



CHANSEY PAECH MLA

Member for Gwoja



Servicing: Amanbidji, Areyonga, Bulla, Daguragu, Ikuntji/ Haasts Bluff, Imanpa, Kalkarindji, Kaltukatjara, Kintore, Laramba, Lajamanu, Mbunghara, Mutitjulu, Ntaria, Nyirripi, Papunya, Pigeon Hole, Timber Creek & Homelands, Wallace Rockhole, Watiyawanu, Willowra, Yarralin, Yuelamu, Yuendumu, Yulara

Committee Secretariat
Legislative Scrutiny Committee
GPO Box 3721
Darwin NT 0801

Via email: LSC@nt.gov.au

RE: Legislative Scrutiny Committee Inquiry into the Care and Protection of Children Legislation Amendment Bill 2026

I welcome the opportunity to provide a submission to the Northern Territory Parliamentary Legislative Scrutiny Committee's inquiry into the *Care and Protection of Children Legislation Amendment Act (Every Child Matters) Bill 2026*. The following submission reflects my views as Shadow Minister for Child Protection.

I recommend the CLP Government withdraw the Bill on the grounds of inadequate procedural fairness in the development and scrutiny of the legislation, that the proposed amendments breach international law, impede national child protection standards and negate the Northern Territory's obligations to improve child safety and uphold its duty of care to foster positive long-term outcomes for children and families involved in the child protection system.

LEGISLATIVE DEVELOPMENT AND SCRUTINY

All children have a right to grow up in a safe, loving and stable environment. This Bill fails to support efforts which will increase child safety or improve outcomes for children and families. Nor does it meaningfully respond to the systemic failures across health, housing, justice and corrections that contributed to the death of Kumanjayi Little Baby.

I am concerned the CLP Government has used a tragic circumstance to justify sweeping legislative change without sufficient evidence that these measures are necessary or proportionate.

In doing so, the Bill risks reinforcing structural and systemic discrimination that disproportionately stigmatises Aboriginal families and communities. The Bill proposes to expand pathways for the permanent removal of Aboriginal children from their families deeply reminiscent of discriminatory assimilation policies that simply do not occur when a non-Aboriginal child dies.

The real and tangible concerns with child protection are systemic, not legislative. Therefore this Bill is unnecessary, not evidence based and likely to contribute to more harm for children in care, particularly Aboriginal children.

In conjunction with legislative changes, the CLP Government announced a review into the child protection system which should precede any legislative reform.¹ Further, the CLP Government has failed to appoint appropriate, independent experts to conduct the review, failed to establish or make public the terms of reference and failed to consult with experts, families or communities.

Lack of consultation and evidence

There has been a systematic erasure of legislative consultation between the CLP Government and community members, relevant experts, bodies and organisations, as well as dedicated efforts to engage people with lived experience, vulnerable Territorians or people from culturally and linguistically diverse backgrounds.

Much of the legislative reform introduced under the CLP Government which disproportionately affects vulnerable Territorians (i.e on justice, housing, anti-discrimination, family violence and children and youth issues) has progressed through parliament or the scrutiny process unchanged from the original version. If the point of having a scrutiny process is to improve the draft legislation for the betterment of all Territorians, then evidence to date of the CLP Government using this mechanism appropriately has rendered this process ineffective.

In relation to the Bill, a timeframe of one week for children, families, organisations, and relevant experts to provide comprehensive submissions on the child protection system is unacceptable and tokenistic.

Given the significance and complexity of child protection reform, I submit that any substantive legislative changes should have been preceded by comprehensive consultation grounded in evidence. Prior to drafting legislation, public hearings should have occurred across all regions of the Northern Territory, meaningful engagement with children, families, Aboriginal communities, frontline service providers and sector experts, alongside consideration of robust evidence regarding systemic and structural challenges within the child protection system.

Children, families and frontline services are uniquely positioned to identify the systemic failures, service gaps and structural barriers that must be addressed to improve outcomes and ensure the safety and wellbeing of children in care.

Lack of effective scrutiny

Subjecting legislation to proper scrutiny is the bedrock of good governance. Transparency and accountability underpin the public's ability to trust the government, strengthens democratic institutions and ensures robust safeguarding of people's rights and balancing the rule of law.

