

Education in the Yirrkala Area

*Our Children, Language, Land and Identity:
Our Most Precious Resources*

Nambara Schools Council Submission to the HREOC Rural and Remote Education Inquiry

1999

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Introduction

The Nambara Schools Council represents the people of the Yirrkala area in decision making about the operations of both the Yirrkala Community Centre and the Yirrkala Homelands Schools. The Nambara Schools Council has prepared this submission to provide information related to their concerns about some significant Human Rights matters. This submission complements the presentations made by the Nambara Schools Council and Yirrkala community members to the Human Rights and Equal Opportunity Commissioner earlier this year. During that visit the Commissioner was presented with a wide ranging set of presentations in a number of sites. The content of those presentations are **not** repeated here.

This submission focuses on the terms of reference in relation to the following three issues:

- affirmation of the right of the indigenous child to education in their first language;
- inadequacies of the provision of Primary Education in the area served by Nambara Schools Council;
- inadequacies of the provision of Secondary Education in the area served by Nambara Schools Council.

The small remote Northern Territory communities served by the Nambara Schools Council all have less than 700 residents to more than adequately qualify for consideration of this enquiry. Important also for this enquiry is that the definition of the “child” is someone under eighteen years of age. The significance of early school drop outs results in a significant number of those that would fit under this definition being excluded from real consideration in planning for education in this area.

The Nambara Schools Council in making this submission is making explicit its requests for support from the Human Rights Commissioner by his interceding with appropriate authorities so that the issues raised are adequately addressed.

Overview of this Submission

This submission is set out in the following three Sections:

SECTION ONE:

A brief summary of relevant sources of support for the Nambara Schools Council determination to have adequate resources and funding provided to support the implementation of the Bilingual education Program at Yirrkala Community Education Centre;

SECTION TWO:

A brief history of education in the Homelands serviced by the Nambara Schools Council. This section raises issues related to non-provision of educational programs to a range of residents of these Homeland communities. The section reiterates the Nambara Schools Council determination to have adequate resources and funding provided to support the implementation of the appropriate education program for the residents of these communities;

SECTION THREE:

A brief history of secondary education available for residents of the Homelands serviced by the Nambara Schools Council. This section raises issues related to non-recognition of educational needs for the secondary aged residents of these Homeland communities. The section reiterates the Nambara Schools Council determination to have adequate resources and funding provided to

support the implementation of the appropriate program for secondary aged residents of these communities.

Section One: Affirming rights to Bilingual education Programs

"Languages are oppressed, not by active opposition, but by lack of resources"¹

With respect to the Terms of Reference set out by the Human Rights and Equal Opportunity Commission for the Inquiry into Rural and Remote Education, we want to emphasize the importance and necessity of Indigenous languages in education. We are specifically indicating our concern about the likelihood of the removal of resources integral to provide the necessary support for the Bilingual education Program at Yirrkala and in other communities in the Northern Territory.

It is important to highlight that this submission is in direct response and opposition to the Northern Territory Government's decision of December 1, 1998, to replace the well-established Bilingual Education programs in Indigenous schools with English as a Second Language (ESL), English-only programs.

In this section we write in specific relation to the third reference point of this Inquiry:

whether the education available to ... Indigenous children and children from diverse cultural, religious and linguistic backgrounds complies with their human rights.

It is our belief that the move to English-only education in schools, where the first language of the children attending is not English, is contrary to their human rights. In support of this, we provide the following excerpts from relevant United Nations agreements.

Firstly, from the *Declaration on the Rights of Persons Belonging to National or Ethnic, Religious or Linguistic Minorities, 1993, Article 4 (3)* provides that

States should take appropriate measures so that, wherever possible, persons belonging to minorities may have adequate opportunities to learn their mother tongue or to have instruction in their mother tongue.

It is necessary to point out that it is the second provision of this statement which is emphasized over the mere right to learn the "mother tongue". In Australia, what constitutes "appropriate measures" and "wherever possible" is not of great concern. The funding of bilingual education for twenty five years is ample evidence that Australian governments have the financial means to support "instruction in [the] mother tongue". This indicates that the decision to replace those programs is not one of economic rationalism, *per se*, but one of politics, ideology or whim.

Article 5 of the *Universal Declaration of Linguistic Rights, 1996*, states that

This Declaration is based on the principle that the rights of all language communities are equal and independent of the legal or political status of their languages as official, regional or minority languages.

¹ Stubbs, Michael. 1994. "Educational Language Planning in England and Wales: Multicultural Rhetoric and Assimilationist Assumptions" in *Language and Literacy in Social Practice* (ed. J. Maybin). Multilingual Matters Ltd. in association with The Open University : Clevedon (UK). pp 193-214.

Further to this, the entirety of Section II provides for languages in education. Of particular relevance are Articles 24 and 25:

All language communities have the right to decide to what extent their language is to be present, as a vehicular language and as an object of study, at all levels of education within their territory: preschool, primary, secondary, technical and vocational, university, and adult education;

and

All language communities are entitled to have at their disposal all the human and material resources necessary to ensure that their language is present to the extent they desire at all levels of education within their territory: properly trained teachers, appropriate teaching methods, text books, finance, buildings and equipment, traditional and innovative technology.

Of greatest importance are the provisions for languages and education within the *Draft Declaration on the Human Rights of Indigenous Peoples* 1993, namely, 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.

Upon presenting each of these provisions from within United Nations documents, we seek to confirm that the Northern Territory Government's decision to replace the Bilingual Education program is contrary to, and in breach of, Indigenous people's human rights.

In summary:

This way in which... resources are controlled and allocated contributes to the lack of participation by many Indigenous people. Allocation is determined by the values of those who control the resources. The choice of the resources, who gets them, how they are used and what outcomes are considered desirable as a result of the allocation, are all decisions that are influenced by values. In education, these decisions are usually made for Indigenous students and their parents by non-Indigenous teachers and administrators whose values are markedly different from their clients. If those in authority lack an understanding of the needs of the families, fail to gain their co-operation or don't take cultural differences into account, they will find that resistance to the support may negate its effects²

² Partington, Gary. 1998. "No Simple Solutions Exist: Perspectives on Education as the Key to Change" in *Perspectives on Aboriginal and Torres Strait Islander Education* (ed. G. Partington). Social Science Press: NSW. pp. 2-26.

Section Two: Affirming rights to Appropriate Education Programs in Homelands of the Yirrkala area

"Here at Dhuruputjpi, we haven't got enough children to start a school. We are crying out for an education service here"

Dhukal Wirrpanda, Dhuruputjpi Homeland Centre, September 1999

"We like to see our children have that knowledge so they will later become strong people to carry on in the future and for the homelands, especially for their future and for their children's children... they will become better people in the future for their own community and their own people"

Djalinda Ulamari, Dhambaliya Homeland Centre, September 1999

This section of submission highlights the difficulties faced by school-aged children living in the homeland communities of the Yirrkala region in accessing educational opportunities, services and facilities that Northern Territory students in less remote areas enjoy. Because of the geographic and social distance from the Australian 'mainstream', school-aged children of the region have fewer opportunities to pursue and to achieve educational outcomes that will equip them with the knowledge and skills that are required in later life - indeed, a significant proportion of children in the region are currently not receiving any formal schooling.

The present situation is disturbing to say the least, especially when seen from the perspective of the homeland community members: that education is a tool through which aspirations relating to future community development, greater autonomy, and improved standards of living and well-being, can be achieved.

The need for education in the homelands cannot be overstated. While relocation to better serviced areas or enrolment at a boarding school may be an option for students in rural Australia, for homelands children it would be tantamount to cultural suicide and against the very nature of the Homelands Movement³.

Homeland Centres, after all, are:

small decentralized communities of close kin established by the movement of Aboriginal people to land of social, cultural and economic significance to them⁴.

The Homeland Movement, furthermore:

demonstrates the desire of Aboriginal people to assert control over their lives by establishing communities that are better attuned to Aboriginal needs⁵.

As well as the pursuit of greater autonomy, homelands people are also attentive to their custodial responsibilities in looking after the land, and in affirming their ownership of it.

It is clear then that the delivery of education to homelands communities can currently only be achieved by bringing the service to the homelands, rather than to relocate the students away from

³ Community members have consistently argued for education to be provided on-site, or through servicing from hub providers in designated homeland areas. This does not mean that other options will not be entertained in a manner and time frame decided by the homelands.

⁴Return to Country. The Aboriginal Homelands Movement in Australia. Report to the House of Representatives Standing Committee on Aboriginal Affairs. AGPS. Canberra, 1987. p.7

⁵ ibid. p.1

their families, communities, culture and ancestral lands that have nurtured generations after generations for time immemorial.

It is also clear that paramount to meeting the educational needs of homelands is the necessity for all governments and their bureaucracies to consult and to collaborate with the communities. Only in this way will a holistic educational service that is effective, efficient and a blue-print for success in community and social development, be established. This was indeed one of the findings of some of the many reviews looking into the provision of education services to Aboriginal and Torres Strait Islander peoples.

"We need proper education, proper teaching and proper teachers. Because if there's no proper teacher, there's no proper learning. Right? We also need to extend the school. Every year we have young children growing up, they growing up become young girls, young boys, growing up, and it should be growing up into a proper school, and a big school with proper teachers"

Donald Ngurruwunungma Marawili, Banyala Homeland Centre, September 1999

"The children don't really like being at other homeland schools and they always worry when they are there. A long time ago I had the idea of starting a school and I talked at meetings but nothing happened; my idea was to have books sent here so that we can teach our own children, and then to send the books back when they are finished. But I don't know what the situation is and I don't know how to ask for such a service, so if you find out for me let us know, and if it isn't possible to get a service like that, also let me know"

Dhukal Wirrpanda, Dhuruputjpi Homeland Centre, September 1999

Government Reviews, Recommendations and Policies

In the late 1980s and early 1990s, substantial efforts were made, in the form of government reviews and inquiries, and the subsequent development of policy, into Aboriginal and Torres Strait Islander education services. Following are descriptions of some of these efforts.

In 1985, an Inquiry into Aboriginal Homeland Centres was referred to the House of Representatives Standing Committee on Aboriginal Affairs by the then Minister for Aboriginal Affairs, Hon. Clyde Holding M.P.

The Minister asked the Committee to inquire into and report on:

The social and economic circumstances of Aboriginal people living in homeland centres or outstations, and the development of policies and programs to meet their future needs⁶.

