



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

15th Assembly

LEGISLATIVE SCRUTINY COMMITTEE

Public Briefing Transcript

10.00 am, Wednesday 27 May 2026

Litchfield Room, Level 3, Parliament House

Members: Mrs Oly Carlson MLA, Chair, Member for Wulagi
Mr Clinton Howe MLA, Deputy Chair, Member for Drysdale
Mrs Laurie Zio MLA, Member for Fannie Bay
Justine Davis MLA, Member for Johnston
Mr Dheran Young, Member for Daly

Witnesses: *Department of Children and Families*
Brent Warren: Chief Executive Officer
Michelle Ganzer: Acting Executive Director, Strategic, Policy and
Commissioning

The Legislative Scrutiny Committee convened at 10 am.

DEPARTMENT OF CHILDREN AND FAMILIES
Care and Protection of Children Legislation Amendment (Every Child Matters) Bill 2026

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

I welcome to the table to give evidence to the committee representatives from, the Department of Children and Families. 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 public briefing 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.

Mr WARREN: My name is Brent Warren. I am the Chief Executive Officer for the Department of Children and Families.

Ms GANZER: I am Michelle Ganzer. I am the Executive Director, Strategic, Policy and Commissioning.

Madam CHAIR: My name is Oly Carlson. I am the Chair of the committee. I have the Deputy Chair, Clinton Howe, Member for Drysdale; the Member for Fannie Bay, Laurie Zio; the Member for Johnston, Justine Davis; and today we have online the Member for Daly, Dheran Young.

Mr Warren, would you like to make an opening statement?

Mr WARREN: Chair, I will make an opening statement.

Thank you to the committee for the opportunity to provide a briefing on the Care and Protection of Children Legislation Amendment (Every Child Matters) Bill 2026. For this briefing our intention is to provide the committee with an overview of the key amendments contained in the Bill.

The Every Child Matters Bill amends the *Care and Protection of Children Act 2007* to keep children safe and central to decision-making, promote early intervention and supports early before concerns reach a crisis point and reinforce parental accountability.

The child protections system, as it currently stands, is not doing enough, fast enough, to keep the most vulnerable children safe. Fundamentally, the Bill seeks to support the timely reunification of children with their families where it is safe to do so and achieve outcomes that put a child's safety, stability, long-term security and permanency first. These reforms will stabilise placements for vulnerable children and hold the Department of Children and Families to account for our work.

The Bill does not solve every problem in the system but it makes a serious and considered attempt to address several critical gaps in the existing legislative framework.

The Every Child Matters Bill addresses issues linked to reliance on successive shorty-term orders and the resulting instability in placement arrangements by providing clearer guidance on achieving long-term permanency for children.

Period of uncertainty and placement instability are known to negatively impact children's wellbeing and development. Research indicates that where successive reunification is likely, it typically occurs within the first one to two years with the likelihood of success, decreasing the longer the child remains in care. This fact underpins the Every Child Matters Bill's focus on sustained, intensive efforts to achieve reunification during this critical first two-year period, alongside requirements for the department to demonstrate those efforts to the court when making an application for a protection order.

The Bill seeks to limit the number and duration of short-term orders to reduce prolonged uncertainty and improve stability while maintaining proactive efforts during this period to support safer unification for children where it is possible.

The Bill achieves these objections by:

1. clarifying the Act's guiding principles to ensure a clear focus on the safety and stability of children when decisions are made.
2. strengthening family responsibility agreements and introducing Family Responsibility Orders to support early intervention and parental accountability for child wellbeing and safety concerns, with clear escalation pathways where expectations are not met.
3. introducing a universal child placement principle to prioritise placement with family and provide a consistent guidance for placement and permanency decisions for all children.
4. establishing a legislative framework, including prescribed time frames for proactive efforts to support timely reunification with, and connect to, family
5. strengthening a child's voice and access to independent legal representation in long-term care proceedings.

The Bill also amends the Working with Children Clearance scheme (known as the Ochre Card) to cut red tape for business, strengthen safeguards for early risk mitigation and improve system efficiencies. The Ochre Card amendments support national Working with Children Check reform agreements, strengthen risk assessment and align Northern Territory legislation with national standards.