¹ G Atta, K Stevenson, '*NT government announces scope of child protection review, with retired NSW police commissioner and territory public servant to lead it*' (Online article, ABC News, 13 May 2025).

Legislative reform not only impacts Territorians but can have far reaching consequences across sectors, systems and workforce capabilities. It is imperative that any reform undergoes significant and thorough testing; to assess the intent and operation of legislation, to review the impact and compatibility of legislation on fundamental rights, to consider consistency with existing laws, standards, frameworks and agreements, to seek advice and involve communities, experts and relevant stakeholders in order to identify barriers to implementation, to address concerns or mitigate risks of adverse outcomes particularly on vulnerable groups, and to ensure proper evaluation and oversight mechanisms exist to promote sustainability.

Effective scrutiny, especially of complex legislation, requires a range of opportunities for public engagement that are accessible, inclusive and conducted within appropriate timeframes.

Under the CLP Government, 68 pieces of legislation have been introduced into parliament.² 72% of those have not been subject to a proactive, formal scrutiny or consultation process. The opaque default CLP Government approach means community engagement is typically low or absent, and critical assessment of draft legislation does not occur.

Eight pieces of legislation (12%) have progressed under the CLP Government on urgency. In these instances, the CLP Government actively chose to avoid stakeholder engagement, curb potential feedback and advice, and dismiss critical opportunities to review the purpose, intent and impact of the legislation.

Further, rushed legislation on urgency denies Members of the Legislative Assembly their obligation to represent their constituents well. The CLP Government's 'urgent' approach routinely prioritises publicity over robust and genuine debate and suppresses the ability of relevant organisations or impacted groups to adequately analyse and assess how proposed laws will benefit, or disadvantage Territorians. Squashing opportunities for meaningful consultation, hand in hand with repeated efforts to prevent transparent scrutiny undermines the democratic fabric of government.

Since the CLP came to Government in 2024, just 11 pieces of legislation (16%) have been referred to the Legislative Scrutiny Committee.³ The timeframe in which the public are routinely invited to provide a submission is approximately one week.

Submissions frequently raise concerns about the unrealistically short timeframes in which stakeholders are expected to consult their own networks, often across the Northern Territory, on complex legal issues. Many submissions repeatedly call on the CLP Government to pause, consult and co-design legislation in an effort to prevent further erosion of trust in political institutions whose purpose is to serve and represent Territorians.⁴

² Northern Territory Government, Northern Territory Legislation, *Bills for the fifteenth session (2024 -)* <<https://legislation.nt.gov.au/en/LegislationPortal/Bills/By-Session>>.

³ Northern Territory Government, Legislative Assembly of the Northern Territory, *Committee Inquiries undertaken in the current Assembly (2026)* <<https://legislation.nt.gov.au/en/LegislationPortal/Bills/By-Session>>.

⁴ Northern Territory Government, Legislative Assembly of the Northern Territory, Legislative Scrutiny Committee Inquiry into the Domestic and Family Violence and Victims Legislation Amendment Bill 2025, *Inquiry Report (2025)* 27; Northern Territory Government, Legislative Assembly of the Northern Territory, Legislative Scrutiny Committee Inquiry into Northern

As such, I submit that the Legislative Scrutiny Committee acknowledges the lack of procedural fairness in the development and scrutiny of the Bill and extends the period of consultation. At the very least, public hearings for this Bill must be established in each region of the Northern Territory, with materials made available and accessible as per community and witness needs, with sufficient communication and preparation efforts to maximise participation.

KEY CONCERNS

1. The CLP Government fails to support a child protection system that prevents harm

During 2024-25, there were 22,500 notifications of alleged harm to child protection authorities.⁵ The Northern Territory notifies children protection authorities of alleged harm at 6 times the rate of the national average.