As a result of the Inquiry, recommendations by the Committee, detailed in the 'Blanchard' Report⁷, were made, and with respect to education services in homeland centres, they are:

⁶ *ibid.* p.xxxi

⁷ Return to Country. The Aboriginal Homelands Movement in Australia. Report to the House of Representatives Standing Committee on Aboriginal Affairs. AGPS. Canberra, 1987

Recommendation⁸	The situation in Yirrkala homelands
<p>44. <i>State and Northern Territory Education Departments closely consult with all established and newly establishing homeland centres about the nature of the education services they desire with a view to establishing these services in the communities (Para 11.41)</i></p>	<p>The Northern Territory Government does not formally consult with our homeland centres as to the nature of education services they desire. Rather, the onus is on the homeland centre to approach bureaucracy and to ask for a service. Various criteria must be met, and a trial put in place, before a standard service is provided should the trial yield satisfactory results. Nambara Schools would like, but are not resourced, to carry out consultations with all homeland centres about the nature of education services they desire.</p>
<p>45. <i>Priority be given to the development and implementation of appropriate training programs for Aboriginal Assistant Teachers and Education Workers in homeland centre schools to enable them to upgrade their skills and knowledge to provide a higher standard of education to homeland communities. (Para. 11.55)</i></p>	<p>Appropriate Remote Area Training Education (RATE) programs are in place, provided by the Batchelor Institute of Indigenous Education, for the Homelands Teachers. Nambara Schools have placed a high priority on upgrading the skills and knowledge of Homeland Teachers.</p>
<p>46. <i>In conjunction with the implementation of training programs, the status of Aboriginal Assistant Teachers and Education Workers in homeland schools be recognised by the provision of better employment conditions and an appropriate career structure. (Para. 11.55)</i></p>	<p>The employment conditions of Homelands Teachers are unsatisfactory; the quality of the schooling infrastructure especially - sometimes nothing more than a tin shed - suggests that the status of Homelands Teachers is not recognised nor appreciated by the bureaucracy. Nambara Schools have made a number of submissions to upgrade homeland school buildings, but without a lot of success.</p>
<p>47. <i>Appropriate curriculum materials for homeland communities be developed to at least the upper primary level. State and Territory Aboriginal Education Committees and homeland communities should be involved in the development of curriculum materials. (Para. 11.55)</i></p>	<p>Appropriate curriculum materials have been developed and are in use by the homeland communities. Most of the materials are generated on-site, but due to the lack of resources and support from government, an extension to include materials for the upper primary level and beyond is not possible.</p>
<p>48. <i>Professional teachers visiting Aboriginal homeland schools do so on a frequent and regular basis where possible. (Para. 11.55)</i></p>	<p>Professional teachers visit the homeland schools on a frequent and regular basis.</p>
<p>49. <i>The National Aboriginal Education Committee, in consultation with State and Territory Aboriginal Education Consultative Committees and the State and Territory Education Departments, assess as a matter of priority alternative approaches to providing educational services to homeland centres to enable a higher standard of education to be available to homeland communities. (Para. 11.56)</i></p>	<p>Nambara Schools, with homeland community members, have previously assessed alternative approaches, structures and models for homelands education that they believe will deliver a higher standard of service. Governments and their bureaucracies do not seem to be interested in this proposal, nor do they seem to have made it a priority to advance other options or alternatives.</p>

⁸ *ibid.* pp.xxvii-xxviii

<p><i>50. State and Northern Territory government closely involve their respective State and Territory Aboriginal education consultative groups in the development of their homelands education policies and provide the groups with the necessary resources to obtain the views of homelands people about their educational needs. (Para. 11.63)</i></p>	<p>The current Indigenous Education Council of the NT have not sought the views of the residents of homeland communities with regards to educational needs in the homelands.</p>
<p><i>51. State and Northern Territory education authorities research the use of new and alternative technologies in homeland centre education. (Para. 11.70)</i></p>	<p>Whatever research may have been conducted into the use of new and alternative technologies in homeland centre education has not, as yet, filtered down to us.</p>
<p><i>52. The Commonwealth Department of Employment and Industrial Relations be provided with additional assistance for Vocational Officers to identify and arrange suitable training courses for homeland communities which meet the priorities of homelands people for adult education and training. (Para. 11.75)</i></p>	<p>Limited adult education and training courses are available in homeland centres. However, Nambara Schools Council has no recognised role in directing the delivery of necessary adult community education and training programs.</p>
<p><i>53. State and Northern Territory Departments of Technical and Further Education identify the adult education and training needs of homeland communities and provide appropriate programs to homelands people. (Para. 11.78)</i></p>	<p>We welcome increased efforts towards the identification and arrangement of suitable programs which meet the priorities and needs of our adult population. However, we have never been approached for advice on this issue.</p>

In 1988, an Aboriginal Education Policy Task Force was established by the Commonwealth, with the objective of developing detailed, long-term Aboriginal education policy. The resultant Hughes Report concluded that:

... in 1988 Aborigines remain the most severely educationally disadvantaged people in Australia⁹.

The report urged the further development of effective programs and the introduction of additional innovative programs, support services, curricula and teaching practices that would improve educational outcomes for Aboriginal people.

In 1989, the NT Department of Education joined forces with the Commonwealth Department of Employment, Education and Training in reporting on the level of access and degree of Aboriginal participation in education. The document *Report of the Northern Territory and Commonwealth Aboriginal Education and Training Project* found both access and participation to be grossly deficient and under-represented, respectively, in comparison to the wider Australian society.

In 1990, the National Aboriginal and Torres Strait Islander Education Policy came into effect, launched jointly by the Prime Minister and the Minister for Employment, Education and Training. The policy was developed, accepted and endorsed by the Commonwealth and all State and Territory Governments, during a period when much attention was focussed on the substantial disadvantage faced by Aboriginal and Torres Strait Islander peoples, especially in terms of educational standards reached and services provided.

⁹ Taken from: National Review of Education for Aboriginal and Torres Strait Islander People. A Discussion Paper. AGPS. Canberra, 1994. pg. 1

The goals of the National Aboriginal and Torres Strait Islander Education Policy are set out in the following table¹⁰:

Goals	The situation in Yirrkala homelands
<i>1. To establish effective arrangements for the participation of Aboriginal parents and community members in decisions regarding the planning, delivery and evaluation of pre-school, primary and secondary education services for their children</i>	Of the existing homelands education programs in place, parents and community members have made substantial contributions to their development and implementation, through the Nambara Schools Council. However, with regards to the lack of pre-school, upper primary and secondary schooling in homelands, parents, community members and the Nambara Schools Council continue to be frustrated by the absence of delivery and resourcing of programs required to meet the needs of children and community residents in the homelands.
<i>2. To increase the number of Aboriginal people employed as educational administrators, teachers, curriculum advisers, teacher assistants, home-school liaison officers and other education workers, including community people engaged in teaching of Aboriginal culture, history and contemporary society, and Aboriginal languages</i>	Difficulties have been encountered in increasing the number of homeland community members employed in the education sector, due to the lack of support of government policy for additional resources. Nonetheless, the current Homelands Teachers continue to be valuable role models for their communities.
<i>3. To establish effective arrangements for the participation of Aboriginal students and community members in decisions regarding the planning, delivery and evaluation of post-school education services, including technical and further education colleges and higher education institutions</i>	There is no formal arrangement for the participation of homelands people in decisions regarding planning, delivery and evaluation of post-school services, since the removal of community-based Adult Educators in the early 1990s. It does not appear that Homeland Centre participation has been taken seriously by governments as the range and quality of post-school services continue to be limited and sub-standard.
<i>4. To increase the number of Aboriginal people employed as administrators, teachers, researchers and student services officers in technical and further education colleges and higher education institutions</i>	Schools have developed a formal Aboriginalisation process. Aboriginal teachers and other staff are actively engaged in a range of training programs in their schools.
<i>5. To provide education and training services to develop the skills of Aboriginal people to participate in educational decision-making</i>	There is government policy, but no adequate funding provisions, for homelands people to develop their skills in educational decision-making

¹⁰ Taken from: National Aboriginal and Torres Strait Islander Education Policy. The Northern Territory Strategic Plan. NT Department of Education. 1990.

<p><i>6. To develop arrangements for the provision of independent advice for Aboriginal communities regarding educational decisions at regional, State, Territory and National levels</i></p>	<p>There are no provisions for independent advice for homeland communities regarding educational decisions at regional, Territory and National levels. There is <u>no evidence</u> that the current Indigenous Education Council of the NT has ever sought input from the communities serviced by Nambara Schools.</p>
<p><i>7. To ensure that Aboriginal children of pre-primary school age have access to pre-school services on a basis comparable to that available to other Australian children of the same age</i></p>	<p>There is no formula funding or staffing provided specifically for local pre-school services in the homelands. The NT Department of Education does not consider the provision of pre-school education in homelands to be its area of responsibility.</p>
<p><i>8. To ensure that all Aboriginal children have local access to primary and secondary schooling</i></p>	<p>Children in some homelands have local access to lower-primary schooling, but no local access to secondary schooling. Children in other homelands have no local access to any form of schooling.</p>
<p><i>9. To ensure equitable access for Aboriginal people to post-compulsory secondary schooling, to technical and further education, and higher education</i></p>	<p>There is limited access to post-compulsory secondary, technical, further, and higher education by homelands people. Access is currently inequitable as considerable expense and travel is required by homelands people to access these non-local services.</p>
<p><i>10. To achieve the participation of Aboriginal children in pre-school education for a period similar to that for all Australian children</i></p>	<p>There is no participation of homelands children in pre-school education as there is no formal government support nor provision of facilities and resources to develop appropriate programs. There is submission-based, short termed funding, however, for such programs, though they are limited and difficult to access.</p>
<p><i>11. To achieve the participation of all Aboriginal children in compulsory schooling</i></p>	<p>In some homelands with schooling facilities, there is good participation by homelands children in compulsory schooling. There is no participation in compulsory schooling in homelands without schooling facilities.</p>
<p><i>12. To achieve the participation of Aboriginal people in post-compulsory secondary education, in technical and further education, and in higher education, at rates commensurate with those of all Australians in those sectors</i></p>	<p>The degree of participation of homelands people in post-compulsory, technical, further and higher education is not commensurate with those of other Australians; in some homelands there is no participation whatsoever.</p>
<p><i>13. To provide adequate preparation of Aboriginal children through pre-school education for the schooling years ahead</i></p>	<p>There is no formal support for pre-school programs in the homelands, as there is no formula funding or staffing provided specifically for local pre-school services in the homelands, though there is an expressed need for them</p>

