

## ISSUES PAPER: CALL FOR SUBMISSIONS ON EDUCATION - SCHOOLING

### INTRODUCTION

The Yoorrook Justice Commission (Yoorrook) is investigating systemic injustice experienced by First Peoples in relation to education in the school system from Foundation (Prep) through to Year 12.

Inequity for First Peoples is stark across the education system in Victoria. Disparate and unequal treatment began with colonisation. Displacement and dispossession, the corralling of First Peoples on missions and reserves, and the laws that separated families meant that substandard and limited education options have long been the norm for First Peoples. The educational system in Victoria has also been a mechanism of assimilation and disruption of identity, language and culture.

International human rights instruments recognise and protect First Peoples' education rights. These include the International Covenant on Economic, Social and Cultural Rights; the Convention on the Rights of the Child; and the United Nations Declaration on the Rights of Indigenous Peoples. Education rights under these frameworks have not always been upheld in Victoria.

The goals of Yoorrook's inquiry into the Victorian education system are to:

- record past and contemporary educational injustices against First Peoples
- identify the source and breadth of these injustices across the education sector
- identify the causes and consequences of those injustices
- improve State accountability to prevent continuance or recurrence
- identify pathways to remediation.

Yoorrook is calling for submissions from individuals and organisations to assist this schooling investigation. Submissions should be made via the Yoorrook website by **8 February 2024**.

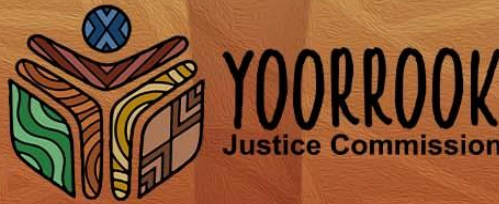
### ABOUT YOORROOK

Yoorrook is the first formal truth-telling process into historical and ongoing injustice experienced by First Peoples in Victoria since colonisation. Guided by its values and principles, Yoorrook is:

- establishing an official record of the impact of colonisation on First Peoples in Victoria
- developing a shared understanding among all Victorians of the impact of colonisation, as well as the diversity, strength and resilience of First Peoples' cultures
- recommending immediate legislative and policy changes as well as reforms that may be implemented through the treaty making process.

Yoorrook is independent of government. It has been established as a Royal Commission under the *Inquiries Act 2014*.

Yoorrook's goals are to achieve truth, understanding and transformation in Victoria. [Yoorrook's Letters Patent](#) sets out its mandate in detail. Yoorrook is due to complete its work in June 2025.



Yoorrook was designed and is led and guided by First Peoples.

## **YOORROOK IS INVESTIGATING SYSTEMIC INJUSTICE IN THE SCHOOL SYSTEM**

Yoorrook is scheduled to deliver its final reform report in December 2024. In addition to other issues, this report will include evidence, findings, and recommendations about systemic injustice in the school system.

Yoorrook has published a separate Issues Paper and call for submissions for Yoorrook's inquiry into systemic injustice in the [tertiary education system](#).

## **CALL FOR SUBMISSIONS**

Yoorrook calls for submissions from individuals and organisations who have lived experience and expertise in school education, including:

- First Peoples students or former students and their families
- First Peoples teachers or former teachers
- First Peoples organisations and groups, including Traditional Owner groups
- current and former staff of organisations and agencies working in education (schooling level)
- advocates and legal representatives
- non-government organisations or entities
- service providers
- academics and researchers, and
- current or former staff in government or government agencies.

Submissions responding to this Issues Paper should be made no later than **8 February 2024** to allow time to analyse submissions and to inform hearings and other inquiry processes that Yoorrook will undertake for its report. Submissions received after this date will continue to inform Yoorrook's ongoing inquiry and official public record.

Yoorrook will publish the submissions it receives on its website, with the consent of the person or organisation making the submission. Yoorrook will not make a submission public without the consent of the person or organisation making the submission. Yoorrook will accept anonymous submissions. Yoorrook reserves the right to choose not to publish all or part of a submission if it considers it inappropriate to do so.

