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Dear Committee Secretary,

I write to you regarding the future directions of the Senate inquiry into the provisions of the Social Security Legislation Amendment Bill 2011, the Stronger Futures in the Northern Territory Bill 2011 and the Stronger Futures in the Northern Territory (Consequential and Transitional Provisions) Bill 2011.

Summary

My concerns are primarily in the areas of Indigenous bi/multilingual education and the future use and health of the unique, intergenerational, Australian Aboriginal languages remaining in the Northern Territory.

Of equal concern is the collateral damage, including the crucial loss of trust, caused through Intervention actions by both the Commonwealth and Northern Territory (NT) governments. This is linked with the Aboriginal viewpoint that the Government has failed to conduct a respectful, honest and proper consultation process with NT Aboriginal communities, compounded by the faulty reporting of evaluations in the production of the Stronger Futures policy document.

History has shown that allowing the States to set and play out Indigenous policy, has ensured that Indigenous Australians today have - lower levels of good health, higher rates of incarceration in gaols, higher rates of infant mortality and a lower life expectancy than non-Indigenous Australians. This approach has also guaranteed that the majority of Aboriginal and Torres Straits Islanders in Australia no longer speak their Indigenous languages, today speaking English as their first language. We now know the devastating consequences of this loss of language and destruction of culture. Although the Australian government was entrusted by all Australians in the 1967 Referendum with law making powers for Indigenous Australians, it is doing no better than the State and NT governments and possibly, with this obtuse policy, even worse.

I was ashamed as a non-Aboriginal Australian, to find that our Australian government, in this Stronger Futures Policy discussion paper, fails to make even one mention of Aboriginal languages and Aboriginal culture. Yet the Northern Territory is the place in Australia with the strongest remaining Aboriginal connections to culture, land and language. I believe this lack of insight and cross cultural understanding continues to be at the crux of the failure of the Australian Government to positively engage with this nation's Indigenous peoples. The National Congress of Australia's First Peoples have also noted this serious omission. (Statement to the Australian Government on the Northern Territory Intervention, 2011. Point 11, p 3)

Consultation Means Listening

The Stronger Futures policy is a retreat from the Australian government policies from the late 1970 - 1980's, which were a long awaited change and were respectful towards Aboriginal culture, law, ceremonies, land, languages and notably involved a high degree of mutually satisfying and meaningful consultation. Those policies of Self-determination, including bilingual education, were enthusiastically supported and endorsed by Elders and parents in many communities in the NT.

These sentiments can still be heard in the recent Statement from Mathew Dhulumburrk and sixteen (16) fellow Elders from Ramingining (Attachment 1 p 12). This Aboriginal community is a small, remote Yolngu community on the north-east Arnhem Land coast, and yet here we have a significantly large number of Elders, who are all backing this strong statement against the second intervention. This Stronger Futures policy indicates that the Australian government is casting aside, in fact, is determinedly ignoring, the important views expressed by Yolngu Elders who have spoken in person, on paper, through the radio and through the internet. These are Elders who hold recognised authority within their clans and their community to care and speak for their country and their people in Arnhem Land. I sincerely hope that this Senate inquiry will take a more respectful view of these important Yolngu voices than the Government has so far.

In their strong statement, the Ramingining Elders, including Mathew Dhulumburrk an Elder of the Gupapuyngu clan say,

- “We don’t want another decade of discrimination here in Ramingining We will not sit back and watch these attacks on our lives, our future, our culture and our law.” (Attachment 1 p 12)

and

- “The people of Ramingining are unhappy with the consultation process and expect better from a government that is supposed to be working with them. ” (Attachment 1 p 12)

He also indicates the feelings of Aboriginal people after the relentless public demonising of them, particularly Aboriginal men, through policy and the media.

- “Many people are feeling stigmatised by this blanket policy that brands all Aboriginal people as alcoholics, irresponsible parents and child molesters.” (Attachment 1 p 12)

Mathew Dhulumburrk's views are held in common with many other Aboriginal people in the NT, who are upset, frustrated and offended at the lack of respect shown towards them by both Liberal and Labor governments. NT Indigenous people will not easily forget that the Australian government, after allowing the loss of services and the slow disintegration and decay of Indigenous communities in the NT for 30 years, could so calmly and self righteously, with the use of the Australian Defence Forces, act without consultation in removing NT Indigenous rights. As evidence of these deeply and widely held feelings, I attach the Statement delivered at the Melbourne Law School, by Elders who live right across the NT, entitled, 'To The People of Australia'. (Attachment 2 p 15)

Although the policy states, "... Government wants to hear the ideas and views of Indigenous Australians..." this document does not honestly reflect the 'ideas and views' of Aboriginal people with whom the Government claims to have already consulted in preparation of the document. In numerous consultation meetings across the NT, Aboriginal groups persistently stated their views on areas including: the re-introduction of culturally appropriate bi/multilingual education; the restoration of Community governance (town councils) to reinstate Indigenous control within Aboriginal communities; the continued support for the development of Homeland Centres; the unfairness and difficulty of compulsory income management; the expected failure and faulty reporting of the SEAM trials; and the continuation of CDEP facilitating hundreds of jobs for people to work in and for their remote communities on country.