The majority of reported harm concerns relate to emotional abuse (35%) or neglect (33%).⁶ Examples of emotional harm and neglect can include a range of issues like a child experiencing a severe nappy rash, through to being withdrawn or having unexplained mood swings.⁷ Notifications about sexual exploitation are the lowest category, accounting for approximately 10% of reported alleged harm.⁸

Evidence based best practice responses to address concerns relating to emotional harm or neglect typically require intensive family support services.⁹ Just 508 children commenced intensive family support services in 2024-25 in the Northern Territory.¹⁰

Aboriginal children make up just 40% of the child population in the Northern Territory, yet 80% of alleged harm notifications relate to them.¹¹ Aboriginal children are removed into care 11 times the rate of non-Aboriginal children.¹² While the NT has sustained a small

Territory Aboriginal Sacred Sites Legislation Amendment Bill 2025, *Inquiry Report* (2025) 31; Northern Territory Government, Legislative Assembly of the Northern Territory, Legislative Scrutiny Committee Inquiry into Teacher Registration (Northern Territory) Legislation Amendment Bill 2025, *Inquiry Report* (2025) 47; Northern Territory Government, Legislative Assembly of the Northern Territory, Legislative Scrutiny Committee Inquiry into the Sentencing Amendment (Murder) Bill 2026, *Inquiry Report* (2026) 26.

⁵ Productivity Commission, Report on Government Services 2026, Part F, Section 16: Child Protection services, *Table 16A.1* (2026).

⁶ Office of the Children's Commissioner, *Annual Report 2023-24* (2024) 33

<<https://occ.nt.gov.au/resources/documents/occ-publications/annual-reports/OCC-Annual-Report-2023-24-web-high-res.pdf>>.

⁷ Department of Children and Families, *Resource: Recognising Child Abuse, Harm and Exploitation* (2026) 5-6

<<https://families.nt.gov.au/family-youth-support/care-services/resources/documents/recognising-child-abuse-harm-and-exploitation.pdf>>.

⁸ Office of the Children's Commissioner, *Annual Report 2023-24* (2024) 33

<<https://occ.nt.gov.au/resources/documents/occ-publications/annual-reports/OCC-Annual-Report-2023-24-web-high-res.pdf>>.

⁹ SNAICC, *Intensive Family-Based Support Services for Aboriginal and Torres Strait Islander Children and Families* (2012)

<<https://www.snaicc.org.au/resources/intensive-family-based-support-services-for-aboriginal-and-torres-strait-islander-children-and-families/>>.

¹⁰ Productivity Commission, Report on Government Services 2026, Part F, Section 16: Child Protection services, *Table 16A.37* (2026).

¹¹ Productivity Commission, Report on Government Services 2026, Part F, Section 16: Child Protection services, *Table 16A.44* (2026); Productivity Commission, Report on Government Services 2026, Part F, Section 16: Child Protection services, *Table 16A.1* (2026).

¹² Productivity Commission, Report on Government Services 2026, Part F, Section 16: Child Protection services, *Table 16A.2* (2026); SNAICC, *Reviewing Implementation of the Aboriginal and Torres Strait Islander Child Placement Principle Northern Territory 2025* (2026) 4 <[Reviewing-Implementation-of-the-Child-Placement-Principle-NT-2025.pdf](#)>.

downward trend in the number of children living in care, the proportion of non-Aboriginal children being removed into care has remained consistently low at approximately 2-3% for the last decade.¹³

This data demonstrates the disproportionate impact of poverty on Aboriginal children and families, concentrated child protection surveillance and more involvement with statutory child protection rather than non-statutory community-based supports.

Specific measures in the *Care and Protection of Children Act 2007* (NT) have been incorporated to safeguard the unique needs of Aboriginal children and families in the Northern Territory.¹⁴ The Aboriginal Child Placement Principle does not prevent a child from being removed from an unsafe situation. Safety of all children and young people who interact with child protection has always been prioritised in the legislation.

The Bill dismantles the elements, sequencing and importance of the Aboriginal Child Placement Principle. The Principle is evidence based, effective and necessary to support the safety, health, wellbeing and long-term outcomes for children and families.¹⁵

The CLP Government has failed to provide evidence to support the proposed amendments in this Bill. They have failed to justify their decision to weaken safeguards for Aboriginal children and families involved with child protection services.

