



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

No. 267

WRITTEN QUESTION

J Davis to the Minister for Children and Families, Hon Robyn Cahill OAM
MLA:

Every Child Matters Act Costs

1. Noting the passage of the Care and Protection of Children Legislation Amendment (Every Child Matters) Act 2026 (Act No. 22 of 2026, assented to on 13 August 2026), can the Minister advise:

- a. Does the Care and Protection of Children Act 2007 already require that the safety, wellbeing and best interests of the child be the paramount consideration? If so, in which section, and what does the new Act change about that requirement?

The *Care and Protection of Children Act 2007* (the Act) has always contained a paramountcy principle, requiring the best interests of the child to be the paramount concern in decisions made under the Act. This reflects Article 3 of the United Nations Convention on the Rights of the Child (UNCRC).

Prior to the Every Child Matters amendments, the Act set out a range of matters to be considered when determining a child's best interests but did not provide guidance on the relative weight or priority to be given to those considerations.

The Act also did not identify a child's safety as either a standalone consideration or the primary consideration within the best interests principle. Given the principle is applied by a broad range of decision makers, including Child Protection Practitioners and others without legal training, it was considered beneficial to provide greater clarity regarding its operation.

The amendments established a hierarchy of considerations to support consistent decision making, as well as expressly recognising a child's safety as the primary consideration when determining their best interests. This is consistent with the fundamental purpose of the Act, which is to protect children and promote their safety and wellbeing.

- b. the total cost of developing the legislation, including consultation, legal drafting and departmental resources;**

Work on the Bill was carried out from within existing resources.

- c. the projected costs of implementing the Act; and**

There is currently no additional funding for implementation of the Act. The Department of Children and Families (DCF) will manage implementation of the Act from within existing resources.

- d. the funding allocated in the 2026–27 Budget to support implementation, and the output under which it is recorded?**

See answer to Question 1(c). The work associated with the Bill predominately sits under the Families output group.

- e. If development costs were not separately tracked, in which system was expenditure on the reform recorded, and at what level of disaggregation?**

See answer to Question 1(b).

- 2. Section 2 of the Act provides that, subject to subsection (2), the Act “commences on the day fixed by the Administrator by Gazette notice”, and that if a provision does not commence before 11 May 2028 it commences on that day.**

- a. Has a Gazette notice fixing a commencement day been made? If so, on what date was the notice made, on what date was it gazetted, and which provisions does it commence?**

The Gazette notice advising of the commencement of the Act, excepting parts 3 and 4, was published on 25 August 2026.

- b. Which provisions of the Act are in force as at the date of this answer?**

Parts 1 and 2 of the Act commenced on 31 August 2026.

- c. If no commencement notice has been made, what must occur before the Act can commence, and by what date is commencement expected?**

See answer to part 2(b). Parts 3 and 4 are anticipated to commence in December 2026.

d. What is the reason for providing a commencement backstop of 11 May 2028, and was a shorter period considered?

Inclusion of a default commencement date is a standard drafting convention to ensure that legislation, having passed through parliament, will come into force 2 years from the date the Bill was introduced to the Legislative Assembly.

3. Did the Department undertake financial modelling of the anticipated costs of implementing the reforms?

Anticipated costs of implementation are expected to be met from within existing budgets.

a. Which government agencies were included in the modelling?

See answer to Q3.

b. Which non-government agencies were included?

See answer to Q3.

c. What are the projected costs to each affected agency, and in which outputs are they reflected in the 2026–27 Budget?

See answer to Q3.

d. Can the Minister table that financial modelling?

Not applicable.

4. What were the total costs of consultation with children and young people specifically relating to the reforms?

All consultation was undertaken from within existing budget resources.

5. What implementation funding, training and practice guidance is being provided to the workforce and to Aboriginal community-controlled organisations in preparation for commencement of the Act?

DCF is supporting workforce training, practice guidance and implementation support with Aboriginal community-controlled organisations (ACCOs) through existing regular contract management arrangements and broader stakeholder engagement.

a. Is there a budget line for implementation of the Act; if so, under which output and in what amount, and if not, from which existing appropriation will implementation be met? The Department's answers to questions on notice of 5 June 2026 and to written questions of 18 June 2026 were tabled with the Legislative Scrutiny Committee; if the answer is recorded there, please state where.

There is no specific budget line for implementation of the Act. The Departments current establishment and resources will deliver the amended requirements under the Act.

6. Budget Paper No. 3 for 2026-27 records the appropriation for the Department of Children and Families and its component outputs.

a. What is the amount appropriated for 2026-27 to out-of-home care, to family support and early intervention, and to child protection services, stated separately?

- Out of Home Care (OOHC): \$143.367 million
- Family Support: \$49.460 million
- Child Protection: \$23.953 million.

b. For each of those three, what was the 2025-26 budget and the 2025-26 revised figure?

Output	2025-26 Budget	2025-26 Revised
OOHC	\$138.63 million	\$143.456 million
Family Support	\$44.531 million	\$41.115 million
Child Protection	\$20.93 million	\$24.169 million

c. Which of those amounts is higher in 2026-27 than the 2025-26 revised figure, and which is lower?

Refer to figures listed in response to Questions 6(a) and 6(b).

d. What new money is provided in 2026-27 for family preservation, reunification support or early intervention, as distinct from out-of-home care placement costs, and under which output is each recorded?

No new funding has been provided for these items in 2026-27.

7. On the Independent Review into the Conduct of the Department of Children and Families, announced on 13 May 2026 and conducted by Ms Karen Webb and Mr Greg Shanahan, the First Interim Report of which was tabled on 21 July 2026 as Tabled Paper 750:

a. What is the total cost of the review, including fees paid to each reviewer, and under which output is that cost recorded?

This question should be directed to the Department of the Chief Minister and Cabinet (CMC).

b. Are the review's terms of reference published? If so, at what address; if not, will they be tabled?

Refer to answer for Q7(a).

- c. Has any further interim report, or the final report, been received? For each, on what date was it received, and on what date will it be tabled. If the final report has not been received, on what date is it due?**

Refer to answer for Q7(a).

- d. Of the recommendations in the First Interim Report, which has the Government accepted, which has it not accepted, and what has been implemented to date?**

Refer to answer for Q7(a).

- 8. Has the Department conducted, commenced or discontinued a review of the Care and Protection of Children Act 2007 at any time since 1 January 2025, separately from the Legislative Scrutiny Committee's inquiry into the Bill?**

Yes.

- a. If so, on what date did it commence, what were its final terms of reference, and were those terms provided to the persons invited to comment on them?**

DCF commenced a broad review of the Act in February 2025. The objective of the internal review was to ascertain potential amendments to ensure the Act remained effective and relevant, including the introduction of a contemporary active efforts framework to support timely, child focused decision making.

In April 2025, DCF wrote to targeted stakeholders advising of the internal review of the Act and inviting them to provide written submissions identifying matters for DCF to consider.

DCF did not settle a formal Terms of Reference for the review, instead, the targeted stakeholder submissions and DCF identified operational issues informed the ongoing development and prioritisation of legislative reform proposals.

- b. Has it reported? If so, on what date, and will the report be tabled. If it has been discontinued, on what date and by what decision?**

DCF does not intend to publish a standalone review report, with issues identified during the course of the review to be considered and progressed through future legislative reform, where appropriate.

The review remains an ongoing process which has not concluded or been discontinued.