

**Dear Scrutiny Committee,**

The Care and Protection of Children Legislation Amendment (Every Child Matters) Bill 2026 should be scrapped in entirety due to the following concerns:

1. The proposed Bill seeks to implement changes that are the opposite of what experts advise
2. This Bill breaches the rights to self-determination and fails to work in partnership with Aboriginal leaders and communities
3. This Bill fails to prevent harm to children/address the factors that lead to child removal

Alongside these three core issues that will be explored in this submission, there is also genuine concern that this Bill has been drafted and will likely pass before the three month review into the Territory's child protection system. If the CLP Government is sincerely seeking to protect children then why not be informed by this upcoming review?

**The proposed Bill seeks to implement changes that are the opposite of what experts advise**

SNAICC, the National Voice for our Children is the national peak body for Aboriginal and Torres Strait Islander Children. Each year they develop the The Family Matters Report is an annual that 'tracks progress towards ensuring Aboriginal and Torres Strait Islander children and young people grow up safe, cared for, and connected to their families, communities and culture'. In their most recent review the Northern Territory scored the lowest for all jurisdictions for the core pillars that lead to child safety and a reduction in child removal. This well resourced and credible report provided 15 recommendations in order to see this important vision. Building Block 3 seeks to ensure Law, policy and practice in child and family welfare are culturally safe and responsive. It includes four recommendations:

8. Safeguard Aboriginal and Torres Strait Islander children from the imposition of inappropriate and potentially harmful permanent orders in the OOHC system

9. Establish national standards to ensure family support and child protection legislation, policy, and practices require compliance with all five elements of the Child Placement Principle to the standard of active efforts

10. Increase investment in reunification services to ensure Aboriginal and Torres Strait Islander children are not spending longer in out-of-home care than is necessary due to inadequate planning and support for parents, and increase investment in support services for families once children are returned to support sustained reunification outcomes for children and families.

11. Establish ongoing initiatives to improve practice, knowledge, responsiveness and accountability to Aboriginal and Torres Strait Islander people in government agencies, in

accordance with Priority Reform 3 under the National Agreement on Closing the Gap real time, resources and expertise should be considered.

These four key recommendations are directly contrary to what this Bill is doing. Rather than restricting permanent orders per recommendation 8, this Bill shortens the timeframe to permanent orders.

Instead of affirming the importance of the five pillars of the Child placement principle (recommendation 9) of prevention, partnership, placement, participation and connection, this Bill is watering down the principle. As National Commissioner Hunter has flagged 'Weakening the Child Placement Principles through rushed legislation, without a completed review foundation or genuine engagement with Aboriginal leaders, risks repeating the very harms it was designed to prevent'.

Recommendation 10 calls on further funding into support to see reunification but instead this bill and the newest budget fails to address how families will be supported to be reunified.

Alongside this, contrary to recommendation 11, this Bill reduces Government accountability to First Nations people by, reducing scrutiny, speeding up processes and failing to incorporate Aboriginal perspectives into this draft Bill and the Child protection system more broadly.

This Bill seeks to create a uniform child protection system, however the Office of the Children's Commission prior to the tabling of this Bill called for "the need for a **differential response** to Aboriginal children and families dealing with hardship and redirection of resources to the front end of the system to support and deliver effective services to Aboriginal and Torres Strait Islander children and families."

### **This Bill breaches the rights to self-determination and fails to work in partnership with Aboriginal leaders and communities**

As stated by the Member for Mulka, "If the Government genuinely want to prioritise the safety of our children, then they must withdraw this bill and properly consult with Aboriginal communities...we also want to see improvements to the child protection system because we know that it is failing.... we want to work together."

It is well established that programs that actually work are designed and implemented by communities themselves (there are a number of strong case studies in the 2025 Family Matters Report). There has been strong public outcry across the sector in response to this proposed Bill as there has been a complete failure to collaborate with experts and leaders.

As stated by Aboriginal and Torres Strait Islander Social Justice Commissioner Katie Kiss stated "these proposals are a clear breach of our rights under a range of United Nations agreements, including the UN Declaration on the Rights of Indigenous Peoples. If the Northern Territory

government is serious about child safety, it should invest in First Peoples-led solutions, family support and culturally safe care.

**This Bill fails to prevent harm to children/address the factors that lead to child removal**

As stated in the 2025 The Family Matters Report “When the statutory child protection system intervenes in our families to remove our children, it is typically framed as a matter of determining what is in the child’s ‘best interest’. Within this framework, structural determinants like poverty, housing insecurity, intergenerational trauma and systemic racism are routinely recast not as consequences of colonisation but, rather, as indicators of parental failure.”

These structural inequalities that are not being addressed lead to risks to children's safety and subsequent child removal. If the Government wants to address these real issues, they must invest in services that build housing stability and support parents.

Please consider reading the full SNAICC Family Matters Report and truly seek to protect children and families by listening to the experts and Aboriginal communities. This Bill should be scrapped.

Sincerely,

Eliza Palmer