

***NEW SOUTH WALES
ABORIGINAL LANGUAGES POLICY***

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NSW ABORIGINAL LANGUAGES POLICY

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NSW ABORIGINAL LANGUAGES POLICY

1. INTRODUCTION

Aboriginal Languages in NSW

Before European colonisation, at least seventy Aboriginal¹ languages and dialects (also referred to as ‘traditional’ or ‘ancestral’ languages) were spoken in the area now known as NSW. These languages, complex in structure and rich in vocabulary, are an essential aspect of Aboriginal Culture.

However, to Aboriginal people, language is much more than just words. It is a direct link to land and country. It holds traditional songs and stories. It is about spirituality and deep meaning, and it reflects unique cultural concepts and ways of looking at the world. As Auntie Rose Fernando, a Gamilaroi Elder, said:

‘Language is our Soul’²

As such, language plays a vital role in sustaining a person’s sense of self and cultural identity:

‘It made me feel good when I got up and made a speech [in Gamilaraay, prepared by Yeena Thompson] and all the Elders came up to me and told me how good it made them feel and made them cry’.³

Australian history is increasingly thought of as a site of multiple stories. These stories do not displace the central importance of colonisation within Australian history narratives, nor do they challenge how fundamentally disruptive colonisation has been for Aboriginal people.⁴

The impact of colonisation in 1788 led to the forced removal of Aboriginal people from ancestral lands and the loss of freedom and autonomy. Assimilation policies, dislocation, the forced removal of Aboriginal children and the breaking up of families weakened the links of cultural transmission. Language speakers were discouraged, shamed and forbidden to use or teach traditional languages. As a result, Aboriginal languages and cultures suffered enormous erosion.

¹ In this document, the term ‘Aboriginal’ refers specifically to the Aboriginal people of NSW. ‘Indigenous’ and ‘Aboriginal and Torres Strait Islander’ are used interchangeably to refer to the Aboriginal and Torres Strait Islander people of Australia.

² This quote by Auntie Rose Fernando was originally cited in the NSW Aboriginal Languages Interim Framework K-10 (NSW Office of the Board of Studies 1998).

³ This quote by Carol Barker (1999) was originally cited in *Strong Language Strong Culture* (Hosking et al. 2000).

⁴ See Manne, R (ed). *Whitewash: On Keith Windschuttle's Fabrication of Aboriginal History* (Black Inc, 2003), Macintyre, S and A. Clark (eds) *The History Wars* (Melbourne University Press, 2003) and Attwood, B and S. Foster (eds). *Frontier Conflict: The Australian Experience* (National Museum of Australia, 2003).

Today, many traditional languages in NSW have fallen into disuse and others have speakers of varying fluency, from knowing a few words, to being relatively fluent. However, despite the generally declining use of Aboriginal languages and the significant impact of colonisation, there is no such thing as a 'dead' or 'extinct' language in NSW. Given adequate resources, Aboriginal languages can be revived, but it is critical to act quickly as the remaining speakers are few and rapidly disappearing.

The NSW Aboriginal Languages Policy (the Policy) will assist Aboriginal people and communities across NSW to revitalise traditional languages by utilising and building on existing knowledge, and encouraging the structural changes necessary, to implement language projects where so desired.

The Need for a NSW Aboriginal Languages Policy

Half of the world's 6800 languages are likely to vanish within two generations. In NSW, the situation is particularly critical as most remaining speakers are elderly, and in most cases, there is little or no language transmission to younger generations.

The need for this Policy arises from:

- the importance placed by Aboriginal people on the revitalisation of traditional languages⁵ and to be able to continue to access these languages
- the uniqueness of Aboriginal languages, and the fact that these languages are presently at crisis point and may disappear unless appropriate and timely action is taken
- the role of both Federal *and* State Governments to assist Aboriginal people to preserve traditional languages, both as a fundamental part of Aboriginal Culture and as a unique aspect of the Australian heritage
- the need for greater support to aid in the preservation of NSW Aboriginal languages
- the general lack of public awareness about NSW Aboriginal languages and
- the need for increased coordination between language revitalisation programs both within State Government and between Federal and State Governments.

