



Minutes of Evidence Coranderrk Curriculum & Teacher Resource Package

Three Year 10 CCE activities inspired by the history of Coranderrk

'give us this ground and let us manage here ourselves ... and no one over us ... we will show the country we can work it and make it pay and I know it will'.

Letter by William Barak to the Coranderrk Inquiry. Cited in (Marcard, 1969)

<http://adb.anu.edu.au/biography/barak-william-2930>

The following three teaching ideas have been created to explore the themes and concepts related to the Coranderrk story - a rich part of Australia's democratic heritage. Each teaching idea has been designed for students to examine this significant moment in Indigenous Australian history in ways that allow them to make connections to the civic values of our present day and important aspects of our legal institutions.

NOTE: While all three of these teaching ideas were originally written for the Australian Curriculum: Civics and Citizenship Education. (Australian Curriculum Assessment and Reporting Authority: ACARA, n.d.-b), they all have close links with the equivalent Victorian Curriculum.

Broadly, Civics and Citizenship Education (CCE) focuses on teaching students about the shared values that help to make our communities function cohesively and productively. These include the qualities of being tolerant, respectful, responsible and inclusive. Key values and attitudes that: “are necessary for effective, informed and reflective participation in Australia's democracy” (Education Services Australia: ESA, n.d.-a)

Through CCE, students actively explore the relationships between citizenship and identity, developing knowledge and understanding of Australia's major political and legal institutions. (Australian Curriculum Assessment and Reporting Authority: ACARA, n.d.-b)

CCE also seeks to develop “a range of general skills and capabilities, including an appreciation of diverse perspectives, empathy, collaboration, negotiation, self-awareness and intercultural understanding” (Henderson, n.d.)

All three activities have been designed to focus on how individuals and groups can influence civic life, recognising the unique experiences and contributions of Aboriginal and Torres Strait Islander Peoples to contemporary Australian life. (Australian Curriculum Assessment and Reporting Authority: ACARA, n.d.-b)

Sourced with reference to:

<http://www.australiancurriculum.edu.au/humanitiesandsocialsciences/civicsandcitizenship/Rationale>

At Year 10 these activities follow the framework for developing students' civics and citizenship knowledge, understanding and skills provided by the overarching **key question**: (Australian Curriculum Assessment and Reporting Authority: ACARA, n.d.-c)

What are the features of a resilient democracy?

NOTE: this links with the Victorian Curriculum: Civics and Citizenship

Discuss challenges to and ways of sustaining a resilient democracy and cohesive society (**VCCCC036**)

This series of three teaching ideas will be explore the following important themes:

- Loss of land and the concept of Terra Nullius
- Australian obligations with respect to international conventions
- The value of democratic dissent in the pursuit of justice

(Australian Curriculum Assessment and Reporting Authority: ACARA, n.d.-c)

Organisation of the teaching ideas

Each of the three teaching ideas have been developed so that they can be taught either as a larger unit of work, or individually as a one-off activity in a civics and citizenship program. Writers have tried to keep the nature of these teaching ideas suggestive so that teachers can modify and adapt the material to their own needs.

All three teaching ideas make extensive use of carefully guided questions to encourage the students to think about the complexities of civics and citizenship issues. Summary background information has been provided to help teachers to understand the content, as well as links to further quality information and materials for educators to follow up at their own discretion.

Skills

Following the skills outlined in the Australian Curriculum (Australian Curriculum Assessment and Reporting Authority: ACARA, n.d.-c).

Students will be able to:

- evaluate a range of questions to investigate Australia's political and legal systems
- critically analyse information gathered from different sources for relevance, reliability and omission
- evaluate different interpretations and points of view on civics and citizenship issues
- take account of multiple perspectives and ambiguities
- use democratic processes, and negotiate solutions to an issue
- develop and present evidenced-based arguments
- use appropriate texts and subject-specific language and concepts

(Australian Curriculum Assessment and Reporting Authority: ACARA, n.d.-c)

Teaching Idea 1

'We will show the country' - Coranderrk and the Mabo decision

'We will show the country' is a line from a formal petition written by the Kulin inhabitants of Coranderrk in 1881 asserting their right to live free from the obtrusion of white colonial control. The Coranderrk Inquiry represented one of the first occasions on which Indigenous people attempted to use the legal systems to achieve recognition of their land rights. Significantly, Aboriginal witnesses were able to give testimony about the conditions of their own lives. In the process of learning about the history of Coranderrk, students will be inspired to examine broader questions about the basic democratic rights of Indigenous Australia and the nature of native title in Australia. In this activity, students explore the parallels between Coranderrk and the landmark Mabo judgment. The passion and determination of the members of Coranderrk to seek political recognition share many similarities to the land rights campaigner Eddie Mabo, whose courage and persistence helped to lead to the 1992 Mabo decision in which the Australian High Court formally recognized indigenous Australians' traditional connection to the land.

Both examples centre on a struggle to recognise the long and unbroken connection with the land, and the right to self-determination. The Coranderrk Inquiry was an early assertion by Indigenous Australians of their rights against the largely paternalistic attitudes of the white colonialists who did not recognise their right to control their own lives. More than one hundred years later, the Mabo decision finally ended the concept of Terra Nullius. Terra Nullius was a legal determination that did not recognise Indigenous ownership of Australian land prior colonial settlement.

