



NORTHERN TERRITORY
POLICE ASSOCIATION

Working together to protect our future

Secretary
Legislative Scrutiny Committee
GPO Box 3721
Darwin
NT 0801

22 May 2026

Via email: LSC@nt.gov.au
CC: [REDACTED]

Dear Secretary,

SUBMISSIONS TO THE LEGISLATIVE SCRUTINY COMMITTEE:

Re: The Care and Protection of Children of Children Legislation Amendment (Every Child Matters) Bill 2026

WHETHER THE ASSEMBLY SHOULD PASS THE BILL

The NTPA supports passage of the Bill

1. The Northern Territory Police Association (NTPA) supports the passage of the *Care and Protection of Children Legislation Amendment (Every Child Matters) Bill 2026* (the Bill).
2. The NTPA represents police officers throughout the Northern Territory who are routinely required to respond to matters involving children at risk of harm, domestic and family violence, child exploitation, neglect, youth offending, anti-social behaviour, chronic school disengagement; and acute family dysfunction.
3. Police officers are frequently the first government representatives to encounter vulnerable children and families in crisis. The NTPA therefore considers that the legislative framework governing child protection must ensure that the immediate and long-term safety of children remains **the** paramount consideration.
4. The NTPA submits that the Bill should be passed because it:
 - 4.1. strengthens the paramountcy of child safety;
 - 4.2. improves permanency and stability principles;
 - 4.3. supports earlier intervention for at-risk children and families;

NORTHERN TERRITORY POLICE ASSOCIATION

Level 2, Suite 209 'Spirit on The Avenue' 12 Salonika Street, Parap NT 0820

GPO Box 2350, Darwin NT 0801 / **ABN** 36 709 591 145

www.ntpa.com.au

P +61 (0) 8 8995 9520

E correspondence@ntpa.com.au

- 4.4. increases parental accountability;
- 4.5. enhances coordination between police, child protection and other agencies;
- 4.6. provides clearer intervention pathways before offending escalates; and
- 4.7. creates a more workable statutory framework for protecting vulnerable children.

The Bill appropriately prioritises child safety

5. The NTPA strongly supports the proposed amendments to section 8.
6. The current Act at section 10(1), recognises that the best interests of the child is of paramount concern and requires consideration of “*the need to protect the child from harm and exploitation*” under section 10(2)(a) but does not give that consideration primacy over the remaining 12 considerations contained at section 10(2). The Bill strengthens the principle of acting in the best interest of the child but expressly elevates child safety as the foremost consideration. It does so through:
 - 6.1. The proposed section 8(2)(a) which identifies “*the need to ensure the safety of the child*” as the first mandatory consideration; and
 - 6.2. The proposed section 8(2)(b) which further requires consideration of “*the need to protect the child from harm and exploitation*”.
7. Police officers regularly encounter children exposed to violence, abuse, neglect, substance misuse, exploitation, and entrenched offending environments. The NTPA submits on behalf of those police officers (our members) that legislation governing placement and intervention decisions with regards children that have been so exposed, must clearly prioritise, in order of importance:
 - 7.1. child safety;
 - 7.2. protection from harm;
 - 7.3. permanency; and
 - 7.4. long-term stability.

The Bill appropriately clarifies those priorities.

The Bill appropriately reforms the Aboriginal Child Placement Principle

8. The NTPA acknowledges the historical significance of the Aboriginal Child Placement Principle and recognises the importance of preserving Aboriginal children’s cultural identity, connection to family, connection to community, language, culture, and country. However, the NTPA submits that where cultural placement considerations conflict with the immediate or long-term safety of a child, the protection of the child must prevail.
9. Section 12(3) of the Act currently contains a detailed Aboriginal Child Placement hierarchy which prioritises child placement with:

- 9.1. family members;
 - 9.2. Aboriginal persons from the child's community;
 - 9.3. other Aboriginal persons; and
 - 9.4. non-Aboriginal persons only where culturally appropriate.
10. The Bill removes the standalone Aboriginal Child Placement hierarchy and replaces it with a universal placement framework under proposed section 12B. That revised framework prioritises placement:
- 10.1. with parents where practicable and consistent with the child's best interests;
 - 10.2. with family members; and
 - 10.3. with approved persons.
11. Importantly, proposed section 12C(4) provides that Aboriginal placement principles are subject to the placement principles in section 12B and the overarching best interests principle in section 8.
12. The NTPA supports this amendment.
13. The NTPA submits that cultural continuity remains important and that cultural identity should be preserved wherever safely possible; but that no child should remain exposed to violence, exploitation, or neglect because of rigid adherence to placement preferences.
14. The NTPA submits that the Bill appropriately balances child safety, permanency, family connection, cultural identity, and practical child protection realities.

The Bill appropriately strengthens permanency and stability principles

15. The NTPA strongly supports the Bill's emphasis on stable living arrangements, long-term permanency, stable and nurturing relationships, and timely decision-making.
16. Police officers regularly encounter children who move repeatedly between placements, abscond from care, disengage from education, become vulnerable to exploitation, or become involved in offending behaviour. The NTPA submits on behalf of those officers (our members) that chronic placement instability is itself a serious child protection risk and that the Bill appropriately recognises that permanency and stability are protective factors which improve long-term outcomes for vulnerable children.

