



Royal Commission into Aboriginal Deaths in Custody Recommendation

55. Importance of National Aboriginal Language Policy

That government and funding bodies reflect the importance of the National Aboriginal Language Policy in the provision of funds to Aboriginal communities and organisations.¹

Background²	The Royal Commission into Aboriginal Deaths in Custody (RCIADIC) recognised the importance of the preservation and revitalisation of Aboriginal culture and language in supporting Aboriginal people. Commissioner Dodson noted efforts to encourage Aboriginal language use in education were ‘a small but significant step toward the recognition of Aboriginal culture and identity in the schooling process’. The RCIADIC regarded successful implementation of the National Aboriginal Language Policy as a high priority for the maintenance and transmission of Aboriginal languages.
Intent	Provide funding to Aboriginal communities and organisations to support the maintenance and transmission of Aboriginal languages.
Responsibility	Commonwealth Government.
Key contact	Department of Education (DE); Department of Jobs, Skills, Industry and Regions (DJSIR); Victorian Aboriginal Education Association Incorporated (VAEAI).

Key action taken

2005 Review³	<p>The Department of Education and Training assessed Recommendation 55 as partially implemented.</p> <p>Department of Education and Training</p> <p>The Department advised that the Victorian Aboriginal Corporation for Languages was responsible for coordinating community language programs throughout Victoria, retrieving, recording, researching and providing a central resource on Victorian Aboriginal languages.</p> <p>The 2002 Indigenous Languages of Victoria (Retrieval and Reclamation Pathway) Study Design identified a Victorian Aboriginal language with available language material as a possible focus for study. It was to be delivered in 2004. Participants in the Koori Middle Years and Early Years Literacy Links Projects considered using video conferencing with students to promote language awareness and retrieval.</p> <p>In 2002, the Language Other Than English Analysis Report was released, and School Network Languages Plans were to be developed to ensure greater choice and coordination, and</p>
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¹ *Royal Commission into Aboriginal Deaths in Custody* (Final Report, 1991) vol 2, 141 ('RCIADIC').

² *Ibid* vol 2, 140-1 [11.12.30]-[11.12.33].

³ Aboriginal Justice Forum (Vic), Department of Justice (Vic), *Victorian Implementation Review of the Recommendations from the Royal Commission into Aboriginal Deaths in Custody* (Review Report, October 2005) vol 1, 315, 327 ('2005 Review').

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	<p>improved delivery of language programs. Aboriginal languages, including language retrieval programs, were to be included and supported through the plans. Community involvement was essential to the retrieval and teaching of Aboriginal languages, and the department noted the need for the endorsement and support of local communities before considering the introduction of Aboriginal languages in schools.</p>
<p>2018 Review⁴</p>	<p>Deloitte concluded that the Commonwealth Government had fully implemented Recommendation 55 by funding Aboriginal language initiatives. After the RCIADIC, it introduced and funded the National Aboriginal Languages and Literacy Strategy. Since then, the Aboriginal languages policy framework changed with successive governments.</p> <p>At the time of the Deloitte Review, the Commonwealth Government invested \$20 million annually in the Indigenous Languages and Arts Program which provided grants to organisations across Australia, including 21 community-led Indigenous Language Centres, to support language revival and maintenance activities, and others that promote or celebrate language. The Commonwealth invested a further \$10 million from 2016-17 to 2020-21 in Aboriginal language activities, with a focus on community-driven projects using digital technologies.</p>
<p>Since then</p>	<p>Government updates on implementation of this recommendation are below:</p> <p>Department of Jobs, Skills, Industry and Regions⁵</p> <p>DJSIR acknowledged the significant role that promoting, preserving and revitalising Aboriginal languages plays in fostering a strong sense of identity and culture.</p> <p>In 2019, the Victorian Government funded the Certificate IV in Teaching an Endangered Aboriginal Language, supported by additional training funds, and included both this course and the Certificate III in Learning an Endangered Aboriginal Language on the Skills First Funded Course List.</p> <p>The Victorian Government funded new Certificate II and III courses in Learning an Australian First Nations Language through a 2021–22 Victorian Budget investment of more than \$2.7 million over four years, and allocated an extra \$2.8 million in the 2022–23 State Budget to deliver a Certificate IV in Teaching an Australian First Nations Language to increase the number of Aboriginal language teachers in Victorian kindergartens and schools and strengthen cultural connections in education.</p> <p>At the time of writing, there are accredited, government-funded courses in Victoria to support learning and teaching Australian First Nation’s languages including Certificates II, III, and IV. However, they are not yet being delivered. Swinburne University of Technology has been engaged by the department to support the development and contextualisation of resources for delivery in Victoria. The aim is to enable multiple providers to offer these courses, with delivery of revised Certificate II and III courses by 2025, following collaboration with VAEAI to</p>

⁴ Deloitte Access Economics, Department of Prime Minister and Cabinet, *Review of the Implementation of the Recommendations of the Royal Commission into Aboriginal Deaths in Custody* (Report, August 2018) 113-14 ('2018 Review').