In the Stronger Futures policy, we do not hear these Aboriginal voices. The Stronger Futures policy reads like a document written about Aboriginal people, not a document written in consultation with and including NT Aboriginal people.

Aboriginal people are talking but the government is not listening.

a) School Attendance and Educational Achievement

The Stronger Futures policy states that, “A stronger future for children means a proper education that will lead to future learning and employment.” All would generally agree, but we know, the assumption inherent in this statement is that a proper education, is an education which is taught and tested in the English language. Yet this is clearly not a proper education, particularly an early education, for Aboriginal children who speak an Aboriginal language as their mother tongue when they attend school.

Many of the policy questions concerning school attendance and educational achievement have been previously and effectively addressed through well-resourced Indigenous bi/multilingual programs. Past NT bilingual schools achieved consistently robust levels of school attendance with strong student interest and outcomes and that essential factor for success, the dependable involvement from parents and Elders, was readily and regularly given to support the culturally appropriate education of their children.

Indigenous Languages in Bi/Multilingual Education in NT

The loss of Indigenous languages has a devastating impact on Indigenous peoples, clearly seen and acknowledged all over Australia. The rich Aboriginal languages situation still existing in the NT is unique in Australia, with some languages still being intergenerational, that is still being learnt by children as their first language.

To take an example from north-east Arnhem Land, where Yolngu children who live in remote communities and Homeland Centres on their country, grow up within their traditionally oriented extended family structure, being involved in ceremonies, learning their cultural and country knowledge and importantly, speaking their Aboriginal languages as their first language. A child's first language, commonly called its mother tongue, is also called its language of learning.

These children who are immersed in and speak only their Aboriginal languages, are now forced to abandon their mother tongue and their early Indigenous understandings at the school door to learn in English when they start their formal education. Northern Territory Aboriginal parents and their children who speak some of the increasingly rare Aboriginal languages as their mother tongue, should not have to fight for the right to a well-resourced, consistently supported, high quality, culturally appropriate bi/multilingual education.

Of course, survival of Australia's remaining Indigenous languages and Indigenous education issues are entwined - to do the educationally and morally correct thing for the bi/multilingual education of children who speak an Aboriginal language, will also support and recognise these remaining languages of the land.

With this in mind, it is essential that the intervention programs proposed for those Aboriginal children younger than school age, those children who are still in their very early formative language learning stages, involve activities based around the children's Aboriginal languages and not English. Any early childhood intervention must occur within a culturally appropriate environment, which promotes the child's language through utilizing Aboriginal child rearing and teaching practices. To do otherwise is called assimilation - not stealing the actual children, just their languages and culture.

These Aboriginal children deserve the best start to their formal schooling in an environment that they know, with teachers and adults they trust and understand, who speak their language and know their culture. No one denies the fact that these children will need English in their futures but people seem to find it difficult to understand that the 'bi' in bilingual means 2 - two languages. Students will learn to read, write and speak English and this English learning will happen within bi/multilingual programs, in an appropriately timed and planned way.

This is just plain commonsense as well as an educationally sound approach that produces successful learners with strong identities, people who possess multilingual and multicultural understandings and capabilities for their, and our, shared Australian future. There are successful bi/multilingual education programs all over the world, including Canada, America, New Guinea, Botswana and the Pacific Islands and all are strongly supported by their governments as the best educational practice for their Indigenous and multilingual populations.

As a further consequence of the dismantling of Indigenous bi/multilingual education the Government has severely diminished the control of Aboriginal School Councils, has side-lined the important position of Aboriginal teachers and has driven away supportive parents and Elders from within the school system. These dismissive actions by the NT government, supported by the Australian government, fly in the face of worldwide education practice and research evidence and more importantly, is against community wishes, which all support Indigenous bi/multilingual education.

