

**Media release**

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## **Complaint lodged on behalf of Indigenous school**

Arnold Bloch Leibler today lodged an unprecedented complaint with the Human Rights and Equal Opportunity Commission, on behalf of the community of Wadeye, seeking an official apology and compensation for the prolonged underfunding of its children's education.

Wadeye, the largest Indigenous community in the Northern Territory, claims the government has discriminated against its children and denied them access to federal education funds for almost three decades.

Peter Seidel, head of the firm's public interest law practice, says the community is seeking conciliation rather than litigation, but would proceed to the Federal Court if necessary.

The complaint will consist of three separate aspects and is the culmination of two years' pro bono legal work by Arnold Bloch Leibler, the Castan Centre for Human rights Law and others.

The first concerns the vast underfunding of a collection of NT schools, including Our Lady of the Sacred Heart at Wadeye, caused by an agreement struck between the Commonwealth and NT Government in 1979 that has not been updated since. Our Lady of the Sacred Heart School at Wadeye is the only school servicing Wadeye's population of about 2500.

The second aspect is the failure of the NT Government to pass on Commonwealth funds meant for the school because of a complicated funding formula that gauges attendance. Around 600 students were enrolled at the start of this school year, however because of a lack of resources - including classrooms and teachers - children begin to drop off.

As Peter Seidel points out: "when there is not enough space, and not enough teachers or desks, not all the children can go to school. Funding is reduced accordingly. The formula hits hardest society's most vulnerable, like the people of Wadeye. It's a total disgrace."

The attendance rate at the school is now around 460, however because of the NT Government's formula, the school is only being funded for around 220 students.

The third element concerns the underfunding of 12 profoundly disabled children at the school, each of whom receives little or no additional funding of the kind others get in similar circumstances at mainstream schools.

Peter Seidel says: "We are potentially looking at tens of millions of dollars for the community at Wadeye alone. The mind boggles at what funding should have been over the years."

Tobias Nganbe, Co-Principal at the Wadeye school, has a firm vision for the children of Wadeye.

"The community has been very clear in their instructions and I want the best of the best for these children. I want them to grow up to be doctors, lawyers, engineers, pilots.

"We also want compensation in the form of vocational and remedial education services for the two generations of children who have missed out on an education."

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