The Foundations of the Policy

This Policy is supported by:

1. The recognition that Australia is a signatory to a number of human rights instruments which recognise the protection and promotion of language.

⁵ In this document, 'language revitalisation' is used in its generic sense, and covers activities such as language reclamation, revival, renewal, maintenance and awareness, unless specific reference is made to these activities.

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2. The acknowledgment through official policy which the Commonwealth, States and Territories are signatories to, that Aboriginal and Torres Strait Islander languages should be maintained; and
 3. Current Government and community programs in NSW that promote the revitalisation of Aboriginal languages.

Refer to Appendix A for further detail.

The Process of Policy Development

- The last ten to twenty years have seen an increase in interest by Aboriginal people and communities for the revitalisation of traditional languages. The many community-initiated projects, and the ongoing work of community members together with linguists, have laid the foundation for a broader language revitalisation policy in NSW.
- The NSW Aboriginal Languages Policy has been developed by the Department of Aboriginal Affairs (DAA), in close collaboration with the Department of Education and Training (DET) and the Office of the Board of Studies (OBOS). In developing the Policy, DAA has also worked closely with the Aboriginal and Torres Strait Islander Commission (ATSIC) and the Aboriginal Education Consultative Group (AECG).
- In addition, DAA has negotiated with the following organisations/people: NSW Aboriginal Land Council (NSWALC); Federation of Aboriginal and Torres Strait Islander Languages (FATSIL); the Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS); NSW Catholic Education Commission (CEC); and Aboriginal people and Elders involved in language revitalisation projects across NSW.
- Based on this negotiation, as well as considerable existing information, a Draft Policy was prepared and reviewed by the NSW Aboriginal Languages Forum⁶, a forum convened by the DAA, to discuss Aboriginal language programs and initiatives across NSW.
- In September 2002, the Draft Policy was publicly released for comment by Aboriginal people and communities across NSW. As part of this process, DAA held nine (9) regional forums across the State. Feedback was also collected through surveys, email and phone.
- This final draft document is a direct result of the comments received from Aboriginal people and communities across the State.

Recent Policy Initiatives

The importance of language maintenance is reflected in two major policy documents in NSW.

⁶ The NSW Aboriginal Languages Forum is an advisory forum convened by the DAA, and includes membership from the OBOS, DET, AECG, ATSIC, NSWALC, CEC, AIATSIS and FATSIL, as well as a number of Aboriginal Elders from NSW Aboriginal communities actively involved in the implementation of language maintenance programs.

The *NSW Aboriginal Education Policy*, rewritten in 1996, advocates that 'Aboriginal languages be maintained, revived and reclaimed'.

This is reinforced by the *NSW Government Statement of Commitment to Aboriginal People*, which states that 'Language is an important component of cultural heritage and identity ... the importance of learning Aboriginal languages is recognised as a vital part of Aboriginal students' experience'.

In recent years, State commitment to Aboriginal languages has resulted in the development of a number of initiatives by NSW government agencies. For example, in 1998, the NSW Office of the Board of Studies (OBOS) released the *NSW Aboriginal Languages Interim Framework K-10*, a document designed to support the teaching of Aboriginal languages in schools. Following on from this document, the OBOS has developed a formal Aboriginal languages syllabus which has been recently endorsed. This work is being conducted in close partnership with Aboriginal people and relevant organisations.

In addition, the DET has prepared a consultation paper *Towards the Development of a New TAFE NSW Certificate III in Teaching Skills: Aboriginal Languages*. The aim of this paper is to generate stakeholder feedback on the development of a TAFE NSW course designed to provide participants with the skills and knowledge required to teach Aboriginal languages.

2. PURPOSE OF THE POLICY

The broad purpose of the NSW Aboriginal Languages Policy is to assist Aboriginal people and communities across NSW to revitalise traditional languages, as a fundamental part of Aboriginal Culture and as a unique component of the Australian heritage.

The Policy provides a framework for language revitalisation in NSW but does not outline a commitment to additional resources.

3. PRINCIPLES FOR THE POLICY

The following basic principles underpin the NSW Aboriginal Languages Policy:

Importance to Aboriginal people to revitalise and maintain traditional languages

The NSW Government recognises the significance to Aboriginal people of revitalising and maintaining their traditional languages, as an integral part of Aboriginal Culture. Language revitalisation and maintenance are fundamental components in achieving social justice for Aboriginal people in NSW.

