

22 May 2026

Secretary  
Legislative Scrutiny Committee  
Legislative Assembly of the Northern Territory  
GPO Box 3721  
DARWIN NT 0801

**By email only: [LSC@nt.gov.au](mailto:LSC@nt.gov.au)**

Dear Committee Members

**Submission to the Legislative Assembly of the Northern Territory, Legislative Scrutiny Committee, Call for Submissions Re the Care and Protection of Children Legislation Amendment (Every Child Matters) Bill 2026**


Thank you for the opportunity to respond to the Legislative Scrutiny Committee (Committee) Call for Submissions into the Care and Protection of Children Legislation Amendment (Every Child Matters) Bill 2026 (Every Child Matters Bill).

**About OzChild**

OzChild is a not-for-profit community service organisation that delivers programs to at risk children, young people and their families and supports foster and kinship carers. OzChild has over 800 staff, carers and volunteers across Queensland, Victoria, New South Wales and the Australian Capital Territory, delivering 23 programs and services to over 10,000 children, young people and families.<sup>i</sup>

OzChild works collaboratively with governments and in partnership with Aboriginal Community Controlled Organisations (ACCOs) to deliver programs tailored to the local context and grounded in the evidence of what works to support children and young people to be safe and thriving with their families. Examples of services delivered by OzChild in the Southwest Region in Queensland include:

- *Treatment Foster Care Australia Queensland (TFCA-Qld)* – OzChild has been engaged by the Queensland Department of Families, Seniors, Disability Services and Child Safety since 2018 to deliver a evidence-based behaviour modification program customised to the local context, TFCA-Qld for at risk children and young people and their families or carers. The TFCA program is specifically designed for children and young people in or at risk of entry into residential care, who have experienced significant trauma, have complex emotional, behavioural, and relational difficulties, display high-risk behaviours such as aggression, truancy, offending and/or substance misuse issues. The duration of a child’s involvement in the TFCA program is approximately 12 months and has been demonstrated to increase school attendance, improve parental capability, reduce anti-social behaviours and engagement in child protection and youth justice.

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- *Staying on Track* - OzChild works in partnership with the Goolburri Aboriginal Health Advancement Co Ltd to deliver the 'Staying on Track' program to children and young people following their release from youth detention. This program aims to reduce reoffending, support reintegration into the community and engagement in education and/or employment.

### **The Every Child Matters Bill**

The Explanatory Statement provides a general outline of the Every Child Matters Bill and its proposed amendments to the *Care and Protection of Children Act 2007* (NT). It sets out the objectives of this Bill to keep children safe and central to decision making; hold parents accountable in caring for and meeting the basic needs of their children; and promoting an early intervention model to respond to child wellbeing concerns.<sup>ii</sup>

### **Call for Submissions**

The Committee is inquiring into, and reporting on, the Every Child Matters Bill, specifically:

- a. whether the Legislative Assembly should pass the Bill;
- b. whether the Legislative Assembly should amend the Bill;
- c. whether the Bill has sufficient regard to the rights and liberties of individuals, including with regard to Aboriginal and Torres Strait Islander tradition<sup>iii</sup>; and
- d. whether the Bill has sufficient regard to the institution of Parliament.<sup>iv</sup>

The Committee has called for submissions on the Every Child Matters Bill.

### **OzChild's Submission on the Every Child Matters Bill**

In the Northern Territory, Aboriginal children and young people continue to be consistently over-represented at every stage in the child protection and in out-of-home care system. As at 30 June 2024, 89 percent of children and young people in out-of-home care were Aboriginal.<sup>v</sup> As a result of this persistent over-representation, the Every Child Matters Bill will have a disproportionate impact on Aboriginal children, young people, their families and their rights and traditions.

OzChild **supports** keeping children and young people safe, promoting their wellbeing and enabling them to thrive at home with their families. Family challenges such as poverty, housing insecurity, homelessness, alcohol and other drug misuse, health and mental health issues and family and domestic violence, drive statutory child protection and youth justice system engagement. For Aboriginal people, the legacy of intergenerational trauma from past policies of forced child removals and structural inequities also continues to this day. OzChild recognises the critical need for Northern Territory government departments, agencies and service providers to deliver timely, accessible, culturally safe and effective services to address protective concerns and meet the needs and challenges of Northern Territory families.

