

22 May 2026

Secretary, Legislative Scrutiny Committee

Northern Territory Parliament

Via Email: LSC@nt.gov.au

**Submission to the Inquiry into the Care and Protection of Children Legislative  
Amendment (Every Child Matters) Bill 2026.**

Aboriginal Housing Northern Territory (AHNT) welcomes the opportunity to provide a submission regarding the *Care and Protection of Children Legislation Amendment (Every Child Matters) Bill 2026* to the Legislative Scrutiny Committee.

AHNT is the Aboriginal community-controlled peak body for Aboriginal housing in the Northern Territory. AHNT represents and advocates for Aboriginal community-controlled housing organisations across the Northern Territory. AHNT works to influence policy, improve practice and promote agency and transparency in decision-making around Aboriginal housing. AHNT advocates for a future where Aboriginal people have housing that is safe, secure, culturally appropriate and reflective of community needs.

AHNT opposes the *Care and Protection of Children Legislation Amendments (Every Child Matters) Bill 2026* and calls on the Northern Territory Government to withdraw the Bill and undertake genuine consultation with communities, legal services, community-controlled organisations and frontline service providers.

AHNT supports the importance of child safety and recognises the need for effective child protection systems. However, we are deeply concerned that the Bill significantly expands the Northern Territory Government's powers to intervene, while failing to consider the underlying structural conditions that drive child protection involvement in the Northern Territory. We know many of the issues contributing to child protection involvement are closely connected to:

- Overcrowding
- Homelessness
- Housing shortages
- Poor housing conditions
- Poverty
- Limited access to services and therapeutic supports
- Intergenerational disadvantage.

AHNT believes that the Bill will increase surveillance, coercive intervention and long-term child removals without addressing the underlying structural causes placing families under pressure.

### **Housing as a Cause for Intervention and Removal**

AHNT is deeply concerned that the Bill lowers the practical threshold for government intervention into family life and makes it easier for children to be removed from their families. The Bill introduces concepts that can subsequently lead to child removal, such as:

- Events of concern
- Anti-social behaviour
- School non-attendance
- Family circumstances as contributions to poor outcomes.

The Bill also changes the legal threshold relating to removal. The current requirement that a child only be removed where there is an “unacceptable risk of harm” is replaced with a lower threshold of “significant and likely risk of harm.”

AHNT is concerned these reforms may result in:

- More Aboriginal families entering the child protection system
- Increased removals linked to poverty and housing stress
- Greater scrutiny of families already experiencing structural disadvantage.

The Bill states that intervention may occur when the child’s family circumstances may have caused or contributed to the event of concern. Considering overcrowding, poor housing conditions and housing instability can have impacts on a child’s wellbeing, AHNT is concerned that this broad framework may capture families struggling with poverty, overcrowding and inadequate housing. In a child protection system described as underperforming and deeply systemically flawed, this broad framework also risks spreading already thin resources to be unable to effectively respond to situations of abuse or serious neglect.

### **Housing as a Barrier to Reunification**

A common reason Aboriginal families are denied reunification is the levels of overcrowding in their living situation, insecure tenancy arrangements, lack of formal lease agreements and housing disrepair. Parents may be denied reunification because they are living in an overcrowded house despite being on long housing waiting lists or residing in homes requiring repairs that remain the responsibility of the government as the landlord.

Across the Northern Territory, Aboriginal families continue to experience severe overcrowding, inadequate housing supply, insecure tenancy arrangements and extremely prolonged wait lists for public and community housing. As of December 2025, the Department of Housing, Local Government and Community Development reported the estimated wait times for social housing for general applicants averaging at eight to ten years, with priority applicants' wait times ranging from four to ten years.

Particularly in remote communities, families have little or no control over their housing circumstances due to chronic housing undersupply. With the vast majority of housing stock owned or managed by government or government-funded providers, these communities have little to no alternative housing options.

