

Submission regarding: Serial 67 Care and Protection of Children Legislation Amendment (Every Child Matters) Bill 2026 Ms Cahill A Bill for an Act to amend the Care and Protection of Children Act 2007 and for related purposes

General Position ♣ Clearly state where you stand on the issues under inquiry

I would like for the Parliament to await the outcomes of the Independent Investigation being led by Karen Webb and Peter Shoyer prior to implementing any changes to the Care and Protection of Children Act (CAPCA).

Further that before implementing the changes that there be an appropriate time for consultation with the community.

Relevance ♣ Raise issues that relate to the terms of reference for the inquiry

I am born and bred in the NT, and have served as a Police Constable for over 31 years. Presently I work in the Office of the Children's Commissioner. I have lived long enough to have seen why the CAPCA was promulgated, i.e. there was a time when police officers did not have any actual legislated authority to pick up a child off the streets in the middle of the night, other than what was commonsense of being an adult in a position of authority trying to ensure the safety and care of a child not being adequately supervised. This gave police officers that authority, which at the time there were a number of CAPs (Complaints Against Police) for this very act.

I also understand the implications for removal of the Aboriginal and Torres Strait Islander Child Placement Principles, given my mother was a member of the Stolen Generation that grew up on Croker Island and the associated harms and intergenerational traumas implicated from such removal practices where cultural identity was essentially being erased.

The intergenerational trauma of not being connected to family, culture, language and identity resonates through to my own child, my grandchildren and great grandchildren of my siblings. The impacts are also plainly visible when interacting with family who were not taken, and how some relate to us as lesser than or other, and that's both our 'white and black' families.

Reasoned ♣ Support your comments and recommendations with facts and evidence and state where you found any facts or figures you use

On 24 October 2001 NT Chief Minister Clare Martin in the NT Legislative Assembly apologised to Territorians who were removed from as part of the Stolen Generations.

My mother lived long enough to hear this apology. She did not live long enough to hear the one by Prime Minister Kevin Rudd on behalf of all of Australia in February 2008, as she passed away in 2007. My mother said it wasn't the responsibility of our Chief Minister alone, and that it was the Federal Governments who enforced the removal and assimilation of her generation and a multitude of others before and after her.

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My mother was taken as a small child and only had a handful of memories of her mother and an older brother, very little language only what she picked up from working around other Aboriginals, but to speak language in public was dangerous and she suffered the possibility of removal of her own children. I am the only child of my mother and father who was born a citizen, the rest had to wait for this to be conferred to them as a result of the 1967 Referendum.

My mother was in her **60s** before she was able to reconnect with her mother, through the hard work by my older sisters trawling a mountain of old government documents. My grandmother had held out hope for over 6 decades, can you imagine having a child and not knowing what became of them for that length of time? To live in hope they would find you again?

Can you imagine the emotional toll it put on my mother for over 6 decades? She poured herself into us, her children, and any other wayward children that came to our home, because she never truly felt loved being in an institution, and never wanted for a child to feel that way.

Facts and figures, just because my mother was taken didn't ensure that she received adequate schooling, she said she was lucky to receive a 3rd form education, or year 3 of primary school. She taught me to read and write, and that if I wanted an education that she gave me the keys, and to not let anyone stop me. She was the Croker Island AIM mission island baker, and that her education beyond year 3 was to feed others through being taught to bake, and to eventually be a house mother to other younger children being brought into the Mission.

The very system that took her away supposedly with good intentions, never once considered cultural safety, it was about washing it away. They did not even provide an adequate education, she learned through her own tenacity and the need to give more to her children than she ever had, starting with a loving mother who was present. Which if denying her Aboriginal language that she did have then that was the path in public. I have seen first hand as a police officer, and also as a relative of other family members where this is still happening today. That even though the principles of ACPP are there, the DCF staff don't have the backing of appropriate housing resources to accommodate.

