get Aboriginal support funding, as does any institution in the country, any higher education institution in the country, that has Aboriginal students. We get that at that standard rate. That's the program under review.

35 **MS ARBON:** At this stage we're excluded from a new formula that's being applied nationally. We've been actually excluded out of that, so we get slightly higher but nothing anywhere near what we need.

5 **MR McCLAY:** That's Aboriginal support finding. They strike an EFTSU [Equivalent Full Time Student Unit] value for us, which is higher than what it would be if we were in Sydney and whatnot, but we believe that it's nowhere high enough to cover the genuine costs of remote area education. We've done a lot of work on analysing these costs. The costs of basing a lecturer in a remote community, the personnel costs of that, can be up to 50% greater than basing it in an urban area, when you add on all the incentives you need to add on to have people based out there. That's not taken account of.

10 In terms of the VET sector, this past year we were pleased that NTTE, which funds us from up here, have recognised some of our arguments and have funded, I think it's, a 25% loading - - -

15 **MS ARBON:** 20, I think, at this stage, yes, 20% loading.

MR McCLAY: - - - 20% loading for remote areas. There is some recognition but not, we believe, to the extent of the real costs.

20 **THE COMMISSIONER:** Thank you very much. I won't keep you any more. Thank you all who've sat through the day with great endurance.