The Bills' strict reunification timeframes fail to account for these realities and may unfairly penalise families for circumstances entirely outside of their control. For many families, reunification is already significantly delayed, not because parents are unwilling to care for children but because they are unable to secure housing that satisfies child protection requirements. Considering the average wait times, there are often no practical pathways to achieving conditions for child reunification.

The Bill's requirement that reunification efforts occur within a two-year time frame is deeply concerning in the context of the Northern Territory housing crisis. AHNT is concerned that the proposed time frame bears little resemblance to the realities many Aboriginal families face when attempting to secure stable housing. Across the Territory, families regularly remain on public and social housing waitlists for periods that far exceed two years, particularly in remote communities. In practice, this means many parents will never have a realistic opportunity to meet reunification expectations within the time frame imposed by the Bill, regardless of their willingness to engage with services or safely care for their children.

AHNT is deeply concerned that the Bill risks treating housing instability as evidence of parental failure rather than systematic failure. The Bill elevates considerations relating to living arrangements in child protection decision-making. AHNT acknowledges the importance of stability for children. However, many Aboriginal families cannot access stable housing because safe and appropriate housing is unavailable. This leaves Aboriginal families vulnerable to intervention, not for unwillingness or failure to care for children, but because they are experiencing systematic government failures.

### **Housing as a Barrier to Kinship Care Placements**

AHNT is concerned that these same structural barriers significantly impact kinship and community placements for Aboriginal children. In many cases, extended family members or kin who are willing and culturally appropriate carers are unable to secure placement approvals due to the same housing issues faced by parents seeking reunification. Particularly in remote communities, where housing shortages are severe and alternative pathways are nonexistent, these barriers make kinship placements practically impossible despite the availability of strong family and community support networks.

AHNT is deeply concerned that the Bill's strengthened permanency framework may result in more Aboriginal children being placed into long-term non-kinship care, not because suitable family and community carers do not exist, but because structural housing barriers prevent kinship placements from meeting departmental requirements. This risks further separating Aboriginal children from family, culture, language and Country due to housing system failures rather than concerns relating to child safety or family connection.

### **Family Responsibility Agreements and Orders**

AHNT is deeply concerned by the proposed family responsibility agreement and family responsibility order framework. These mechanisms are justified as a means to increase parental accountability and compel engagement with services and behavioural requirements. These laws would let the government step into family life much earlier and much more broadly. Families could be drawn into a court process simply because they are struggling with poverty, housing stress or other hardship and not receiving the supports they need, not because their children are in immediate danger.

Family Responsibility Orders can trigger a range of coercive government interventions as discussed in Section 102E of the Act. These actions include providing information about anti-social behaviour to the CEO of Housing for the purposes of considering an Acceptable Behaviour Agreement for a parent. Section 12B of the Housing Act 1982 defines an Acceptable Behaviour Agreement as a written undertaking entered by a tenant of public housing premises about not engaging in antisocial behaviour on those premises and any place within 50 meters of those premises. Under section 99A of the Residential Tenancies Act 1999, the CEO of Housing is able to terminate a tenancy if the tenant fails or refuses to enter into an Acceptable Behaviour Agreement or breaches the Acceptable Behaviour Agreement.

These provisions create a significant risk that families subject to Family Responsibility Orders could face housing instability, eviction and homelessness as a result of this Bill. AHNT is deeply concerned that linking Family Responsibility Orders with tenancy enforcement mechanisms may intensify the very conditions contributing to child protection concerns in the first place. AHNT is concerned that these provisions create a harmful feedback loop in which housing stress contributes to child protection intervention, and child protection intervention in turn increases the risk of housing loss and further family instability and child removal.

### **Broader Concerns**

AHNT shares the broader concerns raised by Aboriginal community-controlled organisations, legal services and front-line service providers regarding the overall direction and impact of the Bill. AHNT supports and echoes concerns raised by the North Australian Aboriginal Justice Agency (NAAJA) and Aboriginal Medical Services Alliance Northern Territory (AMSANT) regarding the expansion of coercive state action, the lowering of thresholds for child protection involvement, and the weakening of

protections for Aboriginal children and families. AHNT is concerned that the bill prioritises surveillance, compliance and permanency over prevention and family preservation while failing to address or consider the underlying systemic drivers placing families under pressure.

