

The committee convened at 9 am.

**INQUIRY INTO THE CARE AND PROTECTION OF CHILDREN
LEGISLATION AMENDMENT (EVERY CHILD MATTERS) BILL 2026
Foster and Kinship Carers Association NT**

Madam CHAIR: On behalf of the committee, I welcome everyone to this public hearing into the Care and Protection of Children Legislation Amendment (Every Children Matters) Bill 2026.

I welcome to the table to give evidence to the committee representatives from the Foster and Kinship Carers Association Northern Territory, Amanda Thompson, Denise Higginson, Denise Jenkins, Jackie Williams, AnneLouise Cooper, Kay Thomson, Stephen Atherton, Sandy Potter and Amy Banson. Thank you for coming before the committee. We appreciate you taking the time to speak to the committee and look forward to hearing from you today.

This is a formal proceeding of the committee and the protection of parliamentary privilege and the obligation not to mislead the committee apply. This is a public hearing and is being webcast through the Assembly's website. A transcript will be made for the use of the committee and may be put on the committee's website. If at any time during the hearing you are concerned that what you will say should not be made public, you may ask the committee to go into a closed session and take your evidence in private.

Could you please each state your name and the capacity in which you are appearing.

Ms THOMPSON: Amanda Thompson, Chief Executive Officer of Foster and Kinship Carers Association NT.

Ms HIGGINSON: Denise Higginson, Care Assessment Manager and Practice Manager, Foster and Kinship Carers.

Ms THOMSON: I am Kay Thomson, I am a kinship carer and a member of the board of the Foster and Kinship Carers Association NT.

Ms BANSON: Amy Banson, foster carer, here with the Foster and Kinship Carers Association NT.

Ms JENKINS: Denise Jenkins, Board Vice Chair of Foster and Kinship Carers Association NT.

Ms WILLIAMS: Jackie Williams, foster carer and board member of FKCANT.

Ms COOPER: Good morning. AnneLouise Cooper, board member and foster carer of the Foster and Kinship Carers Association NT.

Ms POTTER: Hi, I am Sandy Potter, board member and carer for Foster and Kinship Carers.

Mr ATHERTON: I am Steve Atherton. I am a board member and foster carer for Foster and Kinship Carers Association NT.

Madam CHAIR: Thank you, everybody. Ms Thompson, would you like to make an opening statement?

Ms THOMPSON: Yes, I have prepared a brief statement.

Good morning, Chair and committee members. Thank you for the opportunity to appear before you today and speak to you on behalf of Foster and Kinship Carers Association NT.

My names is Amanda Thompson. I am the Chief Executive Officer of FKCANT. I am accompanied today by Denise Higginson and other representatives of the association.

Collectively, the carers represented here today bring more than 80 years of caring experience and have cared for more than 100 children and young people. In addition, Denise has more than 20 years' experience working in child protection systems both in Western Australia and the Northern Territory. I have 11 years' experience working in child protection and carer support services.

We acknowledge that child protection is one of the most complex and challenging areas of public policy. We also acknowledge the significant responsibility carried by government, courts, practitioners, families and carers in making decisions that affect the lives of vulnerable children.

FKCANT welcomes the opportunity to contribute to the committee's consideration of the Care and Protection of Children Legislation Amendment (Every Child Matters) Bill 2026. Overall, FKCANT supports the intent of the proposed reforms. In particular, we support the stronger emphasis on child safety, permanency planning, placement stability and ensuring that children and young people have a greater voice in decisions that affect their lives.

Our submission is grounded in a simple principle: children do best when they are safe, loved, heard and able to experience stable and enduring relationships.

Throughout our work with foster and kinship carers across the Northern Territory, we see firsthand the impact that instability can have on children. Many children entering care have already experienced significant trauma, loss, neglect, family violence or disrupted attachment relationships. Repeated placement changes and prolonged uncertainty can compound that trauma and make recovery more difficult.

For that reason, FKCANT strongly supports reforms that seek to reduce placement disruption and promote earlier permanency planning where reunification is not achievable within a timeframe that meets the developmental needs of the child.

We also strongly support the amendments that strengthen children's participation in decision-making. Children and young people consistently tell us that they want to be informed, listened to and involved in decisions about their lives. Meaningful participation is not simply a procedural requirement; it is fundamental to dignity, trust and wellbeing.