These amendments update definitions to narrow the scope of child-related employment, include interim bars and suspensions in the legislation and extend validity of the Ochre Card to five years.

The reforms improve the administrative efficiency and integrity of the Ochre Card scheme by streamlining application processes, restricting repeat applications of unsuitable applicants, creating national recognition and national continuous screening.

The Bill amends the *Care and Protection of Children Act 2007*, the *Youth Justice Act 2005*, the *Liquor Act 2019*, the *Education Act 2015* and the *Teacher Registration (Northern Territory) Act 2004*. There are also consequential amendments made by this Bill to the *Alcohol Harm Reduction Regulations 2017*, the *Youth Justice Regulations 2006*, the *Care and Protection of Children Screening Regulations 2010* and the *Care and Protection of Children (Mediation Conferences) Regulation 2010*.

Turning to the issue of consultation, during the work of the department to develop this Bill, time constraints limited the opportunity for consultation prior to the introduction of the Bill. The department has received input from a range of external providers about issues contained within the Bill. Consultation with government agencies, including the Department of the Chief Minister and Cabinet, Attorney-General's Department, Department of Education and Training, Department of Corrections, Department of Health and the Northern Territory Police Force was undertaken throughout the development of the Bill.

Development of the parental and family responsibility reforms was also informed by a series of inter-agency working groups, with feedback from participating agencies shaping these reforms.

We also acknowledge and thank today those who made submissions to the Legislative Scrutiny Committee for their contributions to this process.

I turn to the issue of impact on Aboriginal people. Targeted early intervention through the parental and family responsibility reforms is designed to support families earlier through agreements and orders to help prevent issues from escalating and reduce the need for statutory child protection responses. Early intervention is crucial for Aboriginal children and families who are currently over-represented in the child protection system.

Importantly, this Bill does not remove the Aboriginal and Torres Strait Islander child placement principle. It restructures the way the placement principles operate in the legislation.

The introduction of the proactive efforts framework, as well as the parental and family responsibility provisions, support the NT Government in achieving commitments under the National Agreement on Closing

the Gap, particularly target 12, which requires governments and services to act early, proactively and in culturally safe ways, to prevent removals, support reunification and strengthen families.

The Bill requires Aboriginal children who are removed from their parents to be placed as close as practicable to family and community and be actively supported to maintain connection with culture, language and country, particularly where they are placed with a person who is not a member of their community or kinship group. Those are not weakened provisions; they are explicit, enforceable obligations.

The Bill preserves the intent and key elements of the Aboriginal Child Placement principle, strengthening opportunities for safer reunification with family and supporting children to remain connected to their families, communities and culture. It also retains provisions that provide the opportunity for Aboriginal children and families to participate in significant decisions including nominating culturally relevant persons to participate in decision-making.

Importantly, the Every Child Matters Bill retains the principles related to prioritising placement close to family and community and supporting children in maintaining connections to their culture family, language and country, recognising the importance of these connections to Aboriginal children.

In closing, that is the broad scope of the Care and Protection of Children Legislation Amendment (Every Child Matters) Bill 2026. I thank the Office of Parliamentary Counsel for its assistance in drafting this Bill, as well as the action officers in the department who worked closely with the minister to develop this Bill.

Madam CHAIR: I will now open the floor for questions.

Mr YOUNG: Thank you, Oly and for your opening statement, Mr Warren. Can you outline what consultation the department has undertaken with the Children's Commissioner, especially on this Bill?

Mr WARREN: We had a range of submissions from the Children's Commissioner. She has written a number of letters to the department outlining her views and position on issues contained in the *Care and Protection of Children Act*.

That is extra to our normal monthly meeting process of meeting with her executive team to talk about business of the department.

Mr YOUNG: We had many members—some from the CLP—as early as last week say that the Bill has been with the department for one year. Can you confirm if that is true or not? If so, why was there not any consultation done with Aboriginal organisations?

Mr WARREN: Could you address this, please?

