

Secretary
Legislative Scrutiny Committee
GPO Box 3721, Darwin NT 0801
By email: LSC@nt.gov.au

22 May 2026

Dear Legislative Scrutiny Committee,

Care and Protection of Children Legislation Amendment Bill 2026

The Central Land Council (CLC) welcomes the opportunity to provide feedback on the *Care and Protection of Children Legislation Amendment Bill 2026 (the Bill)*.

About the Central Land Council

The CLC is a Commonwealth corporate entity established under the *Aboriginal Land Rights (Northern Territory) Act 1976*, with statutory responsibilities for Aboriginal land acquisition and land management in the southern half of the Northern Territory (NT). The CLC is also a Native Title Representative Body established under the *Native Title Act 1993 (Cth)*.

Through its elected representative Council of 90 community delegates, the CLC represents the interest and aspirations of approximately 20,000 traditional landowners and other Aboriginal people resident in its region. We advocate for our people on a wide range of land-based, economic and socio-political issues to ensure that our families can continue to survive and thrive on their land.

Summary of concerns

In this submission we join with NT legal services, AMSANT and NTCOSS and a range of other experts in the NT and Australia-wide to object strongly to the *Care and Protection of Children Legislation Amendment Bill 2026*, due to the disproportionate harmful impacts it will have on Aboriginal children and families when enacted. Aboriginal children are significantly overrepresented in the child protection system – they are 11.2 times more likely to be placed in out of home care than non-Aboriginal children here in the NT.¹ As long as Aboriginal children and families are overrepresented in this system, there must be legal safeguards in place that respect and uphold their rights and interests.

The current system is failing children and families because it favours punitive measures against families and removal of children over care and support. Eighty-two per cent of Aboriginal children in care in the NT were removed from their families due to neglect. As Dr Tracey Westerman highlights, the notion of neglect is vulnerable to racialised prejudices.² What a non-Aboriginal case worker classifies as neglect might in reality be income poverty, housing insecurity, health problems, or other issues. As such, changes to the child protection system need to prioritise a shift in the system's culture and practices away from removal pathways and towards improving the material and spiritual wellbeing of Aboriginal people.

¹ SNAICC (2025) *Reviewing implementation of the Aboriginal and Torres Strait Islander Child Placement Principle: Northern Territory 2025*.

² <https://nit.com.au/14-05-2026/24281/we-are-repeating-history-the-child-placement-principle-must-remain>



We endorse the position of many organisations including NAAJA, AMSANT and NTCOSS that the NT child protection system needs significant reform, but this Bill will make the situation worse. We reiterate their concerns, including that the Bill:

1. makes it easier to remove children from their families, and harder for them to be reunited;
2. expands the capacity of the government to monitor and intervene in the lives of Aboriginal Territorians, particularly through degrading Family Responsibility Agreements and Family Responsibility Orders;
3. will not address real issues in the child protection system like systemic racism, under-resourcing and workforce retention, lack of accountability, and inadequate frontline services;
4. weakens essential legal safeguards for Aboriginal children and their carers; and
5. distracts from the real issues affecting the wellbeing of Aboriginal children, like poverty, housing insecurity, domestic and family violence, unmet disability needs, racism, and more.

These reforms also contravene the NT Government's commitments under the National Agreement on Closing the Gap including the need to consult Aboriginal people and organisations about policies and laws that affect them, undermines internationally recognised rights of Aboriginal children to grow up in their own culture, and goes against the principles and recommendations of numerous inquiries, royal commissions and coronial inquests. We are particularly alarmed by the proposed sidestepping of the Aboriginal Child Placement Principle, which acts as a key protection in preventing a repeat of the immense intergenerational harms of the Stolen Generations.

The Central Land Council was shocked and deeply saddened by the circumstances and death of Kumanjayi Little Baby. Our staff and members joined the broader community in the search to find the little girl, and she was family for many of our members. We are very disappointed by the NT Government's rush to introduce this bill so soon after the passing of Kumanjayi Little Baby. At times like this it is critically important for government to respond in a considered and evidenced-based way and through in depth consultation to address any systemic issues arising rather than succumb to the urge for a kneejerk and top-down legislative response. We know from long and deep experience that this will deliver negative consequences for Aboriginal families and children for decades to come.

Recommendations

The CLC respectfully asks that the Legislative Scrutiny Committee:

1. Recommends that the Assembly does not pass the *Care and Protection of Children Amendment Bill 2026*
2. Recommends that the Northern Territory Government consult with Aboriginal Community Controlled organisations about Aboriginal-led, culturally safe and evidence-based reform of the NT's Child Protection System and to deliver on initiatives to support and strengthen families, not tear them apart.

Yours sincerely,



Les Turner

CHIEF EXECUTIVE OFFICER