## **THE FOCUS OF YOORROOK'S INQUIRY**

Previous reviews, policies and Indigenous education frameworks including those initiated by the Victorian Government, indicate that a lack of cultural safety for First Peoples students and education staff continue to impact and limit education justice for First Peoples in Victoria. This

is manifested through structural and individual racism, marginalisation and other impediments that deny First Peoples students the educational opportunities that other students enjoy.

Despite the tireless work of many First Peoples individuals and organisations and their historical and continued advocacy, barriers to educational justice remain. Yoorrook acknowledges previous work and will not duplicate the many inquiries that have already been undertaken in this area. Rather, Yoorrook will build on this work, drawing on its unique perspective as a First Peoples led inquiry.

Yoorrook will highlight the experiences of First Peoples in the education system and identify and build shared understanding around the causes of systemic injustice for First Peoples in schooling. Yoorrook will develop recommendations for change.

Yoorrook invites submissions addressing the historical and ongoing systemic injustice experienced by First Peoples in the school system and how these systemic injustices contribute to the disparities in educational outcomes for Aboriginal students.

Yoorrook wants to hear experiences of schooling and how it may intersect with the following themes:

- cultural identity and wellbeing of students, including self-esteem, and future prospects
- cultural safety in schools for students and families
- position of First Peoples' knowledge, language and culture within the curriculum
- employment of First Peoples within the school system
- challenges and barriers to accessing quality education
- school engagement with First Peoples families, communities and Elders
- adequacy of resourcing and support provided within schools
- adequacy of State, school, and principal accountability for First Peoples' education access, participation, and outcomes
- prospects for self-determination within the school system
- the importance of historical and ongoing advocacy by First Peoples for change in tertiary education

Building on those themes, Yoorrook has identified relevant key issues including:

- racism and cultural safety for First Peoples students, education staff and families
- funding adequacy and accountability for its distribution and expenditure
- implementation, oversight and accountability for Individual Education Plans (IEPs) and Student Support Groups (SSG)
- intersections of disadvantage, for example where a First Peoples student also has a disability
- experiences when there are very small numbers of First Peoples students in a school
- gaps between policy and practice under the Marrung Aboriginal Education Plan 2016-2026
- examples of effective engagement and cultural safety at a school level

- processes around and responses to rates of attendance and absenteeism
- the use of suspensions and expulsions, including 'informal' suspensions
- student, families, and staff complaints mechanisms and outcomes
- curriculum successes and failures in teaching First Peoples' perspectives, histories and experiences, including teacher competency and commitment
- decision making authority, hierarchy and structure of the First Peoples education workforce, including carrying the cultural burden for the school.

The priority themes and key issues identified above are intended to guide your submission. You may respond to any or all of these issues or raise others. You may attach relevant submissions or research you have provided to other inquiries or reform processes.

In addition to submissions on these priority themes and key issues, Yoorrook welcomes:

- case studies demonstrating examples of good practice, innovative approaches or successful models that could be adopted or expanded upon to improve the educational experiences of First Peoples students
- consideration of what self-determination within the school system might look like now and into the future
- suggested systemic changes needed to remedy educational injustices in the school system and ensure State and school accountability to prevent their continuance or recurrence.

### **WHAT YOORROOK WILL NOT DO**

Yoorrook cannot overturn or change decisions of courts or tribunals or make findings about whether those decisions were correct or not. However, Yoorrook can inquire into First Peoples' experience of these processes and whether they cause or contribute to systemic injustice and may make recommendations for processes or systems changes to ensure this injustice does not continue.

### **HOW TO MAKE YOUR SUBMISSION**

To make your submission please click [here for individuals](#) and [here for organisations, agencies or other entities](#).

Submissions should be made by **8 February 2024**.

For queries about this issues paper or making a submission please contact [enquiries@yoorrook.org.au](mailto:enquiries@yoorrook.org.au) or 1800 YOO RRK (1800 966 775)