Ms GANZER: We have been working through development of the Bill. There have been significant changes that are usual in the process of Bill development. This commenced at least since I commenced with the department in June of last year. I believe decision-makers, late last year, referred it to the justice subcommittee. It has been through considerable consultation in and out of government.

Mr YOUNG: In the opening statement it was stated that there was not time to do any consultation. Why was no consultation done with Aboriginal organisations and peak bodies if the department had the Bill there for a year or, as you said, since June last year?

Mr WARREN: The department has been working on a law reform agenda throughout last year; that is correct. The government has been quite clear that it had a reform agenda that affected our department as well as other parts of the public service.

The reforms have coalesced throughout last year. This Bill brings together a focus on parental and family reform responsibility, which has been a clear thrust of the reducing crime strategy of government. It then combines that with the work on proactive efforts and early identification of safety for children. This has been a growing piece of work last year. The department has worked with other government departments.

There has been public commentary about the reform agenda of this government. We received submissions or feedback from a range of sector organisations which shared their views with us.

Madam CHAIR: Member for Drysdale.

Mr YOUNG: Also, the Aboriginal Child placement ...

J DAVIS: I have a follow-up to that one.

Mr YOUNG: ... principle ...

Madam CHAIR: Member for Daly, the Member for Drysdale has put up his hand for a while now.

Mr YOUNG: I have one more question then I will leave it.

J DAVIS: I have a follow-up to his.

Mr YOUNG: I have one more.

Madam CHAIR: I am the Chair, and I will be running this meeting. I am giving everybody an opportunity. Member for Drysdale, please ask your question.

Mr HOWE: Thank you for coming in today. There are two aspects to my questions. To avoid confusion, it is also coming through in submissions. My first line of questioning is addressing what clause 8 does—correct me if I am wrong. Clause 8 places the paramount concern as the best interest of the child. We then have a hierarchy of (a) through to (h), with the top hierarchy being the need to ensure the safety of the child. Is that correct?

Mr WARREN: I will check. You are referring to clause 8, then subsequent clauses in the Bill?

Mr HOWE: Yes.

Mr WARREN: We would be happy to run you through the impact of those changes and the way they have been framed. I will ask Michelle to launch into a little more detail.

Ms GANZER: The application of the principles introduces the universal child placement principle. The first is that the context of ensuring that the paramount interest of the child are safety. This applies to all children in the Northern Territory. That is the strong focus and change in the Bill ...

Mr HOWE: Sorry. For the record, that is a change to the Bill, is it not, that we are making child safety the paramount concern?

Ms GANZER: There has always been the principle in our Act that safety was a concern and should be taken into consideration. This strengthens that considerably. This makes it front and centre for all children of the Territory.

Mr HOWE: I will now ask some questions which will go to why we need it. You might not have the data with you. If you do not have the data with you, I ask that you take the question on notice. The first one, in plain English, in the last five years, how many children in the Northern Territory have been reported by the department as having been raped, sexually assaulted, sexually abused, sexually exploited or otherwise subjected to sexual harm?

Mr WARREN: We have not brought that type of data with us today. We would need to take that on notice.

Madam CHAIR: Are you happy to take that on notice?

Mr WARREN: We can take that question on notice, Chair.

Mr HOWE: Could you break those down by the categories in which you record the data?

Madam CHAIR: Member for Drysdale, in need to get into restating the question.

Mr HOWE: In the last five years, how many children in the Northern Territory have been reported by the department as having been raped, sexually assaulted, sexually abused, sexually exploited or otherwise subjected to sexual harm? Of those children, how many were under the age of 16—I will go through these as a block if you are happy to take them on notice.

How many were under the age of 16? How many were ...

Mr YOUNG: Chair, can I ask, for equity—we have all been given, from my understanding, two questions each. I was cut off short, now he is being given freedom to allow him to ask as many questions as he wants. I do not think that is fair.

Mr HOWE: Madam Chair, these was no ruling on two questions. If the Member for Daly has an issue with this line of questioning, that is a matter for him.

Madam CHAIR: Member for Daly, these questions ...

