

About NAPCAN

Founded in 1987, NAPCAN (National Association for Prevention of Child Abuse and Neglect) is a national, not-for-profit organisation committed to preventing child abuse and neglect across all states and territories. In the Northern Territory, we work in partnership with government, community organisations and local service providers to support culturally safe, community-led approaches to child wellbeing and safety. Our focus is on primary prevention through evidence-informed approaches such as our Safer Communities for Children, and Community Safety workshops. We deliver training and workshops across urban, regional and remote communities, supporting community capacity to protect and support children and families. The aim is to reduce the risk of child abuse occurring and increase the capacity of families, agencies and communities to provide safe environments for all children.

Opening position

NAPCAN is concerned about the Care and Protection of Children Legislation Amendment (Every Child Matters) Bill 2026 and the process surrounding it. The Bill was introduced on 13 May 2026 and submissions were called for by 22 May 2026, creating an effective consultation period of one week for reforms that are legally complex, high-stakes and likely to have lasting consequences for children, families and communities across the Northern Territory.

While legal reform that improves child safety is important, reforms of this scale require genuine consultation and sufficient time for Aboriginal organisations, community-controlled services, legal services, frontline workers and affected communities to properly consider the proposed changes and their likely impact.

These reforms do not yet clearly demonstrate how they recognise or respond to the intergenerational trauma that Aboriginal and Torres Strait Islander Children and their families have experienced within the Australian context. The proposed reforms do not sufficiently address this aspect of Australia's history or reference past learnings from other jurisdictions within Australia. Existing research and the nation's Children's Commissioners warn that weakening safeguards around the Aboriginal and Torres Strait Islander Child Placement Principle risks repeating past harms and undermining children's rights.

Concern about consultation and due process

A one-week consultation period is not consistent with the seriousness of these reforms. The timeframe provided does not allow for proper legal analysis, community consultation or engagement with those most affected by the changes. This is especially concerning in the Northern Territory, where meaningful consultation must account for regional, remote and community-based realities, including time needed for culturally safe engagement with Aboriginal and Torres Strait Islander stakeholders.

Meaningful law reform in child protection is unlikely to be achieved through fast submission turnarounds. The scale and complexity of the proposed amendments require more than a week for organisations and communities to assess practical consequences, identify unintended harms and consider whether the reforms align with existing evidence, past inquiries and lessons from other jurisdictions.

Risks to children and families

NAPCAN invites the Government to consider the alternative approach of policy reform that provides meaningful and significant prevention and early intervention support as an alternative to the current approach – by making more support available to all families so that parents can get through challenges and all children can thrive. Parents and children who have had experience with the child protection systems uniformly tell us that things might have been very different if there were supports in place before things escalated. Trying to work with families once they have escalated to having a child protection agency involved, is often significantly more complex and less effective.

NAPCAN is concerned that the Bill lowers the threshold for intervention into family life without first ensuring families can access the housing, therapeutic support, alcohol and other drug treatment, counselling, parenting assistance and early intervention services needed to safely care for children. From a prevention perspective, many of the pressures associated with child protection involvement are closely tied to poverty, housing instability, service shortages, and intergenerational disadvantage. Expanding intervention risks drawing more families into legal systems, when what they need first is practical, culturally safe and adequately funded support.

As Aboriginal and Torres Strait Islander Social Justice Commissioner Katie Kiss has stated, *“The principle exists because generations of our children have already paid the price of being removed from family, culture and community. Weakening that safeguard is a backward step that risks entrenching harm, deepening distrust and repeating the very injustices*

governments say they want to end.” National Children’s Commissioner Deb Tsorbaris has similarly warned that “we cannot protect First Peoples children by stripping away the very safeguards designed to protect their identity, stability and sense of belonging.”

There is a broader acceptance by the Australian States and Territories that there needs to be additional safeguards for Aboriginal and Torres Strait Islander children and their families within our child protection systems, the proposal of this Bill appears to be at odds with other states and territories.

Need for prevention and early intervention

This Bill represents a missed opportunity to invest in prevention and early intervention. NAPCAN strongly advocates for governments to prioritise evidence-based prevention initiatives that support families earlier, before children enter care. This is because long-term child safety is strengthened when communities and families have access to stable housing, food security, parenting and healing supports, and culturally safe and meaningful services – before intervention is required.