Following are some broad findings from a recent publication 'Indigenous Language Education in Remote Communities' (Fogarty W. and Kral I. 2011 p 1)

- The international research base is *clear* in determining that conceptual development in children is enhanced when students are taught in their first language.
- The research base is *clear* in showing that education of Indigenous students in their first language is a critical component of students well-being, self esteem and personal development at school.
- Indigenous communities, parents and teachers *overwhelmingly* support the teaching of Indigenous languages in Indigenous schools. In part because this is a crucial factor in the engagement of Indigenous families in education generally and leads to improved school attendance.
- There is *no evidence* that learning in an Indigenous first language has a negative effect on English language acquisition

- There is *no credible* evidence that ‘English only’ remote schools perform better than bilingual schools.
- The evidence of the benefits of Indigenous language programs for Indigenous students *overwhelmingly* supports their continuation and development.

It concerns me and many other Australians, that in denying these Indigenous children a proper education which respects, uses and incorporates their languages and cultural world view, contravenes a number of UN treaties to which Australia is a signatory, namely - the UN Convention of the Child, the UN Declaration of Human Rights and importantly the UN Declaration of the Rights of Indigenous Peoples. The right to an appropriate bi/multilingual education is particularly noted by the United Nations Declaration of the Rights of Indigenous Peoples (Article 14 Point 3) which reads,

“States shall, in conjunction with Indigenous peoples, take effective measures, in order for Indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.”

The desire for the restoration of bi/multilingual education has been a common and strong thread during consultations already held. In his radio interview, 67 year old Elder Mathew Dhulumburrk is speaking in plain English. He then repeats his message in plain Gupapuyngu, his Yolngu language - just so things are set down straight and proper. (Audio link CAAMA Radio interview 2011) Negligently, despite many years of opportunity, the NT and Australian Government representatives are yet to understand Gupapuyngu or any other Australian Indigenous language, and now also appear to be having difficulty with English!

In his statement, Mathew Dhulumburk speaks loud and clear,

“We need our bilingual education, we need more Yolngu teachers and we need Elders involved in developing curriculum. We know what our kids need but the Government is ignoring us and punishing us if we don’t do what they say.” (Attachment 1 p 12)

In response to the Stronger Futures policy questions and issues, ‘Discussion and Future Directions’ (page 12), I refer to the work of Professor Chuck Grimes, who is only one of many eminent persons on the long list of linguists and teachers, practitioners and academics, Indigenous and non-Indigenous, who support culturally appropriate, multilingual education for Indigenous children who speak their Aboriginal language as their first language. In his concise publication, ‘Indigenous Languages in Education: what the research really shows’, Professor Grimes provides answers to many of these questions and issues.

Following is a summary of some of the findings Professor Grimes supplies, sourced from research by the World Bank. (Grimes C. 2009 p 7)

Children who start their education in their own language and then transition to the national tongue will:

- Learn better;
- Stay in school longer;
- Reach higher levels of education;
- Increase their social mobility;
- Achieve higher pass rates;
- Have better acquisition of literacy skills;
- Have higher achievement levels in other subjects eg. maths;
- Be less likely to repeat a year;
- Be less likely to drop out of school;
- Experience more effective teaching methods;
- Be far more likely to better learn English (their second language).

Crucially, the use of local languages in education means greater Aboriginal content, leading to higher levels of support and engagement by the parents and Elders in their children's education, which in turn will lead the children to develop a strong sense of identity and pride in themselves, their languages and culture.

To neglect and ignore the right of Indigenous Australians to utilise their languages and culture in a quality bi/multilingual education of their children, is to continue with the historical onslaught against Aboriginal Australia. It is clearly contrary to the expressed wishes and aspirations of Aboriginal people themselves. It contravenes UN treaties and it is a direct attack on Aboriginal people who still live on country, speaking and practicing their unique Australian languages and culture.

The government and policy makers cannot avoid the question posed by Mathew Dhulumburk in the final paragraph of the Ramingining Elders Statement,

“What has happened to democracy in Australia? We don't want to have to fight against the government. We want to engage with the government, we want to take control of our lives and we want to build our future...”

(Attachment 1 p 12)

The Galiwin'ku based senior Elder, Rev Dr Djiniyini Gondarra OAM, identifies for us, in three lines, the boundaries within which we must all work together,

“Any initiative aimed at education and training must support the right of Aboriginal people to maintain their Indigenous languages, cultural practices and the capacity to live and work on country.”(Attachment 3 p 16)

Do not be mistaken - Aboriginal people think the Government actions are racist and assimilationist. I think they are too. This Stronger Futures policy requires a radical re-think on how to proceed together, with Aboriginal people as our guides.

Attachment 1

RAMINGINING ELDERS SAY NO TO THE SECOND INTERVENTION!