This activity idea will address the following Civics and Citizenship Knowledge and Understanding content description:

Laws and Citizens

The role of the High Court, including in interpreting the Constitution
ACHCK092

It supports the following Australian Curriculum Elaborations

- exploring an example of a High Court judgment in interpreting and applying Australian law, such as the Mabo decision
- examining the jurisdiction of the High Court

(Australian Curriculum Assessment and Reporting Authority: ACARA, n.d.-c)

NOTE: this links with the Victorian Curriculum: Civics and Citizenship

Describe the key features of Australia's court system, including jurisdictions and how courts apply and interpret the law, resolve disputes and make law through judgments, and describe the role of the High Court in interpreting the Constitution (**VCCCL033**)

The aim of this activity is for students to:

- Learn about the function of the Australia's High Court.
- Make connections between the role of Coranderrk and the Mabo decision in the broader history of land rights of Indigenous Australians.

This activity introduces the theme of dispossession and the concept of rights from a legal perspective.

'Dispossession'

Begin a discussion on native title and the role of the High Court by relating the concept of dispossession to the personal experience of the students.

To set the scene, as a whole class ask students to respond to the following hypothetical scenario:

If someone asked you to move from your home, how would you respond? What rights would you have? Where are these rights found?

Students could role-play the scenario and act out their responses.

- *How would you feel?*
- *What does dispossession mean to you?*

Discuss the concept of dispossession.

This focusing activity is about guiding the students to think as broadly as possible about the concepts of possession and dispossession. Focus should be placed on helping the students to empathise with the loss and the sense of injustice about an external force removing something of significance. Ask students to respond with definitions that are meaningful to their own lives. Make a point of discussing who has the position of power in this act of dispossession. Ask students to reflect on why some people or groups might have less power to defend themselves.

As this is an exercise that involves reflective and affective skills, getting all students equally involved is sometimes difficult. One method of getting personal responses from all students could be to use graffiti sheets. This involves placing large sheets around the classroom with a key word or phrase in the middle of the paper as stimulus. Students then move around the classroom and respond to the ideas on each sheet. The paper builds up what looks like layers of graffiti as more students write down their thoughts. With the whole class, discuss the responses to find points of consensus and interesting personal observations. This activity allows students to engage in a contemplative yet collaborative manner.

Another teaching strategy for this activity might be to use visual aids such as brainstorming. Record student responses on the board or an interactive whiteboard.

After the initial exercise, ask students to consider the broader implications of the hypothetical.

- *How are rights defined in our society?*
- *If rights are disputed, where and how are they disputed?*
- *What is the highest level that a right can be disputed?*

Supporting background information

The United Nations defines Human rights as:

“inherent to all human beings, whatever our nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status. We are all equally entitled to our human rights without discrimination. These rights are all interrelated, interdependent and indivisible. Universal human rights are often expressed and guaranteed by law, in the forms of treaties, customary international law, general principles and other sources of international law.” (UNHCR, n.d.)

Sourced from:

<http://www.ohchr.org/en/issues/pages/whatarehumanrights.aspx>

It is important to remember that Australia does not have an official bill of rights such the United States of America. (Parliamentary Education Office, n.d.) The preceding questions in the first part of this activity are designed to assess the understandings of your students and gauge their comprehension level. Concepts concerning laws and legal rights have been covered in previous years of Civics and Citizenship Education so it is important to assess students ' prior knowledge.

Background Information: What is a constitution?

A constitution is a series of guiding rules that creates the framework by which a country is governed.

As well as Australia, countries that have formal written constitutions include the United States and India. The United Kingdom and New Zealand are examples of countries that do not have formal constitutions. Instead, the frameworks for national powers are defined by a number of important statutes, laws, and legal conventions. The procedure to change the national constitution depends on the country you are in.

The Australian Constitution

The Australian Constitution is a series of guiding principles by which Australia is governed. It was ratified through a series of referendums across the country and came into effect on 1st January 1901. The Australian Constitution outlines the function and composition of the federal Parliament. It also defines the different responsibilities of Federal and State governments, as well as the differences between Executive Government and the High Court. The Constitution is a legal framework, and can only be modified by a general referendum.

When it was written, the Australian constitution did not recognise Indigenous Australian as being equal members of Australian society. These activities explore how much this has changed. (Parliamentary Education Office, n.d.)

Sourced from:

<http://www.peo.gov.au/learning/closer-look/the-australian-constitution.html>

Background information on the Mabo Decision

The Mabo High Court decision represented a major shift of legal opinion in Australia about the legal rights of Indigenous Australians. It officially recognised the long and deep connection between Indigenous Australians and the land. In recognising native title it ended the concept of Terra Nullius, which effectively meant that the land that belonged to no one (or at least was not being habited in a manner that reflected 'effective' use of the land). Terra Nullius did not recognise Indigenous custodianship of Australia prior to colonial settlement, consequently allowing all the land to be claimed by the British crown under British law. The Mabo ruling meant that native title - Indigenous property rights - co-exist with common law.

The Mabo Discussion Paper provides a useful summary:

The High Court of Australia Decided in Mabo v Queensland that the Meriam people were entitled as against the rest of the world to the possession, occupation, use and enjoyment of (most of) the land of the Murray Islands in the Torres Strait. In reaching this conclusion a majority of Court held that the common law of Australia recognises a form of native title: where those people have maintained their connection with the land; and where the title has not been extinguished by acts of Imperial, Colonial, State, Territory or Commonwealth governments.

As cited in (NSW Department of Education and Communities, n.d.)

Historical timeline

1770 Captain Cook claims Eastern Australia for the British Crown.

1879 Eddie Mabo's ancestral homeland - the group of islands known as the Murray Islands - was annexed by the Queensland Government

1970s Queensland Government attempts to lay claim over the land of the local inhabitants of Mer (Murray Island).

1982 Mabo and several other residents of the Island of Mer make a claim against the Queensland Government under the concept of 'native title' – traditional ownership of the land.

