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**Address to the 2006 Annual Federal Conference**  
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**Public Education for Social Justice and Human Rights**

Our theme for this Federal Conference is particularly pertinent at the outset of 2006, as we find ourselves in the midst of the greatest period of social and political change since Australia's federation.

The very model of federalism enshrined in our Constitution is under threat from a Coalition government unwilling to deal with eight state and territory Labor governments; we are seeing the traditional proponents of states' rights blithely riding roughshod over 100 years of convention in their eagerness to wipe out every skerrick of social and political progress which has occurred since then.

As we expected, John Howard has wasted no time in using his Senate majority to push ahead with major legislative change. An astonishing number of bills have been rushed through the parliament with scant, if any, regard for proper scrutiny or debate. The last weeks of Parliamentary sittings in 2005 have changed the Australian social and political landscape like no others.

The *WorkChoices* debate for example, was farcical and displayed an utter disregard for parliamentary processes; Senators had the equivalent of 7 seconds per amendment to consider, prepare and respond to the 337 minor government amendments which were proposed; amendments from other interested parties did not see the light of day.

This particular example of outright contempt for democracy followed the November 15 protests in which well over half a million Australians took to the streets to register their anger at the government's proposals; a figure arrogantly described by Howard and Andrews as insignificant.

The provisions of the legislation effectively wipe out the statutory gains made by Australian unions on behalf of workers over the last 100 years. For the vast majority of Australian workers caught up in the new legislation, they exacerbate the inequality between employees and employers by individualising bargaining and by encouraging the unilateral exercise of managerial power at the expense of agreement making. This legislation severely weakens the capacity of unions to bargain collectively: even where unions are successful in negotiating the hurdles and achieving a collective agreement, it can be undermined at any time by the offering of an AWA which will override the terms of a collective agreement.

The legislation also proscribes certain matters from being included in agreements, irrespective of the wishes of the parties concerned and provides for the federal minister to add to the list of prohibited matters at any time.

Given the spiteful and petty nature of this legislation, we can be assured that whenever any union anywhere is successful in negotiating a gain for workers, that gain will be susceptible to inclusion on the prohibited list.

The abolition of the no disadvantage test and the imposition of lower minimum standards will ensure deeper social and economic inequality as well as having adverse effects on work and family balance.

Howard has made quite clear his view that any job is better than none, no matter how bad the pay or how bad the conditions. So it is no surprise that *WorkChoices* is coupled with *Welfare to Work* legislation which removes the capacity of single parents to choose to remain at home to raise their children. It forces them into the workforce once their children are of school age; doubtless into one of those jobs with poor pay and poor conditions that Howard is eager to promote, and without any consideration of the net effect that will be had on family income.

These Bills represented a Christmas present of unbelievable generosity from the federal government to employers; a present intended to keep on giving for many, many years.

The cynicism of the government spin doctors is breathtaking. That there are so many contradictions between the government's words and the effects of the legislation which it is implementing is glossed over without flinching. The "truth = lies" equation has moved from the Prime Minister's office to being enshrined in legislation!

In education, Brendan Nelson continued his assault on teachers and on public education throughout 2005.

He has made it clear that he is committed to winding back the education clock to a time when everyone knew his/her place – children of the wealthy went to university to prepare themselves for the professions and the rest scrambled for what was left.

In higher education, fees continue to rise, with universities introducing more and more full fee paying places. The numbers of students applying for university places have dropped over the last couple of years and will continue to do so. Those that do struggle to gain tertiary qualifications will now have their participation in university life made much more difficult by the removal of compulsory student union fees.

For this we have Coalition senators and Family First's Stephen Fielding to thank. We will have to wait and see whether the price of Fielding's deciding vote privileges the narrow agenda of those of his constituents who are opposed to the medical profession regulating the availability of the RU 486 drug, at the expense of others of his constituents who will now struggle much harder with different, but no less significant aspects of family life such as how to get a tertiary education and raise children at the same time.

Universities have also been the first to feel the brunt of the workplace laws with funding now subject to the offering of AWA's. Again, this intrusion into campus matters is claimed by the spin doctors to be providing choices for university employees. We are already seeing - in one

university at least – for this choice to be between an AWA and a pay rise or no AWA and no pay rise.

This is Howard's choice agenda.

Similarly, TAFE colleges are also in the firing line, both by way of the funding conditions and the fact that most are likely to be roped into the federal system by virtue of the corporate status of their employers.

