

Committee Secretary,
Legislative Scrutiny Committee
Northern Territory Legislative Assembly
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22 May 2026

Submission to Care and Protection Children Legislation Amendment (Every Child Matters) Bill 2026 (NT)

I am writing as a concern member of the community. I am a sexual and reproductive health doctor working in the Northern Territory, with postgraduate qualification in Global Health. In my clinical practice, I work with First Nations children and families with lived experience of the racialised gendered violence of the Northern Territory Government's family policing and child removal system.

I am also a member of the grassroots organisation, Justice not Jails, which is a community group comprising of First Nations and non-Indigenous community members pushing back against the Northern Territory Government's racialised carceral policies targeting First Nations peoples in the NT.

My submission reflects my personal views, informed by my professional practice as a clinician. I do not speak on behalf of my employers or the organisation Justice not Jail.

I welcome the opportunity to discuss my submission at a public hearing on the Bill. Please contact me via [REDACTED] to discuss my submission.

Yours sincerely

Dr Ahmad Syahir Mohd Soffi
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This submission calls for the Northern Territory Government to **reject the Care and Protection of Children Legislation Amendment (Every Child Matters) Bill 2026**.

This submission rejects the notion that the Northern Territory Government is misguided or ignorant in its harmful law-making towards First Nations peoples. Instead, it views the practices of the Northern Territory Government and its institutions as foundationally, structurally and colonially racist against First Nations people as their primary institutional purpose, as outlined by the Justice not Jails submission to the federal inquiry into racism, violence and hate against First Nations peoples. This submission understands anti-Indigenous racism as a regime of power enacted and enabled by the Northern Territory Government. First Nations' sovereignties are continually disavowed and First Nations peoples are continually exploited, dispossessed and subjected to genocide for the purpose of maintaining the white Australian nation state's ownership, control, and domination over First Nations lands and peoples as white possessions, for the collective benefit of white people.

Through this lens that the Northern Territory Government is structurally and colonially racist towards First Nations peoples, this submission sees **the Care and Protection of Children Legislation Amendment (Every Child Matters) Bill 2026** ('the Bill') as another tool with which the Northern Territory Government continues its genocidal violence against First Nations people, with a specific focus on accelerating the state-sanctioned removal of First Nations children from their family, kinship group, community and Country. That is, the Northern Territory Government is not 'failing' First Nations children and peoples with the Bill; instead, the Northern Territory Government is using this Bill as another weapon in its race war against First Nations to reaffirm the stolen First Nations lands of the Northern Territory (NT) as white possessions.

The Northern Territory Government claims that amendments to the *Care and Protection of Children Act 2007* (NT) ('the Act) introduced by the Bill are race neutral. However, when approximately 90 per cent of children in out-of-home care in the NT are First Nations, the material consequences of the Bill will be racialised to primarily harm First Nations children and their families and communities, which this submission contends is the policy intent of this legislation.

The Bill dismantles the Aboriginal and Torres Strait Islander Child Placement Principle to accelerate the Northern Territory Government's policy of cultural genocide

One of the primary intentions of the Bill is to dismantle the Aboriginal and Torres Strait Islander Child Placement Principle ('the Principle'), as a means of accelerating the Northern Territory Government's ongoing policy of cultural genocide against First Nations children, families and communities. This is intended through clause 6 of the Bill.

The Principle is designed to ensure that First Nations families, kinship groups, communities and community-controlled organisations are involved in any decisions that may lead to the state removing First Nations children from their families and Country. The Principle also ensures that First Nations children that have been violently removed by the

state from their families remain connected to their families, community, culture and Country. The Principle was introduced following recommendations from the Bringing Them Home report, which concluded that state policies resulting in the removal of First Nations children from their families, communities and Country is tantamount to genocide.

In clause 6 of the Bill, the Northern Territory Government seeks to dismantle the Principle by:

- Removing the right of First Nations families to participate and be enabled to participate in the administrative or judicial processes for making significant decisions involving First Nations children [section 12(2)(a) of the Act];
- Removing the right of First Nations children and their families to have First Nations Elders, kinship group members, community members and Aboriginal community-controlled organisations participate in significant decisions involving First Nations children [sections 12(2)(b)-(c) of the Act];
- Removing the right of First Nations children to be brought up within their own family and community and the child's own country [section 12(2B) of the Act];
- Removing the right of First Nations children to be supported to develop and maintain a connection with their family, community, culture, traditions, language and Country, particularly when the child is placed with a person who is not from the child's community of kinship group [section 12(2C) of the Act];
- Removing the requirement that a First Nations child – when removed by the state – should be placed with an Aboriginal person as a matter of priority [sections 12(2D)-(3)(c) of the Act]; and
- Removing the requirement that significant decisions involving First Nations children should be healing focussed and trauma informed [section 12(2A) of the Act].

Further, clause 6 further undermines the Principle by deprioritising consideration of First Nations children's continued connection to their family, kinship group, community, culture, language and Country [section 10(2) (b)-(cb), (ha) of the Act] over the need for stability and permanency in decisions made by the state to remove First Nations children from their families.

Even with the Principles being present in the Act, more than 70 percent of First Nations children placed in out-of-home care (OOHC) in the NT are not placed with a First Nations family member or person, or a non-Indigenous family member or kin (reference). Therefore, amendments introduced by clause 6 of the Bill will likely lead to the state placing more First Nations children with non-Indigenous persons who are not related to them. Removal of sections 12(2A) and 12(2C) of the Act would subsequently allow the Northern Territory Government to further refuse its obligations to support First Nations

children who are placed with non-Indigenous non-relatives to maintain their connection with their family, community, culture, traditions, language and Country; which this submission views as a state policy of cultural genocide through assimilation.

The Bill further broadens the state surveillance and policing of First Nations families towards permanent removal of First Nations children.

The Bill intends to operationalise the acceleration of the Northern Territory Government's ongoing policy of cultural genocide against First Nations people by expanding the Northern Territory Government's surveillance and policing of First Nations families, through the weaponisation of existing 'family responsibility agreements' and the introduction of 'family responsibility orders' under the guise of concern for the safety and wellbeing of First Nations children. First Nations children and families who are coerced into family responsibility agreements and orders are then streamlined to being targeted for protection orders and subsequent permanent care orders with amendments introduced by the Bill.

These amendments are introduced in clauses 11-27 of the Bill.

These amendments introduces 'family responsibility agreements' into the Act. Family responsibility agreements currently appear the *Youth Justice Act 2005* (NT) as a non-enforceable agreement that a NT Agency may enter into with the parent/s of a child who has demonstrated behaviour problematised by the state, with or without formal criminalisation. A court is also able to order a family responsibility agreement at any stage of court proceedings against a youth who has been criminalised by the state, or as part of the sentencing of a youth who has been found guilty by the court. However, what the Bill does is to allow the CEO of Territory Families to coerce First Nations families into family responsibility agreements. If the family refuses, or if they are in breach of the family responsibility agreement than the CEO of Territory Families are able to coerce First Nations families into a family responsibility order through the courts.

Once a family is under a family responsibility order, the Bill allows the CEO of Territory Families to put in place restrictions on First Nations families' access to housing, restricting access to alcohol and other coercive behavioural management. A breach of family responsibility order can then be grounds for the CEO of Territory Families to refer First Nations children and their families for a Protection Order through the court. Clauses 19 and 21 of the Bill then restrict the time frame in which First Nations children are allowed to be placed under parental responsibility directions under a protection order, giving the CEO of Territory Families easier access to place First Nations children into permanent placement under a permanent care order.