<p><i>14. To enable Aboriginal attainment of skills to the same standard as other Australian students throughout the compulsory schooling years</i></p>	<p>Due to a number of factors, including the cultural background, lifestyle preferences and the educational disadvantage of homelands people, attainment of skills to the same standard as other Australians by homelands children throughout the compulsory schooling years is unlikely. However, this does not mean that quality outcomes are not sought by schools or community members.</p>
<p><i>15. To enable Aboriginal students to attain the successful completion of Year 12 or equivalent at the same rates as for other Australian students</i></p>	<p>With no local access to any secondary schooling, and in light of the substantial under-resourcing of homelands schooling, the successful completion of Year 12 by homelands children is remote, let alone at a rate comparable to other Australian students. Those students in communities with no school have absolutely no opportunity in attaining successful completion of Year 12.</p>
<p><i>16. To enable Aboriginal students to attain the same graduation rates from award courses in technical and further education, and in higher education, as for other Australians</i></p>	<p>Access by homelands people to technical, further and higher education is limited, and graduation from these courses at rates comparable to the wider Australian community is unlikely. Service providers for these level courses appear to have little appreciation of the appropriate approach to adopt to deliver such programs.</p>
<p><i>17. To develop programs to support the maintenance and continued use of Aboriginal languages</i></p>	<p>The homeland communities are responsible for the maintenance and continued use of their languages. In the context of the Yirrkala Homelands Schools, the priority given to programs is the delivery of English language skills, knowledge and competencies to complement this.</p>
<p><i>18. To provide community education services which enable Aboriginal people to develop the skills to manage the development of their communities</i></p>	<p>Aside from limited provision of community education services and community management and development programs, there are no resources allocated to achieve these outcomes.</p>
<p><i>19. To enable the attainment of proficiency in English language and numeracy competencies by Aboriginal adults with limited or no educational experiences</i></p>	<p>There is limited access to programs that can provide English language and numeracy competencies to homelands adults with limited or no educational experiences. Resources are lacking to improve these programs. This is pertinent to the current inquiry as this involves a significant number of homelands residents under 18 years of age.</p>
<p><i>20. To enable Aboriginal students at all levels of education to have an appreciation of their history, cultures and identity</i></p>	<p>Homeland communities manage their own cultural education programs</p>
<p><i>21. To provide all Australian students with an understanding of and respect for Aboriginal traditional and contemporary cultures</i></p>	<p>Homeland communities would appreciate efforts to expand their students level of understanding of the wider Australian Society</p>

Almost five years after the National Aboriginal and Torres Strait Islander Education Policy (otherwise known as the Joint Policy) came into effect, a major review of Indigenous education was conducted. The summary findings, recommendations and statistical data arising out of this review was presented in 1994 to the Minister for Employment, Education and Training, and the Minister for Schools, Vocational Education and Training. The report *National Review of Education for Aboriginal and Torres Strait Islander Peoples* found that, in terms of equitable access:

Many people brought to our attention specific instances where Aboriginal peoples and Torres Strait Islanders do not have access to the kinds of educational services they wish. For some people, particularly those living in remote communities, this means not having access to *any* kind of education...¹¹

These gaps in educational provision are inexcusable. Australia has international obligations to make primary education free and compulsory...

It is our judgement that the standard and quality of all education provided to Aboriginal peoples and Torres Strait Islanders, especially postprimary schooling in some remote areas, is not equal to the standard and quality of services provided for other Australians. We have received evidence that Australia may be in breach of its international and legislative obligations in respect of education for Aboriginal peoples and Torres Strait Islanders.

We are concerned that the fundamental goal of local access to educational services is still unfulfilled for many Aboriginal peoples and Torres Strait Islanders. Our concern covers all sectors and all aspects of provision....¹²

We also recognise the conflict people face between wanting to stay in their own communities and gaining access to education services of a quality not available locally. Some evidence views educational technologies as one promising way to resolve this conflict. Other evidence identifies potential dangers in these technologies - that they might substitute for, rather than supplement, local provision of educational services.¹³

The review found many aspects of the Joint Policy to be commendable, but criticised it for its:

... perceived concern about Aboriginal and Torres Strait Islander peoples' access to, and participation in, 'mainstream' education and its silence about supporting alternative and community controlled education initiatives...¹⁴

The review, thus, recommended, amongst other things:

Recommendation	The situation in Yirrkala homelands
13.1 That the Commonwealth and States and Territories jointly provide additional capital funds for the refurbishment of existing buildings to provide appropriate facilities to deliver preschool education services to Aboriginal and Torres Strait Islander children living in rural and remote areas;	There are no buildings nor facilities for pre-school programs in any of the homeland communities of the Yirrkala area. Nambara Schools have been unsuccessful in applications to upgrade buildings to a satisfactory standard.

¹¹ National Review of Education for Aboriginal and Torres Strait Islander People. Summary and Recommendations. AGPS. Canberra, 1994. pg. 18

¹² *ibid.* pp.18-9.

¹³ *ibid.* pg. 20.

¹⁴ *ibid.* pg. 6

<p>13.2 That the Commonwealth and States and Territories jointly provide additional capital funds for local school educational services for the compulsory years of schooling where Aboriginal and Torres Strait Islander children do not have access to local schools or to other means of school education;</p>	<p>Twelve homeland communities in the Yirrkala area do not have access to local schooling; they are without schooling facilities and programs. School age children continue to reside in those homelands without access to schooling.</p>
<p>14. The Open Learning Technology Corporation accelerate its development of open learning technologies in the schools and vocational education and training sectors, particularly where these technologies would extend Aboriginal and Torres Strait Islander peoples' access to education</p>	<p>Nambara Schools have trialed limited use of telephonic technologies to support learning programs. Nambara Schools have been unsuccessful in applications to upgrade buildings to a satisfactory standard that would provide appropriate basic power storage facilities to support extension of these technologies.</p>
<p>15. That the Commonwealth, States and Territories continue to develop the use of alternative technologies, including video-conferencing and tele-conferencing technologies and computer-based teaching and learning aids, to deliver off-campus, mixed-mode and distance education services to Aboriginal peoples and Torres Strait Islanders for whom local access to relevant education services is not yet available.</p>	<p>See above.</p>

The statistics collected, analysed and presented by the National Review of Education for Aboriginal and Torres Strait Islander Peoples are disturbing. For instance, the level of participation¹⁵ in preschool and primary school education by Aboriginal and Torres Strait Islander children¹⁶ in remote localities¹⁷ was not only found to be under-represented compared to urban and rural areas, but that a 6.7% decrease in participation had occurred between 1986 and 1991¹⁸.

The statistics presented, in the early 1990s, by the Royal Commission into Aboriginal Deaths in Custody are equally disturbing. Whilst not concerned principally with education, the Royal Commission found that there was a high association between low participation rates in education and the disproportionate representation of Aboriginal and Torres Strait Islander people in custody. Of the 12 recommendations¹⁹ relating to education issues, recommendation 292 is of note:

That the Aboriginal Education Consultative Groups in each State and Territory take into account in discussing with Governments the needs of the Aboriginal communities in their area...²⁰

¹⁵ It is unclear whether participation means enrolment or attendance in these statistics; in any case, it is probable that the participation figures collected by the ABS in remote communities are generous rather than conservative owing to the acute awareness in remote areas that cuts to education funding are certain should attendance figures be 'unsatisfactory'

¹⁶ Aged 3 to 5 years old

¹⁷ Defined as communities with less than 200 people

¹⁸ National Review of Education for Aboriginal and Torres Strait Islander Peoples. Statistical Annex. AGPS. Canberra, 1994. pg. 47.

¹⁹ Recommendations 72, and 289 to 299.

²⁰ Implementation of the Commonwealth Government responses to the Recommendations of the Royal Commission into Aboriginal Deaths in Custody. Annual Report 1995 - 1996. Volume 2. AGPS. Canberra, 1997. pg. 745

In light of the reviews and recommendations made into Indigenous education over the past decade, and with a clear understanding of the deficiencies in education services in remote areas, the NT Government policy as it concerns homelands education is presented next, as it is this policy that is ultimately inhibitive of the ideal of providing free, local and compulsory primary education to homelands of the Yirrkala region.

"I've tried to ask for books, for Bush Books, so that the parents here can teach the children themselves. The father or mother can use those Level 1 or Level 2 books to teach the children, and when they finish with the books, they can send them back. We tried to ask for such a service, but it was very difficult to achieve, so, instead, I have to send my children away to other homelands, like Baniyala and Gangan, for their education. We have not been able to get anything here since this homeland was established, no trial school, and also no books for the parents to teach the children here. This is what we are worrying about, so at the moment we are here in the homeland and we send our children to other homeland schools with our own money. And if we can't get a school here, that is what we will have to keep doing, to send our children away. But we need help from the Department of Education to pay for charter fares for our school children, for bringing them back from school to this homeland, Dhuruputjpi. These are our worries"

Dhukal Wirrpanda, Dhuruputjpi Homeland Centre, September 1999

Northern Territory Government Policy on Homelands Education²¹

In order to gain approval and status as a homeland centre school, an education service must firstly be requested by the community, and then specific criteria must be met before approval is granted. The criteria include a demonstration by the community of a degree of stability, a genuine interest in developing a school, and the availability and suitability of an assistant teacher in the community.

If the criteria are met, the Superintendent then approves a trial period of up to 6 months, during which time the assistant teacher is expected to work without pay.

With satisfactory progress and regular attendance by school children during the trial period, the Superintendent will then make a request to the Secretary of the NT Department of Education for approval of the homeland as a Homeland Learning Centre.

Contingent upon the establishment and approval of a Homeland Learning Centre is the requirement for an *average* attendance of twelve school age children during the trial period. This requires at least 12 school age children as permanent residents in the community. Furthermore:

A Homeland Centre school is closed when continuing assured attendance falls below eight. Opening and/or closing a Homeland Centre school depends on the recommendation of the appropriate Operational Superintendent²².