⁵ Department of Jobs, Skills, Industry and Regions (Vic), 'Department of Jobs, Skills, Industry and Regions Review of Recommendations from the Royal Commission into Aboriginal Deaths in Custody' (Response to AJC Request) 2-8.

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seek permission from Traditional Owner groups for interested students to study their language.

With the VET First Nations Languages project, ongoing engagement with representatives from community groups is achieved through the Project Working Group with feedback and endorsement of the units developed. This is captured through Working Group meetings, progress and validation reports.

Victorian Aboriginal Education Association Incorporated⁶

VAEAI established the Victorian Aboriginal Languages Teachers Alliance (VALTA) to support current, former and emerging language teachers and provide professional learning opportunities. VALTA meets online monthly and has had two annual forums since its establishment in late 2020.

Permission to Teach

Since early 2021, the Victorian Institute of Teaching has worked with the Department of Education and VAEAI to support teaching Aboriginal languages in primary schools by Aboriginal Elders and certificate qualified Aboriginal people. Permission to Teach will enable delivery of an Aboriginal language program in any Victorian school.

Evidence of impact

Authorising Document

National Agreement on Closing the Gap⁷

The Agreement outlines key processes and socio-economic outcomes to be achieved by 2031. Relevant to this recommendation, Target 16 aims that by 2031, there is a sustained increase in the number and strength of Aboriginal languages being spoken.

Marrung: Aboriginal Education Plan 2016-2026⁸

With the aim of supporting education sectors to enhance learners' understanding of Aboriginal culture and history, Marrung outlines action (2c.) to increase the number of Aboriginal language programs in Victorian kindergartens and schools, by supporting community efforts at language learning through working with VAEAI and the Victorian Aboriginal Corporation for Languages, and providing assistance to support Aboriginal community members to undertake relevant language and teacher training courses.

Victorian Skills Plan for 2023 into 2024⁹

The Plan provides a roadmap for Victoria's training and skills needs and includes an overview and information about Aboriginal languages in Victoria:

An inclusive skills sector is one that creates a sense of belonging and allows everyone to thrive and reach their potential. The Victorian Government is committed to the learning

⁶ Victorian Aboriginal Education Association Incorporated, 'Written Feedback on RCIADIC Recommendations Relating to Adult Education' 9-10.

⁷ Joint Council on Closing the Gap, *National Agreement on Closing the Gap* (Agreement, July 2020) ('Closing the Gap').

⁸ Department of Education and Training (Vic), *Marrung: Aboriginal Education Plan 2016-2026* (July 2016) 18 ('Aboriginal Education Plan 2016-2026').

⁹ Victorian Skills Authority, Skills Department of Jobs, Industry and Regions (Vic), *Victorian Skills Plan for 2023 into 2024: Shared Prosperity Through Skills* (Strategy, 2023) ('Victorian Skills Plan for 2023 into 2024: Shared Prosperity Through Skills').

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	<p><i>and use of Aboriginal languages and supports reclaiming and reviving of Aboriginal languages.</i></p> <p>Funded programs include the new Certificates II and III in Learning an Australian First Nations language.</p>
<p>Outputs</p>	<p>Department of Jobs, Skills, Industry and Regions¹⁰</p> <p>The development of co-designed materials for the following courses will enable delivery through the TAFE network, following permissions from Traditional Owners:</p> <ul style="list-style-type: none"> • 10890NAT - Certificate II in Learning an Australian First Nation's Language • 10891NAT - Certificate III in Learning an Australian First Nation's Language • 10892NAT - Certificate IV in Teaching an Australian First Nation's Language. <p>As at December 2023, 41 units in total across Cert II, Cert III and Cert IV had been developed, 26 units were in progress, and 15 units had not yet commenced. When developed, outputs will include the number of learners completing the above courses. Outcomes from the delivery of the Certificate IV will be increased numbers of kindergarten and primary school teachers who can teach First Nations languages and an increased capacity to understand Aboriginal languages or to teach Aboriginal languages, with a downstream outcome of more people learning those languages in other settings.</p>
<p>Outcomes</p>	<p>Victorian Government¹¹</p> <p>In the 2021-22 State Budget, \$2.7 million was allocated over four years for new Certificate II and III programs, and the 2022-23 Budget added \$2.8 million to deliver a new Certificate IV in Teaching an Australian First Nations Language and build a team of specialist teachers to revive language on Country and in classrooms and kindergartens.</p> <p>This builds on the pilot course Certificate IV in Teaching an Endangered Aboriginal Language Course at Swinburne University of Technology, which was developed with Aboriginal groups and led by linguistic expert and Taungurung Elder Auntie Lee Healy.</p> <p>Commonwealth Government¹²</p> <p>Between 2022 and 2025, approximately \$3 million of Commonwealth Government funding was invested in Victorian initiatives under the Indigenous Languages and Arts Program.</p> <p>The tables below provide further details on this investment.</p>

