

Submission to the Legislative Scrutiny Committee
CARE AND PROTECTION OF CHILDREN LEGISLATION AMENDMENT (EVERY CHILD
MATTERS) BILL 2026

Submitted by:
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Introduction

The Foster & Kinship Carers Association NT (FKCANT) welcomes the opportunity to provide a submission to the Legislative Scrutiny Committee regarding the Care and Protection of Children Legislation Amendment (Every Child Matters) Bill 2026.

FKCANT is the peak body representing foster and kinship carers across the Northern Territory. Our organisation supports carers who provide safe, stable and nurturing homes for children and young people who are unable to live safely with their parents.

FKCANT acknowledges the complexity of the child protection system and recognises the importance of legislative reform that improves safety, stability and long-term outcomes for children.

Overall, FKCANT supports reforms that:

- strengthen child safety;
- reduce placement instability;
- improve permanency planning;
- recognise the importance of stable and nurturing relationships;
- strengthen children's participation rights;
- and reduce the long-term harm associated with repeated placement disruption.

However, FKCANT also emphasises that legislative reform alone cannot improve outcomes for children unless accompanied by:

- adequate investment in carers;
- trauma-informed practice;
- culturally safe decision-making;
- meaningful inclusion of children and carers in decisions;
- and sustained therapeutic and practical supports.

Children in care experience some of the highest levels of trauma and instability in the community. Decisions made within the child protection system can have lifelong consequences for attachment, emotional wellbeing, identity, mental health and future relationships.

Research consistently demonstrates that children achieve better outcomes when they experience:

- stable and secure caregiving relationships;

- early permanency planning;
- minimal placement disruption;
- meaningful participation in decisions affecting them;
- and ongoing connection to significant people, culture and community.

FKCANT supports the Bill's stronger emphasis on permanency and placement stability, while encouraging careful implementation that balances safety, cultural identity, family connection and long-term wellbeing.

Key Themes

This submission focuses on:

- Early permanency planning and long-term stability;
- The impact of placement instability on children;
- The importance of children participating in decisions affecting them;
- Grief and loss experienced by carers and children when relationships are disrupted;
- Outcomes for children removed from long-term carers;
- The importance of therapeutic and trauma-informed practice;
- The importance of cultural safety and kinship care.

1. Permanency Planning and Long-Term Stability

FKCANT strongly supports the Bill's increased emphasis on permanency and placement stability.

Research consistently demonstrates that children require stable, secure and enduring caregiving relationships in order to develop healthy attachment, emotional regulation, identity formation and long-term wellbeing.

Children who experience prolonged uncertainty in care arrangements are at significantly increased risk of:

- developmental delay;
- attachment disruption;
- mental health difficulties;
- educational disengagement;
- behavioural escalation;
- self-harm;
- and poor long-term adult outcomes.

International and Australian research increasingly supports earlier permanency planning for children who are unable to safely return home within a developmentally appropriate timeframe.

For young children in particular, long periods of uncertainty can have significant developmental consequences.

Research in child development and attachment indicates that infants and young children form primary attachment relationships within the first months and years of life. Repeated disruption of these relationships can cause significant emotional and neurological harm.

FKCANT notes the proposed legislative shift toward earlier permanency consideration and supports timely decision-making that prioritises children's long-term wellbeing.

Research findings commonly identify that:

children require stable attachment relationships as early as possible;
permanency uncertainty beyond 6–24 months may significantly increase harm for younger children;
repeated short-term placements contribute to complex trauma;
children experience improved outcomes where permanent relationships are established early.

At the same time, permanency planning must not become a purely administrative process driven by timelines.

FKCANT emphasises that:

- reunification should remain actively pursued where safe and achievable;
- permanency decisions must consider each child individually;
- kinship and cultural connections must remain central considerations;
- carers must be included in planning processes;
- and adequate supports must be available to maintain placements.

Permanency cannot be achieved through legal orders alone.