Where it is in the child's best interests and safe to do so, the ACPP supports children to remain with family and/or kin in placements supported through the Department of Children and Families. As at 30 June 2025, only 17.6% of Aboriginal children in care were placed with Aboriginal relatives and/or kin.¹⁶¹⁷

The Bill significantly weakens the ACPP, to the point that it's legal and practical application will be redundant. Specific provisions for Aboriginal children, set out in proposed section 12C, are conditional on the application of 12B and no longer reflect the full intent or requirements of the ACPP.¹⁸

The Bill undermines the intent, purpose and sequencing of the ACPP and fails to implement measures that would increase child safety such as Active Efforts.¹⁹ Effective

¹³ Productivity Commission, Report on Government Services 2026, Part F, Section 16: Child Protection services, *Table 16A.2* (2026).

¹⁴ *Care and Protection of Children Act 2007* (NT) s12; SNAICC, *Reviewing Implementation of the Aboriginal and Torres Strait Islander Child Placement Principle Northern Territory 2025* (2026) 4 <[Reviewing-Implementation-of-the-Child-Placement-Principle-NT-2025.pdf](#)>.

¹⁵ SNAICC, *Understanding and applying the Aboriginal and Torres Strait Islander Child Placement Principle: A resources for legislation, policy and program development* (2017) <[170630_8_Understanding-Appling-ATSICCP.pdf](#)>.

¹⁶ As at 30 June 2025, 889 children were in out-of-home care including 100 in kinship care, 288 in foster care, 420 in Purchased Home-based Care, 38 in Intensive Therapeutic Residential Care, 22 in boarding school and 21 in other living arrangements.

¹⁷ Department of Children and Families, *Annual Report 2024-25* (2026) 14 <https://families.nt.gov.au/_data/assets/pdf_file/0009/1567008/dcf-annual-report-2024-25.pdf>; SNAICC, *Reviewing Implementation of the Aboriginal and Torres Strait Islander Child Placement Principle Northern Territory 2025* (2026) 4 <[Reviewing-Implementation-of-the-Child-Placement-Principle-NT-2025.pdf](#)> 19.

¹⁸ *Care and Protection of Children Legislation Amendment (Every Child Matters) Bill 2026* (NT) 7 <https://parliament.nt.gov.au/_data/assets/pdf_file/0005/1612499/Care-and-Protection-of-Children-Legislation-Amendment-Every-Child-Matters-Bill-2026-Serial-67.PDF>.

¹⁹ SNAICC, *The Aboriginal and Torres Strait Islander Child Placement Principle: A guide to support implementation* (2018) 4 <[181212_8_ATSICPP-Guide-to-Support-Implementation-1.pdf](#)>.

operationalisation of the ACPP requires legislated Active Efforts to ensure compliance with the five elements of the principle, similar to other jurisdictions.²⁰

The Bill inserts 'proactive efforts' which are not to be confused with or considered to be reflective of 'active efforts' which specifically complement the elements of the ACPP.

Structural inequity in funding, services, partnerships, and supporting Aboriginal Family-Led Decision Making remain some of the most significant barriers to fully implement the ACPP in the Northern Territory.

There are no measures in this Bill to legislate a commitment towards, or redistribution of funds to early intervention and prevention efforts, divert resourcing to foster and kinship care services, or fully fund frontline support services who are best placed to increase child safety. Instead, the CLP Government has increased funding for purchased home-based care services 15% since 2024, totalling \$40.2 million, abandoning commitments to phase out its use.²¹

Aboriginal children placed in purchased home-based care has increased 5% under the CLP Government, accounting for 53% of all care placements.²² Aboriginal carers comprise almost no purchased home-based carers.

The CLP Government's decision to continue the funding disparity and increase resources for reactive crisis driven child protection responses conflicts with evidence-based child safety strategies, the Northern Territory's national child protection commitments and the Aboriginal and Torres Strait Islander Child Placement Principle Active Efforts Implementation Plan: A guide to support implementation.²³

More children taken into out of home care will place more strain on a child protection system struggling to keep up. The Department of Children and Families responsible for administering child protection services continues to be overburdened and chronically understaffed, currently holding a 25% vacancy rate.²⁴ Systemic staffing issues such as high turnover and vacancy rates, high caseloads, and complex case management can have serious consequences on the provision of quality care, placement stability, or on a child's

²⁰ SNAICC, Resources, *Implementation reviews for each state and territory* (2026) <[Resources — SNAICC – National Voice for our Children](#)>.