1985 Queensland Government passes the Coast Islands Declaratory Act extinguishing native title and all claims for compensation for loss of land.

1992 The High Court of Australia ruled that the 1985 Queensland Act was invalid because it contravened the Commonwealth Racial Discrimination Act of 1975. (NSW Department of Education and Communities, n.d.)

To understand the Mabo decision, it is important to examine the concept of Native Title. Native Title is the legal recognition that a group of people has a traditional connection to a particular area of land. What is not commonly understood is that Native Title is not a new legal definition, but a concept that already existed in British Law for hundreds of years prior to when Captain Cook claimed ownership of Australia for the British Crown in 1770.

Unlike other British colonies such as in North America, Africa and New Zealand, Australia was declared to be 'Terra Nullius'. This reflected the ignorance of white explorers and colonists and their inability to recognise that Indigenous Australians had formalised structures of society and that the land was used by Aboriginal people in diverse, sustainable, and productive ways.

The concept of Native Title hinges on the difference between sovereignty and land ownership. Sovereignty means to have control over a land and its people, but does not infer the right of ownership. Recognising Native Title meant that the crown had control over, but did not own the land.

The Mabo decision takes its name from Eddie Koiki Mabo, a lands right activist who campaigned for the ownership of his property on Mer (Murray Island) to be legally recognised by the Queensland government. Mabo's campaign was in response to the Queensland Government attempts to claim ownership over the land in the late 1970s.

In 1985 the Queensland Government legislated to extinguish all claims of native title over the land on Mer Island. Years of legal battles followed. With the support of constitutional lawyers, Mabo was able to take the case before the High Court.

In 1992, the full bench of the High Court made a decision 6 to 1 that recognised Native Title existed prior to colonial settlement and could co-exist with common law. This provided the legal authority for Indigenous groups to make claims of ownership over their traditional lands that were not being purposefully used by the Crown. Sadly, Mabo died five months before the landmark High Court ruling that vindicated his life's work as an activist.

In the wake of the Mabo decision, the Keating government introduced the Native Title Act in 1993. This defined how, and in what manner, native title claims could be made by Indigenous Australians. (Kildea, 1998; NSW Department of Education and Communities, n.d.)

Supported by reference to
Mabo Study Guide

http://www.curriculumsupport.education.nsw.gov.au/secondary/hsie/aboriginal6/assets/pdf/Abo_256Ab_Mabo_Study_Guide.pdf

Native Title a simple guide

<http://hrca.org.au/hrca-projects-and-resources/national/indigenous-human-rights/>

PART 1 - Mabo

In this phase students will explore the Mabo High Court decision guided by a series of key focusing questions.

Divide students into smaller groups and ask them to research information using the following focusing questions:

- What is Native Title?
- What did the High Court decide?
- What has been the impact of the decision?

It is suggested that the students create one of the following responses.

Wiki

Create a wiki using key focusing questions as titles to help structure responses. Students could work in small groups collating and editing information.

Annotated Film

Create a short annotated film using images and voice-overs. Multiple students could record their responses to the focusing questions.

Panel Discussion

Film a panel discussion with an interviewer putting key questions to members of a discussion panel. This could be either performed using a script or recorded as spontaneous responses that have been supported by conscientious research.

Guide students to refine their understanding of the Mabo decision by asking more targeted and detailed questions. These questions could be discussed as a whole class in short sessions in-between exploration and research activities.

Here is a list of detailed questions for students to examine; these have been sourced and adapted (Education Services Australia: ESA, n.d.-b)

- How did Eddie Mabo and his supporters use the courts to change the law?
- Why was the High Court decision important?
- How did the High Court decision change the law?
- Why did the Parliament need to make a law about the same thing?

Further information for teachers to support this activity can be found at websites listed in the resources section.

Part 2 - Coranderrk Petitions and Mabo

Background information

Numerous petitions were written at Coranderrk. In most of these William Barak was the principal signatory. (van Toorn, 2006)

This activity will be focusing on the 1875 and the 1881 petitions.

1875 Petition sent to the Victorian colonial government

The Coranderrk residents sent a petition to the chief secretary saying they were willing to 'live and die here [Coranderrk]'. An extract of this can be accessed online through Scootle (Petition from the people of Coranderrk Reserve, 1875, extract, Learning Resource R8226)

1881 Petition to the Coranderrk inquiry, 'We will show the country'

The 1881 petition was the final collective submission to the inquiry calling for John Green to be reinstated as the manager of the station and for the Board to be relieved of its management. The submission promised to 'show the country' that the station could succeed. (Nanni, 2013, p. 172)

As a whole class, read the two petitions and guide students to recognise how the intention of these letters parallels Eddie Mabo's struggles for land rights.

Use the following questions to help promote discussion:

- *How did Barak and Mabo use non-Indigenous legal structures to support their cause?*
- *What were some of the difficulties they faced?*

These questions will help students make connections between the two historical figures and how they both demonstrated, in the face of great adversity, great persistence in the pursuit of legal and political recognition for their people.

In both examples, non-Indigenous Australians provided support and voiced dissent from powerful political interests.

Part 3 - Reimagining Coranderrk – Conduct a hypothetical

What would have happened if...

For a concluding exercise, as a whole class, respond as a group to the open-ended question, “*What would have happened if the Mabo decision had existed in 1881? That is, if Native title had been recognised, what might have happened to the Coranderrk station?*”

Brainstorm a hypothetical re-imagined Coranderrk as if laws recognising Indigenous ownership of land existed in 1881.

Use these questions to stimulate discussion.