True permanency requires:

- emotional security;
- relational continuity;
- placement stability;
- therapeutic support;
- and enduring connections.

Recommendation 1

That implementation of permanency reforms prioritise:

- timely and child-centred permanency decision-making;
- placement stability;
- therapeutic supports for carers and children;

- culturally safe practice;
- and continuity of relationships for children.

2. Impact of Multiple Placement Moves on Children

FKCANT strongly supports reforms intended to reduce placement disruption.

Research consistently demonstrates that multiple placement moves are associated with significant harm to children and young people.

Children who experience repeated placement breakdowns are more likely to experience:

- attachment difficulties;
- trauma-related behaviours;
- anxiety and depression;
- poor educational outcomes;
- behavioural escalation;
- disengagement from services;
- homelessness;
- youth justice involvement;
- and long-term mental health difficulties.

Placement instability also undermines children's ability to:

- develop trust in adults;
- establish identity and belonging;
- maintain friendships and schooling;
- and recover from earlier trauma.

Many children entering care have already experienced:

- abuse or neglect;
- family violence;
- disrupted attachment;
- grief and loss;
- and significant instability.

Repeated placement moves can compound these experiences.

Children often describe placement changes as:

- frightening;
- confusing;
- emotionally devastating;
- and outside of their control.

Research involving care-experienced young people consistently identifies placement instability as one of the most harmful aspects of the child protection system.

Importantly, placement disruption frequently occurs not because carers are unwilling to continue caring, but because:

placements are insufficiently supported;
children's therapeutic needs escalate without adequate intervention;
carers experience burnout;
respite is unavailable;
or communication and collaboration break down.

FKCANT emphasises that reducing placement breakdown requires:

- investment in therapeutic supports;
- early intervention;
- trauma-informed practice;
- carer training;
- respite availability;
- and collaborative case planning.

Recommendation 2

That the Northern Territory Government invest in:

- therapeutic supports to maintain placements;
- placement preservation programs;
- trauma-informed training for carers and staff;
- respite services;
- and early intervention responses to placement stress.

3. Children and Young People Must Be Included in Decisions Affecting Them

FKCANT strongly supports amendments strengthening children's participation rights.

Children and young people in care consistently report feeling excluded from decisions affecting their lives.

Research across Australia and internationally demonstrates that many children in care:

- do not understand why decisions are made;
- feel unheard;
- are not properly informed about placement changes;
- and experience decision-making as something "done to them" rather than "with them".

Children and young people have repeatedly identified that they want:

- honesty;
- information;
- preparation for change;
- trusted relationships;
- and genuine involvement in planning.

Participation is not simply a procedural requirement.

Meaningful participation:

- improves trust;
- reduces trauma;
- improves placement stability;
- supports emotional wellbeing;
- and strengthens children's sense of agency and identity.

FKCANT particularly welcomes legislative language strengthening participation obligations from discretionary wording to mandatory obligations.

However, meaningful participation requires more than legislative wording.

Children require:

- age-appropriate communication;
- culturally safe participation methods;
- trusted adults and advocates;
- time to process decisions;
- and trauma-informed engagement.

Participation must also occur before major decisions are made, including:

- placement changes;
- reunification;
- permanency decisions;
- and contact arrangements.

Recommendation 3

That implementation of participation reforms include:

- mandatory child-friendly decision-making processes;
- culturally safe participation practices;
- independent advocacy supports for children;
- and trauma-informed communication standards.

4. Grief and Loss Experienced by Carers and Children

FKCANT emphasises that the emotional impact of child removal from long-term placements is often underestimated.

When children are removed from carers after long periods of care, both children and carers may experience significant grief, trauma and loss.

Children in long-term care often develop deep attachment relationships with carers whom they experience as parental figures.

The abrupt disruption of these relationships can result in:

- emotional distress;
- behavioural deterioration;
- anxiety and depression;
- attachment disruption;
- identity confusion;
- and long-term relational trauma.

Similarly, carers frequently experience profound grief when children leave their care.