²¹ Mr Guyula to the Minister for Territory Families, Answer to Written Question 730, *Funding for children in care* (2026) <<https://parliament.nt.gov.au/business/written-questions/wq/14th-assembly-written-questions/answers/Answer-to-Written-Question-730.pdf>>; Office of the Children's Commissioner, *Annual Report 2023-24* (2024) 43 <<https://occ.nt.gov.au/resources/documents/occ-publications/annual-reports/OCC-Annual-Report-2023-24-web-high-res.pdf>>.

²² SNAICC, *Reviewing Implementation of the Aboriginal and Torres Strait Islander Child Placement Principle Northern Territory 2025* (2026) 21 <[Reviewing-Implementation-of-the-Child-Placement-Principle-NT-2025.pdf](#)>; Mr Guyula to the Minister for Territory Families, Answer to Written Question 730, *Funding for children in care* (2026) <<https://parliament.nt.gov.au/business/written-questions/wq/14th-assembly-written-questions/answers/Answer-to-Written-Question-730.pdf>>.

²³ SNAICC, *Reviewing Implementation of the Aboriginal and Torres Strait Islander Child Placement Principle Northern Territory 2025* (2026) 17 <[Reviewing-Implementation-of-the-Child-Placement-Principle-NT-2025.pdf](#)>.

²⁴ Northern Territory Local Court, NTLC 12 [2025], *Inquest into the Death of Didbala Anzac* (2026) <https://localcourt.nt.gov.au/sites/default/files/decisions/ntlc_12_2025_inquest_into_the_death_of_didbala_anzac.pdf>; Z Averill, 'NT Child Protection unit budget cut ahead of Minister Robyn Cahills reforms to the Act' (Online Article, NT News, 12 May 2026); Department of Children and Families, *Annual Report 2024-25* (2026) 97 <https://families.nt.gov.au/data/assets/pdf_file/0009/1567008/dcf-annual-report-2024-25.pdf>.

ability to engage in education, their timely access to critical health supports and making decisions in their best interests.

The Bill fails to address any of the structural and systemic concerns within the Department that would alleviate pressure on the child protection system and increase child safety.

2. This Bill will fail to keep children safe

The safety and best interests of children have always been paramount in the *Care and Protection of Children Act 2007* (NT).

The CLP Government has a fundamental duty to ensure that children are safe, their rights are protected, and that the child protection system improves outcomes rather than compounds trauma and harm. Child protection reform must be co-designed to strengthen children's wellbeing, support families early, and address the underlying drivers of vulnerability and neglect.

I am concerned that the Bill fails to meet this standard. Despite its stated objectives, the Bill is likely to increase the number of children entering out-of-home care without adequately addressing the significant health, mental health, disability and therapeutic support needs of children already within the system. Expanding statutory intervention without corresponding investment in prevention, early intervention and wraparound supports risks entrenching poorer long-term outcomes for vulnerable children and families.

These concerns are particularly serious given the Northern Territory's existing child protection outcomes.²⁵ During 2024-25, the Northern Territory recorded the highest proportion in Australia of children who experienced substantiated sexual abuse, physical abuse, emotional abuse or neglect while in out-of-home care (74% of Aboriginal children in care were placed with non-Aboriginal carers). Within five years of leaving care, approximately 70% of young people nationally experience homelessness.²⁶

Further, there is substantial overlap between the child protection system and youth justice involvement.²⁷ The Office of the Children's Commissioner has consistently highlighted that untreated trauma, disability, developmental delay, mental ill-health and the impact of abuse and neglect contributes to children disengaging from school, disconnection from

²⁵ SNAICC, *Family Matters report 2025: Strong, loved and full of potential* (2025) 101 <<https://www.snaicc.org.au/wp-content/uploads/2026/01/Family-Matters-Report-2025-v3.pdf>>; Australian Institute of Health and Welfare, *Child Protection* (2026) <<https://www.aihw.gov.au/family-domestic-and-sexual-violence/responses-and-outcomes/child-protection>>; Productivity Commission, *Closing the Gap Annual Data Compilation Report July 2025* (2026) <<https://assets.pc.gov.au/2025-10/closing-the-gap-annual-data-Compilation-july2025.pdf?VersionId=9X7LLZW8iMzuSBI2bw8hblQodXZD108C>>.