Mr YOUNG: I do not have an issue; I have an issue of how many questions being asked. I was cut off short with my questioning but you are allowed to ask as many as you want ...

Madam CHAIR: Member for Daly, the questions are being taken on notice, so they actually will not take up time answering them. The Member for Johnston will be given the opportunity next. If you could go through your questions.

Mr HOWE: How many were under the age of 14; how many were under the age of 10; how many were under the age of 5; how many were infants under the age of 12 months; and how many were toddlers, broken down as one-year-olds, two-year olds and three-year-olds?

Are you happy to take those on notice?

Mr WARREN: We are happy to take the question on notice.

Ms GANZER: Can I clarify? Are you seeking those with respect to children in out-of-home care?

Mr HOWE: All notifications. That will cover notifications ...

J DAVIS: Can I add one?

Mr HOWE: Yes.

J DAVIS: Could you include in that data the children who are in—did you say in out-of-home care?

Mr HOWE: Yes.

J DAVIS: Okay. Identify which children are in residential care and out-of-home care, thank you.

Mr HOWE: That is a good one. Is the department notified by Health when a child presents with an STI?

Mr WARREN: Yes, we are notified when a child presents with an STI. There is an information sharing process.

Mr HOWE: Can I get the data broken down on those same categories with age groups?

Mr WARREN: I acknowledge that the ownership of the data would sit with the Department of Health. We can try to answer that question on notice about notifications we have received.

Mr HOWE: There have been issues raised, especially with housing, poverty and other things that we know affect families and would potentially impact notifications. I want to cover some of them.

Can a child be removed under this Bill solely because the family is poor?

Mr WARREN: The answer is no.

Mr HOWE: Can a child be removed under this Bill solely because the family is on a housing wait list?

Mr WARREN: No.

Mr HOWE: Can a child be removed under this Bill solely because the house is overcrowded, without any additional significant and likely risk of harm?

Mr WARREN: No.

Mr HOWE: Does the department consider neglect a form of abuse?

Mr WARREN: Yes.

Mr HOWE: Is there a reason we separate neglect and abuse? I notice, going through my reading, neglect is mentioned a lot. Is there are reason we separate it?

Mr WARREN: We have several categories of harm that we split notifications into. Neglect is one, sexual is another. It is about us recording, prioritising our response and identifying the appropriate response for the type of harm we have been told about.

J DAVIS: Can I as a follow-up to your earlier question? You said a child cannot be removed because of housing insecurity or poverty, et cetera. Is that correct?

Mr WARREN: The way I was hearing the question and the framing of my answer is we are in a business of looking at safety. This Bill is all about safety. If we identify issues that make a child unsafe, our job is to act early and try to remediate. Taking a child into care, in this Bill, is still meant to be the last resort when there are no other choices. My interpretation of the question is that poverty, on its own, does not create a safety issue. This is about holistic assessment of the environment.

Mr HOWE: I can think of a couple to follow that.

J DAVIS: Okay.

Mr HOWE: I want to ask those questions because it addresses what this Bill is trying to do; which is address those critical short-term safety needs of the child. I will now go to some of the long-term issues because we have to tackle them at some point as well.

I read in one of the submissions the rate of especially an Aboriginal child who has been taken out—we have pretty low rates of kinship placement with Aboriginal families. Correct me if I am wrong, it was about 16% to 17%.

My two part question: how do we improve that and how do we improve it locally? What do you think are the barriers at the moment to that and how do we improve it so a child can stay as close to home as possible?

Mr WARREN: Your question is in relation to increasing the number of Aboriginal care placement options. You are right; the figure is approximately 17% of children are placed with an Aboriginal carer. We have been focused on a number of reform options. One of them is that we have engaged a range of Aboriginal organisations to help us seek out and find Aboriginal families that would like to register and become authorised to care for children. We fund them to help us find those people in community and guide them through the system.

As part of this reform, we will be increasing our focus on getting out to communities more quickly as part of our investigations to identify family members of Aboriginal children earlier. We often find, when it is specifically about kin caring, is a person may not wish to be a general carer but they want to register to care for a child they are related to.