Commitment of the NSW Government to assist language revitalisation activities

The revitalisation of Aboriginal languages is a complex process, which necessitates appropriate knowledge, skills, resources and long-term commitment.

In recognising the importance of language to Aboriginal people in NSW and its unique status within the Australian heritage, the NSW Government supports the assistance of Aboriginal people to revitalise and maintain traditional languages through both existing and new initiatives.

Recognition of community languages

The NSW Government recognises that Aboriginal people have a clear sense of ownership of their language.

Recognition of the diversity of Aboriginal communities

Aboriginal people and communities operate under a diversity of socio-cultural circumstances that play a key role in determining which type of language program is appropriate to a given community. For example, some communities are in a position to implement fairly advanced language programs, while others may be at the very initial stages of language revitalisation. Moreover, due to the historical dislocation of Aboriginal people from traditional lands, many communities comprise individuals from a diversity of traditional languages and dialects.

The NSW Government recognises the diversity of needs present in Aboriginal communities, and acknowledges that the relevant traditional language group must retain control over the type of language program implemented, its scope and contents.

Commitment to Aboriginal participation in all decision-making

The NSW Government acknowledges the importance of, and encourages the involvement of Aboriginal people in all decision-making processes relating to the design and implementation of language policies and programs in NSW.

Commitment to self-determination

The NSW Government is committed to promoting the principles of self-determination by implementing language policies and programs which enable the development of knowledge, skills and leadership within Aboriginal communities.

Commitment to better coordination of services

The NSW Government is committed to achieving improved coordination of services as they relate to language revitalisation, both within State Government and between State Government, federal Government, Local Government and relevant non-governmental organisations.

4. FOCUS AREAS

The Policy has the following focus areas:

- Language programs in Aboriginal communities
- Language programs in the educational system⁷

⁷ In this document, 'the educational system' includes pre-schools, primary schools, high schools – both government and non-government, TAFE's, universities and any other relevant educational institutions.

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- Language programs in gaols and detention centres
 - Aboriginal languages in the broader community

5. GOALS

In each of the above focus areas, where resources allow and other priorities have been met, the goals of this Policy are:

- **Language programs in Aboriginal communities**

That Aboriginal communities wishing to implement local language revitalisation programs be supported to do so.

- **Language programs in the educational system**

That Aboriginal students in NSW have an increased opportunity to learn their Aboriginal language of origin or another language, as determined by the local Aboriginal community.

- **Language programs in gaols and detention centres**

That Aboriginal people, including Aboriginal youths, in gaols and detention centres have an increased opportunity to learn their Aboriginal language of origin or another language as determined by the local Aboriginal community.

- **Aboriginal languages in the broader community**

That the NSW population have an understanding and appreciation of Aboriginal languages as an integral part of Aboriginal Culture and the Australian heritage.

This is a cross-agency Policy, and as such, making progress towards these goals is the responsibility of all State Government agencies. However, some agencies (referred to as 'primary agencies') are identified as holding primary responsibility. These are:

- The NSW Department of Aboriginal Affairs;
- The NSW Office of the Board of Studies;
- The NSW Department of Education and Training; and
- The NSW Department of Corrective Services.

In working towards the goals of this Policy, the primary agencies will work in close partnership with ATSIC, FATSIL, NSWALC, AECG, AIATSIS and other relevant Aboriginal organisations, as well as other Government agencies including, but not restricted to, Attorney General's Department, the Department of Juvenile Justice and the Department of Environment and Conservation.

The primary agencies will also ensure that Aboriginal people and local Aboriginal communities are actively involved in all decision-making processes relating to the implementation of this Policy.

6. OBJECTIVES

This section outlines specific objectives under each Policy goal. Programs and activities to achieve the objectives will only be developed and offered where resources allow and other priorities have been met (see Section 7- Policy Implementation).

- Language programs in Aboriginal communities

That Aboriginal communities wishing to implement local language revitalisation programs be empowered to do so.