- What would this have meant to the Indigenous inhabitants?
- How would different groups of people have reacted to this situation?

Create a matrix

Listing in one column

- Indigenous members of Coranderrk
- Local farmers and Landowners
- Government officials

List in a row

- Reaction as recorded by history
- Reaction in alternative history

This is an open-ended activity that should attempt to explore the issue of land rights from multiple perspectives. Students should be encouraged to explain the reasoning behind their hypothetical responses using the knowledge they have gained in their research.

One of the purposes of this activity is to compare the society that existed in 1881 with modern day Victoria/Australia. The objective of this exercise is to encourage students to think about the idea of social change and see society as an evolving entity rather than one that is static. Alternative scenarios allow students to ask ‘what if?’ This type of cognitive thinking process can lead students to rethinking the present, and importantly, re-imagining the possibilities of the future.

Useful RESOURCES to support Teaching idea 1

- http://www.filmaust.com.au/programs/teachers_notes/4021mabonativetitlerev.pdf
These are some useful teacher notes outlining background information on the Mabo decision, including a timeline and some basic factual information about the case.
- <http://www.curriculumsupport.education.nsw.gov.au/secondary/hsie/aboriginal6/assets/pdf/mabostudguide.pdf>
This is educational material that supports the Film, *Mabo – Life of an Island Man*. There is a short summary of Mabo's life and his part in the High Court's Mabo decision.
- <http://www.hrca.org.au/wp-content/uploads/2008/05/native-title-a-simple-guide.pdf>
This is an excellent outline of the legal implications of Mabo, it also includes information on the Wik decision and the 1997 Howard Government amendments to the Native Title Act.
- http://hsc.csu.edu.au/ab_studies/part2/land/aboriginality_and_land/alrights.html
This is useful resource on the Land Rights movement and recognition of native title, designed for use by secondary students.
- http://www.nfsa.gov.au/digitallearning/mabo/thecase_13.shtml
This is a short video clip explaining the broad details of the Mabo Number One case.
- <http://www.mabonativetitle.com/>
Mabo - The Native Title Revolution examines the Mabo legal case and the related issues about land rights. It provides a student friendly resource on the life of Eddie "Koiki" Mabo, and Torres Strait Islander culture. This website makes extensive use of video clips, photos from primary and secondary sources.

High Court

<http://www.hcourt.gov.au/about/high-court-documentary>

This is a 12-minute introductory video about the Australian High Court and its important function in Australian Law.

Below is a link to a timeline of Indigenous history and the Coranderrk Mission.

www.abc.net.au/missionvoices/general/timeline/default.htm

Teaching Idea 2

Coranderrk and Australia's commitments to international treaties

Article 1.

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood. (United Nations, 1948)

For students, learning about the history of Coranderrk has the potential to open up many questions about Australia's legal obligations to Aboriginal and Torres Strait Islander Peoples as well as the broader issues of formalised human rights and the law. In this activity students will be asked to examine some of the international conventions that Australia has agreed to. Specifically, it will look at the UN Declaration on the Rights of Indigenous Peoples. (United Nations, n.d.)

The purpose of this activity is to encourage student debate on civic and citizenship issues using higher order thinking skills. See the end section for notes on teaching strategies for civics and citizenship education. These notes include information about facilitating group discussion of controversial topics.

What curriculum standards does this activity address?

This teacher idea has been designed to complement the Australian Curriculum: Civics and Citizenship, year 10 (Australian Curriculum Assessment and Reporting Authority: ACARA, n.d.-c). It addresses the following Civics and Citizenship Knowledge and Understanding content description.

Laws and Citizens

The ways Australia's international legal obligations shape Australian law and government policies, including in relation to Aboriginal and Torres Strait Islander Peoples (ACHCK093)

NOTE: this links with the Victorian Curriculum: Civics and Citizenship

Explain how Australia's international legal obligations shape Australian law and government policies, including in relation to Aboriginal and Torres Strait Islander peoples ([VCCCL032](#))

In this teaching activity students will research:

- Australia's International commitments to Indigenous rights.
- The UN Declaration on the Rights of Indigenous Peoples (United Nations, 2008)

Discrimination

As a whole class, discuss the term 'discrimination'. As a way of creating meaningful and authentic definitions, ask students to use examples they may have encountered in their own lives.

As a whole class, introduce the topic of international treaties by using the following framing questions to prompt discussion.

- What are rights?
- Does Australia have a bill of rights?
- What is a treaty?
- What organisational bodies make international treaties?

Background information:

What are rights?

Rights are a set of expectations and entitlements that are supported by either legal or ethical convention. Rights are contentious. The issue of what should be a right and how this should be codified is continually in debate. In our society some commonly recognised rights are: the right to vote and the right to be tried before a court of law.

According to the United Nations, Human Rights are rights inherent to all human beings and are equally entitled without discrimination.

Rights are sometimes codified into law in a bill of rights. Countries that have a bill of rights include Canada, the United States, and France. Currently, Australia does not have a formal bill of rights, which includes a codified right to free speech. (Parliamentary Education Office, n.d.)

In reflecting on rights, it is important to remember that up until the 1960s, Indigenous Australians did not have the right to choose a marriage partner, be legally responsible for their own children, and to freely move about the state. (National Museum Australia)

Key sources

National Museum Australia: Collaborating for Indigenous rights

<http://indigenoustrights.net.au/subsection.asp?ssID=13>

OHCHR What are Human Rights?

