

To the Chair and members of the Legislative Scrutiny Committee

1. I provide this submission to your inquiry into the Attorney-General Legislation Amendment (Boards, Committees and Statutory Offices) Bill 2026 (Serial 65) referred to the Legislative Scrutiny Committee by the NT Legislative Assembly on 13 May 2026.
2. My submission is concerned only with the amendments to the *Care and Protection of Children Act 2007*¹ (the Act) proposed by this Bill which will abolish the Child Deaths Review and Prevention Committee.
3. My recommendation is that **the Assembly should not pass this Bill** unless the Committee concludes unanimously as a result of its inquiry that:
 - all the functions of the Child Deaths Review and Prevention Committee listed in section 210 of the Act, which clause 6 proposes to repeal, have been transferred to an appropriate government agency or the Office of the Coroner; and
 - all the powers of the Child Deaths Review and Prevention Committee in regard to requesting and being provided with specified information – including the offence for not providing such information – have been transferred to an appropriate government agency or the Office of the Coroner; and
 - if this has not already been done, the conduct of these functions and the powers required to undertake them have been incorporated into the legislation covering the work of these agencies or the Office of the Coroner so that these remain statutory functions and powers.

Proposed amendments to the Care and Protection of Children Act 2007

4. Clause 4 proposes to omit section 5(b)(iii) of the Overview of the Act which refers to measures for the prevention of harm to children and, specifically, to the prevention of child deaths.
5. Clause 5 proposes to omit definitions of ***advisor, Child Deaths Register, child deaths, Committee, Convenor*** and ***member*** from the definitions in section 13 as these terms are relevant to Part 3.3 of the Act.
6. Clause 6 proposes to repeal Chapter 3, Part 3.3 (Prevention of child deaths) which will remove the statutory basis of the Child Deaths Review and Prevention Committee (CDRPC), its functions and powers.
7. The Explanatory Statement contains conflicting information.
 - The General Outline states that the Bill will achieve its purpose by amending the *Care and Protection of Children Act 2007* to abolish the Child Deaths Review and Prevention Committee and transfer functions to relevant Government agencies.

¹ <https://legislation.nt.gov.au/Legislation/CARE-AND-PROTECTION-OF-CHILDREN-ACT-2007>

- The notes for Clause 6 state that the intention is that the CDRPC's relevant statutory functions will be carried out by appropriate Government agencies and the Coroner's office.

Care and Protection of Children Act 2007
Chapter 3, Part 3.3 Prevention of child deaths

210 Functions of Committee

The Committee has the following functions:

- (a) to establish and maintain the Child Deaths Register;
- (b) to conduct or sponsor research into child deaths, diseases and accidents involving children, and other related matters (such as childhood morbidity and mortality), whether alone or with others;
- (c) to raise public awareness about a matter mentioned in paragraph (b), including, for example, any of the following:
 - (i) the death rate of children;
 - (ii) the causes and nature of child deaths and of diseases and accidents involving children;
 - (iii) the prevention or reduction of such deaths, diseases and accidents;
- (d) to make recommendations about a matter mentioned in paragraph (b);
- (e) to monitor the implementation of the recommendations;
- (f) to contribute to any national database on child deaths in Australia;
- (g) to enter into an arrangement for the sharing of information with anyone in Australia that has functions similar to those of the Committee;
- (h) to perform any other functions relating to the object of this Part as the Minister directs.

Source: <https://legislation.nt.gov.au/en/Legislation/CARE-AND-PROTECTION-OF-CHILDREN-ACT-2007>

Was abolishing the Child Deaths Review and Prevention Committee pre-empted by lack of Ministerial action and understanding?

8. In the first reading speech, the Minister referred to 'abolish[ing] now redundant committees' and 'merg[ing] their key functions within existing functions'. In response to a question during Question Time, Minister Boothby said:

As a part of the review, we are looking at the boards under my agency. I have made a decision to no longer pursue the Child Deaths Review and Prevention Committee because that is the work of the Coroner. The Coroner has been doing that job for a number of months. She does a coronial on every child death and that work will continue. I have written to the members of the child deaths review committee to explain that. My department will now work with the Coroner to make sure that all the other

mechanisms are addressed so that we have child safety at the centre of what we do to make sure that the Territory is the best place to raise a child.²

9. Regarding how many times the CDRPC had met since the change of government in 2024, the Minister said that the CDRPC had met twice in 2025 then later amended this to indicate that the CDRPC had not met since 10 October 2024.³
10. In my opinion, the CDRPC is being presented as a 'redundant committee' due to Ministerial inaction since the change of government in August 2024. Identifying and appointing a convenor, deputy convenor, and appropriate membership for the CDRPC is a Ministerial responsibility under section 209 of the Act.
11. Failure to secure membership for the CDRPC along with confusion regarding the separate statutory functions of the Coroner and the CDRPC appear to have influenced the outcome of the review into statutory boards and committees referred to by the Minister which is presented as the basis for abolishing the CDRPC.