My mother contributed to the "Bringing Them Home" report in 1997, in the hopes that successive governments would listen to the stories of her and my Aunties and Uncles who lived through this time in Australia's history. She hoped that there would never be another time like it and that we would all learn from this.

She was also a realist, and was aware that there were traumas being inflicted upon the "half caste" kids at the time by their Aboriginal families as well. Essentially those children were unwanted by both sides of their equation. She said there was a need for some of the children to be removed from harm, but that didn't mean they weren't harmed by those doing the taking. The fact that she was completely cut off from her family and it took over six decades to

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be reunited, she only had 18 months with her mother and spent that time travelling to meet all the family that she had missed out on.

If my lived family history doesn't persuade you to reconsider promulgating this legislation, then consider the science. There are any number of scientific studies, both psychological and genetic that consider the question of intergenerational trauma to the individual and then build to the understanding of the implications for this on the social collective of community.

Full article: [Intergenerational Trauma in Phenomenological Research—A Systematic Review](#)

See Appendix - Intergenerational Trauma

Clear and Concise ♣ Use headings, paragraphs, and bullet points to present your comments

- I have worked both as a frontline general duties police officer, attending to domestics, and the associated harms, as well as a specialist Domestic Violence Prevention officer in both Alice Springs and Darwin. The biggest issue in these matters is getting families/children to a place of safety both short term and long term.
- Have you ever been out with police and seen how difficult it is to find somewhere safe for these families escaping violence?
- The police officer's role is to bring that immediate safety, and that's all well and good when we take them back to the police station to get the story, but afterwards trying to find somewhere some nights is near on impossible.
- The issue as I see it, is that there has been a steep decline in public housing and the longer waiting times means that without somewhere safe a lot of these women then go back to the unsafe home. Because without a place to stay, they then face the very real possibility of having their children removed because they can't shelter their own child/ren.
- With the men usually as the offenders they don't get counselling to help them to see their behaviours as not just legally wrong, but morally wrong.
- I doubt the Ministers sitting in the NT Legislative Assembly can say that they understand what it means to both love someone and hate them too, with a very real understanding that the person could and maybe will end their life. I can.
- There is inadequate counselling services for the family unit either.
- Counselling should be mandatory for the both partners, and the children, individually and as a family unit, and couple unit. This way each party can develop an understanding of the unhealthy dynamics, work through their own issues in relation to it, and work out a way forward.

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Recommendations ♣ Include recommendations that stand out clearly from the surrounding text

- Await the outcomes of the independent investigation by Karen Webb and Peter Shoyer.
- Look to reports that have been previously commissioned on Stolen Generations, such as the *Bringing Them Home Report 1997*.
- Read the materials relating to intergenerational harm, and how rushing this legislation may have unintended consequences.
- Look to the foundation of what led to the CAPCA being promulgated, and the understanding that safety was the core intention of the document.
- Protection in the name of the act implicitly binds safety and welfare of the child into its authority
- Consider that resourcing other areas of housing, counselling, and growing employment in our remote regions feeds directly into the area of child safety. Without empowerment there is no escaping violence when you think you don't deserve better.
- Listen to the advice that is being offered by the governments SME's Subject Matter Experts in relation to domestic violence, and the organisations who work in this arena.
- Convene community consultation with an adequate timeline, not the one week that this has been given.
- Consider the voices of someone like myself who has witnessed the effects of this up close and personal, and know that I consider myself one of the lucky ones because of the strength of my mother who survived this type of ill conceived eugenics ideology. That I'm offering a unique perspective, of both lived and worked in the system.
- I'm not saying do nothing, I'm saying that removal of the Aboriginal Child Placement Principle should stay, and that any other changes need to be implemented only after adequate consultation with the SMEs.
- Consultation also with community members, and organisations that deal with these vulnerable children. To give time to fully comprehend, and document what these proposed changes may mean for the NT community.

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Appendix - References Intergenerational Trauma

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