Objectives:

- **To enable Aboriginal people and communities to have access to available language revitalisation and technical expertise, in particular linguistic, educational and/or other technical expertise, as required to develop and implement local language revitalisation community programs.**
- **To enable Aboriginal people and communities have facilitated access to linguistic archives and materials relating to their traditional language group(s) where available.**
- **To enable Aboriginal people's access to training in the field of language revitalisation through a coordinated approach that ensures efficient use of resources.**
- **To encourage research into aspects of language revitalisation that is relevant to NSW Aboriginal people.**
- **To enable Aboriginal people direct input into the allocation of resources so as to directly benefit from research and programs.**
- **To enable local and regional language centres across the state to play a key role in the development of local language protocols.**

- Language programs in the educational system

That Aboriginal students in NSW have an increased opportunity to learn their Aboriginal language of origin or another language, as determined by the local Aboriginal community.

Objectives:

- **Where Aboriginal language programs are developed in state educational institutions they must be based on the key underlying principle that the members of a particular traditional language group**

have ownership of that language and its associated teaching programs. Therefore, relevant members of the language group whose language is proposed to be taught will negotiate with educational institutions regarding:

- When language should be taught;
 - Who should teach language;
 - Who should be taught language; and
 - How language should be taught (ie which teaching methods are culturally appropriate).
- To ensure that educational institutions proposing to teach Aboriginal languages obtain prior approval from the traditional language group whose country the language will be taught on.
 - To recognise Aboriginal language taught in NSW primary and high schools as a subject for which a formal language curriculum will be developed and implemented where so desired and in partnership with Aboriginal people.
 - To ensure that all staff including principals will actively support Aboriginal language programs where these are supported or desired by the local Aboriginal community where resources permit.
 - To ensure that Aboriginal language speakers who deliver courses within education systems/institutions are fully recognised by these authorities for their language and cultural expertise.
 - To provide support to Aboriginal people employed as language teachers in NSW schools and provide access to and encourage the pursuit of, professional development opportunities.

- Language programs in gaols and detention centres

That Aboriginal people, including Aboriginal youths, in gaols and detention centres have an increased opportunity to learn their Aboriginal language of origin or another language as determined by the local Aboriginal community.

Objectives:

- To support increased access of Aboriginal people in gaols and detention centres to Aboriginal language programs for their language of origin where possible, and where this has been approved by both the traditional language group whose language is proposed to be taught, and the traditional language group whose country the gaol or detention centre is located on. Where the relevant language program cannot be accessed, Aboriginal people in gaols and detention centres may have the opportunity to learn another language as determined by the traditional language group whose country the gaol or detention centre is located on.

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- **To support access to language materials and resources relevant to the range of NSW Aboriginal languages if no language program can be accessed.**
 - **To ensure that Aboriginal language speakers teaching an Aboriginal language in gaols and/or detention centres have prior endorsement of the traditional language group whose language they are teaching.**

- Aboriginal languages in the broader community

That the NSW population have an understanding and appreciation of Aboriginal languages as an integral part of Aboriginal Culture and the Australian heritage.

Objective:

- **To ensure that NSW Government staff and the broader NSW population will achieve a greater understanding and appreciation of the significance of Aboriginal languages both to Aboriginal people and as an integral part of the Australian heritage.**

7. POLICY IMPLEMENTATION

The implementation of the NSW Aboriginal Languages Policy will occur in two stages.

Stage 1 Development of a NSW Aboriginal Languages Strategic Plan

In Year 1 of the Policy, the primary agencies will lead the development of a comprehensive NSW Aboriginal Languages Strategic Plan.

The Plan will be developed recognising that languages services will only be developed and offered where resources allow and other priorities have been met. To ensure this, the primary agencies will undertake a review of priorities and resources in the early stages of the process and prior to consultation.

The Strategic Plan will outline:

- appropriate programs and strategies to achieve the goals and objectives outlined in this Policy;
- the appropriate level and source of funding required to implement programs and strategies; and
- appropriate performance indicators, to monitor the effectiveness of programs and strategies.

In preparing the Strategic Plan, the primary agencies will actively liaise and negotiate with relevant NSW Government agencies, Commonwealth agencies and Local Government.

The primary agencies will also negotiate with ATSIC Regional Councils, NSWALC, AECG and AIATSI, as well as other members of the NSW Aboriginal Languages Forum.