Separate functions of the Child Deaths Review and Prevention Committee and the Coroner

12. The Minister's statement represents an incorrect understanding of the work of the CDRPC and the work of the Coroner.
13. Secretariat support was provided to the CDRPC by the Office of the Children's Commissioner from 2008 until 2017; this function then moved to the Office of the Coroner. Providing secretariat support is an administrative function which supports – but does not do – the work of the CDRPC.
14. The CDRPC is a multi-disciplinary committee of qualified and experienced people. The Territory Coroner is required to nominate a deputy coroner to be a member of the CDRPC under sub-section 209(6) of the Act. This ensures coronial expertise is brought to the CDRPC along with other specialist roles such as the Children's Commissioner and legal practitioners from justice services. Over the years, members have brought expertise in these fields to the CDRPC: paediatrics; maternal and child health; mental health; health service delivery; domestic violence and prevention; child protection; investigating and managing crimes against children; public health; Indigenous health policy; and statistics.
15. The CDRPC reviews the deaths of children who usually resided in the Territory (whether the death occurred in the Territory or not) and stillbirths that occurred in the Territory. This means that the CDRPC can review the deaths of Territory children which occur interstate or overseas. While the NT Coroner can use their powers to assist a coroner outside the Territory, the Coroner is not required to investigate the death of a Territory child which occurs outside the Territory.

² Draft Daily Hansard, 4 February 2026, page 35: <https://hdl.handle.net/10070/1027053>

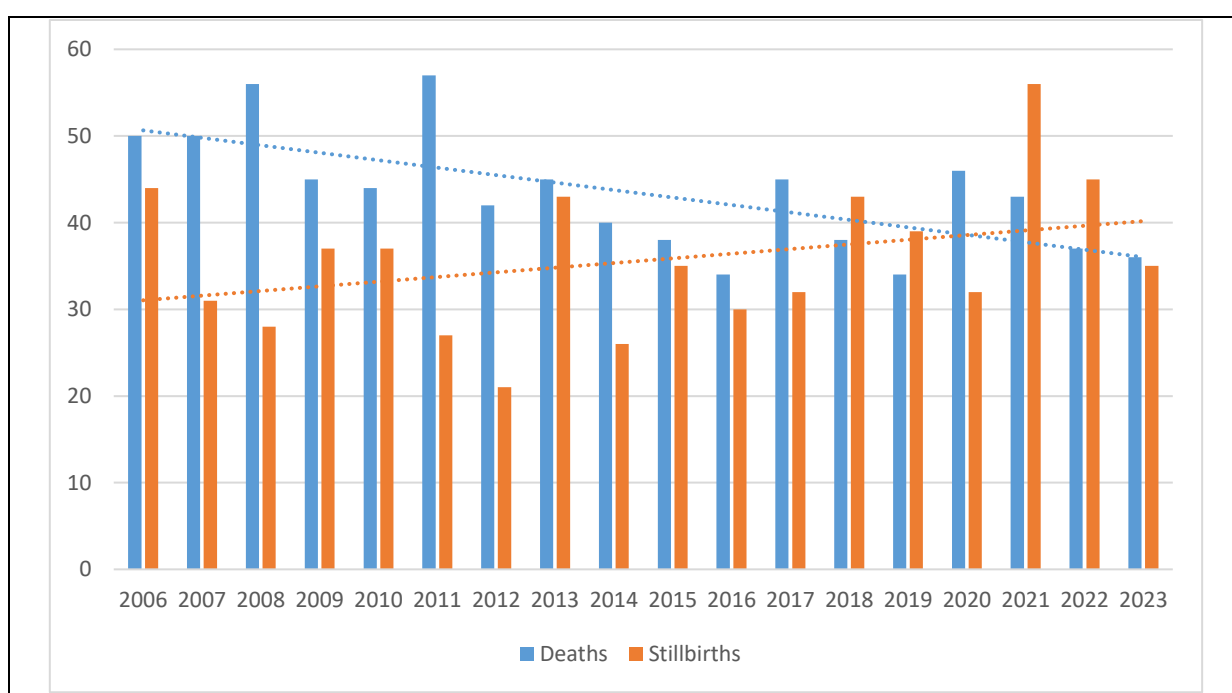
³ Draft Daily Hansard, 4 February 2026, page 35: <https://hdl.handle.net/10070/1027053>

16. The Coroner does not ‘do a coronial’ on every child death. While there is a requirement under sub-section 4A(c) of the *Coroners Act 1993*⁴ for the Coroner to ensure that all reportable deaths are investigated, not all deaths of children are reportable.