¹⁰ Department of Jobs, Skills, Industry and Regions (Vic), 'Department of Jobs, Skills, Industry and Regions Review of Recommendations from the Royal Commission into Aboriginal Deaths in Custody' 2-8.

¹¹ Ibid.

¹² Transport Department of Infrastructure, Regional Development, Communications and the Arts,, Australian Government, 2024-25 *Indigenous Languages and Arts Program Grant Recipients* (July 2024) ('2024-25 Indigenous Languages and Arts Program Grant Recipients'); Transport Department of Infrastructure, Regional Development, Communications and the Arts,, 2023-24 *Indigenous Languages and Arts Program Grant Recipients* (July 2024) ('2023-24 Indigenous Languages and Arts Program Grant Recipients'); Transport Department of Infrastructure, Regional Development, Communications and the Arts,, Australian Government, 2022-23 *Indigenous Languages and Arts Program Grant Recipients* (January 2023) ('2022-23 Indigenous Languages and Arts Program Grant Recipients').

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2024-25 Indigenous Languages and Arts Program

Applicant	Project Title	2024-25	2025-26	Total
Chunky Move	First Peoples Youth Dance Workshop	\$50,000		\$50,000
Dja Dja Wurrung Clans Aboriginal Corporation	Dja Dja Wurrung Community Language Dictionary	\$89,970	\$99,970	\$189,940
Eastern Maar Aboriginal Corporation	Eastern Maar Language Revitalisation Program	\$200,000	\$200,000	\$400,000
Goolum Goolum Aboriginal Co-operative	Wotjobaluk Arts Hub	\$59,000	\$88,000	\$147,000
Melbourne City Council (City of Melbourne)	INTERWEAVE at YIRRAMBOI Festival	\$95,990		\$95,990
Melbourne Fringe	Deadly Fringe Commissions - Melbourne Fringe 2025 and 2026	\$55,000	\$95,000	\$150,000
Melbourne International Comedy Festival Ltd	Deadly Funny Showcase Tour 2024-2025	\$19,344		\$19,344

2023-24 Indigenous Languages and Arts Program

Applicant	Project Title	2023-24	2024-25	Total
Abbotsford Convent Foundation	First Nations New Work Platform at Abbotsford Convent X BlakDance	\$99,990	\$99,990	\$199,980
Footscray Community Arts Centre Limited	Tarnuk-ut baany: Indigenous Artist Development Program	\$100,000	\$100,000	\$200,000
Goolum Goolum Aboriginal Co-operative	Bunjil's View-Wotjobaluk Land	\$100,000		\$100,000
La Mama Inc.	Ceremonial Language of Cultural Rings	\$97,820	\$87,180	\$185,000

2022-23 Indigenous Languages and Arts Program

Applicant	Project Title	2022-23	2023-24	Total
Victorian Aboriginal Corporation for Languages	Re-engaging Language Revitalization communities post COVID-19 and realignment of VACL's Strategic Plan	\$715,000		\$715,000
Kinaway Chamber of Commerce Victoria Ltd	First Peoples Textile Design and Development Program	\$27,500		\$27,500
Taungurung Land and Waters Council	Derrabuwa Taungurung - Awakening Taungurung Language	\$65,790		\$65,790
Melbourne Fringe	Deadly Fringe Commissions at Melbourne Fringe 2023 and 2024	\$62,000	\$62,000	\$124,000
Naomi Milgrom Foundation	Wominjeka Song Cycle by Deborah Cheetham AO	\$30,000	\$30,000	\$60,000
Goolum Goolum Aboriginal Co-operative	Our Journeys	\$90,000		\$90,000

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Community Views

Professor Eleanor Bourke AM Chairperson, Yoorrook Justice Commission¹³

First Peoples lived across ancient and diverse landscapes, with connections to land and waters – from wooded highlands and volcanic plains to coastal inlets and sweeping river systems. Every nation was intricately bound to Country through lore, language, culture and custom. This is the heart of First Peoples' identity.

