cA 'concerned Australians', PO Box 281, East Melbourne, Victoria 8002

House Standing Committee on Aboriginal and Torres Strait Islander Affairs.
Committee Activities (inquiries and reports).

Inquiry into Language Learning in Indigenous Communities.

To the Secretary,
PO Box 6021, Parliament House, Canberra, 2600

SUMMARY:
This submission addresses the issue of bilingual leaning in the Northern Territory and the declining school attendance rates. It argues that it is the right of Aboriginal parents to request that their children be taught in their own language. It is the right of Aboriginal parents to request that their children learn English through the bilingual educational learning program. It is the right of Aboriginal parents to effectively participate in the decision making processes regarding their children's education.

Present Northern Territory government practice needs to be reversed to comply with these rights. It is also believed that school attendance relies on respect given to Aboriginal languages and culture, and the encouragement gained through parental involvement in the education systems.

It is the right of Aboriginal people to

- **have their children educated in their own language**
- **to request that their children learn English through bilingual educational programs**

Australia has given public support to the Declaration on the Rights of Indigenous Peoples. Article 14.1 states:

"Indigenous peoples have 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"[1].

Throughout the Consultations of 2009 and those currently taking place, there have been consistent calls by Aboriginal people for the Two-Way Bilingual Learning program to be returned to the schools that have requested it.

Yalmay Yunupingu, former bilingual teacher wrote,

Yolngu language is our Power, our Foundation, our Root and everything that holds us together. Yolngu language gives us strength, language is our identity, who we are. Yolngu language gives us pride. Language is our Law and Justice[2]

According to the Australian Human Rights Commission,

The Declaration makes it clear that we have the right to an appropriate education and, where needed, education in language.

In many of our remote communities English is not spoken as a first language. Research suggests bilingual education is the best method to educate students who do not speak English as a first language. It is also a good way of preserving and promoting the use of Aboriginal and Torres Strait

Islander languages. Bilingual education is a great example of putting rights in action, including the right to language and the right to education.

The Northern Territory Government policy on education (2009) made it compulsory for English to be spoken for the first four hours of each day. This policy puts the future of bilingual education in the Northern Territory in doubt. It could be argued this is inconsistent with the rights on education and language in the Declaration.[3]

Furthermore, Article 30 of the Convention on the Rights of the Child, to which Australia is a signatory, states:

Article 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 use his or her own language"[4].

Bilingual Learning

We wish to support the understanding that it is that good educational practice to teach children in their own language while they are acquiring English. The goal of bilingual learning programs is to develop literacy in the child's native language first, and transfer these skills to the second language.[5]

Dr. Brian Devlin, Associate Professor, Bilingual Education & Applied Linguistics at Charles Darwin University has written extensively on the value of bilingual learning as well as on education in remote communities[6]. He states, that the Northern Territory Government established the bilingual education program in 1972. In 2009 major changes were brought in. These were in the form of structured language and culture programs, only to be conducted in the afternoons. This move has dramatically sidelined the idea that first language proficiency is a strong platform for achievement in English.

The Department of Education & Training (DET) policy reads:

Teaching and learning programs in Northern Territory (NT) schools are to be conducted in English for the first four hours of each school day, in order to improve literacy and numeracy results, particularly for Indigenous students.

The teaching and learning of Indigenous languages and culture may be scheduled during afternoon sessions.[7]

These changes appear to have been made without any body of evidence that they will give rise to improvements in learning. In fact Dr Devlin has argued strongly that the material used that led to the changes was grossly inaccurate[8]

According to Dr. Devlin the changes, create a degree of conflict between the Northern Territory Curriculum Framework[9], which says that children develop knowledge through their first language, and the new directive that instructions shall be only in English for the first four hours a day. This means that the Northern Territory government has distanced itself from many Indigenous people, who have loudly voiced their demands for the return of bilingual education.

The report by the Department of Education and Training (DET) in 2005[10] stated that, a number of studies, from the NT and internationally, provide evidence that bilingual education programs achieve higher outcomes than non-bilingual programs in similar settings.

This has been supported by studies cited by Dr. Devlin including the N.T. DEET Multilevel Assessment program report for 1996-97, and a N.T. DEET Accreditation Report for several schools

using the bilingual program. Dr. Devlin says that these reports showed that students in bilingual programs are generally attaining better literacy and numeracy scores than their peers in non-bilingual schools.

So, how did the Northern Territory government come to make the decision to abandon bilingual education? It was, according to Dr. Devlin, on flawed information which included results from a Catholic School which only had a Secondary School bilingual program and a community education centre that did not have a bilingual program. At the same time it did not include results from all of the existing bilingual schools.

Senator Trish Crossin, a former bilingual teacher herself, has stated in the Senate, her strong opposition to the changes. She said,

There is clear evidence that good bilingual programs can achieve results. Aboriginal people have made it amply clear that they value and want bilingual education[11].

Aboriginal people have a right to be engaged in the decision making process regarding their children's education.

To severely limit bilingual education would appear to be in breach of Australia's international commitments, denying children and parents of their rights in the decision making process. According to the Australian Human Rights Commission,

International human rights standards also require states to ensure that Indigenous people themselves are able to effectively participate in decisions regarding the provision of education and the kind of education provided:

- *Article 27 of the Convention concerning Indigenous and Tribal Peoples in Independent Countries (ILO 69) states that "Education programmes and services for the peoples concerned shall be developed and implemented in co-operation with them to address their special needs, and shall incorporate their histories, their knowledge and technologies, their value systems and their further social, economic and cultural aspirations."*[12]
- *The CERD Committee General Recommendation XXIII requires that states '[Ensure that members of Indigenous groups have equal rights in respect of effective participation… and that no decisions directly relating to their rights and interests are taken without their informed consent'.*[13]

Indeed, since restrictions have been placed on the bilingual learning programs in the Northern Territory, many schools have experienced lower rates of school attendance.