Thirdly, the primary agencies will ensure that Aboriginal people and local Aboriginal communities are actively involved in all decision-making processes relating to the preparation of the Strategic Plan.

Stage 2 Implementation of the Strategic Plan

Once the NSW Aboriginal Languages Strategic Plan has been finalised, all agencies identified in the Strategic Plan will be required to report progress in its implementation.

Monitoring, reporting and review are an integral part of the NSW Aboriginal Languages Policy, and will comprise the following components:

- ongoing monitoring of program effectiveness and impact through the use of relevant quantitative as well as qualitative performance indicators;
- yearly agency assessment of programs and strategies being implemented, outcomes achieved and implications for the future; and
- yearly reporting through each primary agency's Annual Report⁸.

The above information will be collated by the DAA, for consideration by the NSW Aboriginal Languages Forum.

At the end of Year 5 (2007), a report summarising the impact of the NSW Aboriginal Languages Policy and its Strategic Plan will be prepared by the DAA. This report will inform the Policy for the next five years (2008-2012).

The NSW Aboriginal Languages Policy will also inform the new Aboriginal Affairs Plan *Two Ways Together*, through its cluster group action plans. *Two Ways Together* is a ten year plan that establishes ways to make sure that Aboriginal people have a strong voice in planning and deciding how their needs are met and has a strong focus on whole of Government coordination. One of the key features of *Two Ways Together* is that government agencies will work in a coordinated approach through the development of action plans in seven identified cluster group areas.

8. REFERENCES

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⁸ This is an administrative requirement.

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Appendix A Foundations of the Policy

International

Internationally, Australia is a signatory to a number of human rights instruments which recognise the protection and promotion of language as a fundamental human right.

The 1948 *Universal Declaration of Human Rights* (UDHR) and the 1966 *International Covenant on Economic, Social and Cultural Rights* (ICESCR) recognise the right of all people to participate in the cultural life of their community⁹. Moreover, it is recognised that it is not sufficient for signatory Governments to simply ensure legal equality. There is also an obligation to take positive steps towards achieving substantive equality. There is a direct link between the vitality of a culture and the preservation and use of its language. Thus, in order for Aboriginal people to participate fully in their cultural life, access to traditional languages is imperative.

The recognition of access to one's language as a fundamental human right is also emphasized in the 1989 *Convention on the Rights of the Child*¹⁰ and the 1992 *Declaration on the Rights of Persons Belonging to National or Ethnic, Religious or Linguistic Minorities*¹¹. The latter of these instruments also places a positive duty on States to encourage conditions for the promotion of the linguistic identity of minorities¹². International human rights instruments therefore require positive action on the part of governments to ensure the maintenance of language and culture.

Federal

Support for the maintenance of Aboriginal and Torres Strait Islander languages has been official Commonwealth policy since the release of the Federal Government's 1987 *National Policy on Languages*. More recently, the report of the *Royal Commission into Aboriginal Deaths in Custody* (1991) and the *Bringing Them Home* report (1997) both highlighted the importance of the preservation of traditional languages for the well-being of Aboriginal people.

In 1989, the Commonwealth, States and Territories jointly released the *National Aboriginal and Torres Strait Islander Education Policy* (AEP), a statement on the future of education policies and programs for Aboriginal and Torres Strait Islander people. The AEP requires the development of 'programs to support the maintenance and continued use of Aboriginal and Torres Strait Islander Languages'.

In 1991, the *Australian Language and Literacy Policy* (ALLP) proposed a number of objectives regarding Aboriginal languages:

⁹ UDHR Article 27

ICESCR Article 15

¹⁰ Convention on the Rights of the Child Article 30

¹¹ Declaration of the Rights of Persons Belonging to National or Ethnic, Religious or Linguistic Minorities Article 2

¹² Declaration of the Rights of Persons Belonging to National or Ethnic, Religious or Linguistic Minorities Article 1

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- To establish long-term planning in Aboriginal language issues that fully involves Aboriginal people.
 - To support the implementation of high quality Aboriginal language programs appropriate to the needs of the communities, in negotiation with Aboriginal communities.
 - To increase the supply and quality of teachers of Aboriginal languages and to ensure more effective learning.
 - To provide professional development for Aboriginal people involved in language maintenance and development programs.

