

ISSUES PAPER: CALL FOR SUBMISSIONS ON TERTIARY EDUCATION

INTRODUCTION

The Yoorrook Justice Commission (Yoorrook) is investigating systemic injustice experienced by First Peoples in the tertiary education system.

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.

Everyone knows the benefits of tertiary education. Gaining a vocational or academic qualification can set First Peoples on a pathway to a higher income and from that better housing, health and wellbeing. It can help to break down barriers to previously unattainable professional positions within the mainstream workforce. It is also critical for making sure Victoria has credentialed and skilled First Peoples workers for First Peoples organisations and other entities, as well as government.

Yet, large gaps remain in participation, retention and outcomes for First Peoples students at the undergraduate and post-graduate level in comparison to their non-Indigenous peers. These gaps extend to the numbers, positioning, tenure and seniority of First Peoples staff within TAFEs and universities. There is longstanding disregard of Indigenous knowledge systems within tertiary research and teaching.

Historically, major universities benefitted from the taking of First Peoples' land as sites for their institutions. They were also involved in stealing and keeping human remains and other abhorrent practices. This colonial legacy has not been extinguished and tertiary education can still be a place of exclusion for many First Peoples students and staff.

The goals of Yoorrook's inquiry into the tertiary education system in Victoria are to:

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

Yoorrook is calling for submissions from individuals and organisations to assist this tertiary education 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 TERTIARY EDUCATION 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 tertiary education. This report will include evidence, findings and recommendations about systemic injustice in relation to land, sky, waters and resources. It will also report on and make recommendations regarding school education, health and housing.

Yoorrook has published a separate Issues Paper and call for submissions for Yoorrook's inquiry into systemic injustice in the Schooling system (Foundation to Year 12), available at <https://yoorrookjusticecommission.org.au/issues-papers/>.

CALL FOR SUBMISSIONS

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

- First Peoples university or TAFE students or former students
- First Peoples university or TAFE teaching staff
- First Peoples Organisations and groups, including Traditional Owner groups
- universities and TAFEs
- tertiary education staff advocates, legal representatives and trade unions
- non-government organisations
- academics and researchers; and
- current or former staff in government or government agencies relating to tertiary education.

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

Addressing Indigenous higher education inequities has been a decades long objective of state and federal governments. Yet, despite this and the historical and continued advocacy of many First Peoples individuals and organisations, barriers to education 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 tertiary education and identify and build shared understanding around the causes of systemic injustice for First Peoples in this system. Yoorrook will develop recommendations for change.

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

Yoorrook wants to hear experiences of tertiary education (both university and TAFE education) and how it may intersect with the following themes:

- cultural identity and safety for First Peoples students and staff, including carrying a cultural load on behalf of the institution
- challenges and barriers to accessing quality tertiary education
- barriers to completing tertiary education
- the adequacy of tertiary courses to equip non-Indigenous people to work effectively with First Peoples, families and children in key professions (e.g. health, nursing, policing, justice, social work, child protection, law, medicine and teaching)
- adequacy of State and institutional accountability for First Peoples' access, participation, and educational outcomes
- position of First Peoples' knowledge, language and culture in teaching
- racism and cultural safety of First Peoples students and staff, including complaints mechanisms, processes and outcomes
- adequacy of resourcing and support provided to First Peoples students and to Indigenous Student Support Centres
- transparency and accountability of institutions for First Peoples student related funding including the Indigenous Student Success Program (ISSP)
- employment of First Peoples and opportunities for leadership positions with tertiary education institutions

- the importance of historical and ongoing advocacy by First Peoples for change in tertiary education
- historical collection, storage, transfer and repatriation processes of ancestral remains, sacred objects and cultural artefacts
- current or planned truth-telling processes within tertiary institutions
- prospects for self-determination within tertiary education.

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

- adequacy of existing Victorian legislation to ensure university accountability for cultural safety, access and outcomes for First Peoples students and staff
- transparency, accountability and oversight of implementation of University Indigenous Strategic Plans
- First Peoples' participation in governance, including at University Council and Senate levels
- tertiary institution engagement with local First Peoples communities, Traditional Owners and Elders
- benefits and opportunities of the Toorong Marnong Higher Education Accord.

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.

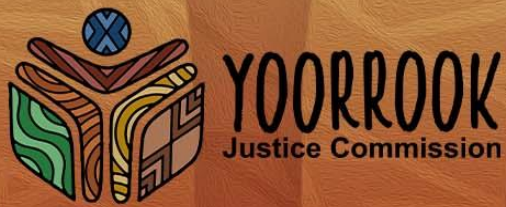
In addition to submissions on these priority themes and key issues, Yoorrook welcomes:

- case studies demonstrating examples of good practice, innovative approaches or successful models that could be adopted or expanded upon to improve tertiary education for First Peoples students and staff
- consideration of what self-determination within the tertiary education system might look like now and into the future
- suggested systemic changes needed to remedy injustice in tertiary education systems and ensure State and institutional 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 or 1800 YOO RRK (1800 966 775)