FKCANT also supports the proposed amendments that allow carers to have a greater opportunity to participate in proceedings affecting children in their care. Carers often have unique knowledge of a child's day-to-day needs, relationships, progress and challenges. Their perspectives can assist decision-makers to make better informed decisions that are in the child's best interests.

The committee will be aware that significant discussion has occurred regarding the relationship between child safety, permanency and cultural connection. FKCANT's position is clear: cultural identity, family, community and kinship connections are important protective factors for children and should be maintained wherever it is safe and appropriate to do so. However, we believe that child safety must remain the paramount consideration in all decisions. No child should remain in an unsafe situation, nor should an unsafe placement be maintained solely because of cultural or family considerations. We do not see safety and cultural connection as competing priorities. The best outcomes for children occur when both can be achieved together. However, where difficult decisions must be made, the safety and wellbeing of the child must come first.

Finally, we emphasise that legislation alone cannot deliver better outcomes for children. The success of these reforms will depend on how they are implemented. Stable placements require adequately supported carers. Permanency requires therapeutic supports for children and families. Participation requires skill and trauma-informed practice. Without investment in these areas, the objectives of the legislation will be difficult to achieve.

FKCANT appreciates the opportunity to appear before the committee today, and we look forward to answering your questions.

Mrs ZIO: Thank you for attending today. We appreciate you taking the time when a lot of you work, and you have taken time out of your day to be here. Thank you so much for coming.

I wanted to talk about your submission and how it emphasises that carers often possess critical knowledge about a child's attachment relationships, wellbeing, trauma responses and daily needs. Yesterday we had some witnesses who talked about how children get attachment to case workers in the department. We argue that they get attached to their carers more than their case workers.

Why would you consider it is important that carers have a stronger voice in proceedings, particularly where decisions may significantly affect a child's stability, permanency or long-term welfare?

Ms THOMPSON: Would one of the carers like to answer that question, or are you happy for me to answer?

Ms HIGGINSON: Currently, the turnover of staff in the department is—what is the word? It is constant. Case workers generally are not in that position very often, so children really do not get any opportunity to form an

attachment. The reality also is that—I do not know if you want this private, what I am about to say—case workers are not actually going out. I am sure the carers here can confirm this. They are not going out to see these kids as they are required to legally. I do not know why anyone would say that.

The other thing is the department works with a framework, Signs of Safety. When they have best interest mapping, somehow they have ended up an internal meeting. It was always meant to be the people who knew the child best. More often than not—100%—the carers are the people who know that child. They are not even being invited to meetings to offer advice, let people know what is happening for the child. A child is never invited to a meeting. That is the reality.

Mrs ZIO: A number of submissions have argued that the current legislative framework should remain largely unchanged. From the perspective of carers who are caring for children affected by abuse, neglect, trauma and family violence, we know that there are some resourcing issues and the stability, as you talked about, in the department that needs to be worked on and improved. If you put that aside for a minute, do you believe the current system is delivering the level of safety, stability and permanency that children need, or is this reform required to improve outcomes?

Ms THOMPSON: I believe that change is needed. For example, you have children who have been in care, say, six years or 10 years and they are still looking at working towards reunification. Reunification should never be off the table; however, there should be a timeframe because the children are living in a constant anxiety of instability which creates problems with behavioural challenges and issues. That also then leads to placement breakdown as well, because the supports are not put in place—therapeutic supports are not often put in place. There is lack of communication with carers and being involve in these decisions; they are often left out of transition planning and reunification planning. I think for the stability for children, a shorter timeframe should be implemented for the child's wellbeing.

Mr YOUNG: I need to ask a question on that ...

Mrs ZIO: I have a follow-up as well first, quickly.

I am clarifying off the back of that, would it be fair to say that one of the greatest risks facing children in the current system is not simply the removal itself, but the prolonged uncertainty, repeated disruption and lack of timely decision about their future?

Ms THOMPSON: Yes, absolutely.

Mr YOUNG: Would you agree that the best place for a child is with their direct family? We talked about some of the systemic issues we have seen in the Northern Territory and across Australia when it comes to child protection around housing, health, domestic and family violence. Sometimes those services are not there for people to engage within those programs.

Currently, as I understand it, the Bill is asking for a two-year period and then there will be no reunification. If families are not able to engage in those programs within that timeframe, but they can outside that timeframe, would it not be best placed for the child to go back to their family?

Ms THOMPSON: I would suggest it depends how long the child has been in care. That needs to be considered. Obviously, everyone agrees that the best place for a child is with their family, if that is possible.