The latest Government Monitoring report also shows that school attendance continues to decline.

The average attendance rate for schools in the NTER communities was 56.5% in November 2010. The average school attendance rate in November 2009 was 62.1%[14]

The approach to Bilingual Learning in the Northern Territory by DET has been very narrowly conceived. Recognition of language, is recognition of culture. They are inseparable as Yalmay Yunupingu has clearly indicated. Bilingual learning is embedded in building a confidence that will allow children to eventually walk in two words as explained by Dhanggal Gurruwiwi from Wallaby Beach and teacher of Yonlngu Language through Charles Darwin University. She says,

... children in our communities should come from the known to the unknown, and it is also

very important that children growing up in our communities, I believe, should understand and be able to identify in who they are, so that they will be able to grow with dignity and knowing where they have come from. And also come to the stage when they are older they can cope with the expectations that we have from people from the wider community, and they will able to walk in confidence in two worlds[15]

'concerned Australians' strongly recommends that the new policy on bilingual learning be reversed and that those schools and communities that wish to embrace the two-way bilingual program be supported.

This means that DET will need to make a commitment to the full resourcing of the Two-Way Bilingual program as well as dedicating support to those teachers who will require specialist training into the future.

'concerned Australians' encourage the involvement in schools of parents in support of young children entering the system. This, and other parent involvement, is more achievable where language is valued and no longer considered a barrier to learning.

Senator Trish Crossin, a former bilingual teacher says,

Bilingual education also helps to encourage community involvement, and if parents and community understand and accept the importance of education, over which they feel they have some control, then surely involvement of the kids through better attendance will happen.[16]

We need to be reminded of the response from *The U.N. Committee on the Elimination of Racial Discrimination* (77th. Session dated 2-27 August 2010), viz.

The Committee encourages the State party to allocate adequate resources for the new national approach to preserve Indigenous languages. It recommends that the State party, in consultation with Indigenous communities, hold a national enquiry into the issue of bilingual education for Indigenous peoples. The Committee also recommends that the State party adopt all necessary measures to preserve native languages and develop and carry out programmes to revitalize indigenous languages and bilingual and intercultural education for Indigenous peoples respecting cultural identity and history. In line with the UNESCO Convention against Discrimination in Education, to which Australia is party, the Committee encourages the State party to consider providing adequate opportunities for national minorities to the use and teaching of their own language.[17]

Not only should we be concerned that we comply with our international commitments, we should also be eager to listen to our own Aboriginal residents in the NT communities, who are in the very best position to advise us on how we can better engage with the children to whom our commitment should be paramount.

[1]Declaration on the Rights of Indigenous Peoples. Article 14.1 http://www.un.org/esa/socdev/unpfii/en/drip html

[2]Yalmay Yunupingu, Open letter to Minister Marion Scrymgour regarding Bilingual education, *Walngakum Yolngu Dharuknha -To keep Indigenous Languages alive*, November 2008 http://groups.google.com.au/group/foblmail/web/yalmay-yunupingus-letter-to-minister

[3]http://www hreoc.gov.au/declaration_indigenous/declaration_full_7 html

[4] Article 30 of the Convention on the Right of the Child http://www2.ohchr.org/english/law/crc.htm

[5]Senate Debate 28 October 2009, Bilingual Education, Trish Crossin http://www.openaustralia.org/senate/?gid=2009-10-28.34.2

[6]http://www.cdu.edu.au/research/profiles/profile_devlin.

[7] Department of Education & Training (DET) http://www.det.nt.gov.au/__data/assets/pdf_file/0004/15637/CompulsoryEnglishFourHoursEachDay.pdf

[8] http://www.languageseducation.com/devlin100907_handout.pdf

[9]Northern Territory Curriculum Framework http://www.det.nt.gov.au/__data/assets/pdf_file/0016/2392/ntcf_overview.pdf

[10]Department of Education & Training (2005) (page xii) http://www.abc net.au/4corners/special_eds/20090914/language/docs/Devlin_paper.pdf

[11]http://www.openaustralia.org/senate/?gid=2009-10-28.34.2

[12]*www.right-to-education.org/node/162*

[13] http://www.unhchr.ch/tbs/doc.nsf/0/73984290dfea022b802565160056fe1c?Opendocument

[14]http://www fahcsia.gov.au/sa/indigenous/pubs/nter_reports/closing_gap_NT_jul_dec_2010/Documents/part2/Part2_NTER_dec10.pdf page 14

[15]15. Dhanggal Guruwiwi *A Further Conversation with Elders*, Melbourne University Law School Melbourne, 7th February 2011. Audio available at www.concernedaustralians.com.au

[16] http://www.openaustralia.org/senate/?gid=2009-10-28.34.2

[17] U.N. Committee for the Elimination of Racial Discrimination (77th. Session, August 2-27, 2010). Concluding Observations 21 http://www2.ohchr.org/english/bodies/cerd/cerds77 htm

Submitted by 'concerned Australians'
Contact Person: Ms. Michele Harris,
Address: PO Box 281, East Melbourne, Vic 8002
[redacted]