<http://www.ohchr.org/EN/Issues/Pages/WhatareHumanRights.aspx>

International Treaties

In the aftermath of World War II, the international community sought to codify what was deemed to be a shared set of basic rights for all humans. Australia, along with many other countries, has signed a number of different conventions outlining basic humanitarian principles on issues ranging from human rights to racial discrimination. While a declaration is not legally binding, it is considered a moral obligation. The effectiveness of treaties in shaping the actions of sovereign governments is part of an ongoing debate over the nature of international conventions. By becoming a signatory to an international treaty, governments are obliged to respect the rights and conditions of the treaty. This means they must accept responsibility to make their domestic legislation align with their treaty obligations and duties. (United Nations)

Key Sources

http://www.un.org/en/documents/udhr/hr_law.shtml

Ask the students to examine following International agreement on the **United Nations Declaration on the Rights of Indigenous Peoples (United Nations, 2008)**

<http://www.humanrights.gov.au/publications/un-declaration-rights-indigenous-peoples-1>

Ask students to identify whether or not there are any articles in the declaration that would have been contravened by the treatment of the Indigenous inhabitants of Coranderrk.

In particular, teachers may want examine as a whole class the following articles:

United Nations Declaration on the Rights of Indigenous Peoples (United Nations, 2008)

Article 32

1. Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources.
2. States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.
3. States shall provide effective mechanisms for just and fair redress for any such activities, and appropriate measures shall be taken to mitigate adverse environmental, economic, social, cultural or spiritual impact.

Article 33

1. Indigenous peoples have the right to determine their own identity or membership in accordance with their customs and traditions. This does not impair the right of indigenous individuals to obtain citizenship of the States in which they live.
2. Indigenous peoples have the right to determine the structures and to select the membership of their institutions in accordance with their own procedures.

Article 34

Indigenous peoples have the right to promote, develop and maintain their institutional structures and their distinctive customs, spirituality, traditions, procedures, practices and, in the cases where they exist, juridical systems or customs, in accordance with international human rights standards.

Article 35

Indigenous peoples have the right to determine the responsibilities of individuals to their communities.

Sourced from the Australian Human Rights Commission.

<http://www.humanrights.gov.au/publications/un-declaration-rights-indigenous-peoples-1>

Read the testament of Phinnimore Jackson found in the book *Coranderrk, We will show the country* by Giordano Nanni and Andrea James. (p.136- 41), or watch the relevant scene of the play via FUSE.

How does the treatment of Phinnimore Jackson relate to the rights of the child?

Ask students to compare Jackson's story to the **United Nations Declaration on the Rights of Indigenous Peoples. (United Nations, 2008)**

Alternatively, to scaffold the activity for students with differing literacy abilities, direct them to examine the following document on the United Nations convention on the rights of the child written in child friendly language. In particular, emphasise that they look at the preamble and Article 30 on the rights of Indigenous children.

UN convention on the rights of the child in child friendly language (UNICEF)

"Rights" are things every child should have or be able to do. All children have the same rights. These rights are listed in the UN Convention on the Rights of the Child. Almost every country has agreed to these rights. All the rights are connected to each other, and all are equally important. Sometimes, we have to think about rights in terms of what is the best for children in a situation, and what is critical to life and protection from harm. As you grow, you have more responsibility to make choices and exercise your rights.

Article 30

You have the right to practice your own culture, language and religion - or any you choose. Minority and indigenous groups need special protection of this right.

Sourced from the UNICEF website:

<http://www.unicef.org/rightsite/files/uncrcchildfriendlylanguage.pdf>

Focusing questions to expand the discussion:

- How have Indigenous rights changed since the Coranderrk inquiry?
- Why were decisions made for the Indigenous inhabitants of Coranderrk?
- How were these 'custodians' appointed to positions of power?

Extension activities:

As a whole group pose the hypothetical question: Had Australia been a signatory to these rights in 1881, would the Coranderrk history been different? How? In what ways?

Supporting activities:

Have the whole class create a timeline of key Indigenous Rights events and issues. Depending on the level of the class being taught, some students may respond to more concrete examples to help build their knowledge. To create an engaging concrete teaching aid, have the students make the timeline on a large physical scale, such as the length of the class or a hallway corridor. This will aid the students to visualise the vastly longer Indigenous history in comparison to colonial non-Indigenous history.

RESOURCES for activity 2

The following is a list of resources that can be accessed by both students and teachers.

The Department of Immigration has a list of rights.

<https://www.humanrights.gov.au/human-rights-explained-fact-sheet-5the-international-bill-rights>

This is a link to a Fact sheet on The International Bill of Rights created by the Australian Human rights commission. It has downloadable versions in Word and PDF format.

<http://www.un.org/en/documents/udhr/>

This website, created by The United Nations, includes a full version of The Universal Declaration of Human Rights adopted by the UN General Assembly on 10 December 1948.

United Nations Declaration on the rights of Indigenous Peoples

<https://www.humanrights.gov.au/un-declaration-rights-indigenous-peoples>

Teaching Idea 3 - Values and identity

Summary:

Learning about Civics and Citizenship in Australia involves reflecting on the nature of Australian identity, understanding both its diversity and shared common values. “Values” can be described as a shared set of beliefs that shape the way we behave, informing many of the choices we make in our lives. Defining what are important shared ‘values’ involves careful and active discussion. The purpose of this activity is to reflect on the courage and resilience shown by the Indigenous members of Coranderrk community and its non-Indigenous supporters.

The aim of this activity is to:

- Investigate values that enable a democratic society to be sustained
- Reflect on how the actions of past individuals can inspire contemporary Australian values.

In this activity students will examine the leading figures involved in the Coranderrk story through the lens of a civics and citizenship perspective.