Victorian Aboriginal Corporation for Languages¹⁴

Language revival is everyone's business.

Reviving a language involves a lot of people. For example: people authorised to direct a program, people to research, analyse and prepare materials, people to teach language, people with technical skills and people to learn and use the language.

Djirra¹⁵

Djirra strongly supports investing in Aboriginal self-determination to preserve our languages. Loss of language means losing knowledge and connection to history, culture, traditional ways and community. Strength in culture, connection, building resilience and pride reduces the risk of family violence occurring.

Victorian Aboriginal Education Association Incorporated¹⁶

VAEAI noted there needs to be a greater focus and investment in the reclamation, maintenance and transmission of languages. VAEAI calls for the following actions to be taken:

- Legislate to recognise the significance of Aboriginal Languages in Victoria. Noting, this may follow the New South Wales approach with the *Aboriginal Languages Act* (2017) and the *Aboriginal Languages Trust* (2020).
- Build engagement and the capacity of the Aboriginal community and Traditional Owners, as Aboriginal communities continue to reclaim languages. Invest in Aboriginal languages so that the Aboriginal community can support individuals undertaking language training and grow programs to support early years and schools.
- Broaden the range of training in Aboriginal languages in Victoria. NSW is a great role model in this space. TAFE NSW offers 10 Certificate courses in Aboriginal Languages for Everyday Use Certificate I – III across 5 language groups (Wiradjuri, Gamilaraay, etc.).
- Build on cultural safety processes for training and teaching of Aboriginal languages.
- Build on the work VAEAI is doing with VALTA and for ongoing professional development for individuals who are training to teach or already teaching Aboriginal languages.
- Create pathways to employment for Aboriginal community members transitioning from training into teaching languages across Victoria.

¹³ Yoorrook Justice Commission, *Yoorrook for Transformation: Third Interim Report* (Summary Report, 2025) ('Yoorrook for Transformation - Summary Report').

¹⁴ Paul Paton & Dr Christina Eira, Victorian Aboriginal Corporation for Languages, *Peetyawan Weeyn - A Guide for Community Language Programs* (Brochure, 2011) ('Peetyawan Weeyn - A Guide for Community Language Programs').

¹⁵ Djirra, 'Written Feedback on RCIADIC Recommendations Relating to Adult Education' 1.

¹⁶ Victorian Aboriginal Education Association Incorporated, 'Written Feedback on RCIADIC Recommendations Relating to Adult Education' 9-10.

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Related recommendations

Skills for Victoria's Growing Economy Review¹⁷

Recommendation 5.2 - Embed self-determination for local Aboriginal communities

The Victorian Government should equip Future Skills Victoria (now the Victorian Skills Authority) to:

- work with education and training providers to improve cultural safety in all forms of provision, and promote Aboriginal involvement in institutional leadership
- support delivery of courses relevant to Aboriginal culture and identity, including Aboriginal languages and other skills that build Aboriginal communities' strength
- collaborate with DET on ways to streamline the process by which Aboriginal Community Controlled Organisations can enter the training market.

2005 Review¹⁸

Recommendation 25

That the Department of Education and Training provide further information to the appropriate Aboriginal Education Forum on:

- a) the proposed statewide Aboriginal representative body in relation to the Victorian Aboriginal Corporation for Languages
- b) the Indigenous Languages of Victoria (Retrieval and Reclamation Pathway) Study Design
- c) the Koori Middle Years and Early Literacy Links Project and the School Network Languages Plans, including information about the extent of Aboriginal participation, consultation and employment in connection with the programs in question.

Recommendation 159

That the Victorian Government, within a human rights and social justice framework, re-affirm its commitment to the Aboriginal community by working in partnership with the Commonwealth Government and the Aboriginal community to address the underlying issues and protect Aboriginal languages and cultures, and that this should be done by enshrining, enforcing and effectively protecting (by appropriate enabling legislation and policies) the rights of Aboriginal Victorians.

Assessment summary¹⁹

Recommendation 55 intended for governments to fund Aboriginal communities and organisations to support the maintenance and transmission of Aboriginal languages.