AHNT is also deeply concerned by the lack of genuine consultation with Aboriginal communities and organisations in the development of reforms that will disproportionately impact Aboriginal Children and Families. The Bill risks deepening mistrust in government systems and further entrenching the overrepresentation of Aboriginal children in the child protection system.

### **Ignoring Closing the Gap Commitments and Inquiry Recommendations**

AHNT believes that the Bill reflects a continued failure by the Northern Territory Government to meaningfully implement the commitments and reforms required under the National Agreement on Closing the Gap. Rather than strengthening shared decision-making and investing in Aboriginal community-controlled solutions, the Bill expands state intervention powers without genuine partnership with Aboriginal organisations, communities and families.

The introduction of these reforms without proper consultation is inconsistent with the Closing the Gap priority reforms, particularly the commitments to formal partnerships and shared decision making, strengthening the community-controlled sector and transforming government organisations. This Bill continues a pattern of governments responding to systematic failures through increased surveillance and coercive intervention rather than addressing underlying drivers of disadvantage, including housing insecurity, poverty and service gaps.

AHNT is concerned that the Bill fails to meaningfully implement the recommendations and lessons arising from decades of Royal Commissions and Coronial Enquiries into Aboriginal child removal and systematic disadvantage. These enquiries consistently identified the importance of:

- Self determination
- Family preservation
- Investment in housing and early intervention
- Culturally safe and trauma-informed services
- Strengthening kinship systems and community-led responses.

Instead of strengthening these approaches, the Bill lowers thresholds for department intervention while increasing pathways to permanent removal in a system in which Aboriginal children are already overrepresented. AHNT is concerned that this represents a continuation of policies that have historically caused profound intergenerational harm to Aboriginal families and communities. The Northern Territory Government cannot claim commitment to Closing the Gap while simultaneously advancing reforms that contradict this commitment.

## **Closing Remarks**

AHNT supports the importance of child safety and recognises the need for effective child protection systems that protect children from harm and support families to thrive. However, AHNT does not believe the *Care and Protection of Children Legislation Amendment (Every Child Matters) Bill 2026* will achieve these outcomes.

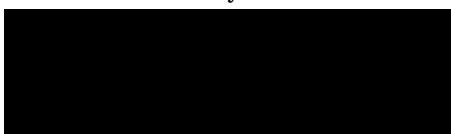
AHNT is deeply concerned that the bill will disproportionately impact Aboriginal children and families by lowering the thresholds for removal, weakening protections for Aboriginal children, increasing pathways into long-term care and making reunification substantially more difficult in the context of chronic housing shortages and service gaps. The bill risks creating a system where Aboriginal children are permanently separated from their families, not because they are unsafe, but because safe and appropriate housing and support services are unavailable.

AHNT strongly believes the answer to child safety is not greater state control but sustained investment in housing, early intervention, Aboriginal-led services and community-led solutions. Children and families should not bear the consequences of ongoing government failures to provide safe housing and adequate support systems.

For Aboriginal children, connection to family, kinship, culture, language, community and Country is an intrinsic and vital aspect of wellbeing. It is fundamental to identity, healing, belonging and long-term safety and must remain central in considerations of any Aboriginal child protection response in the Northern Territory.

AHNT calls on the Northern Territory Government to withdraw the Bill and undertake genuine consultation with Aboriginal organisations, communities, legal services and frontline service providers to develop evidence-based reforms that strengthen family, uphold Aboriginal self-determination and keep children safe without perpetuating intergenerational harm.

Yours sincerely,

A solid black rectangular box redacting the signature of Leanne Caton.

**Leanne Caton**

Chief Executive Officer of Aboriginal Housing Northern Territory.