Specifically, it will compare the personal qualities displayed by these figures in relation to the concept of ‘sustaining a resilient democracy and creating a cohesive Australian society’. (Australian Curriculum Assessment and Reporting Authority: ACARA, n.d.-c) In this activity, students will examine and debate how the actions of important figures in Coranderrk history show qualities that reflect key values deemed important to contemporary Australian society.

The purpose of this activity is to promote discussion and debate. The teaching emphasis should be on engaging students in higher order thinking that generates open-ended answers, creating a learning experience that allows constructive reasoned debate through carefully guided collective discussion.

Key learning

This activity is designed for Year 10. The ideas will address the following Civics and Citizenship Knowledge and Understanding content description:

Citizenship, diversity and identity

The challenges to and ways of sustaining a resilient democracy and cohesive society (ACHCK094)

NOTE: this links with the Victorian Curriculum: Civics and Citizenship

Discuss challenges to and ways of sustaining a resilient democracy and cohesive society (VCCCC036)

It will also address a range of following Civics and Citizenship Skills including the following:

Identify, gather and sort information and ideas from a range of sources and reference as appropriate (ACHCS096)

Values:

'Values and attitudes relate to affect – the feeling component of human behaviour – but they are not separate from thinking' (Marsh, 2008)

It is important to remember that 'values' education is a contested area, and there are differing points of view about what is considered important. Many values reflect their origin in historical religious and political traditions and are consequently highly sensitive.

Values can be described as beliefs we hold to be important that guide us in our decision-making. Values are both implicitly and explicitly expressed in our thoughts and actions. Values are the ideas and concepts that shape what we consider significant and frame the goals and attainments we seek.

Values are held on a personal level, as well as various scales of collective groupings from families, to schools and sporting groups, even to nation states.

Some deeply held values might endure over a lifetime or even for centuries. However, it must be recognised that values also change, sometimes gradually and sometimes suddenly through a traumatic event or experience.

Arguably, what is considered to be acceptable behaviour in a community changes over time. For example, social conventions such as gender roles, working conditions, and voting rights have significantly changed over the last century. (Marsh, 2008)

The changing values of Australian society can be seen in the way that Indigenous people were only recognised and accorded the rights of other Australian citizens from 1967.

‘What are values?’

As an introductory activity, introduce the concept of collectively shared values by asking the students to identify groups that share common values. The students may be familiar with formally written values such as a school code of conduct for rules for fair play in sport.

Discuss as a whole class:

- What does it mean to share a set of common values?
- Who defines those values?
- Do the values of a community change over time?

Exploring Values

In the next phase of this activity students will be exploring the *National Framework: Nine Values for Australian schooling*. (Australian Government)

The following link is for the ‘Nine Values for Australian schooling’ poster http://www.valueseducation.edu.au/verve/_resources/9_point_values_with_flag_only.pdf

National Framework: Nine Values for Australian Schooling

The Nine Values for Australian Schooling were identified for the National Framework for Values Education in Australian Schools. They emerged from Australian school communities and the National Goals for Schooling in the Twenty-First Century. Many schools will have a poster displaying the nine values on their walls.

The Nine values are:

Care and Compassion

Care for self and others

Integrity

Act in accordance with principles of moral and ethical conduct, ensure consistency between words and deeds

Doing Your Best

Seek to accomplish something worthy and admirable, try hard, pursue excellence

Respect

Treat others with consideration and regard, respect another person’s point of view

Fair Go

Pursue and protect the common good where all people are treated fairly for a just society

Responsibility

Be accountable for one's own actions, resolve differences in constructive, non-violent and peaceful ways, contribute to society and to civic life, take care of the environment

Freedom

Enjoy all the rights and privileges of Australian citizenship free from unnecessary interference or control, and stand up for the rights of others

Understanding, Tolerance and Inclusion

Be aware of others and their cultures, accept diversity within a democratic society, being included and including others

Honesty and Trustworthiness

Be honest, sincere and seek the truth

Class discussion:

As a whole class, discuss the meaning of each of the nine values. Prompt student to reflect on examples that they may have encountered into their own lives.

Background history of Coranderrk Inquiry

Coranderrk was established in 1863 as a reservation for the members of the Kulin people, overseen by the Board for the Protection of Aborigines. Initially, John Green successfully managed Coranderrk in partnership with the Indigenous inhabitants. As a successful working farm, Coranderrk became increasingly desirable to the neighboring pastoralists who sought to acquire more profitable land for their farms. Increasing pressure came for the property to be sold. Green's support of the Aboriginal inhabitants in the face of increasing animosity and resentment from opponents led to his removal from the post of manager. After a series of poor replacements, the members of Coranderrk began to protest to the Board for the protection of the Aboriginal peoples' management of the station. In 1881 there was a formal inquiry into the living conditions of the Coranderrk station. A key member of the Board included Ann Bon, a successful pastoralist and philanthropist who was a vocal supporter of Indigenous people. (State Library of Victoria)

In small groups, ask students to conduct research into the key figures connected to Coranderrk in relation to one or more of the nine listed values.

Some guided questions to initiate student research are:

- How did Simon Wonga's actions show the value of Integrity and a Fair Go?
- How did William Barak's actions show the value of Responsibility?
- How did Ann Bon's actions reflect the values of Understanding, Tolerance and inclusion?
- How did John Green's actions reflect the values of Respect and a Care and Compassion?