Even if a child is on a long-term order that does not mean circumstances cannot change. A child can be returned to family if the child wishes to return to family. That has happened in some cases.

The paramount thing here is looking at the attachment relationships that the child has and the voice of the child. We have situations where children do not want to go back to biological family and clearly articulate—depending on their age, but often by behavioural displays they have, saying they do not want to go. It is very difficult for our carers in those situations because the children are extremely emotional; heightened escalations of behavioural outbursts happen. There is lot of aspects that need to be considered in those decisions.

I hope that answers.

Mr YOUNG: Yes, that is fine. Thank you for answering that.

You put in your submission regarding emphasis on investment in therapeutic support, early intervention, trauma-informed practices and also around family violence. You mentioned a number of those key social concerns that we see in the Territory. Do you think this Bill would address that?

Ms THOMPSON: I do not think it would address the housing issues and overcrowding that happens in housing or the domestic violence. Obviously, there is a lot of work to be done in that area and early prevention. That is where the resourcing needs to come in.

I do not think anybody wants to see a child come into care. The funding, resources and services need to be at the front end. Hopefully then it does not come to that point where children are having to be removed and come into care.

Our emphasis would be that we would like to see more early intervention for families, so hopefully we do not get to the point where children will come into care, but, sadly, that is not the case ...

Ms HIGGINSON: I will add a bit more to that. When I worked for the department I was in central intake before I left. The amount of reports that come in and then you have a look into the family history, the number of times families have been involved with intensive support services, time and again, with no change. I think whatever will be implemented needs to address what the issues are. We have had generations of the same family where we had the parents and then we got the kids. Whatever early intervention programs are developed—they have been doing early intervention; it just has not worked. It is not a quick fix and it is not, 'Just let us throw a few more programs there'. For some families, it is not able to be fixed, unfortunately.

Mr YOUNG: I disagree with that comment. Given that we heard overwhelming submissions from yesterday of issues faced in child safety, relating to the lack of resourcing, lack of service coordination and inadequate responsiveness from the Department of Children and Families. Would you see that this Bill would put an extra workload on the Department of Children and Families, considering that it is unable to fulfil ...

Ms HIGGINSON: Just another point about you not agreeing with my comment. A lot of the parents that departmental staff and agencies work with have fetal alcohol syndrome, so it is very hard to be working with people who possibly do not have the capacity for change.

What was your other question? I have lost my train of thought.

Mr YOUNG: It was about the implementation of the Department of Children and Families, I suppose the lack of when it comes around the Aboriginal child placement principle too. We heard many submissions and people before the hearings saying that is the issue within the department—not able to implement the Aboriginal child placement principle with families because of lack of resourcing within the department.

Ms HIGGINSON: Yes, definitely a lack of resourcing. Case workers have too many cases. It is an impossibility; you cannot manage 30 cases and do your job. It is an impossibility.

I also worked on the front end. When children come into care, regardless if they are Aboriginal, Greek or African, the first thing you do is look for family. Unfortunately, more often than not there is not safe family, otherwise those children would go there. That is never, ever overlooked; it is the first thing you are doing.

Madam CHAIR: Thank you, Ms Higginson. I am checking in ...

Mrs ZIO: I am not finished ...

Madam CHAIR: Laurie wants to finish.

Mrs ZIO: It flows in from what we have been talking about. Yesterday we had some contradictory advice provided to us by witnesses. We had conversations about how the current legislation, as it stands, puts safety above all else and it puts the best interests of the child, but then when we talked about introducing the new changes, they said, 'That will increase the number of cases that come in because you are now putting safety at the front'. It does not weigh up for me; they are saying that safety is the current priority anyway, but if we introduce these changes then more cases will come. That is a bit of a grey area for me in relation to that.

Your submission repeatedly highlights the harm caused by placement instability and prolonged uncertainty for children in care. Based on the experiences of you guys—the foster and kinship carers across the Northern Territory—can you explain what repeated placement moves, delayed decision-making and prolonged

uncertainty mean for a child's emotional wellbeing, their development and long-term outcomes? I am happy to take specific examples if you want to go ...

Ms POTTER: I am happy to jump in as a foster carer ...

Mrs ZIO: Just let us know if you want to go in camera.

Ms POTTER: If you want specific examples, we probably need to go off air because it is difficult to talk about ...

Mr YOUNG: We can go in camera.