In the years following, several reports reinforced the objectives of the ALLP. In 1992, the report of an inquiry by the Standing Committee on Aboriginal and Torres Strait Islander Affairs, *Language and Culture - A Matter of Survival*, emphasized:

- the need to encourage linguistic training for Aboriginal and Torres Strait Islander people through appropriate training institutions and traineeship programs;
- the need to encourage State and Territory Governments together with unions and Aboriginal and Torres Strait Islander representatives to develop an appropriate pay scale for Aboriginal and Torres Strait Islander language speakers employed as such, to reflect the special skills they possess.

In 1996, a report commissioned by the Australian Language and Literacy Council, *The Land Still Speaks*, recommended that:

- Commonwealth and State funding in support of Indigenous language maintenance and development be maintained or increased as an important component of a total justice package for Indigenous people.
- State and Commonwealth education authorities recognise the indispensable language and culture expertise of Aboriginal and Torres Strait Islander language speakers as valid for the purposes of employment within teaching and curriculum development teams.
- State education authorities ensure that teachers and principals in schools in Aboriginal and Torres Strait Islander communities actively support language and culture programs (where these are supported or desired by the local Indigenous community) and the 'Aboriginalisation' of decision-making and control.
- State education authorities recognise Indigenous language and culture as a core subject to be developed and taught by, or under the control of local community elders in schools in communities with a significant Indigenous population.

In 2000, a report commissioned by the Aboriginal and Torres Strait Islander Commission (ATSIC), *Strong Language Strong Culture*, recognised that traditional languages in NSW have been chronically under funded and under-resourced. *Strong Language Strong Culture* strongly advocated increased funding and resources for NSW languages as fundamental to the long-term revitalisation of Aboriginal languages in this State.

NSW

The importance of language maintenance as outlined in relevant Federal policies is reflected in two major policy documents in NSW.

The *NSW Aboriginal Education Policy*, rewritten in 1996, advocates that 'Aboriginal languages be maintained, revived and reclaimed'.

This is reinforced by the *NSW Government Statement of Commitment to Aboriginal People*, which states that 'Language is an important component of cultural heritage and identity ... the importance of learning Aboriginal languages is recognised as a vital part of Aboriginal students' experience'.

In recent years, State commitment to Aboriginal languages has resulted in the development by NSW government agencies of a number of initiatives. For example, in 1998, the NSW Office of the Board of Studies (OBOS) released the *NSW Aboriginal Languages Interim Framework K-10*, a document designed to support the teaching of Aboriginal languages in schools. Following on from this document, the OBOS has developed a formal Aboriginal languages syllabus which has been recently endorsed. This work is being conducted in close partnership with Aboriginal people and relevant organisations.

The NSW Department of Education and Training (DET) funds Aboriginal language programs in a number of NSW schools. In addition, the DET has prepared a consultation paper *Towards the Development of a New TAFE NSW Certificate III in Teaching Skills: Aboriginal Languages*. The aim of this paper is to generate stakeholder feedback on the development of a TAFE NSW course designed to provide participants with the skills and knowledge required to teach Aboriginal languages.

Through its Major Grants Program, the NSW Department of Aboriginal Affairs (DAA) has funded a number of language revitalisation projects. Between 1998 and 2000, the Major Grants Program allocated \$80,000 to language projects in NSW.

In 2002-2003, the NSW Government committed a total of \$279,000 to the establishment of a NSW Aboriginal Languages Resource and Research Centre (the Centre), with \$1.019 Million allocated to this initiative over four years. The Centre will support local community language projects by providing ongoing technical advice, training and research assistance to Aboriginal people, to revitalise and preserve traditional languages.

Finally, the Geographical Names Board of NSW has released a *Dual Naming Policy and Draft Guidelines*. Recognising the fact that both European and Aboriginal names reflect the history, culture and identity of NSW, this document enables the use of alternative Aboriginal names to physical and environmental features which already have an official name.

These State initiatives parallel considerable and ongoing activity by Aboriginal communities to implement local language revitalisation programs.

The Draft NSW Aboriginal Languages Policy builds on both State initiatives, as well as local and regional community language programs.