Sometimes, with building up that cohort of carers, it is, point in time, related to the case that we are investigating. We want to both identify those connected family members to care, but also grow a general pool of carers. To be clear, Aboriginal people form part of the foster care community as well. A carer who is not related to a child but is of Aboriginal heritage can be registered as a foster carer. We encourage that kind of registration. We work with the fostering kinship care association to try to build that cohort as well.

Mr HOWE: The department is doing work to try to grow that number?

J DAVIS: We have two minutes left; many questions also. To follow up on a couple from earlier questions from the Member for Daly. I am happy for you to take this on notice. Could you provide detailed evidence of any consultation outside the government departments that you listed over the last 12 months. It sounds like there is time for that.

Also, I noted you said you had input from people. Did you take any input on board?

The other thing, I am presuming you have not had access to submissions that have been provided to committee yet? No? Will you be considering what is in those submissions and what kind of response can we expect in relation to that?

Mr WARREN: As a rule, the department will be provided with access to the submissions you have received, as well as your report. That will be for us to then work with the minister to identify any recommendations the committee has made. Is there anything else you wanted to say about that, Michelle?

Ms GANZER: No.

Mr WARREN: That is the process we work through.

Madam CHAIR: Member for Fannie Bay. Sorry, we have not had a question from you.

Ms ZIO: I know you covered it a little in your opening statement, but does this Bill remove the Aboriginal child placement principle?

Mr WARREN: No, it does not remove the Aboriginal child placement principle.

Ms ZIO: Contrary to some commentary that there has been research and evidence that claims the implementation of the Aboriginal child placement principle as priority—they say it is the best methodology to use. It has been in place for quite some time now, but yet our data seems to continue to go backwards under this protocol. Can you talk to why we would continue to prioritise in that methodology when there is no improvement to outcomes for Aboriginal children in the Northern Territory?

Mr WARREN: That is a big question. I think what you are asking is the intent of the Bill is about bringing safety to the primary concern. We always start with whether the child safe and protected from harm in the environment they are in. If it is possible to remediate that harm and reduce the risk to an acceptable level, we can then work with the family and try to sustain that placement with family.

The principle, as it has been reformatted in the Bill, requires us to consider immediate family of the child, if they are of Aboriginal heritage, as the first option for a placement. We are trying to make sure that an Aboriginal child, if they have come out of their direct mother/father family, can be placed with another member of their extended family.

If that option is exhausted, we then move towards other qualified safe care placement options. That goes to the foster care pool I mentioned earlier.

Mr YOUNG: I have a question for the Chair. Given that we only have less than one minute and many of us have questions—the time was given to the Member for Drysdale—can we agree that we send through the questions to the department to take on notice so that our questions are also answered? Otherwise, it has not been a fair process; other people have been given more time and more questions. Given that we asked for more time to meet with the department/

Madam CHAIR: Member for Daly, we will deliberate that a little later. I was just about to ask you if you would like a last question ...

Mr YOUNG: I wanted about half-an-hour ...

Madam CHAIR: I was just about to ask you if you wanted to have a question. You have now used up the time ...

Mr YOUNG: I have more than one question.

Madam CHAIR: You get one last question.

Mr YOUNG: I have more than one.

Madam CHAIR: I am giving you one last question before I close this meeting. You have an opportunity to ask one question. I am giving you the call, if you like it, otherwise, I can close this meeting; it is now 10.30 am.

Mr YOUNG: Yes. What evidence was there to support the removal of section 10A from the CAPCLA Bill?

Ms GANZER: The decision involving a child that is made with the best interest of the child the paramount concern has not been removed in this Bill. We have elevated it.

Madam CHAIR: That brings us to the end of our hearing for the ...

Mr YOUNG: Again, Chair, we have many questions. Can we put these on notice to the department?

J DAVIS: I support that.

Madam CHAIR: We will deliberate that a little later. Thank you ...

Mr YOUNG: The Member for Dysdale was given the opportunity. It is not fair.

Madam CHAIR: ... Michelle Ganzer and Brent Warren for coming before the committee today.

Mr WARREN: Thank you very much, Chair and committee, for having us today.

The committee suspended.