The Skilling Australia Workforce Act, as well as undermining the working conditions of TAFE teachers through the link to funding, imposes far greater Commonwealth control over the directions of the national VET system, while failing to address the critical resource needs of the sector.

In addition, the new structures being put in place by the federal government will hand far greater influence over the system to peak employer bodies. Any concept of national collaboration is being eroded by a narrow view of who should constitute stakeholders in the sector .

In schools, Nelson has continued his pattern of denigrating teachers:

Kevin Donnelly's so-called independent report on Australian curriculum commissioned by the federal government was a perfect example of ideology masquerading as research. As Alan Reid says, its recommendations look like an education syllabus from yesteryear: greater emphasis on whole-class teaching and teacher-directed activities; prescribed text books; regular testing and examinations; streaming students according to exam results; centrally-controlled system-wide curriculum and examinations, etc, etc.

Nelson has also flagged a national year 12 certificate; initially building on existing state and territory certificates but with some common components; he is also funding a comparative study of year 12 assessments, content, curriculum and standards in English, maths, physics and chemistry.

There is no doubt that we are heading towards a one size fits all, quick-fix model no matter how much the minister professes to support diversity and local solutions.

Quick fixes such as:

- No school, no welfare payments – current federal government solution to absenteeism;
- No assistance until students fail year 3 benchmark testing – the current federal government alternative to early intervention;
- No functioning flagpole, no funding – current federal government solution to values education.

The changes to the federal funding of Indigenous education have had overwhelmingly negative consequences for many Indigenous students. A significant number of schools have reported that they no longer have functioning ASSPA Committees. Because of the changed requirements for

tutoring, many students are being denied the additional assistance they need and hundreds of tutors have lost employment. The federal government has not answered the community concerns being raised about these issues and their long term consequences for the education of Aboriginal and Torres Strait Islander children.

The National Institute for Quality Teaching and School Leadership - which has now been re-christened Teaching Australia – has been established as a company whose sole owner is the federal Minister. It has a permanent Board comprising members of associations chosen by the Minister; it's chair and deputy chair are also Ministerial choices; and s/he retains the right of veto over any nominee put forward by an association.

Its agenda is also being determined by the Minister with no attempt at this stage by the Institute to set its own program of work in collaboration with the profession. Indeed, the Board seems not to understand the critical importance of establishing its own legitimacy independent of whichever Minister is in power.

In the Institute, the Minister now has his own body, separate from that of MCEETYA, the body representing state and territory government, to run the Coalition's agenda for teachers – one of individualising the profession by focussing on a professionalism characterised by individual teacher accountability through professional standards.

We should not underestimate the consequences of the interaction between such a model and the testing/quality agenda which is also being imposed on our schools.

The increasing focus on the quality of individual teachers demonstrated by the sort of public accountability envisaged in Nelson's requirement for billboards allows for a diminished emphasis on factors such as student background, and the failure of the federal government to provide adequate and differential resources where they are most needed.

They are the first steps towards a failing schools policy which sees schools classified as good or bad based on student test performances.

As educators we know that an early casualty of such an approach will be quality teaching and learning, as more and more schools focus on passing the tests to the detriment of a broad and varied curriculum.

The longer term effects of this will be felt by both teachers and students.

For teachers the increased prescription as to what and how to teach will reduce the role of the teacher to that of a technician; to see teaching as simply a tick the box exercise addressing basic outcomes.

The effect for students will be that some schools will be completely preoccupied with teaching basic skills while those serving affluent communities will be free to enjoy art literature and music studies.

For example, in one isolated WA school with a 90% enrolment of Aboriginal students the strategy being used to pass the year 3 benchmark tests is direct instruction.

Anyone who is in any doubt about how it will work need only read Jonathon Kozol's article "*Still Separate, Still Unequal: America's Educational Apartheid*," published in Harper's Magazine last September.

2005 also saw a magnificent campaign by Australian unions against the industrial relations changes. It is appropriate for us as a union to formally acknowledge the excellence of the campaign under what has been inspirational leadership by Greg Combet and Sharan Burrow.

The campaign, co-ordinated by the ACTU, has shown an unprecedented level of discipline and been so well executed as to have frightened the government into a massive \$55million dollar advertising response. That this blitz - which began prior to the draft legislation being available - has been universally ignored by the Australian community is testament to the quality of the ACTU's work in focussing on those issues of most concern to workers and their families.

This should be no surprise to us. The Australian union movement has a track record of over 100 years of shaping the very values that we regard as quintessentially Australian. In appealing to our sense of fairness and providing clear examples of how the new legislation is manifestly unfair, the campaign has generated huge community support.