Experience from other jurisdictions reinforces the need for caution. South Australia’s own child protection system acknowledges that outcomes for Aboriginal children have historically been poor and that over-representation remains entrenched at all levels of the system. This is why the Aboriginal and Torres Strait Islander Child Placement Principle and its [five elements](#), prevention, partnership, placement, participation and connection, are described as foundational to good practice.

What we now know we must invest in prevention and early intervention, because by the time children are at the stage of removal, harm has already occurred. The child protection system must be equipped to put strong protective supports in place long before separation becomes a possibility. Durable reform depends on strengthening prevention, rather than relying on expanded intervention powers.

Insights from NAPCAN representatives:

“As a proud, young, Aboriginal woman who was born and bred in the Territory, I am concerned about the impacts that this child removal bill will have on Aboriginal families and young people: the reforms are misguided.

This is the wrong approach. Before any changes of this magnitude, the Government needs to talk to Aboriginal families, young people and those who have lived experience in the child protection system to develop culturally safe, effective and Aboriginal-led solutions.

For too long, governments have sadly politicised the vulnerability of Aboriginal children in the NT – rather than effectively investing in required long-term solutions to injustices Aboriginal children and their families have grappled with for decades. Governments have continued to opt to apply quick fix, band aid responses to extremely complex situations which consist of intrinsically related socio-economic issues. These issues are a result of past Government policies which have disempowered and disenfranchised Aboriginal people and communities. These current legislative amendments will only add to this.” – NAPCAN Youth Speak Out member

“While It is encouraging to see strong interest in this issue, it is clear that the rationale for the proposed changes is not yet well understood across the sector. We would encourage the Government to give this important legislation the time and sector engagement it requires and explore evidence based prevention alternatives” – Leesa Waters, NAPCAN CEO

“We know that Child Protection systems in the NT and across Australia are currently struggling to respond to demands, removing protections is not the remedy. The system requires structural change that meaningfully includes a preventative approach. This is the only way we will increase support for families to achieve safer environments for children. We should be guided by the most significant research into child abuse in recent years is the Australian Child Maltreatment Study demands an investment in universal prevention and public health reform.” – Lesley Taylor, NAPCAN President

NAPCAN Recommendations

1. NAPCAN recommends the bill *does not progress*, and instead that the NT Government undertakes genuine consultations with Aboriginal organisations, community services, legal services, frontline workers and affected communities to develop evidence-based reforms that keep children safe by strengthening families and communities rather than expanding punitive intervention.
2. NAPCAN recommends consultations with other states and territories such as the **Waruuguma Barmarrany team** which is an Aboriginal-led, culturally responsive legal service within the NSW Department of Communities and Justice (DCJ). As part of DCJ’s Child Law practice, the team is dedicated to Aboriginal family preservation and reunification, working to keep Aboriginal and Torres Strait Islander children safely connected to their families and communities. There are significant relevant learnings that could be shared with the NT from this team.
3. NAPCAN recommends that any future bills ensure that the intention of the legislation embeds acknowledgement of failure of past policies, especially when legislation concerns Aboriginal and Torres Strait Islander peoples.

4. NAPCAN recommends that any proposed legislative changes take into consideration and reflect the significant learnings from the Northern Territory and other states and territories that we would like to see included in the rationale for this bill, particularly in how it accounts for those learnings. These concerns and recommendations are consistent with findings from national and state inquiries and reviews, including but not limited to:
 - Bringing Them Home (1997)
 - SNAICC’s reviews of implementation of the Aboriginal and Torres Strait Islander Child Placement Principle and the Family Matters/Strong communities. Strong culture. reports
 - Jurisdictional analyses such as VACCA’s work in Victoria and recent South Australian inquiries
 - Ampe Akelyernemane Meke Mekarle "Little Children are Sacred" 2007
 - The Queensland Child Death Review Board’s ‘In Plain Sight’ report 2025
 - The Australian Human Rights Commission’s ‘Help Way Earlier!’ report 2025
5. NAPCAN strongly recommends that **the Aboriginal and Torres Strait Islander Child Placement Principle be maintained in full**, including all five core elements of prevention, partnership, participation, placement and connection. These elements work together as an integrated framework to uphold the rights of Aboriginal and Torres Strait Islander children, reduce over-representation in the child protection system, and ensure children remain connected to family, community, culture and Country, wherever it is safe to do so. Any weakening of this framework risks repeating past harms associated with the separation of children from their families and cultures. The principle should not only be maintained, but efforts should aim to strengthen the principle’s implementation in partnership with Aboriginal organisations, leaders and those with lived experience.

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