The Bill appropriately introduces earlier intervention and parental accountability measures

17. Police officers (our members) are uniquely positioned to identify escalating behavioural concerns, school disengagement, emerging offending patterns, family dysfunction, and children at risk of exploitation or serious offending at an early stage. That is why the NTPA strongly supports the introduction of Family Responsibility Agreements (FRAs), Family

Responsibility Orders (FROs), and the “stepped escalation pathway”. That legislative framework allows:

- 17.1. early identification of risk factors;
 - 17.2. voluntary intervention and support;
 - 17.3. parental engagement and accountability;
 - 17.4. compulsory intervention where cooperation fails; and
 - 17.5. escalation to formal child protection proceedings if necessary.
18. For the same reason, the NTPA also strongly supports proposed section 65E, which allows police to notify the CEO regarding children found not criminally responsible, or repeatedly engaging in anti-social behaviour.
19. The NTPA submits that earlier coordinated intervention is preferable to delayed intervention after serious offending by the child or victimisation of the child has already occurred.

WHETHER THE ASSEMBLY SHOULD AMEND THE BILL

20. The NTPA supports the Bill in its current form and submits that the Assembly should pass the Bill as drafted.

WHETHER THE BILL HAS SUFFICIENT REGARD TO THE RIGHTS AND LIBERTIES OF INDIVIDUALS

21. The NTPA submits that the Bill has sufficient regard to the rights and liberties of individuals.

Prioritising the Safety and wellbeing of vulnerable children

22. The Bill necessarily engages competing rights and interests, including:
- 22.1. parental autonomy;
 - 22.2. family integrity;
 - 22.3. cultural rights;
 - 22.4. Aboriginal self-determination principles;
 - 22.5. privacy interests; and
 - 22.6. the safety and wellbeing of vulnerable children.
23. The NTPA submits that the rights and safety of vulnerable children must take priority where there is conflict between parental autonomy, cultural placement preferences, and child safety. The Bill achieves that purpose (proposed section 8) whilst tempering any reduction to competing rights and considerations by prescribing that any intervention involving a child is to be, “...*the least intrusive intervention in the child's life that is consistent with the best interests of the child.*” (proposed section 9) and specifically mandating the considerations that are to be taken into account with regards Aboriginal children (proposed section 12C).

The Bill's intervention framework is proportionate

24. The NTPA acknowledges that, Family Responsibility Agreements, Family Responsibility Orders, and related intervention mechanisms may affect parental autonomy and decision-making. However, the NTPA submits that the effect that the intervention framework is proportionate and justified because:

- 24.1. those interventions are directed towards child wellbeing and safety;
- 24.2. the intervention framework begins with voluntary engagement;
- 24.3. compulsory intervention occurs only after escalation;
- 24.4. court oversight exists for Family Responsibility Orders; and
- 24.5. the intervention framework is a preventative rather than punitive measure designed to achieve child wellbeing and safety.

25. The NTPA submits that the Bill's proposed amendments to the Act promotes earlier intervention than is currently the case and that earlier intervention is required to reduce the risk youth offending, child exploitation, family breakdown, and the need for later coercive child protection intervention.

Cultural protections remain preserved

26. The NTPA submits that the Bill retains significant protections for Aboriginal children and families, including provisions supporting cultural identity, family connection, connection to country, connection to language and traditions, and family reunification where that reunification is safe. Consequently, the NTPA submits that the Bill appropriately balances a child's safety with the child's cultural interests.

WHETHER THE BILL HAS SUFFICIENT REGARD TO THE INSTITUTION OF PARLIAMENT

27. The NTPA submits that the Bill has sufficient regard to the institution of Parliament because it:

- 27.1. clearly articulates the objectives of the reforms;
- 27.2. identifies the policy basis for its intervention framework;
- 27.3. provides statutory criteria governing decision-making;
- 27.4. preserves judicial oversight for coercive orders; and
- 27.5. maintains accountability through existing court processes.

Appropriate delegation and administrative powers

28. The NTPA submits that the powers conferred upon the CEO, police officers, authorised officers, and the Court are appropriate having regard to the nature of child protection decision-making. The Bill appropriately provides operational agencies with sufficient flexibility to respond effectively to rapidly evolving situations involving:

- 28.1. vulnerable children;

- 28.2. urgent safety risks;
- 28.3. anti-social behaviour;
- 28.4. youth offending; and
- 28.5. family dysfunction.

Continued judicial oversight

29. Importantly, the Bill retains judicial oversight for significant coercive interventions, including:

- 29.1. Family Responsibility Orders;
- 29.2. protection orders; and
- 29.3. permanent care orders;

30. The NTPA submits that the retention of judicial oversight ensures that:

- 30.1. executive power remains appropriately supervised;
- 30.2. procedural fairness is maintained; and
- 30.3. significant interventions remain subject to independent scrutiny.

CONCLUSION

31. The Northern Territory Police Association supports the *Care and Protection of Children Legislation Amendment (Every Child Matters) Bill 2026*.

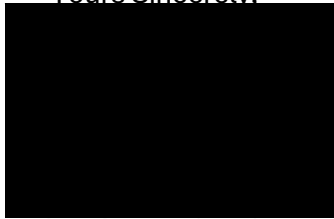
32. The NTPA submits that the Bill:

- 32.1. appropriately prioritises child safety;
- 32.2. strengthens permanency and stability principles;
- 32.3. improves early intervention mechanisms;
- 32.4. enhances parental accountability;
- 32.5. preserves important cultural protections while appropriately subordinating them to child safety considerations; and
- 32.6. provides a clearer and more workable framework for protecting vulnerable children in the Northern Territory.

33. The NTPA therefore submits that the Assembly should pass the Bill but notes that successful implementation of the Bill will require adequate child protection resources, family support services, diversionary programs, youth services, rehabilitation services, and interagency coordination capacity which in turn will depend upon sufficient operational resourcing. Without that resourcing the effectiveness of the Bill's Family Responsibility Agreements, Family Responsibility Orders, and early intervention measures will be adversely affected.

On behalf of the NTPA (and its members) I thank you for the opportunity of placing these submissions before the Committee for its consideration.

Yours Sincerely,



Ray Murphy
Principal Legal Officer