Whilst the above policy shows much credit in terms of ensuring economical use of education funds, ultimately the policy is discriminatory and in non-compliance with Australia's international human rights obligations. It is abundantly clear that NT Government policy for homelands education is discriminatory because, in contrast to other small communities including rural ones, only homeland communities - in order to attain a schooling service - must:

²¹ The policy is shown in greater detail in Appendix 1

²² A Guide to Homeland Centre Education - Operational. Northern Territory Department of Education. Darwin 1993. pg. 4

- *ask for a service*: this is not a requirement for urban, rural and other remote non-homeland communities, and is contrary to the recommendations previously discussed; viz.:
 - Recommendation 44 of the Blanchard Report : "...Education Departments closely *consult* with all (...) homeland centres about the nature of the education services they desire with a view to establishing these services in the communities";
 - Recommendation 50 of the Blanchard Report: "State and Northern Territory governments *closely involve* their respective (...) Aboriginal education consultative groups in the development of their homelands education policies and provide the groups with the necessary resources to *obtain the views* of homelands people about their educational needs";
 - Goal 1 of the National Aboriginal and Torres Strait Islander Education Policy: "To *establish effective arrangements* for the *participation* of Aboriginal parents and community members in decisions regarding the planning, delivery and evaluation of pre-school, primary and secondary education services for their children";
 - Goal 8: "To *ensure* that *all* Aboriginal children have *local access* to primary and secondary schooling";
 - Goal 11: "To achieve the *participation* of *all* Aboriginal children in compulsory schooling";
 - Recommendation 13.2 of the National Review of Education for Aboriginal and Torres Strait Islander Peoples: "That the Commonwealth and States and Territories jointly *provide* additional capital funds for local school educational services for the compulsory years of schooling where Aboriginal and Torres Strait Islander children do not have access to local schools or to other means of school education";
- understand the limitations of service²³: this demonstrates the reluctance of the NT Government in providing an education service that the community desires; it would appear that the NT Government is resigned to the assumption that services must necessarily be limited in homelands whilst it is prepared to provide all essential services and equipment to one-teacher schools, many of which are on rural properties²⁴
- demonstrate community stability: the lack of schooling in homelands *creates* instability; the stability of rural properties - directly related to the forces of Nature and the whim of world commodity prices - is never questioned by government
- provide an assistant teacher who is expected to work for no pay during the trial period: no where else are education workers expected to work without pay; notwithstanding serious industrial relations implications, this expectation of the NT Government is contrary to Recommendation 46 of the 'Blanchard' Report: "...the *status* of Aboriginal Assistant Teachers and Education Workers in homeland schools be *recognised* by the *provision of better employment conditions*..." and Goal 2 of the National Aboriginal and Torres Strait Islander Education Policy: "To increase the number of Aboriginal people employed as educational administrators, teachers, curriculum advisers, teacher assistants..."

It is ironic that while primary schooling is compulsory in the Northern Territory, access to the service by homelands is hindered by restrictions and rigid criteria imposed by government. Moreover, access to a school program appears to be denied to homelands that have small population numbers (ie. less than the requirement of 12 school age children to start a program).

²³ See A Guide to Homeland Centre Education - Operational. Northern Territory Department of Education. Darwin, 1993. pp. 5-6.

²⁴ Return to Country. The Aboriginal Homelands Movement in Australia. Report to the House of Representatives Standing Committee on Aboriginal Affairs. AGPS. Canberra, 1987. p. 217

Despite restrictive government policies, which have failed to adapt and adopt contemporary solutions to the challenge of meeting the needs of homeland communities, the Nambara Schools Council through the Yirrkala Homelands Schools has managed to succeed in developing a program for homeland communities that is widely perceived to be best practice. This is notwithstanding the need for higher staffing levels and greater resourcing for capital works programs on the homelands schools, and in spite of the pressure felt by teaching staff to attend to administrative and other tasks that are outside of their teaching responsibility. In the following sections are an outline of our homelands schooling program, as well as an appraisal of education needs in the region.

"There's more stuff in the homelands that we need like computers, things that children need to have... and to have more say for their school, more training for teachers so they can have more knowledge"

Djalinda Ulamari, Dhambaliya Homeland Centre, September 1999

Availability and accessibility of schooling in the homeland centres of Yirrkala

Of the twenty three (23) homelands in the region, only eight (8) are judged as eligible for support from the Northern Territory Government. A number of other homelands have previously trialed schooling programs, but due to attendance figures that the bureaucracy regarded as unsatisfactory or 'uneconomical', these trials have not been approved. However, it should be noted, school age children continue to reside in their communities without access to schooling. One estimate suggests that in the Arnhem Land region, some 700 to 1000 children do not have access to education²⁵.

The education program that the Nambara Schools Council has guided Yirrkala Homelands Schools to develop for the eight eligible homelands we believe is at the leading edge of schooling programs for remote areas, given restrictions in funding and staffing levels. Through a cyclical process of planning, curriculum resource development, reflection, evaluation, assessment and replanning, and through close consultation with community members, we have been able to deliver a service that:

- is community-based, community-controlled and tailored to the needs of the homeland communities
- employs - and provides further training and professional development to - sixteen Yolngu Homelands Teachers, who also research and develop appropriate curriculum programs and resources
- utilises and continually develops appropriate literacy and numeracy curriculum materials and resources
- is aided by a team of seven Visiting Teachers from Yirrkala, who are curriculum advisers and developers

Each of the 8 homelands are provided with support from Visiting Teachers each week. The Visiting Teachers assist the Homelands Teachers in the delivery of education, but are usually not involved in the actual teaching of students, as their role is to provide support to the Homeland Teachers, and in collaboratively developing curricula for the homelands classrooms.

²⁵ *ibid.* p. 224

Intrinsic to the service is the philosophy of control of the education programs by the homeland communities themselves, a positive step towards self-management. This in itself is an achievement where so often:

...our lives and values continue to be brokered by others. Our best interests are interpreted for us by remote bureaucrats, united by their knowledge of Canberra...²⁶

The table below provides information on the homelands that currently have an education service.

Homeland community	Year school started	Est. pop. no.	Av. enrolment	Schooling facilities
Baniyala	1974	164	37	Two classrooms
Biranybirany	1976	61	14	One classroom
Dhalinybuy	1976	78	17	One classroom
Gã]ga]	1974	102	28	Two classrooms
Garrthalala	1974	32	16	Two classrooms
Dhambaliya	1990	30	12	One classroom
Gurumuru	1975	50	16	One classroom
Wa]]awuy	1975	73	18	One classroom

As an indication of the number of children without access to education, the following table provides information on the other homelands of the Yirrkala region²⁷:

Homeland Community	Year community Established	Est. pop. no.	Est. no. of children (5-15yrs)	Schooling history/comments
Balana	1987	0	0	-
Barraratjpi	1974	18	8	trial but not approved
Bawaka	1975	16	8	trial but not approved
Buku-[ãl	1978	26	5	-
Buymarrwuy	1987	28	5	-
Dhuruputjpi	1979	28	10	-
Djarrakpi	1974	10	6	trial but not approved
Garrapara	1987	?	?	-
Gurka'wuy	1973	9	0	school closed
Miritja\ay	1990	?	?	-
]a[ayun	?	14	6	trial but not approved
]aypinya	?	?	?	-
Rurra\ala	1978	16	10	trial but not approved
Yã\unbi	1978	39	13	school closed
Yu[uyu[u	1985	12	2	-

²⁶ Aboriginal and Torres Strait Islander Social Justice Commissioner. Third Report. AGPS. Canberra, 1995. pg. 9

²⁷ Estimated figures informed by census figures gathered through local health centre visits and clinic services to these communities in 1999.

"Sometimes its hard for the homeland community centres to send their children away; we rather have our own secondary school, we rather have our own primary school, we rather have our own pre-school based at the homeland centre school, instead of sending children away after primary school to Yirrkala or to another school. I think children are getting more, more getting their own way... if you see a kid today in our life, you see kids don't listen to their parents, kids are wandering around, kids don't do as they are told, whereas here in their own community there's discipline. There's always discipline because there's always older people around us giving them discipline, and saying this is right, this is wrong, you shouldn't be doing this; whereas if they go away, that's not happening.

And then they become more strong people for their own homeland and good strong leadership in the community, in the homelands, whereas in Yirrkala you don't see that any more. We used to have strong community, strong people in Yirrkala but now its just falling apart. There's maybe 2 or 3 people that stands as a model for the children in Yirrkala, but there's lots of those models out at the homelands"

Djalinda Ulamari, Dhambaliya Homeland Centre, September 1999

An appraisal of educational needs in the homelands region

Whilst we have been successful in our continual efforts to improve our schooling program, the biggest constraints to further advances lie with the difficulties in gaining support from the NT Government and its agencies.

Improvements to our existing program, through support from the government, should address:

- the lack of pre-school facilities in all homelands: effective pre-school programs prime the competencies of children in primary and later years of education
- the lack of post-primary schooling services: our education system currently stops at what is best described as a mid-primary level
- that classes are multi-grade, multi-level, multi-stage and multi-age: as the curriculum should be in tune to the social and intellectual developmental stage of students, mixed classes of this nature, without adequate system-wide support, are not conducive to creating an optimal learning and teaching environment
- the inadequacy of schooling facilities in the homelands: some of the infrastructure are nothing more than heat traps; without proper infrastructure and the creation of an appropriate schooling environment, learning outcomes and teaching strategies will be compromised. After numerous applications to the NT Government for funds to improve schooling infrastructure, we are still with sub-standard facilities
- the lack of facilities for the physically or intellectually impaired: some of our students have special needs
- the lack of technological tools in the classroom that have the potential to providing a better educational experience for students
- the demands placed on teaching staff and the work load carried by the school have a destabilising effect on our program: whilst our staff members are highly committed professionals who have to adapt to the unique and challenging conditions presented by remote

area teaching. The result often is staff turnover due to the stresses of work. It must be remembered that an effective program is dependent on continuity of staff

There is further concern that children of compulsory schooling age in twelve of the homelands that are not currently serviced are being denied a fundamental right, the right to education. The Convention of the Rights of the Child (1989) declares that:

Article	The situation in Yirrkala homelands
<i>4. States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation</i>	The policy of the NT Department of Education is not conducive to the implementation of rights recognised in the present Convention. The Department appears to be reticent in undertaking measures and making use of the maximum extent of available resources and infrastructure with regards to the provision of educational opportunities, facilities and services to homelands.
<i>8. States Parties undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law without unlawful interference</i>	With respect to homelands, current policy has the effect of exerting pressure on school-aged children to relocate from their ancestral lands and family relations to larger settlements and urban areas, thus compromising the preservation of identity.
<i>18. States Parties shall use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child. Parents or, as the case may be, legal guardians, have the primary responsibility for the upbringing and development of the child. The best interest of the child will be their basic concern</i>	The best interest of the homeland child will be compromised if the child wishes to pursue educational opportunities, and the primary responsibility of the parents or legal guardians in the upbringing and development of the child will similarly be compromised, due to the necessity of the child to relocate from a familial and cultural environment which he or she has inextricable ties to.
<i>23.1 States Parties recognize that a mentally or physically disabled child should enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community</i>	Whilst there are provisions in the policy of the NT Department of Education for the special needs of mentally or physically disabled school-aged children, there are no facilities in homelands to cater for such needs where these needs are apparent.
<i>23.2 States Parties recognize the right of the disabled child to special care and shall encourage and ensure the extension, subject to available resources, to the eligible child and those responsible for his or her care, of assistance for which application is made and which is appropriate to the child's condition and to the circumstances of the parents or others caring for the child</i>	See above