Ms POTTER: Yes, I think that is probably a space that we need to move into.

J DAVIS: Before we do that, can we have a couple of questions on camera.

Mr HOWE: If we may, Madam Chair, we could quickly finish on camera public questioning. Justine probably has some. I have one or two. Then we can go off-camera.

Madam CHAIR: I am mindful of time, so I will have to ask you to be quick. I need to ask you to be precise with your answers so that we still have time for that.

J DAVIS: Thank you all for coming and the work you do.

I have a question about reunification. I heard you say reunification should never be off the table. Under these proposed amendments reunification will be off the table after two years. You will know, because you are all dealing with the lack of resources and support for the children you are working with already, that sometimes getting the support you need within two years is impossible. I am interested in your views on what that might mean for young people and families, preventing reunification with a two-year hard cut-off with no room for any individual focus.

Ms HIGGINSON: Predominantly I have worked in WA with child protection. That has always been the case where it is two years. It is about the children's timeframe, not the parents. Two years in the scheme of things is not a long time, but it is all about the child. You cannot wait for five or 10 years for parents to do what they need to do.

Even when this legislation changes, it can always go back to court. A parent can go back to court if they change their life around and have got on track. There is nothing stopping anybody going back and saying, 'My circumstances have changed; I want my children.'

J DAVIS: Or if for eight years they have been waiting for a house on a public housing waiting list, that has changed or the reasons structurally that they are unable to get the supports.

Madam CHAIR: Just one question.

J DAVIS: Yes, sorry. One more quick question ...

Ms THOMPSON: I will add to that quickly. The Northern Territory is not alone. Other jurisdictions in Australia and internationally are also moving towards earlier permanency planning for children. It is not ...

J DAVIS: Are you aware Victoria having this and then rescinding it because of the problems that it created? Is that something you have considered in your submission?

Ms THOMPSON: No.

J DAVIS: One more quick question. You also highlighted in your submission and we have talked about here the issues with resources. I understand what you said, Denise, but in general the sector is under-resourced ...

Madam CHAIR: Member for Johnston, do you have a question?

J DAVIS: Yes; sorry.

If this Bill is implemented as it is, with no additional resourcing, are there any risks you see? For example, around proactive efforts which is brought into this Bill with no additional resourcing. Will it work?

Ms THOMPSON: No; it needs to be resourced.

Mr HOWE: Thank you all for coming here and thank you for the work you do as well for the Territory.

On reunification—please, we can provide some off-camera examples. I have heard anecdotal examples of carers who have looked after a child from a very young age and then five or six years later a reunification attempt has occurred. It has failed and the child has come back. Carers have been concerned about potential abuse that has happened. Then, again five years later, there has been a reunification attempt. Are we seeing that kind of thing happen with the current legislation?

Ms HIGGINSON: Yes.

Ms THOMPSON: Yes, absolutely. That is not an unusual or uncommon circumstance.

Mr HOWE: As carers, what kind of impact is that having on the children?

Mr ATHERTON: They do not always go back to the same carer as well. Sometimes they go to somebody else that they do not know, so they are moving from a stable household to whoever and then, if that breaks down, they are moving somewhere else that they do not know. They are going through it all again.

Ms WILLIAMS: The young people want the stability. I have had some for 13 years. They are 14. They want stability. They want to know that is where they are; there is nobody coming to take them. They want it.

Mr ATHERTON: We have a little girl who screams most nights because she does not feel like she is safe. We put in security screens and cameras and talk to her every night, reassure her as much as we can, but we still—she has been with us four years and she is still scared and asks me what time the bad people come out at night-time. It is heartbreaking. It is really hard. She is going through therapy.

Mr HOWE: As we have gone through these hearings and there has been quite open criticism of what this Bill does, it seems to me—I am wondering what the association thinks of this—that there are groups willing to put the pride of adults ahead of the safety of children. What is the association's view on that comment?

Ms WILLIAMS: We would have to say the safety of children ...

Ms COOPER: We agree. Absolutely. The safety of the children has to be at the centre, irrespective of colour, creed, financial status, kinship; otherwise, you have people who are identified by family to be the carer who are not the same culture, but they still see the carer as family to support their family and their child. That struggles to be recognised within the Bill.

Mr HOWE: That is all, Madam Chair.

Madam CHAIR: I now formally close the public hearing until further notice and ask everyone in the gallery to leave the room. Media representatives must also take with them any recording equipment.

The committee moved to closed session.