Today, Elders of the remote NT Aboriginal community of Ramingining are shocked and angered by last week's announcement that the fundamentally destructive measures of the intervention will be extended for another 10 years.

"We don't want another decade of discrimination here in Ramingining. The government is extending and strengthening laws designed to assimilate Aboriginal people. We will not sit back and watch these attacks on our lives, our future, our culture and our law," said Mathew Dhulumburrk, a 67 year old Gupapuyngu man.

"After 5 years, it feels like the water level has climbed up to our neck. Another ten years will bring it way over our heads. The government is drowning us slowly and wonders why twice as many of our young people are attempting suicide. There is no valid reason to discriminate against Yolngu in this way."

The people of Ramingining are unhappy with the consultation process and expect better from a government that is supposed to work with them. They know that community empowerment is vital for tackling issues in the community, but the intervention leaves their hands tied.

"In the days of self-determination, senior elders of every community were asked what we wanted to do, they would ask for our ideas. Now they just come and tell us "This is it! Non-negotiable." Only community empowerment allows us to participate effectively, but our community councils have been destroyed," said Dhulumburrk.

Many people are feeling stigmatized by this blanket policy that brands all Aboriginal people as alcoholics, irresponsible parents and child molesters.

"The government is telling the world that we can't look after our kids. This is lies! The government only looks at school attendance instead of looking at what and how our children are being taught. We need our bilingual education, we need more Yolngu teachers and we need elders involved in developing curriculum. We know

what our kids need, but the Government is ignoring us and punishing us if we don't do what they say."

"In homelands in particular, and also in our larger remote communities, Yolngu are happy and safe. The Intervention is pushing Yolngu into urban towns where they are on foreign country. CDEP wages have been cut for thousands of our people and no new jobs have been created. We watch contractors come in from outside earning top dollar, while the government tells us we must work for the dole! We could be doing a lot of that work and earning that money. This hopeless situation drives people to alcohol".

"The intervention has brought hatred. We know now for certain that the true enemy of our people is the Government and the philosophy behind this new assimilation policy. They have declared war on us, but we will fight for self-determination."

"What happened to democracy in Australia? We don't want to have to fight against government. We want to engage with government, we want to take control of our lives and we want to build our future, but these policies leave us penned like animals with nowhere to go."

Elders backing the statement:

Matthew Dhulumburrk	Gupapuyngu Clan
Dhaykuli Garrawurra	Buyulkumirr Clan
Matjarra Garrawurra	Buyulkumirr Clan
Daphne Banyawarra	Ganalbingu Clan
Barry Malibirr	Ganalbingu Clan
Shirley Nulumburpurr	Liyagalawumirr Clan
Gilbert Walkuli	Gupapuyngu Clan
Jane Miyatatawuy	Gupapuyngu Clan

Peter Gambung

Trevor Djarrakaykay

Valerie Munininy

Richard Bandalil

Yambal Dhurrurrnga

Martin Garrangunung

Doris Rangimula

Dorothy Wiliyawuy

Tommy Munyarryun

Gupapuyngu Clan

Gupapuyngu Clan

Buyulkumirr Clan

Ganalbingu Clan

Liyagalawumirr Clan

Gupapuyngu Clan

Djambarrpuyngu Clan

Djambarrpuyngu Clan

Wangurri Clan

Attachment 2

TO THE PEOPLE OF AUSTRALIA

7 FEBRUARY 2011

We are the people of the land. The land is our mother. For more than 40,000 years we have been caring for this land. We are its natural farmers.

Now, after so many years of dispossession, we find once again we are being thrust towards a new dispossession. Our pain and our fear are real. Our people are again being shamed.

Under the Intervention we lost our rights as human beings, as Australians citizens, as the First People of the Land. We feel very deeply the threat to our languages, our culture and our heritage. Through harsh changes we have had removed from us all control over our communities and our lives. Our lands have been compulsorily taken from us. We have been left with nothing.

The legislation under which we now live does not comply with international law. It is discriminatory. We are no longer equal to other Australians. We are no longer equal to you.

As people in our own land, we are shocked by the failure of democratic processes, of the failure to consult with us and of the total disregard for us as human beings. We demand the return of our rights, our freedom to live our traditional lives, support to develop our economic enterprises to develop jobs and to work towards a better future for all our peoples.

So extreme have been the actions against our people that we must appeal to all people of Australia to walk with us in true equality. Speak out and help to put an end to the nightmare that Northern Territory Aboriginal people are experiencing on a daily basis.