<p><i>23.3 Recognizing the special needs of a disabled child, assistance extended in accordance with paragraph 2 of the present article shall be provided free of charge, whenever possible, taking into account the financial resources of the parents or others caring for the child, and shall be designed to ensure that the disabled child has effective access to and receives education, training, health care services, rehabilitation services, preparation for employment and recreation opportunities in a manner conducive to the child's achieving the fullest possible social integration and individual development, including his or her cultural and spiritual development</i></p>	<p>See above</p>
<p><i>28.1 States Parties recognize the right of the child to education, and with view to achieving this right progressively and on the basis of equal opportunity they shall, in particular:</i></p>	<p>With regards to equal opportunity and the right of the child to education, the NT Department of Education has yet to implement a strategy to cater for the unique needs of all homelands children. We recognise some steps have been taken, but the fact remains that a significant number of residents of homeland centres have no access to education services.</p>
<p><i>a) Make primary education compulsory and available free to all;</i></p>	<p>Primary education is compulsory but unavailable in twelve of the homelands of Yirrkala.</p>
<p><i>b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;</i></p>	<p>There is no provision of any form of secondary education in the homelands.</p>
<p><i>c) Make higher education accessible to all on the basis of capacity by every appropriate means;</i></p>	<p>There is limited and inadequate provision of higher education in the homelands through the Batchelor Institute of Indigenous Education. Communities still express concerns about the location and limited extent of courses.</p>
<p><i>d) Make educational and vocational information and guidance available and accessible to all children;</i></p>	<p>Availability and accessibility of educational and vocational information in the homelands is very limited.</p>
<p><i>e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates</i></p>	<p>Encouragement of regular attendance, consistently over 85%, is managed by the homeland communities. Drop-out rates are 100% after primary schooling, as there are no realistic opportunities to pursue further studies.</p>

<p><i>30. In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language</i></p>	<p>The enjoyment, practise and use of the distinct indigenous culture, religion and language, respectively, by the children of the homelands is threatened should they wish to pursue educational opportunities, as NT Government policy has the effect of necessitating children to study, for extended periods, away from their families, homelands and the wider cultural environment which fosters the maintenance of culture, religion and language.</p>
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It is concerning that not only are the rights of homelands children to education being denied, but reporting by the Government on its activities and policies appears to be inaccurate. For example, under article 40 of the International Covenant on Civil and Political Rights, it is a requirement for Australia to report to the Human Rights Committee on measures it has adopted which give effect to the rights in the Covenant. In its second periodic report, it states:

... policies in Aboriginal education seek to ensure that full educational opportunities are available to all persons of Aboriginal and Torres Strait Islander descent and that they receive an education in harmony with their cultural values and chosen lifestyles which enables them to acquire the skills they desire.²⁸

In the homeland regions of Yirrkala, the effect of these policies has gone unnoticed. With no access to any education at all, the children and other community members of twelve homeland communities struggle with intractable government policies that are more concerned with economical use of funds than delivering programs of social and cultural benefit. It should be remembered that:

In principle, human rights, and respect for those rights should not be evaluated in terms of budgets or administrative convenience.²⁹

Furthermore, administrative decision-makers should be wary that the maintenance of Aboriginal culture cannot be achieved by withdrawing support or by freezing Aboriginal culture at a particular point in its development. On the contrary, the object should be to pave the way for further development of the homeland communities, adapted to the demands of modern society.

Statement from Homeland Elder, Gawirriñ Gumana

I am worrying about education for our children in the homelands. In the homelands with people and schools, they are learning two ways, the Balanda way and the Yol\u way.

How will they, our children, learn now and in the future the two ways, because the Balanda way is a bit hard, a bit new for us Yol\u people and children and families. We have been thinking that the government is not going to label us as "lost people" like those Aboriginal people in the south. We don't want that to happen.

That's why we are thinking that later on, in the future, Yol\u people will still speak their language and still be Yol\u people in many generations to come. This is what I am worrying about, and that's why I feel strongly that the children must learn both ways. The Western way is like writing

²⁸ Australia's second periodic report, UN doc. CCPR/C/42/Add.2, 6 October 1987, para. 673.

²⁹ Aboriginal and Torres Strait Islander Social Justice Commissioner. Third Report. 1995. pg. 53

a letter, looking after books, going on excursions, money, mechanic or whatever for learning or for employment. In the Yol\u way, I have been thinking that Yol\u people must not forget about ceremony, singing, culture and hunting. That is what I have been thinking and worrying about a lot.

It is alright if our children want to become a lawyer, policeman, doctor, teacher or whatever. But our culture must still stand and it mustn't be broken, so that the government would not say to us or to our descendants in the future that we are lost people without culture. We must remain as Yol\u people. That's is why it is important to learn both ways.

The Balanda way is new to us, but our people and children still don't know their own culture yet, like ceremony and other cultural matters. They are not learning their culture, to make the two ways work together, for both Western and Yol\u culture to be equal. That is what I really desire, so that our culture, our kinship system, and our way of life will stand strong and not fall apart. We mustn't be killed by the other cultures.

So this is how I would like it, not to follow one path only, or putting an emphasis on the Balanda way. The Balanda way is good, but later on the government or other people will look at us and say we are lost people or people without culture. The government or other Balanda people might say we are without land or culture in the future. Our people, culture and law must stand strong, unlike the government's law which changes every month or year. But our law will not change, it has always been the same and will be as it is forever. Yol\u people must be themselves and also learn more and teach others. This is what I have been worrying about.

This school is good but still small as it is filling up with children. I am thinking that the children should be learning properly and they should have a proper school. Teachers will come here and teach the children, now and in the future. But at the moment, our people and our children are half-way; at the moment, they are not really understanding what education is about and even their own culture they don't know. Over there is the Balanda way, and over here is the Yol\u way, and our children are in the middle. I don't know which way they will go, but I want our children to learn properly so that they will teach the children in future generations. These are just my thoughts for you to think about and to understand.

I am worrying because at the moment the children are only moderately competent at writing their own name but other names they still don't know how to write. The children should learn those because it is too difficult and too late for the old people now. Then the school will grow, not only the building but the children will always attend school when the lessons are being taught.

Also, our Yol\u teachers must learn, not only the children, because sometimes our Yol\u teachers are busy at something else... I'm worrying about this too, as some of the Yol\u teachers are not teaching our children. And that is why we the leaders will have to speak to the Yol\u teachers so that they will keep learning and so that they will be able to teach the children in the right way. I also want to be kept informed of any changes in government policy so that we will be informed and will be able to help people in the outstations and also over there at Yirrkala.

These are the things I'm thinking about and worrying about so that one day the children will be knowledgeable and proud of their achievements.

If the families are told by the teachers that the students need to go elsewhere to learn more, then it is up to the families to give approval. The children might go to Darwin or Yirrkala or to any large school. But a long time ago, we were planning and discussing the possibility of having a school for the outstations, a school that would be situated in the middle where it is accessible to the

homelands people. The school should be standing in the middle of the homelands area so that all the people from the homelands can access the school.

We were talking like this many times previously, but nothing came out of it. But if the government can see us and our children and recognise our situation, we would get a central school for the homelands, a school situated in the middle of the area. This was only one idea, one thought, or maybe the children will continue to learn in their separated homelands or maybe we will send our children to Yirrkala, Nhulunbuy or Darwin.

That's why we were talking like this, us elders, when the old people were passing away at that time. We thought somewhere in the middle of the homelands areas would be appropriate, so that the children will be able to come from far and awide, perhaps even from Gapuwiyak, to attend the school. This idea of such a school is like that of the Dhupuma College. If the government can see how they can fund such a school that would be good, otherwise, it doesn't matter and the children will continue to attend schooling in their own homelands or somewhere else. If the government was to say that there is funding for such an idea, we would send our children to the school, and the school would be built in the middle of the area... there's been lots of talking about this for years, even Dhaymbalipa, Roy (a[ay]a) and Wali talked about it. And that's why I'm still thinking about and feel strongly about it. If the government sees us and recognises the situation, that will be good, if not, it doesn't matter and we will keep schooling in the homelands as it currently is. This homeland is already big and also there at Baniyala; there are lots of people and the community is also well developed for schooling.

These are our thoughts from a long time ago, that the children will do their schooling at a combined homeland school or at their own homelands. The government must understand and not disbelieve us or say that we are lying; they must believe us when we say that our children need an education.

This is how I and other people were thinking a long time ago and even now I'm still thinking the same way. I feel strongly about education in Yol\u culture and also in the Western ways, so that the two will be side-by-side and our children will be in the middle with an understanding of both. If we follow one way only, our culture will be destroyed and the government will say to us that we are no longer Yol\u people but that we have become something else.

This is my story and the government must understand us Yol\u people. We need more help from you the government, especially the Northern Territory Government. The government must look at us and recognise us and trust us, and not think that we are not committed to our homelands and that we are just moving around from place to place. That used to happen before but not now; we stay permanently now at our homelands and only leave for ceremony. But our school is always going to be here as part of the land. I'm saying these things for the government to hear and to think it over.

Alternative models for schooling

In seeking appropriate strategies to develop and implement effective schooling programs for the homelands, the following comment from a visiting teacher is pertinent:

We would genuinely like an appreciation of the different contexts we work in requiring different solutions and be trusted to develop strategies to fix them.³⁰

³⁰ A Guide to Homelands Centre Education - Context. Northern Territory Department of Education. Darwin, 1993. pg.103

In collaboration with the Nambara Schools Council, a number of homeland schools would like to develop alternative models for schooling in homelands that would meet the communities' current and future educational and vocational training needs.

However, without resources to carry out the required consultations and planning, these models cannot be developed further. The current model of Homelands education delivery is outdated and does not reflect the advances in technology and resources in the Homelands communities of this area. Things have changed since the 1970's.

In meeting its international human rights obligations, we hope the NT Government would allocate the necessary resources required by the communities to develop plans and programs that are tailored to the particular needs of all of the homeland residents of this area.

The following section details a brief history of educational programs for secondary aged residents in the Yirkala area. This section describes the Nambara Schools Council concerns about the significant limitations on the current offerings and suggests the sorts of solutions that we feel the Council could be involved in shaping as a more appropriate attempt to address these needs.

Section Three: Affirming rights to appropriate education Programs for secondary aged residents of the Yirrkala area

The 'Convention on the rights of the child' claimed that 'the child has the right to free and compulsory primary education and accessible secondary education'³¹. In this section of our submission the question is posed; "Are the secondary educational choices made available to Aboriginal students in the North-east Arnhem area of the Northern Territory sufficient enough to assume they are accessible?" The low retention rates and poor enrolment numbers suggest otherwise.

