

Statement by Brian Wyatt, National Native Title Council - Expert Mechanism on the Rights of Indigenous Peoples, July 2011,

Agenda Item 3: Follow-up to thematic studies and advices

Thank you Mr Chairman.

This Statement is provided on behalf of the National Native Title Council, ... and the Indigenous Peoples Network of Australia.

A background paper has been prepared that raises issues about Aboriginal and Torres Strait Islander people's access to education in Australia. A copy of that paper will be tabled for the members of the Expert Mechanism.

Mr Chairman, as well as the issues raised in the briefing paper, there are a number of key issues that we wish to bring to your attention.

Under its current "Closing the Gap" policy, Australia has implemented multiple initiatives that aim to improve the education of Indigenous Australians including the National Action Plan for Indigenous Education and the National Indigenous Reform Agreement.

These are positive steps towards improving the education of Indigenous Australians, however, we draw attention to the Declaration on Rights of Indigenous Peoples as it relates to Education. In particular we draw attention to Articles 3, 11, 13, 14 and 18

These relate to:

- Self Determination
- The importance of Culture, Cultural Traditions and Cultural Property
- Education
- Decision Making

Firstly, we are concerned by the lack of involvement of Indigenous Australians in the creation and implementation of government initiatives aimed at improving our education and there is a lack of genuine partnership between the Australian Government and the Indigenous community in terms of providing quality education to Indigenous Australians.

For example, there has been minimal engagement of Aboriginal and Torres Strait Islander people's in the formation of the National Indigenous Reform Agreement. This approach has seen the marginalisation of Indigenous Australians from the education of our children and is a barrier to improving education outcomes.

Similarly, the Indigenous community has little, if any, autonomy over our education and it has been suggested that in the current political environment, schools do not have the ability to create a safe environment for Indigenous children. This failure to educate our children has a profound impact on the full enjoyment and exercise of Indigenous rights in Australia.

Mr Chairman, Australian education policies neglect Indigenous culture within the education system. An example of this can be seen in current government policy which mandates the first four hours of the school day in the Northern Territory be conducted in English. As school days in the territory are usually comprised of 5.3 hours, this policy has decreased bilingualism in Northern Territory and studies show that it increases student disengagement.

Although the Australian Curriculum, Assessment and Reporting Authority (ACARA) has made efforts to consult with Indigenous Australians when developing the new Australian curriculum, again this process has been fraught with criticisms of lack of proper engagement.

In Australia there is no overarching framework to include both Indigenous perspectives for the education of Indigenous students, nor is there adequate Indigenous perspectives in the subjects relating to Indigenous peoples, our histories and cultures in cross-curriculum areas for all Australian children.

Access to education, a key tenet of the Declaration, is a continual problem for Indigenous Australians. Studies show that Indigenous students at a secondary school level, or those living in remote and rural areas, are becoming disengaged from the school system. A key issue leading to this disengagement is the knowledge gap in terms of attendance figures for Indigenous Australians, which hinders efforts of Indigenous rights group to address the issue of Indigenous engagement with the education systems.

We recommend the Expert Mechanism on the Rights of Indigenous Peoples advise the Human Rights Council to urge States:

- **Develop an engagement strategy with Indigenous peoples to improve education outcomes for Indigenous peoples in line with Articles 3, 11, 13, 14 and 18 of the UN Declaration on the Rights of Indigenous Peoples**
- **To support and adequately resource independent Indigenous advisory mechanisms in order to see the representation of Indigenous views in the education system.**
- **including Australia to confirm and commit to implement improvements to the education of Indigenous peoples**

Thank you.