²⁶ CREATE Foundation, *CREATE Foundation's Northern Territory Budget Summary* (2026) <<https://www.create.org.au/get-informed/blog/create-foundations-northern-territory-budget-summary/>>.

²⁷ V He, S Guthridge and B Leckning, Menzies School of Health Research, *Protection and Justice: A study of the crossover of Northern Territory children between two services* (2019) <https://www.menzies.edu.au/content/Document/Protection_and_Justice_Crossover_report_Menzies_2019.pdf>; Australian Government, Australian Institute of Criminology, 'Crossover Kids': *Offending by child protection involved youth* (2019) <<https://www.aic.gov.au/publications/tandi/tandi582>> Australian Institute of Health and Welfare, *Child Protection* (2026) <<https://www.aihw.gov.au/family-domestic-and-sexual-violence/responses-and-outcomes/child-protection>>.

family and community, increasing the likelihood of involvement with the youth justice system.²⁸

In the Northern Territory, 52% of children in care live with disability. Multiple Coronial Inquests and Royal Commissions have repeatedly identified serious and ongoing failures in the provision of adequate healthcare, mental health services, disability supports and safety planning for children involved with child protection system.²⁹ Vulnerable children too often enter care with significant unmet needs, only to encounter further systemic failure once within the system itself.

Reform that prioritises expanded intervention powers without addressing the systemic shortcomings of the care system itself will not keep children safe. Without meaningful consultation, evidence-based design and significant investment in prevention and therapeutic supports, the CLP Government risks creating a system that removes more children from their families while failing to improve their safety, wellbeing or life outcomes.

The Bill makes it harder for families to address child safety concerns and limits opportunities to engage in sustained, coordinated supports with the introduction of pseudo-voluntary family responsibility arrangements that progress into statutory family responsibility orders.

45% of all Aboriginal households in the NT live below the poverty line.³⁰ Social determinant risks such as housing instability, unemployment, limited access to relevant healthcare, exposure to family violence compounding with lack of timely and accessible frontline early intervention services mean Family Responsibility Agreements and Family Responsibility Orders will set households up to fail.

Rather than strengthening the therapeutic and preventative supports needed to prevent harm, the Bill places increased emphasis on punitive measures, narrows pathways and timeframes for support, and removes protective factors which would otherwise increase safety.

The Bill prevents the opportunities for safe reunification of children with their families. During 2022-23, 5% of Aboriginal children were reunified with families, compared with 7% for non-Aboriginal children.³¹ In an answer to a written question, the Minister for Child Protection failed to provide the number of children who have been reunified with their family in the Northern Territory during 2025.³²

Placing children on long term permanent care orders, while preventing safe contact and connection with their family, community and country, may increase child safety risks.

²⁸ Office of the Children's Commissioner, Publications, *Other Reports* (2026) <<https://occ.nt.gov.au/resources/occ-publications/other-reports>>.

²⁹ Commonwealth, Royal Commission into the Protection and Detention of Children in the Northern Territory, *Final Report* (2017); Commonwealth, Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, *Final Report* (2023); Royal Commission into Institutional Responses to Child Sexual Abuse, *Final Report* (2017).

³⁰ NTCOSS, *Anti-Poverty Week Fact Sheet* (2019) <<https://ntcoss.org.au/wp-content/uploads/2019/10/Anti-Poverty-Week-2019-NT-Facts.pdf>>.

³¹ SNAICC, *Reviewing Implementation of the Aboriginal and Torres Strait Islander Child Placement Principle Northern Territory 2025* (2026) 24 <[Reviewing-Implementation-of-the-Child-Placement-Principle-NT-2025.pdf](https://snaicc.org.au/wp-content/uploads/2026/02/Reviewing-Implementation-of-the-Child-Placement-Principle-NT-2025.pdf)>.

³² Mr Paech to the Minister for Children and Families, Answer to Written Question 105, *Department of Children and Families* (2026) <<https://parliament.nt.gov.au/business/written-questions/wq/15th-assembly-written-questions/answers/Answer-to-Written-Question-105.pdf>>.

Children may be more likely to self-place/abscond, sleep rough, escalate or engage in harmful behaviours, become youth justice involved or have no alternative but residential care.