This section submission will first explore the history of Secondary-aged Education in the North-east Arnhemland area in an attempt to highlight the fact that this has been an ongoing, long-term problem and has to be addressed in this way. This submission will include the directions that have been undertaken in an attempt to provide adequate secondary educational choices, their inevitable decline and finally touch upon the various studies and recommendations that have been made over the years in relation to this ongoing problem. The main bulk of this submission will be concerned with the current situation; the options made available to those students residing in remote homelands; namely boarding school and correspondence, and why they are considered by parents, community residents, educational workers and students themselves as inadequate.

For many years the members of these remote Aboriginal communities have been forced to make a choice. This has been between an education that will provide the next generation of leaders with the skills they require and have a right to obtain, set against social and cultural costs of both the individual and the community in the obtainment of this Balanda³² based skill. It is clear that they think the cost is too high.

Principle 7 of the 'Rights of Children' states;

The child shall be given an education which will promote his general culture and enable him, on a basis of equal opportunity to develop his abilities, his individual judgment and his sense of moral and social responsibility and to become a useful member of society³³.

It seems clear that the members of these communities do not believe that these requirements are being met through the current system available, and by this we can see a direct breach of the rights of the secondary aged Aboriginal child residing in homeland communities.

History of secondary aged education in North East Arnhemland

The push in the late 1960's for land rights in the area around the Yirrkala mission saw the desire of the Aboriginal people for an established recognition of ownership and an attempt to regain greater control over their lives. But as anthropologist Nancy Williams claims;

There was no feeling what so ever that they wanted to establish themselves on their own clan land at the expense of not being able to have access to education. These people want to be on their land but also clearly want the highest level of education for their children and they want it

³¹ http://www.hreoc.gov.au/news_info/bushtalks/n1_7_s2html

³² "Balanda" is a term that Yolngu use to refer to Non-Aboriginal people.

³³ <http://www1.umn.edu/humanrts/instree/kldrc.htm>

to be delivered in their own lands/communities and as much as possible by their own people. That's been clearly articulated³⁴.

Western schooling was introduced into the Yirrkala area with the missionaries in 1939. In 1958/9 Commonwealth government funding saw the construction of a school building which provided a manual training program to adolescents and young adults in the Arnhem region. However this program was discontinued in 1966 following the handing over of the running of the Yirrkala school to the Welfare Branch³⁵. In 1978/9 funding was provided for the construction of the Yirrkala Area School, which was to provide for both the Primary and Secondary educational needs of Aboriginal students from this area. 'The new school would serve not only the Yirrkala township, but also the outstations' and would have to be 'an area school in the true sense, it will be required to provide adequate programs for the local children at all levels, and for children from surrounding areas at the more senior levels'³⁶. It was intended that this new Area School would be both equipped and staffed to provide formally accredited secondary education programs, however it seems that the school has never been staffed to provide the promised level of courses, nor have both the building stages been completed.

In 1974 'Homeland Centre Schools' were established in the Laynha³⁷ region. The Homeland movement was a direct response to views held by community members who saw 'living at Yirrkala as a distorting and socially damaging process'³⁸. It was also an attempt to gain a greater sense of control over their own lives. This is highlighted in an account from several Yolngu teachers from this region³⁹:

All matters concerning school matters will be run only by local people, but we will appreciate the ideas and help of Europeans when we ask them. All responsibility will lie with parents. The old people want this, but over here (at Yirrkala) there is a lot of outside influence which destroys the ideas of Aboriginal people.

From its establishment the resources and support provided to Homeland Schools came from the Yirrkala Community Education Centre (Yirrkala CEC). This was until the creation of Yirrkala Homeland Schools in 1992 under the guidance of the Nambara Schools Council. However despite some positive changes the problems facing the homelands now are very similar to the ones that have been present since the 1970's.

Yirrkala Homeland Schools is resourced as a primary school even though a significant number of its students are of a secondary age, and the fact of the matter is that its resources, that are limited, are just not sufficient enough to meet needs of their secondary aged student body⁴⁰. The communities' geographical separation from each other, inadequate support systems and difficulties in the provision of appropriate professional interaction collectively work to impede the development of an appropriate curriculum and pedagogy for these schools, a curriculum that realistically is able to 'improve the educational participation, learning outcomes and personal

³⁴ Interview with Nancy Williams - Northern Territory University - 30th August 1999.

³⁵ Northern Territory Department of Education, (1981) Report on the Bilingual education Program at Yirrkala Community School in, White L.J (1991) Aboriginal Secondary Education: From Yolngu aspiration to thwarted realisation Deakin University. p 15.

³⁶ Sadler, R.P (1975) Report of the Review of the proposal for the Yirrkala Area School, Department of Education, in White (1991) op cit p 16.

³⁷ "Laynha" - the North-east Arnhem area of the Northern Territory.

³⁸ Downing, J., (1988) Country of my Spirit - Ngurra Walytja, in White (1991) op cit p 41.

³⁹ Marika -Mununggiritj R., Maymuru, B., Mununggurr, M., Munyarryun, B., Ngurruwutthun, D. and Yunupingu, Y; (1990) The History of the Yirrkala Community School: Yolngu thinking about education in the Laynha and Yirrkala area. in White (1991) op cit p 40.

⁴⁰ Interview with Sally Baker 10th September 1999.

development of the young people disadvantaged by socioeconomic circumstance⁴¹. These problems can only be addressed with more adequate funding, resources, facilities and staff to create the curriculum to meet the needs of secondary-aged students in these areas.

‘Its not much good trying to build a secondary program on the back of nothing’ so Yirrkala Homeland Schools and Yirrkala Community School have both been forced to ‘focus on Primary Years to give the students the basis to move into secondary’⁴². The results were outlined in 1988 by Yunupingu, Raeburn and Mununggurr in their presentation to the Commonwealth Department of Employment (DEET), about the issue of appropriate educational programs for secondary-aged students in Homeland Communities:

At present half the Post Primary (Secondary aged) students serviced from the Yirrkala Community school (now known as Yirrkala Community Education Centre) live in Homeland Centres. Their schooling stops when they have finished School of the Bush Book Level 4. They are then forced to decide whether to repeat the work, leave school, or move to another location where further education is available. The last option is deemed the most unsuitable for people living on their Homeland, however it is often the decision made because the choice is so obviously limited. In practice, the secondary-aged students who live in Homeland Centres are severally educationally disadvantaged⁴³.

The Yirrkala Homeland Centre Visiting teachers summarised the concerns that were expressed by Yirrkala leaders to the DEET/ADC/ADD Combined Task Force in May, 1988 at Yirrkala, stated:

... it is the area of what to do with the students who have finished School of the Bush Book Level 4 that needs the most attention now.

Here are some of the reasons we think they should be the priority:

- * There is nothing else available to help them do this at the moment except what the Homeland Centre teachers themselves can give.
- * This is the age group who are the leaders of the future. They need an education that will enable them to help their communities run their own affairs - both on the Yolngu and the Balanda sides.

It is clear that people living in the Homelands are not satisfied with the level of education provided by the department of Education to Homeland children. It is also clear that people in the Homelands are not satisfied with the level of education reached by their children⁴⁴.

More than a decade on these same concerns are being expressed by these same Homeland communities.

In 1988 the Yirrkala Community School became one of the trial Community Education Centre locations (CEC). With this came the understanding with the Yolngu leaders that;

The Community Education Centre (CEC) would give potential benefits in enhancing outstation education and teacher training. In relation to Outstation education this would be achieved in part through recognition of the secondary- aged students as Post Primary students when calculating staffing entitlements.

⁴¹ Commonwealth Schools Commission (1990) Commonwealth Programs for Schools : Administrative Guidelines for 1990. in White (1991) op cit p 42.

⁴² Interview with Greg Wearne and Kathy McMahon; Northern Territory University August 30th 1999.

⁴³ Yunupingu, M., Raeburn, S. & Mununggurr, W.; (1988) Letter to DEET Director, in White (1991) op cit p 47.

⁴⁴ Yirrkala Community School, Laynhapuy Five Year Plan for Education, (no Date)

Yet assurances about consultation, about the inclusion of homeland communities in the CEC development and undertakings to keep the Yirrkala School Council fully informed were not fully realised.

Retention rates

Mirroring a trend which has continued for the past 30 years the apparent retention rates of Indigenous students in schools from the beginning of their secondary study through to years 10, 11 and 12 prove to be at levels which are significantly lower than the retention rate of the average Australian secondary aged student.

The extremely low retention rates of Aboriginal students in the Northern Territory are commonly accepted.⁴⁵ This is due to a number of problems highlighted in the National Report on Schooling in Australia, for example;

- 1 Education systems may not adequately accommodate students' cultural needs, values and backgrounds;
- 2 Many Indigenous children have special learning needs because English is not their first language.
- 3 poverty, ill health and low self-esteem can limit the participation.

The biggest challenge faced by indigenous students in the Northern Territory is the provision of adequate education services in remote localities. These students are forced to make a choice between the limited unfavourable options available to them. The result can be seen in the NT – the students simply don't attend.

Courses available

Before looking into the options available to the secondary aged students in North East Arnhemland it would be wise to look at the actual curriculum these institutions provide in order to gain an insight into what level is really being offered.

Mainstream schooling in the Northern Territory functions under Junior secondary school certificate (JSSC) for years 8-10 and the South Australian Certificate of Education (SACE for years 11-12). Both these certificates are made available through most mainstream secondary schools in the Northern Territory. Some High Schools don't offer some subjects in some year levels and students pick up these subjects through the NT Open Education Centre (NTOEC) which is based in Darwin and delivers 'straight high school from years 8-12'⁴⁶. NTOEC provides the option of study through distance education approaches. Some students at Yirrkala CEC are currently enrolled in NTOEC's Year 8, 9 and 10 courses. There are no students from Yirrkala CEC enrolled in years 11 or 12.

In 1985 a 'Report of the House of Representatives was made by a select committee on Aboriginal Education'. This was sparked by several issues including their concern over the low rates of participation and success of Aboriginal students at a secondary school level⁴⁷. One of the findings of the committee was seeing 'merit in individual schools offering a transition program or bridging

⁴⁵ Ministerial Council on Education, Employment Training and Youth Affairs (1997) National Report in Schooling Australia: 1997 Curriculum Corporation; Melbourne p 73

⁴⁶ Interview with Bill Moir NT Open Learning Centre 17th September 1999.