Foster and kinship carers often:

- parent children for many years;
- support children through trauma and developmental challenges;
- form deep emotional bonds;
- and become central attachment figures.

Despite this, carers' grief is often unrecognised within the system.

Many carers report experiencing:

- disenfranchised grief;
- emotional trauma;
- lack of information;
- abrupt decision-making;
- and exclusion from transition planning.

This can contribute to:

- carer burnout;
- withdrawal from the care system;
- psychological distress;
- and loss of experienced carers.

Research consistently demonstrates that maintaining important relationships is protective for children.

Where safe and appropriate, children should be supported to maintain ongoing relationships with significant carers even after placement changes.

FKCANT encourages greater recognition within policy and practice of:

- relational loss experienced by children;
- the emotional impact on carers;
- and the importance of relationship continuity.

Recommendation 4

That the Northern Territory Government strengthen policy and practice relating to:

- planned and trauma-informed transitions;
- recognition of grief and loss for children and carers;
- relationship continuity where safe;
- and post-placement therapeutic supports.

5. Outcomes for Children Removed from Long-Term Carers

FKCANT is concerned about the significant risks associated with removing children from long-term stable placements.

Research demonstrates that removal from long-term carers can result in:

- severe attachment disruption;
- trauma responses;
- educational disengagement;
- behavioural escalation;
- mental health deterioration;
- and long-term emotional harm.

For many children in care, long-term carers represent:

- safety;
- belonging;
- predictability;
- family identity;
- and emotional security.

Disrupting these relationships can be experienced similarly to bereavement or family separation.

Research also demonstrates that children who experience stable long-term care arrangements generally experience better outcomes in:

- education;
- emotional wellbeing;

- social functioning;
- and transition to adulthood.

FKCANT acknowledges that some placement changes are necessary for safety reasons.

However, where children are thriving in stable long-term placements, decisions to remove children should involve:

- careful assessment of relational harm;
- genuine consultation with children;
- consideration of attachment relationships;
- trauma-informed transition planning;
- and independent oversight where appropriate.

Recommendation 5

That placement changes involving long-term carers require:

- comprehensive assessment of attachment impacts;
- meaningful consultation with children and carers;
- trauma-informed transition planning;
- and strong oversight mechanisms.

6. Participation of Carers in Proceedings – Clause 15 Section 94(1)

FKCANT strongly supports Clause 15 Section 94(1) amendments relating to carers being parties to proceedings.

Carers play a critical role in the lives of children and young people in care.

Foster and kinship carers are often the people who:

- provide day-to-day care;
- support children through trauma;
- manage behavioural and therapeutic needs;
- maintain educational and health stability;
- facilitate cultural and family connections;
- and hold significant knowledge about a child's emotional, developmental and relational needs.

In many cases, carers have cared for children for extended periods and may be the child's primary attachment figures.

FKCANT believes carers should have meaningful opportunities to participate in proceedings where decisions may significantly affect:

- a child's placement;
- permanency arrangements;

- contact arrangements;
- reunification planning;
- or the child's emotional and developmental wellbeing.

Research consistently demonstrates that children experience better outcomes when decisions are informed by those who know the child well and understand their daily needs, routines, relationships and behaviours.

Excluding carers from proceedings can result in:

- incomplete information before the Court;
- reduced understanding of the child's attachment relationships;
- decisions that unintentionally undermine stability;
- and increased distress for children and carers.

FKCANT notes that carers are not seeking to replace parental rights or statutory responsibilities.

Rather, carers can provide valuable evidence and perspectives regarding:

- the child's functioning;
- placement stability;
- trauma responses;
- educational and therapeutic progress;
- attachment relationships;
- and the likely impact of proposed decisions.

Importantly, allowing carers to participate appropriately in proceedings may also:

- improve transparency;
- strengthen procedural fairness;
- increase collaborative decision-making;
- reduce conflict and misunderstanding;
- and support better-informed permanency decisions.