Actions taken partially align with the intent of Recommendation 55 as there has been investment in Certificate II, III and IV courses for learning and teaching Aboriginal languages. Swinburne University is supporting course

¹⁷ Jenny Macklin, Victorian State Government, *Future Skills for Victoria: Driving Collaboration and Innovation in Post-Secondary Education and Training* (Independent Review 2020) ('Future skills for Victoria').

¹⁸ 2005 Review, vol 1, 41, 74.

¹⁹ Meeting with Aboriginal Justice Caucus Working Group (Project Team, In Person, 4 November 2022) ('Working Group Meeting (4 November 2022)'); Meeting with Aboriginal Justice Caucus (Project Team, In Person, 17 May 2023) ('AJC Meeting (17 May 2023)'); Meeting with Aboriginal Justice Caucus (Project Team, In Person, 11 December 2024) ('AJC Meeting (11 December 2024)').

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development with delivery due in 2024-25 pending development of course materials and permissions from Traditional Owners.

Development of language training materials and establishment of the Victorian Aboriginal Languages Teachers Alliance support efforts to increase the number of Aboriginal language teachers and enhance access to these programs.

In Victoria's 2021-22 State Budget \$2.7 million was allocated over four years for new Certificate II and III courses, and the 2022-23 Budget added \$2.8 million to fund Certificate IV in Teaching First Nations Languages to increase Aboriginal language teachers in kindergartens and schools.

There are not a lot of people that speak language in Community. People are still learning so it's difficult... Permission to Teach creates an opportunity for people in our communities to work in a school, to teach the language, but they have to have a qualified teacher with them. (Merle Miller, Representative, Victorian Aboriginal Education Association Inc.)

The Commonwealth Government funds various initiatives under the Indigenous Languages and Arts Program in Victoria. Several initiatives funded between 2022-25 focused on the reclamation and revitalisation of Aboriginal languages.

Recommendation 55 remains relevant as it aligns with ongoing efforts to promote Aboriginal language revitalisation, reduce barriers to teaching these languages, and establish a legislative framework to recognise and preserve Aboriginal languages in Victoria. Further work to implement this recommendation would support community aspirations to strengthen Aboriginal cultures, Communities and Aboriginal self-determination.

Assessment of Recommendation 55

Is the intent of the recommendation accurately described?

Yes No

Does the action taken align with the intent of the recommendation?

0 – No action taken

1 – Action taken is of little relevance to the intent of the recommendation

2 – Action taken partially aligns with the intent of the recommendation

3 – Action taken fully aligns with the intent of the recommendation

2

(Score out of 3)

Is there evidence of the desired impact or outcome/s?

0 – No evidence

1 – Evidence of output rather than outcome

2 – Some evidence action contributed to outcome/s

3 – Clear link between action and impact or outcome/s

1.5

(Score out of 3)

How relevant is the recommendation in the current context?

0 – No relevance – refers to practices, agencies or laws that no longer exist

1 – Low – some relevance, but most aspects of the recommendation no longer apply

2 – Moderate – remains relevant, but some aspects of recommendation no longer apply

3 – High – entirely relevant to current context

3

(Score out of 3)

Does full implementation have the potential to reduce incarceration, increase safety in custody and/or progress Aboriginal self-determination?

0 – No potential to improve Aboriginal justice outcomes

1 – Low – potential to improve Aboriginal justice outcomes, but none of the three identified

2 – Moderate – potential to progress one or two of the outcomes identified

3 – High – potential to reduce incarceration AND increase safety in custody AND self-determination

2

(Score out of 3)

Potential actions for further work

Strengthen Aboriginal languages in Victoria

Victorian Government to work with and support VAEAI to:

- Increase the number of people undertaking language training, teaching and/or supporting Aboriginal languages in early years and school settings.
- Build capacity of Aboriginal Community and Traditional Owners to continue to reclaim languages.
- Broaden the range of training courses in Victorian Aboriginal languages and continue building cultural safety processes for training and teaching of Aboriginal languages in Victoria.
- Increase capacity for VAEAI’s work with VALTA and provide ongoing professional development for trainees and teachers of Aboriginal languages.
- Create pathways to employment for Aboriginal community members transitioning from training to teaching Aboriginal languages.

Enact Legislation that recognises the significance of Victorian Aboriginal languages

Adopt legislation that promotes the significance of Victorian Aboriginal languages and supports resourcing for organisations and communities involved in language revival.

High priority for further work

Relevance and potential impact

		Low (0-2)	Moderate (3-4)	High (5-6)
<i>Extent of action taken and evidence of outcomes</i>	High (5-6)			
	Moderate (3-4)			Rec 55
	Low (0-2)			

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