Effectiveness of the Child Deaths Review and Prevention Committee

17. Since the CDRPC was established in 2008, the number of deaths of children in the NT has shown a steady downward trend despite the growth in population (see Figure 1). While the work of the Committee is very likely to have had an impact on this trend, the extent of that impact is difficult to quantify. Some issues related to prevention of child deaths which the CDRPC has been instrumental in addressing include: youth-onset obesity and type 2 diabetes; swimming pool safety; and safe sleeping practices.

Figure 1: Child deaths and stillbirths (number), Northern Territory, 2006-2023



Source: Compiled from information in the CDRPC Annual Reports, 2008-2009 to 2023-2024.

18. Figure 1 also shows that a relatively small number of stillbirths⁵ occur each year in the NT with the average from 2006 to 2023 being 35 each year. Almost half the stillbirths are due to either a congenital anomaly (30%) or an unexplained cause (14%)⁶. The number of stillbirths has shown an upward trend over the last (almost) 20 years in line with population growth as would be expected.

⁴ <https://legislation.nt.gov.au/en/Legislation/CORONERS-ACT-1993>

⁵ According to section 4 of the Births, Deaths and Marriages Registration Act 1996, a stillborn child means a child of at least 20 weeks' gestation or with a body mass of at least 400 grams at birth that exhibits no sign of respiration or heartbeat, or other sign of life, after birth. <https://legislation.nt.gov.au/Legislation/BIRTHS-DEATHS-AND-MARRIAGES-REGISTRATION-ACT-1996>

⁶ Australian institute of Health and Welfare (2025) *Australia's mothers and babies*. <https://www.aihw.gov.au/reports/mothers-babies/australias-mothers-babies/contents/stillbirths-neonatal-deaths/stillbirths-and-neonatal-deaths-in-australia-2022#causes>

Questions for the Legislative Scrutiny Committee to consider

19. Considering the lack of publicly available information on the conduct of the review of statutory boards and committees which appears to be the basis for the abolition of the CDRPC, and the minimal information provided in the Explanatory Statement tabled with this Bill, it is unclear whether the following issues have been considered and addressed.
20. Before making recommendations to the Legislative Assembly, I ask that the Legislative Scrutiny Committee is satisfied in relation to these issues.
21. Which clause in this Bill covers the transfer of the statutory functions currently undertaken by the CDRPC to the relevant Government agencies?
22. If the Bill does not achieve this, what further legislative change is necessary before the functions of the CDRPC are absorbed into various government agencies, and lose their statutory basis?
23. Can the Committee be confident that the Minister in charge of this Bill has been properly advised in relation to the separate and important functions undertaken by the CDRPC and the Office of the Coroner?
24. When taking on responsibility for the CDRPC under the Attorney-General's portfolio, what efforts did the Minister make to identify suitably experienced and capable persons to be appointed to the CDRPC?
25. The proposed amendments will remove the requirement for the Minister to table an annual report on the development of the Child Deaths Register and the implementation of recommendations already made by the CDRPC. What mechanism will enable this reporting to continue if the statutory basis for doing so is removed?
26. The Coroner does not investigate stillbirths, which can also occur as the result of complications related to pregnancy and childbirth. Considering the current issue with obstetric and maternity services in the NT, it is important that the review of stillbirths is undertaken independently and not by the department responsible for providing services which may be implicated in the stillbirth. What avenues will exist for monitoring and reviewing the causes of stillbirths in the Northern Territory?
27. The CDRPC is a member of the Australian and New Zealand Child Death Review and Prevention Group. The Group brings together similar committees from across the region and helps to identify, address and potentially decrease the number of infant and child deaths by sharing information across jurisdictions and working collaboratively to improve national and international reporting. If the functions of the CDRPC are decentralised across a number of agencies and the Office of the Coroner, how will contribution to the work of the Group be maintained and supported?
28. If the Government regards the safety and wellbeing of Territory children as a primary concern under one piece of legislation currently before the Assembly, then why under this Bill is it abolishing an effective mechanism which has, as its main focus, the safety and wellbeing of Territory children through reviewing and preventing their deaths?

Thank you for considering my submission. I am available to elaborate further in person to the Committee on any of the points I have made.

I give permission for this submission to be published under my name by the Committee on the inquiry website.

Elizabeth Creed

22 May 2026