Children who have lived with carers for significant periods often experience those carers as family.

Research on attachment and child development consistently demonstrates that significant caregiving relationships are central to children's emotional wellbeing and long-term development.

Where proceedings may result in disruption to these relationships, the views and experiences of carers are highly relevant.

FKCANT therefore supports legislative reforms that strengthen opportunities for carers to be recognised and heard in proceedings affecting children in their care.

However, FKCANT also emphasises that:

- participation processes should remain child-centred;
- proceedings should avoid unnecessary adversarial conflict;
- and carers should be appropriately supported to participate effectively.

Recommendation 7

That Clause 15 Section 94(1) amendments be supported to strengthen opportunities for foster and kinship carers to participate appropriately in proceedings affecting children in their care.

Further, FKCANT recommends that:

- carers be provided with clear information regarding their participation rights;
- participation processes remain child-centred and trauma-informed;
- and decision-makers give appropriate consideration to evidence regarding attachment, placement stability and the child's day-to-day wellbeing.

7. Cultural Safety and Kinship Care

FKCANT acknowledges the importance of maintaining culture, identity, language, community and kinship connections for Aboriginal children.

Aboriginal children remain significantly overrepresented in the Northern Territory child protection system.

Kinship care plays a critical role in maintaining:

- family connection;
- cultural identity;
- community belonging;
- and continuity for Aboriginal children.

FKCANT supports reforms that strengthen placement stability while emphasising that cultural safety must remain central to all permanency decision-making.

FKCANT's position is that the safety, protection and long-term wellbeing of children must remain the paramount consideration in all child protection decisions.

Cultural connection is critically important to identity, belonging and wellbeing, particularly for Aboriginal children. However, FKCANT believes that safety should never be compromised in order to maintain cultural connection alone.

Children should not remain in unsafe situations, nor should unsafe placements be maintained, solely because of cultural or family considerations.

Rather, the child protection system should aim to achieve both:

- safety and stability;

- and strong cultural connection wherever possible.

The best outcomes for children occur where they are:

- physically and emotionally safe;
- securely attached to stable caregivers;
- protected from ongoing trauma;
- and supported to maintain culture, identity and belonging.

FKCANT acknowledges that achieving this balance can be complex in practice, particularly in the Northern Territory context.

However, the organisation strongly supports legislative reforms that reinforce the best interest of the child and child safety as the paramount consideration while still recognising the importance of kinship, culture, family and community connection.

Permanency and cultural connection should not be viewed as competing priorities.
The best outcomes for Aboriginal children are achieved where children experience:

- safety;
- stable caregiving relationships;
- strong cultural identity;
- and connection to family and community.

FKCANT encourages ongoing partnership with Aboriginal organisations and communities in implementation of the reforms.

Recommendation 6

That implementation of permanency reforms:

- prioritise culturally safe decision-making;
- strengthen support for kinship carers;
- and involve Aboriginal-led approaches wherever possible.

Conclusion

FKCANT welcomes reforms aimed at strengthening child safety, permanency and placement stability.

Children in care require:

- safe and nurturing relationships;
- stability and belonging;
- meaningful participation;
- cultural connection;
- and long-term emotional security.

Research consistently demonstrates that children achieve the best outcomes when they experience stable caregiving relationships with minimal disruption.

FKCANT strongly supports reforms intended to:

- reduce placement instability;
- strengthen permanency planning;
- and improve children's participation in decision-making.

However, legislative reform must be supported by:

- investment in carers;
- therapeutic supports;
- trauma-informed practice;
- culturally safe implementation;
- and collaborative decision-making.

The long-term success of these reforms will depend not only on legislative wording, but on whether children, carers and families experience a system that is:

- relational;
- therapeutic;
- culturally safe;
- child-centred;
- and focused on healing and stability.

FKCANT thanks the Legislative Scrutiny Committee for the opportunity to provide this submission and welcomes ongoing engagement regarding implementation of the reforms.

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