OzChild **raises concerns** that the Every Child Matters Bill and its stepped escalation pathways (including via family responsibility agreements and orders), will:

- a. apportion greater responsibility to parents and families in the absence of commensurate resourcing, support and accountability mechanisms for Northern Territory Government departments, agencies and public authorities to provide timely, accessible, culturally safe and effective services to parents to address protective concerns and the drivers of child protection system engagement;



- b. impose strict timelines for reunification that create unnecessary harm and adversely impact the rights of Aboriginal parents, who are less likely due to geographical and accessibility issues to be able to access services and supports needed to address protective concerns within the timeframes, which will result in Aboriginal children and young people being denied opportunities to enjoy their rights to personal identity and development, family, culture and traditions; and
- c. dilute the importance of cultural continuity and connection as protective factors for Aboriginal children by removing the Aboriginal and Torres Strait Islander Child Placement Principle (ATSICPP) and replacing it with a universal provision applying to all children and young people, and by weakening the right to self-determination (such as the removal of culturally informed family participation in decision making, and the right of the child to participate in decisions about their own lives as per the United Nations Convention on the Rights of the Child<sup>vi</sup>).

**OzChild recommends** that the Every Child Matters Bill is amended to:

- a. Retain explicit legislative recognition of the ATSICPP and its five elements (prevention, partnership, participation, placement and connection), in recognition of the historical, cultural and systemic circumstances experienced by Aboriginal people in the Northern Territory and evidence that connection to family, community and culture are protective factors associated with improved child and young person wellbeing and outcomes.
- b. Introduce new provisions to include accountability and reporting requirements for Northern Territory government departments, agencies and public authorities to take timely and tangible action and deliver and/or engage ACCOs to deliver culturally safe effective services to address protective concerns and the drivers of child protection system engagement prior to and, where applicable, post removal of a child. Reporting requirements should be at 6, 12, 18 and 24 months after removal of a child (for example, amending the provisions in ss. 12D Proactive Efforts, s. 12E Responsibility of the Territory Government and s. 12F Responsibility of Public Authorities to include accountability and reporting requirements).
- c. Remove strict time limits for reunification of a child with their parents and instead allow for decisions on reunification to be determined on a case-by-case basis in the best interests of each individual child or young person.
- d. Protect children's rights to participate in decisions about their own lives. A child's best interests cannot be determined without hearing their voice in ways that are age-appropriate, trauma-informed, and culturally safe. For Aboriginal children, the voice of the child cannot be separated from family, kin, community, culture, and Country.
- e. Introduce new provisions for a whole-of-Northern Territory Government responsibility and accountability for children and young people in out-of-home care to ensure that they receive timely and effective services to meet their developmental, educational, emotional, health, intellectual, cultural and physical needs.
- f. Introduce provisions for independent reviews within three and five years respectively from commencement of the Every Child Matters Bill, to assess the impacts of Aboriginal children, young people and families, the availability of services to address protective concerns within the legislative timeframes, and to identify any unintended consequences, trends and outcomes for children, young people and their families.



**OzChild also recommends** that the Department of Children and Families:

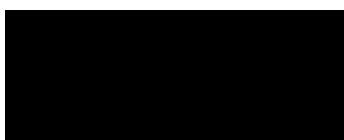
- a. Support and enable the CEO responsible for administering the *Care and Protection of Children Act 2007* (NT) to acquit the proposed new proactive efforts framework and take thorough and timely actions to address protective concerns, including by implementing trials of evidence-based programs, customised to address the operational and implementation challenges in the Northern Territory. These programs have been demonstrated to work to reduce anti-social and offending behaviours in children and young people and concurrently improve the capacity of their parents to manage and care for them. These programs include the behaviour modification program - Treatment Foster Care Australia (TFCA),<sup>vii</sup> implemented successfully in the Southwest Region in Queensland since 2018, Multisystemic Therapy (MST) and Functional Family Therapy-Child Welfare (FFT-CW);<sup>viii</sup> and
- b. in operational policy and its implementation, address the learnings and insights from jurisdictions that have repealed legislated accelerated time limits for permanency pathways for children in out-of-home care.<sup>ix</sup>

Should it be of assistance, OzChild and the ACCOs it partners with, can present to the Committee and/or the Department of Children and Families on evidence-based programs and their customisation to address the operational and implementation challenges in the Northern Territory, to reduce anti-social and offending behaviours in children and young people, increase engagement in education and pro-social activities, and concurrently improve the capacity of their parents.