Community protests mid-year and again on November 15<sup>th</sup> saw huge turnouts across the country. Approximately half a million people demonstrated in all states and territories; teachers were of course prominent at state and local levels. Our members attended meetings everywhere: we heard stories of incredible responses from tiny country towns where normally no-one ever stops work.

I would like to acknowledge the support we had from our New Zealand colleagues from NZEI and PPTA on the day. It was wonderful to see both presidents in attendance at the Melbourne rally committing to ongoing support for what they well know is ahead.

Opinion polls are showing that this is a vote changing issue. It will be up to us as community members and unionists to make sure that it remains so until the next election.

While we take heart from the success of the campaign so far, keeping the momentum going will not be easy in an environment increasingly characterised by intimidation and fear.

This government has no qualms about bullying dissenters. It has shown that it has no regard for free speech when that speech is critical of its agenda.

We saw the Anti-Terrorism bill pass despite the fact that it strips away hard won rights to freedom of speech and of association; not to mention its undermining of the principle of *habeus corpus*, by way of allowing persons to be held in custody without charge and without the capacity to inform anyone of their whereabouts either during or after the event.

Especially despairing in this case was the rush to agreement by the ALP state premiers and the leader of the Opposition.

Indeed, the only display of courage in the whole sorry saga was that of Jon Stanhope who refused to be intimidated and posted the draft legislation on the ACT government website so as to enable some degree of public scrutiny to occur.

Freedom of speech when it supports a government viewpoint is, of course, encouraged no matter how offensive it may be.

In the aftermath of the Cronulla riots John Howard maintained the pattern established soon after his election in 1996 when he refused to take Pauline Hanson to task over her anti-Asian comments. Not only did he not take Alan Jones on over his urgings to real Aussies to reclaim the beaches, he steadfastly maintained that there was not an element of racism involved. Even when people themselves acknowledged racist attitudes the PM showed himself to be out of touch with the vast majority of Australians by refusing to countenance anything other than his own point of view.

2005 also saw further outrageous breaches of human rights by our Immigration Department whose capacity to create entirely new and arbitrary categories of people in order that they can be deported continues to amaze anyone with a modicum of human decency. The deportation of mentally ill people to their countries of birth despite the fact that they have lived in Australia since childhood and do not speak their birth language is effected without shame or even compassion.

This then is the environment in which we will be operating in the foreseeable future. Those public institutions most dear to us – those which are underpinned by notions of fairness, equality of opportunity and social justice - are all under threat from the changes which have been introduced.

We as teacher unionists need to continue to speak out, to fill the growing vacuum in thoughtful public discourse on issues of social justice and human rights.

We will have the opportunity to hear from Ros Noonan, the NZ Chief Commissioner for Human Rights later this afternoon; ACTU president, Sharan Burrow, will talk to us about the continuing ACTU campaign tomorrow; we also have a panel session to consider questions of human rights and education.

We know that despite the utterances of federal government ministers and their lackeys, the Workers' Rights campaign has huge public support, thanks to the brilliant campaigning by the union movement and by the AEU in every state and territory. Our members deserve congratulations for their work to date.

However it is critical for us to continue to encourage our members to speak out, to campaign in this atmosphere of fear and intimidation. Terry O'Gorman spoke at the National TAFE Council AGM on Wednesday of the dangers of self censorship – of people choosing not to express dissent or even concern about government proposals and decisions; he was talking in the context of the Anti-Terrorism legislation but I think that this process is well underway within education.

The Federal government singles out individuals and organisations for public attack at the slightest sign of criticism or opposition. The AEU is regularly the subject of such criticism.

The debates about curriculum are an example of this. The strategy is public ridicule, to the extent that something as crucial as critical literacy – the capacity to be able to analyse what is presented – is portrayed as something we should not be teaching young people.

As a result of the public vitriol meted out by Nelson and his miniscule band of supporters, very few people are presently speaking in defence of Australian curriculum. Department bureaucrats and state and territory education ministers have found themselves the subject of derision in the press with every new curriculum proposal attacked and debated in hysterical terms on the front pages by a hostile and vocal group intent on returning school curriculum to the fifties.

We in the AEU remain committed to working towards a decent and humane Australia. As teachers and leaders in our union and in our communities, it is imperative that we continue to speak out and encourage others to do the same; to remind us of the fundamental purposes of unionism and education in a free society.