⁴⁷ Parliament of the Commonwealth of Australia (1985) Aboriginal Education: House of Representatives Select Committee on Aboriginal Education Australian Government Publishing Service Canberra p 8

class⁴⁸, to overcome some of the difficulties faced by Aboriginal students facing the transition from primary to secondary school. In 1986 the Indigenous Education Council of the Northern Territory devised the Feppi 12 point plan. Part 2 of this plan stated:

Maximisation of Post year 7 education opportunities in communities to meet the educational needs of young people and adults in Aboriginal communities through an integrated approach to the provision of post year 7 programs⁴⁹.

This was a response to a 2-3 year consultation phase with Aboriginal communities, from which there was derived the opinion that they wanted 'something equitable, something the same as the white kids'⁵⁰.

This was followed in 1993 by the introduction of the first units of the bridging courses; Foundation and General studies. Intensive English was introduced a year later. Its aim was to provide the same opportunity of access to secondary education as balanda children, to prepare them so they have the 'highest chance of succeeding in mainstream secondary education system'⁵¹. These Bridging courses are run at a number of schools including Yirrkala CEC, Kormilda College and St John's College and Nightcliff High School and it is estimated that around 1000 students are involved in the program.

Another study option for secondary aged students at Yirrkala Community Education Centre is VET courses offered through NTOEC and potentially in cooperative arrangements with Nhulunbuy High School.

Having explored the history of the struggle to make secondary aged education available to the Aboriginal students residing in the Yirrkala area and the forms these secondary options take the next section explores the location of this study. Problems which result from the limitations of these approaches mean that they are considered unworkable or ineffective alternatives by community and student groups.

Current options available to secondary age students in north-east Arnhemland.

There are four main options that have been made available to North-east Arnhem Homeland Students;

- Separate classes in each Homeland Centre,
- Yirrkala and Nhulunbuy High School,
- Boarding Schools;
- Correspondence studies through the Northern Territory Open Learning Education Centre.

Option 1. Separate classes in each Homeland Centre

As has been previously outlined, Yirrkala Homeland Schools, funded as a primary school provider only, has neither the resources, staffing or curriculum to successfully provide secondary education to its students. The Homeland teachers often don't have the opportunity to take secondary age educational training, and already have the huge responsibility within their community as often the sole educational provider. As one educator commented it was 'really very

⁴⁸ Ibid p 124

⁴⁹ Interview with Linda Miller Bridging Courses August 24th 1999.

⁵⁰ Ibid

⁵¹ Ibid

demanding on one teacher'⁵². The isolation of the communities also proves a problem, with the only curriculum support coming from the Visiting Teachers from Yirrkala Homeland Schools and through the occasional workshops run by these visiting teachers and other professionals in this area. While this alternative would allow the students to remain at home while studying these local initiatives provide only limited work which is not accredited at the secondary level. It is the role of Yirrkala Homeland Schools to not only develop the curriculum for the schools but also train the community teachers. These teachers often don't have secondary education themselves let alone the teacher training which would enable them to teach it. So it seems that some students may be restricted by the knowledge of their teachers coupled with the lack of appropriate curriculum for secondary aged students.

An early proposed solution was to have the students work in groups in separate classrooms so that the secondary aged students can work in less crowded places. Yet the concern remains that;

These students need to be challenged by appropriate secondary curriculum issues and work. So Homeland teachers need support to do this.

Furthermore;

The small size of the school population might mean that they never get a separate class room . . . and . . . when they only have one HLC teacher extra places/ extra spaces don't really help on their own.

So, due to the limited secondary resources, limits on available staff and the restricted curriculum the reality is that it can not be seriously considered as an adequate secondary educational alternative.

In recent times Yirrkala Homelands Schools has attempted to provide some programs that cater for the needs of secondary-aged students. As stated earlier Yirrkala Homelands Schools is not resourced to provide these programs and relies on funds from the Aboriginal Students Support and Parental Awareness (ASSPA) program. These programs are not formally recognised Secondary Education courses but do work to achieve significant educational outcomes for the students involved.

Option 2. Yirrkala and Nhulunbuy High School

These options are currently available to both Yirrkala and Laynha students but requires the students to live at Yirrkala. Currently Yirrkala CEC offers the following forms of secondary based study; the Bridging courses of Intensive English, Foundation and General Studies and VET units run through the school. NTOEC provides year 8, 9 and 10 study. Students could also attend the mainstream secondary school located at Nhulunbuy. However the numbers of Laynha Homeland students attending Yirrkala CEC are low and Nhulunbuy High School nil. This is due mainly to the social problems linked with these townships;

Yirrkala is a very big place with big problems. . . The Nhulun town is close by. Too close for comfort, just down the road is the "limit".

The problems that lead to groups leaving Yirrkala and setting up Homeland centres are the same reasons for the reluctance at sending their children back to Yirrkala for an education. Problems of alcohol, drugs and getting into trouble in the community correlate with the racism, teasing and smart comments which are endured in the Nhulunbuy township and Nhulunbuy High School. There is a long history of opposition from Homelands communities to sending their children to

⁵² White (1991) op cit p 56

live at Yirrkala and study at Yirrkala CEC. The very poor success from using such strategies is an indication that another alternative must be provided.

Option 3. Open Education Centre

The NT Open Education Centre, previously known as the NT Secondary Correspondence School and established for over 20 years, writes its own material which satisfies the NT Board of Studies requirements and is given the same accreditation as mainstream secondary schooling.

Incorporated into the NTOEC teaching materials are both ESL and Aboriginal elements which are developed by four Open Education moderators. VET programs are also run through the NT Open Education Centre which credit their students with national VET and NT Board of Studies accreditation⁵³.

However from the point of view of both the NT Open Education Centre and the community residents the material provided isn't really accessible without supervision, and this supervision really requires secondary level qualifications. These resources are simply not available in the homeland centres of the Yirrkala area and as a result there are no students residing in the communities serviced by Yirrkala Homeland Schools who are enrolled in the NT Open Education Centre.

The pressures of undertaking correspondence can be seen reflected in responses by community groups who have had first hand experience with such studies;

It's very unsatisfactory because of the heavy workload placed on the parents for tutorial guidance and direction.

Yolngu teachers responded that;

the group/students using the equipment would still need support from their HLC teacher. This would make work of existing Homeland Centre educators more difficult by adding to their existing workload . . .the responsibility of caring for this equipment could send Yolngu teachers mad.

There is also the problem of storing and looking after the electronic equipment, used by NTOEC to deliver these courses, which requires a separate and suitable working environment. Homeland educators saw maintenance and care of equipment as a big demand on them, adding to their already stressful and demanding role in the community⁵⁴. There simply isn't the support base in communities to support this type of correspondence course. In addition to this there are no appropriate facilities or infrastructure such as power and reliable telecommunications to support this approach. It is also questionable that students would have the adequate exposure to English which is required for them to complete Years 8 to 12, especially without the guidance of a qualified secondary trained teacher.

Option 4. Boarding schools

The final option available to secondary aged students in North East Arnhemland is perhaps the least desirable by both students and communities. This is to send the students away to board either in Darwin at Kormilda or St. Johns College or similar institutions Interstate.

⁵³ Interview with Bill Moir - NT Open Education Centre 17th September 1999.

⁵⁴ White (1991) op cit p 55

Kormilda College was first established at Berrimah in 1967 in an attempt to make more effective the transition 'of children from village to urban living'⁵⁵. Yet the school was established with the mentality of assimilation and institutional racism. Beliefs that the school's role was to 'remove the potential secondary students from the reactionary influence of his or her parents'⁵⁶, were merged with the assumptions by educators that;

... the young people are in a situation where they must break away . . . the only way that the young people are going to beat the elders is to force them to give way⁵⁷

However there was much opposition to the push to remove students from their communities in favour of residential colleges, and many of the arguments remain relevant today. Webb in 1944 voiced concerns that;

the child is removed from its natural environment, and placed in one which is foreign to it, and which is quite differently understood and regarded by child and teacher respectively. In such an institution the children are thrown into associations with each other regardless of the tabus, obligations and restrains of their own social and moral codes. This danger is more acute among the older children, and the result is seen in a looseness of life and the development of a spirit of deceit and want of integrity⁵⁸.

Fears were also raised by Downing in 1971 about the effects of such a college environment;

This college will take children out of their societies and train them in what I consider to be a thoroughly European situation and with thoroughly European assumptions behind it . . . a number of these young people will

1. not stay back in their areas;
2. they will be too far removed from their group;
3. be too unsettled⁵⁹.

Residential colleges have never enjoyed overwhelming Aboriginal support. Some parents sent their children to these institutions because they were regarded as 'an unavoidable cost of children receiving secondary schooling'⁶⁰, 'Aborigines thinking they have no other alternatives'⁶¹, yet had alternatives been available there is significant evidence they would have been used. This is signified by the Uniting Church in the 1974 'North Australian Commission of Enquiry' which concluded;

The children are uprooted from their Aboriginal belonging in a Balanda institution in a Balanda milieu. Teachers sometimes encourage them further into Balanda society without consulting their parents. They find an 'un-Aboriginal' individual freedom which makes them resentful of family discipline and tribal law⁶².

⁵⁵ Giese, H. (1967) A Brief study of Aboriginal Education in the Northern Territory with some thoughts on Future Developments in this Field, paper presented at the research Seminar 'Education for Aborigines', Centre for Research into Aboriginal Affairs in White (1991) op cit p24.

⁵⁶ Sommerlad, E. (1976) Kormilda, the way to tomorrow? ANU Press, Canberra. p 82.

⁵⁷ Teachers statement in the 1970 Commonwealth Film Unit and Department of Interior film: 'Walking in the Sunshine, Walking in the Shadow'.

⁵⁸ Webb, T.T. (1944) Spears to Spades, in White (1991) op cit p 27.

⁵⁹ Downing, J. (evidence given of 22nd March 1971) Parliament of the Commonwealth of Australia: Parliamentary Standing Committee on Public Works. Minutes of Evidence relating to the Proposed Construction of Yirara Residential College for Aboriginal Students, Alice Springs, Northern Territory (1971) p33.

⁶⁰ Randell, A.E. et al, (1977) A review of the NT Residential Colleges, NT Department of Education, Darwin., NT (Mimeo) p 18

⁶¹ Shimo, M. (1978) Development through Aboriginal Education in the NT Dept. of Education, in White (1991) op cit p 35.

⁶² 'Free to Decide' (1974) Report of the Commission of Enquiry, Arnhem Land, for the United Church in North Australia, in White (1999) op cit p 36.