Rosalie Kunoth-Monks OAM, Utopia

Rev. Dr Djiniyini Gondarra OAM, Galiwin'ku

Harry Nelson, Yuendumu

Miriam Rose Ungunmeŕ-Baŕnham AM, Nauiyu

Djapirri Mununggirritj, Yirrkala

Dhanggal Gurruwiwi, Yirrkala

George Gaymarani Pascoe, Milingimbi

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Attachment 3

RESPONSE TO THE PRIME MINISTER JULIA GILLARD'S ANNOUNCEMENT OF A SECOND INTERVENTION IN THE NORTHERN TERRITORY FROM REV. DR. DJINIYINI GONDARRA 26/6/2011

The Government and the people of Australia are only able to achieve true reconciliation with Aboriginal people of the Northern Territory if the environment for negotiation is changed and justice, that was so brutally removed by the Intervention, is restored. Only through respectful dialogue and working together can we call Australia a nation based on the principles of democracy.

Future negotiations will rely upon:

1. The Aboriginal people in the 73 prescribed communities of the Northern Territory do not welcome any further consultation with the Government until it acknowledges the failures of the current Intervention.

2. The Aboriginal people of the Northern Territory will only endorse a new initiative by the Government to improve the lives of Aboriginal people if the Government first establishes a diplomatic and respectful dialogue, negotiation and relationship with the traditional lawmen and lawwomen in the communities to be affected. These are the people that are seen as the true leaders by their communities, who are charged with maintaining ceremony, language, law and order. They must be properly consulted before any new initiative can take place in their communities.

3. The name

“Intervention” and “Emergency Response” must be removed from any future initiative, which should instead focus on the goals of Education and Empowerment of Aboriginal People in the Northern Territory. It must dispel the prejudice and racial discrimination of Aboriginal people that is embedded in the Intervention, and which has created deep emotional pain and shame amongst Aboriginal people.

4. Any initiative aimed at education and training must support the right of Aboriginal people to maintain their Indigenous languages, cultural practices and the capacity to live and work on country.

5. To effectively support appropriate and beneficial development in Aboriginal communities, the Government must replace Government Business Managers with mentors that support and facilitate education, capacity-building and locally controlled development in Aboriginal communities.

This is the will of the Aboriginal people of the Northern Territory.

Released by: Rev Dr Djiniyini Gondarra OAM

Attachments

1. Statement 'Ramingining Elders say No to the Second Intervention' from Mathew Dhulumburrk and Ramingining Elders 30th November 2011.
www.indymedia.org.au/.../wgar-news-ramingining-elders-say-no-to-the-second-intervention
2. Statement from Elders across the NT entitled 'To The People of Australia'.
7th February 2011
www.concernedaustralians.com.au/Elders-Statement
3. Rev Dr Djiniyini Gondarra OAM, 'Response to the Prime Minister Julia Gillard's Announcement of a Second Intervention in the Northern Territory' 26th June 2011.
<http://www.concernedaustralians.com.au/media/MR-Dr-Djiniyini-Gondarra-Re...>

References

1. National Congress of Australia's First Peoples, *Statement to the Australian Government On The Northern Territory Intervention*, September 2011.
2. Fogarty, W. and Kral, I. (2011) *Indigenous languages education in remote communities*. Centre for Aboriginal Economic Policy Research, Topical Issue: No. 11/2011.
<http://www.anu.edu.au/caepr/>
3. Dhulumburrk, M. (29/11/2011) *Audio link to CAAMA Radio Interview with Elder from Ramingining*.
<http://caama.com.au/caama-radio-news-29-11-201>
4. Grimes, Charles E. (2009) *Indigenous Languages in Education: what the research really shows*. Australian Society for Indigenous Languages, Darwin,
5. *United Nations Declaration on the Rights of Indigenous Peoples* (2007)

About the Author

Trevor Stockley B. Ed. (Early Childhood and Aboriginal Education)

I speak Gumatj and worked 1979-1992 at Yirrkala Community and Laynhapuy Homeland schools (NT), focusing on Yolngu control, the inclusion of Yolngu knowledge in a balanced curriculum, implementing Yolngu ways of working and community-based Indigenous teacher training. I worked at Cairns TAFE as a curriculum writer and teacher for the Diploma of Indigenous Australian Language Studies. My community language revival work in north Queensland includes work as a specialist Aboriginal languages teacher and program writer for the Warrgamay and Gudjal language revival programs. I have delivered Language Awareness workshops for the Warrgamay, Djirrbal, Ngadjan, Girramay, Nyawaygi and Gudjal language groups and written accompanying Handbooks and Soundbooks'. I am a contributing author (Chapter 8) to the recent publication "RE-AWAKENING LANGUAGES Theory and practice in the revitalisation of Australia's Indigenous languages".