Please do not hesitate to contact me should you have any questions or require further information.

Thank you for the opportunity to contribute to the Committee's important work.

Yours sincerely,



**Dr Lisa J. Griffiths**  
Chief Executive Officer  
OzChild

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<sup>i</sup> Further information at [Our Story | Our History & Who We Are Today](#).

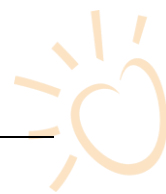
<sup>ii</sup> Explanatory Statement, Care and Protection of Children Legislation Amendment (Every Child Matters) Bill 2026, Serial No. 67, Legislative Assembly of the Northern Territory, Minister for Child Protection, at [Legislation submission templates](#).

<sup>iii</sup> Legislative Assembly of the Northern Territory, Legislative Scrutiny Committee, Terms of Reference, 3(b)(iii)(J).

<sup>iv</sup> At [Call-for-Submissions-Notice.pdf](#).

<sup>v</sup> Report on Government Services, Child Protection Services, 2024.

<sup>vi</sup> Australia ratified the Convention on the Rights of the Child on 17 December 1990 and became legally binding on 16 January 1991.



<sup>vii</sup> Since 2018 in Queensland, OzChild has been engaged by the Department of Families, Seniors, Disability Services and Child Safety to deliver a customised to the local environment evidence-based behaviour modification program, Treatment Foster Care Australia (**TFCA**) for at risk children and young people and their families or carers. The TFCA program is specifically designed for at risk children and young people who have experienced significant trauma, have complex emotional, behavioural, and relational difficulties, display high-risk behaviours such as aggression, truancy, offending and/or substance misuse issues. TFCA first stabilises a child or young person's behaviour and then supports their re-engagement with education and pro-social activities. Concurrently, the TFCA model works with the child or young person's family or carer. The TFCA program is approximately 12 months and has been proven to increase school attendance, improve parental capability, reduces anti-social behaviours and engagement in child protection and youth justice.

<sup>viii</sup> OzChild delivers evidence-based programs in states and territories that have been proven to work to reduce anti-social and offending behaviours in children and young people and improve the capacity of their families to manage and care for them. These include Multisystemic Therapy (**MST**) and Functional Family Therapy (**FFT-CW**). MST works with children and young people with persistent anti-social and delinquent behaviours, offending behaviours, and/or substance misuse. It is targeted at children and young people considered to be the most complex and challenging, often with histories of re-offending and repeated arrests. MST is an intensive that works with a child or young person and their family to support sustainable behavioural change. FFT-CW is a family-based intervention for families with children or young people with behavioural or emotional problems and engaged in youth justice and/or child protection systems. FFT-CW is an adaptation of the Functional Family Therapy (**FFT**) model and is tailored to provide intensive services to match the severity of problems faced by the family in an efficient, cost-effective way.

<sup>ix</sup> In 2014 in Victoria, permanency reforms amended the *Children, Youth and Families Act 2005* (Vic). A parent had 12 months from removal of their child to meet protective concerns and be reunified with their child, a 12-month extension was available only in exceptional circumstances. In the 2023, the Yoorrook for Justice, Report into Victoria's Child Protection and Criminal Justice System (at <https://www.yoorrook.org.au/reports-and-recommendations/reports/yoorrook-for-justice-report>) found that the permanency reforms were not working for Aboriginal children, young people and families and that they had created unnecessary harm because: strict time limits on reunification were unfair because Aboriginal parents are less likely to be able to access supports needed to address protective concerns within the timeframes; the time limits were inflexible and could not be overridden by the Children's Court; and Aboriginal children and young people were denied opportunities to enjoy their rights to personal identity and development, family and culture (pg 255). In 2026, the *Children, Youth and Families Amendment (Stability) Act 2026* (Vic) repealed the permanency reforms. The Victorian Children's Court now considers the best interest of an individual child in determining reunification timelines, with the legislation replacing 'permanency' with 'stability' as a key element in determining the best interest of a child.