Here is a brief character summary along with are some further supporting links to autobiographic information:

Background notes:

Simon Wonga

Simon Wonga (1824-1874) was an elder figure of the Kulin clan. Wonga carefully and diplomatically campaigned the Victorian colonial government to set aside land for his people. Famously, he arrived in the middle of a government reception to present a gift to Queen Victoria's representative and request a grant of land. Wonga's actions were finally rewarded with the government setting aside land for an Aboriginal reserve. (Nanni, 2013; State Library of Victoria)

<http://ergo.slv.vic.gov.au/explore-history/fight-rights/indigenous-rights/simon-wonga>

John Green

John Green was Coranderrk's first manager and worked sympathetically with Indigenous leaders to build housing and plant hops, wheat and vegetables at the station. Unlike others at the time, he showed respect and tolerance for the rights and customs of Indigenous Australians living on Coranderrk. He was later removed from his position by the governing board. (Nanni, 2013)

William Barak

William Barak was the traditional ngurungaeta (elder) of the Wurundjeri-willam and a leading Aboriginal figure in nineteenth century Victoria. Barak settled in Coranderrk around 1863. With the aid of non-Indigenous supporters, Barak petitioned and lobbied the Victorian government over issues of self-determination and the right to live and work at the Coranderrk property. This included the inquiry of 1881. (Marcard, 1969)

Sourced from <http://adb.anu.edu.au/biography/barak-william-2930>

Ann Bon:

As a twenty year old, Bon immigrated to Victoria from Scotland with her husband and established the Wappan Station in the Bonnie Doon area of southeastern Victoria. However, by 1868 Bon found herself widowed with several young children. Despite her situation, Bon was able to successfully take up the management of the farming station, which became highly profitable. Unlike many others of her era, Bon fought to protect the limited rights of Aboriginal people. She became a supporter of William Barak.

In 1881, William Barak brought his dying son to Bon's Melbourne residence in Kew. This event lead Bon to put pressure on the Victorian government to conduct an inquiry into the management of Coranderrk Mission run by the Board for the Protection of Aborigines (BPA). During the inquiry, Bon sought justice for the Indigenous inhabitants of Coranderrk.

Bon was also a great philanthropist; she gave support to the Austin Hospital and the Salvation Army, as well as initiating a school for Chinese children. (National Library of Australia)

Sourced from

<http://trove.nla.gov.au/people/768056?c=people>

<http://adb.anu.edu.au/biography/bon-ann-fraser-5284>

A Resilient Democracy

In the next part of this teaching idea we will identify safeguards that protect Australia's democratic system and society. A resilient democracy is a system of democratic government that has the maturity and strength to allow voices of protest and dissension. Resilience means that points of difference are respected and are allowed to exist in respectful and peaceful co-existence.

Coranderrk

The Coranderrk Inquiry is an important example of Indigenous Australians attempting to assert their voice inside a non-Indigenous legal system that did not officially recognise their rights or claims over the land with which they shared a long tradition.

As a whole class, discuss how other people living in the 1880s might have perceived the actions of the leading figures of the Coranderrk Inquiry.

- Encourage the students to reflect on who may have supported or not supported the Inquiry?
- Expand the discussion to include the concept of a 'resilient democratic system' and the importance of living in a society that allows difference and dissension.
- What would you have done? What would you do in similar circumstances?
- Discuss what the values of a resilient democracy might be?

This discussion should introduce the following key vocabulary:

Transparency

The idea that the process for making decisions needs to be clearly defined and strictly implemented. A person making key decisions over other people's lives need to be impartial and free from bias.

Equality

Everyone must be afforded equal rights and equal ability to express their opinion. Equality is a basic foundation of democracy.

Some further questions for discussion:

- Who makes decisions? How are these decision makers accountable?
- Did members of the Coranderrk community receive the same legal recognition as other members of the Colony of Victoria? Why/Why not?

Part 2 - Dissent

The Coranderrk Inquiry showed the importance of seeking justice through carefully articulated dissension. The word dissent means to hold or express opinions at variance with those commonly or officially held.

- As a whole class, discuss the question: *What does dissent mean?*

As a further extension activity, ask the students to write a response to following question:

- *In a democracy, in what ways are we allowed to disagree with other people's opinions?*
- In a resilient democracy, how are beliefs protected?

Extension activity:

In light of what they have learnt about some of the leading supporters of Coranderrk, ask students to write or create a short response about one or more of the values that they would like to emulate in their own lives. Ask them to articulate why they have chosen this particular value? How would this value enhance their own and others' lives?

RESOURCES for activity 3

This is a useful list of websites that will provide support for this activity.

- <http://www.valueseducation.edu.au/values/>

This is a website created by the Australian federal government promoting values education. It includes a working definition for each of the nine listed values that we have summarised in the activity notes.

- <http://www.immi.gov.au/living-in-australia/values/>

Department of Immigration website, which includes an Australian Values statement required to be signed by all new immigrants.

Teaching Strategies for teaching Civics and Citizenship

Learning through discussion (Marsh, 2008)

The purpose of all these three activities is to create a supportive environment for open debate and sensitive critical discussion.

When teaching students about concepts of democracy it is vital that teachers model democratic ideas in their lessons. Some basic democratic ideas that a good Civics and Citizenship classroom should include are: tolerance for others, collaborative work, and reaching decisions by group consensus. For the teacher, this involves structuring their lessons to create situations that help students to engage in reasoned debates that require both high quality listening and speaking skills.

Key qualities to model in your classroom:

- Collaboration
- Inquiry
- Reasoned debate

Classroom Layout

To facilitate effective discussion, be conscious of the physical layout of your room. Sitting arrangements such as circles and U shapes with all participants facing each other create a sense of equality and accountability – as there is nowhere to hide. (Marsh, 2008)

Page 77. Studies of Society and Environment, C.Marsh, Pearson Education Australia, 2008

One of the major roles that educators play in CCE is to facilitate dialogue and reflection, connecting historical understandings to *authentic* experiences that are familiar to the students' own lives. Teachers should help guide students to explore the complexity of democratic values and the need for (and the value of) peaceful dissension within our democracy.