These views which were voiced over 20 years ago still mirror the fears and concerns that are present in communities today and account for the low enrolment numbers at such boarding institutions from the area serviced by Nambara Schools Council. Since 1969 there have been only 26 students from the Yirrkala area who have boarded at Kormilda College. The opening of Dhupuma College in 1972 provided a short term alternative to Kormilda. Dhupuma's closure in 1980 terminated this option. In 1999, there is only one Yirrkala student boarding at Kormilda College. Both Kormilda College and St John's College currently have no secondary-age students from the communities serviced by Yirrkala Homeland Schools enrolled or boarding at their institutions. Both also choose **not** to run recruiting programs directed to the Homelands area. Frank Millett of Kormilda College believes that the reason for Kormilda's reluctance is that the people from this area have a strong mission to maintain control of the education of their kids⁶³. By comparison it is the assumption of St. John's College that the apparent low literacy levels of the students in this area result in a history of difficulties in their trying to adopt to a boarding environment.

In 1985 the Report of the House of Representatives Select Committee on Aboriginal Education made a number of recommendations in a hope to overcome these concerns about mainstream Secondary Aged schooling. Section 9.22/9.23 states;

The Committee recommends that:

* Commonwealth, State and Territory Governments urgently give considerations to increasing the numbers of Aboriginal Home/School Liaison Officers and Counsellors⁶⁴.

with a;

'greater involvement of Aboriginal parents and communities in their schools'⁶⁵.

Kormilda currently employ a Community Liaison Officer, a Community Education and Advocacy Co-ordinator and a student Counsellor, all of which are non-Aboriginal. One of their roles is to work with the parents to help them develop a better understanding of their children's schooling within the community⁶⁶. While there are no Aboriginal teachers employed at Kormilda, there are 4 Aboriginal House Parents. St. Johns on the other hand employ 4 Aboriginal liaison officers all of which are Aboriginal, and one Aboriginal teacher. Frank Millett claims that the lack of Aboriginal positions simply stem from a lack of people applying for positions due to commitments to their communities and culture.

This 1985 report also gives mention to the success of a recognition of Aboriginality in schooling programs⁶⁷. Both Kormilda and St. Johns offer Aboriginal studies incorporated through Social Education for years 8-10, and a similar program offered for the years 11-12 as well as a year 8 Indigenous Language Unit. Kormilda also have 10 specialised lit/ESL trained teachers and a further 14 who have attended a course for ESL in mainstream classes. Both Colleges offer both Bridging courses and VET units. Yet despite the measures that have been undertaken to make the college environment more inviting, the fact remains, that students are just 'too far away in another country'⁶⁸. There is still a strong belief within the communities that the;

⁶³ Interview with Frank Millett Kormilda College 20th September 1999

⁶⁴ Parliament of the Commonwealth of Australia (1985) op cit p 124

⁶⁵ Ibid p 124

⁶⁶ Interview with Frank Millett Kormilda College 20th September 1999

⁶⁷ Parliament of the Commonwealth of Australia (1985) op cit p 120.

⁶⁸ White (1991) op cit p 56

'nature of Balanda education - has resulted in our people being torn apart because of competing sets of values⁶⁹'.

The students themselves are faced with homesickness in an unfamiliar environment, away from their communities with no support from their families⁷⁰ the eventual result is usually their dropping out and returning home.

The Department of Aboriginal Affairs claimed that Aboriginals believe colleges 'are breaking down Aboriginal culture and encouraging anti-social behaviour. According to the Department, over 90% of students at the two colleges (Yirara College in Alice Springs and Kormilda College) who return to their perspective communities are unemployed. They can then become restless and petty offences can occur and they can have problems such as petrol-sniffing and anti-social feelings. According to the Department, many of the former students 'appear to be in a situation where they are caught between two worlds and belong to neither'⁷¹.

As well as the social problems that come with attending a mainstream boarding school, there is also present the reduced expectations from teachers and other students of success in their studies, this is coupled with the limitations of their own aspirations which heighten their expectation of failure⁷².

Preferred option by Nambara Schools Council

Secondary Aged Education in the Homeland communities of North-east Arnhem area of the Northern Territory is considered by many communities as non-existent. The options made available to secondary aged students in the form of limited Homeland programs, correspondence, or boarding away from home are viewed by community members as simply no choice at all. A lot of issues have to be addressed when confronting the problem of secondary-aged education in the Laynha region. Attention has to be given to the appropriateness of the process and content of the curriculum and pedagogy which is delivered in a place which is socially and culturally acceptable to the participating communities. Proposals have been put forward for the establishment of a facility in this region to provide a short term residential site (Laynhapuy Community Education Centre⁷³) for course delivery..

Having a Centre that is some considerable distance away would be much better I think. This would then enable the djamarrkuli to grow and mature away from these pressures and disturbances. Parents would play a big role in being at this place for any courses that students attend, rather than just sending the kids there on their own⁷⁴.

Perhaps the central point to this discussion is the ability to provide the secondary-aged students in this area with a choice. Currently many communities feel there is no accessible secondary-age education. There simply isn't a choice and as a result many potential students do not undertake secondary studies. Options must be made available to these students that will engage them in participating in secondary education programs. It is a breach of the rights of the child that the choice is not there.

⁶⁹ Ibid p 56

⁷⁰ Parliament of the Commonwealth of Australia (1985) op cit p 122

⁷¹ Ibid p 128

⁷² Ibid p 121

⁷³ Submission to AEP Review RE 1993/94 Stage 1 Design List Proposal Laynhapuy Community Education Centre. Submission prepared by L. J. White and Raymattja Marika. February 1996.

⁷⁴ Raymattja Mununggiritj (1991) Personal communication in White (1991) op cit p 133.

Current Yolngu community leaders, Yolngu teachers in Homelands schools and the Nambara Schools Council maintain that their preferred option is for the development of an appropriate secondary program that is locally available in the Homelands area. This requires the development of a learning place that is seen as a way to enable the students to work to learn the things that their community aspires to while maintaining connection with their community life and obligations. In Central Australia Pitjatjantjara people have experienced many similar problems through lack of government attention to the educational needs of secondary-aged students. The establishment of Nyangatjatjara College as a residential site is the solution that Pitjatjantjara people have worked to put in place. As detailed above the strong similarity between the needs of Yolngu and Anangu youth indicate that the difficulties are not unique to either groups. Nyangatjatjara College is committed to having students continue to maintain links with their communities by developing a campus in each of the participating communities. The allocation of resources is designed to ensure that challenging educational programs for secondary-aged students are provided at both the central College site at Yulara and at the home community sites. This is what Nambara Schools Council have been requesting in different forums since the early 1980's.

Specifically the Nambara Schools Council wants the Human Rights and Equal Opportunities Commissioner to take up a significant set of issues with the Northern Territory Department of Education. These are detailed in the concluding section.

Conclusion

It may be timely now, on the eve of the new millennium and nearing the end of the International Decade of the World's Indigenous Peoples, to reflect on the future of homelands, the future of Aboriginal identity, culture and tradition, and the part education can play in bringing about changes that will assure more equitable outcomes for Australia's Indigenous peoples. Casting our minds back 30 years, to 1969, we see that our elders took out a writ in the Supreme Court to stop mining on our land. That the subsequent judgement in the Gove Land Rights Case, in 1973, ruled against the right of our elders to prevent mining, but primed the passing of the Aboriginal Land Rights Act (Northern Territory) in 1976, remains one of the most significant developments in Aboriginal Affairs.

We are now fighting for our rights on another front: the right of our children to access education and to access appropriate education.

We hope that the Human Rights and Equal Opportunity Commission, through its inquiry into the provision of education for children in rural and remote Australia, will take the necessary steps, including advising the Federal Attorney General, to ensure Australia complies with its international human rights obligations.

We also ask that the Commissioner take these issues up with the NT Government, so that our most precious resources - our children, our languages, our land and our identity - through culturally-appropriate, community-based and community-generated education programs, will continue to carry our memories and our heritage well into the next millennium. We ask for recognition of:

- 1 our right to have our children maintain their linguistic heritage through an adequately resourced and funded Bilingual Education Program at the Yirrkala Community Education Centre;

- 2 the particular needs of secondary-aged residents of the Homelands of East Arnhem including those communities currently not serviced by Yirrkala Homelands Schools.
- 3 the role that Nambara Schools Council could play in providing appropriate programs for secondary-aged students in this area, if adequately resourced.
- 4 Recognition of the role that Nambara Schools Council could play if resourced as a distance education provider of appropriate programs for secondary-aged residents of communities of this area.
- 5 Recognition of the role that Nambara Schools Council could play in providing appropriate post compulsory training programs for residents aged 16-18 years of age, in this area, if adequately resourced.

Appendix 1: Commencing a homeland centre school program⁷⁵:

1. Community approach the Principal/Head Teacher and asks for a school program.

Homeland Centre representatives should ask the Principal/Head Teacher from the most appropriate school to visit to talk about starting schooling in the community.

2. Community meets with the Principal/Head Teacher.

The Principal/Head Teacher will explain what the Northern Territory Department of Education expects of the community and how it can support the community.

3. The Principal/Head Teacher writes a report and makes a suggestion.

The Principal/Head Teacher will write a report and suggest to the Superintendent to provide support.

4. If it is for a trial period, the Superintendent may approve trial status.

If a trial period has been negotiated, the Superintendent may approve the suggestion. The Superintendent will expect regular progress reports from the Principal/Head Teacher.

5. If it is for approved status, Principal/Head Teacher and Superintendent visit to assess and Superintendent makes a recommendation to the Secretary.

The Principal/Head Teacher and the Superintendent together will make an assessment before sending the request with a recommendation to the Secretary of the Northern Territory Department of Education for Approved Homeland Learning Centre Status.

In addition, responsibilities for commencing a homeland centre school program are expected of the homeland centre by the Department of Education. The questions asked of the community are⁷⁶:

⁷⁵ A Guide to Homeland Centre Education - Operational. Northern Territory Department of Education. Darwin 1993. p.5.

⁷⁶ *ibid.* p.6.

1. Is the community a stable one? Does the community have:
 - a steady population all year round
 - a list with the names of at least twelve school age children
 - younger children who will start school later
 - a local infrastructure developing; eg. water, communication, housing, reasonable access, power
 - a body that can give support to planned development; eg. Homeland Resource Association, or School Council?

2. Do people understand the possibilities and limitations of service? Are people clear about:
 - why they want their children educated
 - what role they will play in supporting day to day running of the school
 - the School of the Bush program and its limitations
 - the role they want the Visiting Teacher to play?

3. Is there a commitment to support schooling? Is there:
 - a willing and suitable person to work as the Homeland Centre teacher
 - a suitable place that can be used for teaching?

4. Is service possible? Is there:
 - a school nearby that can provide a support service
 - access all year round?