This Bill ignores evidence and fails to address the lived experience of children in care who face heightened risks of homelessness, poor educational attainment, mental ill-health and increased risk of involvement with the justice system.

Risk of harm to children in care is a significant concern with ongoing inadequate care planning, insufficient leaving-care supports for young people transitioning into adulthood, and the ongoing failure to implement the Aboriginal Child Placement Principle to its fullest extent.³³

Pursuit of this Bill given its significant potential for both intended and unintended harmful consequences reflects a concerning disregard for evidence-based child protection reform. Rather than prioritising policies that keep children safe, strengthen families and address the underlying drivers of vulnerability, the Bill risks deepening existing inequalities and further entrenching the overrepresentation of Aboriginal children within the child protection system.

3. The CLP Government fails to address structural and system barriers to child safety

Children and families with child protection involvement in the Northern Territory face complex systemic, structural and social barriers resulting from decades of socio-economic disadvantage, intergenerational trauma and entrenched crisis driven responses.

The 1997 landmark *Bringing Them Home* report investigated the forced removal of Aboriginal children from their families, known as the stolen generations. The report showed the direct correlation between separating Aboriginal children from their families, community, culture and country with poorer social-economic-health outcomes. These outcomes form the focus of many Closing the Gap targets.³⁴

The NT Government has committed to the United Nations Convention on the Rights of the Child, the United Nations Declaration of Rights of Indigenous Peoples, the United Nations Convention on the Rights of Persons with Disabilities and the National Agreement on Closing the Gap and the Safe and Supported: National Framework for Protecting Australia's Children 2021- 2031.

These commitments collectively assert that the Australian, and the Northern Territory, Government, are required by law to make every effort to support a child's birthright to grow up connected with their family, their community, in safe loving and supported environments conducive with their best interests.

Most Australian jurisdictions have seized opportunities to implement child protection reform that prevents escalation to statutory involvement and prioritises responses that are

³³ SNAICC, *Family Matters report 2025: Strong, loved and full of potential* (2025) 105 <<https://www.snaicc.org.au/wp-content/uploads/2026/01/Family-Matters-Report-2025-v3.pdf>>; SNAICC, *Reviewing Implementation of the Aboriginal and Torres Strait Islander Child Placement Principle Northern Territory 2025* (2026) 17 <[Reviewing-Implementation-of-the-Child-Placement-Principle-NT-2025.pdf](#)>.

³⁴ Australian Human Rights Commission, National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families, *Bringing Them Home* (1997) <<https://humanrights.gov.au/bringing-them-home/index.html>>.

early, place-based, holistic and focused on meeting the unique needs of children and families. The Bill before the Committee works in opposition to that approach. This Bill deliberately waters down the Aboriginal Child Placement Principle, a hard-won principle that has been in place for many decades.

In addition, implementation of recommendations that would strengthen child safety from multiple Royal Commissions and other relevant inquiries and investigations has been limited and slow.

The Bill disregards the wealth of evidence pointing to the systemic discrimination towards Aboriginal children and families through the application of law, and the institutional racism perpetuated through child protection policies that fail to understand the key protective capacity of Aboriginal family and kinship.³⁵

The proposed amendments further disempower Aboriginal children and families and increase their risk of losing autonomy and right to self-determination when it comes to significant policy decisions.

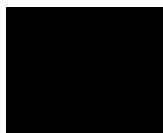
I recommend the Legislative Scrutiny Committee rely on the overwhelming evidence pointing to systemic failures of the child protection system, challenges affecting children, families and communities who come to the attention of child protection authorities and the long-lasting impact of legislative, policy and practice decisions on vulnerable Territorians when considering this Bill.

This Bill will further entrench disadvantaged families in a broken system and result in poor outcomes for families, wasted resources and irreparable damage to future generations.

I submit the Legislative Scrutiny Committee recommends the CLP Government withdraw the Bill.

CHANSEY PAECH

Member for Gwoja



PO Box 4592 Alice Springs NT 0870 | E: electorate.gwoja@nt.gov.au | Ph. 8951 5561

³⁵ Commonwealth, Royal Commission into the Protection and Detention of Children in the Northern Territory, *Final Report* (2017) Volume 1.