Following the principles laid out in the Australian Curriculum: Civics and Citizenship (Australian Curriculum Assessment and Reporting Authority: ACARA, n.d.-c) teachers should take an integrated approach to the study of 'civics' emphasising the importance of inquiry-based teaching and learning.

A Constructivist approach to teaching civics and citizenship.

The constructivist method of teaching seeks to be student-centred and attempts to orient learning around the participation of the learner. In teaching civics and citizenship, inquiry is a teaching strategy that allows students to make personal connections with the work, which in turn helps to facilitate the transferability of the knowledge being learnt.

Authentic learning experiences

Every student is capable of learning about complex abstract concepts by connecting learning to meaningful and authentic examples.

Teaching strategies for controversial topics (Marsh, 2008, p. 150)

In some learning situations members of a class may express strong opinions based on poorly formed reasoning. This can sometimes dominate collaborative discussion and lead to an unproductive learning environment. In such a situation the teacher should work to constructively to identify contradictions in erroneous arguments. Students can also be encouraged to construct positions that are contrary to their own opinions.

Glossary of key terms and bibliography:

Note: Most of these key terms (unless otherwise indicated) are from the Australian Curriculum glossary.

(Australian Curriculum Assessment and Reporting Authority: ACARA, n.d.-a)

Citizen

A person who holds citizenship of an entity, such as a country, and who is a member of a political community which grants certain rights and privileges to its citizens, and in return expects them to act responsibly such as to obey their country's laws.

Civics

The identifiable body of knowledge, skills and understandings relating to the organisation and working of society. It refers to a nation's political and social heritage, democratic processes, government, public administration and legal system.

Common law

A body of English law traditionally based on custom and court decisions. Also known as case law or precedent, it is law developed by judges through decisions of courts.

Constitution

The fundamental principles on which a state or other organisation (such as a club) is governed. Usually this takes the form of a legal document setting out specific powers for the government or governing of that entity.

Conventions

Unwritten rules of political procedure based on traditional, established practices that are widely accepted. Australia's political system has adopted many of the unwritten conventions of the British Westminster system. Conventions may defy the constitution; for example, the procedure for the appointment of Australia's Governor-General.

Convention

A Convention, sometimes known as a Treaty, is a collective agreement signed by nations into international law.

Customary law

Acknowledged behaviour by individuals and groups who recognise the benefits of behaving in accordance with other individuals' expectations and customs. Here this refers to the customary law of Aboriginal and Torres Strait Islander Peoples; however, in Australia customary law is subject to constitutional and common law.

Democracy

A system of government based on the people of an entity, that is, 'government by the people'; a form of government where the supreme power is vested in the people and exercised directly by them or by their elected representatives under a free and fair electoral system.

High Court

The High Court adjudicates over the highest level of constitutional disputes and functions as the final level of interpretation of Australian law.

Human rights

The rights that come from being human. That is, the basic rights and freedoms to which all humans are entitled, often held to include the right to life and liberty, freedom of thought and expression, and equality before the law.

International Treaty

A treaty is an agreement under international law entered into by actors in international law, namely sovereign states and international organisations.

Law

Refers to the system of rules which a particular country or community recognises as regulating the actions of its members and which it may enforce by the imposition of penalties and sanctions.

Mabo

In 1992 the full bench of the Australian High Court delivered what is commonly known as the Mabo decision. This was a watershed decision in the Australian legal system as it over turned the concept of Terra Nullius – that the land had no prior ownership to colonial settlement, and legally recognised native title and the traditional connection between Indigenous Australians and the land.

Native title

Native title is a property right that reflects a relationship to land which is the very foundation of Indigenous religion, culture and well-being. The non-discriminatory protection of native title is a recognised human right. (Australian Human Rights Commission)

Parliamentary democracy

A system of government in which power is in the hands of the people, who exercise that power through elected representatives in parliament. This is based on the idea that parliament has supreme or sovereign power.

Referendum

In Australia a referendum is a vote of the Australian electors on a proposed change to the Constitution by the Commonwealth Parliament that must be approved by a majority of the aggregate of all voters from each state and territory, and also by a majority of voters in a majority (four) of the six states.

Resilient Democracy

A resilient democracy refers to the democratic process being robust and to its ability to encompass different points view.

Rules

Guidelines for behaviour; they are a set of explicit or understood regulations or principles governing conduct or procedure within a particular area of activity – for example, school rules, rules of cricket. Rules are usually developed and set by people who have power and authority to create and enforce them.

Separation of powers

The acknowledged division between the executive, legislature (parliament) and judiciary. These separations act as checks and balances on each other to prevent excessive concentration of power in one group.

Sovereignty

The word sovereignty means to have authority over a particular defined area. It can be found in a power to rule and make laws that rests on a political fact.

Terra nullius

The concept of Terra nullius is a legal term meaning that there is no recognised prior owner of the land.

Values

Values are the core principles that guide the attitudes and behaviour of individuals and groups.

Voting

Voting is a method of formally expressing opinion or choice on an issue. The term is frequently used in relation to government as a formal expression of preference for a candidate for governmental office.

Glossary Sourced from:

<http://www.australiancurriculum.edu.au/humanitiesandsocialsciences/civicsandcitizenship/Glossary>

<http://www.nntt.gov.au/Information-about-native-title/Pages/Nativetitlerightsandinterests.aspx>

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Minutes of Evidence Coranderrk Curriculum & Teacher Resource Package