

Submission to the Legislative Scrutiny Committee

Care and Protection of Children Legislation Amendment (Every Child Matters) Bill 2026

Submitted by: Palm Tree OT

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About Palm Tree OT

Palm Tree OT is a paediatric occupational therapy service operating across the Northern Territory. We work alongside children, families, educators and communities to support children's participation, emotional wellbeing, regulation, development and inclusion across home, school and community environments. Our service primarily supports children with disability, neurodivergence, developmental delay, trauma presentations, mental health challenges and complex support needs, including children whose disabilities may not be immediately visible to systems and decision-makers.

Through therapy, parent coaching, collaboration with educators and early intervention supports, we work closely with families navigating significant barriers including long waitlists for services, housing instability, caregiver burnout, school disengagement, poverty, limited access to specialist supports.

Opening Position / Main Concern

Palm Tree OT is deeply concerned about the Care and Protection of Children Legislation Amendment (Every Child Matters) Bill 2026.

While we support the importance of keeping children safe, we are concerned that the Bill significantly expands the Northern Territory Government's powers to intervene in family life without first ensuring families can access the housing, therapeutic support, rehabilitation, counselling and early intervention services needed to safely care for children.

We are concerned that the Bill lowers the level of concern needed before the Government can intervene in family life by introducing broad concepts such as "wellbeing concerns", "events of concern", anti-social behaviour and school attendance as triggers for child protection involvement.

From our work with children and families, we know that many of the issues driving child protection involvement are closely connected to poverty, housing stress, service shortages and intergenerational disadvantage rather than a lack of care or love for children.

We are concerned that the Bill risks increasing surveillance and coercive intervention into the lives of families already struggling under significant social and economic pressure.

Short-Term Impacts on Children and Families

This Bill is likely to have immediate impacts on the children and families our organisation works with.

Many of the children supported by Palm Tree OT are already experiencing significant barriers to safely and consistently participating in school, home and community life due to disability, neurodivergence, trauma, anxiety, and unmet support needs. This includes children experiencing school refusal or “school can’t”, children with Pathological Demand Avoidance (PDA) profiles, autistic children experiencing burnout, and children whose emotional distress is being expressed through dysregulation, shutdown, aggression, avoidance or non-attendance.

Families are often already under extreme pressure caring for children with complex support needs while navigating long waitlists, limited service access, financial stress, food insecurity, caregiver burnout and systems that frequently misunderstand disability-related presentations. Many families are waiting months or years to access occupational therapy, psychology, speech pathology, paediatricians and other specialist supports, particularly following increasing pressures and recent funding changes impacting disability services across the Northern Territory.

We are particularly concerned about the proposed inclusion of school attendance and broader “wellbeing concerns” as potential triggers for child protection intervention. In our experience, school non-attendance is often not a reflection of parental neglect or lack of care, but rather a sign that a child is experiencing overwhelming cognitive, sensory, emotional or social demands that they are currently unable to cope with safely.

We regularly work with families who are doing everything within their capacity to support their child to attend school, including engaging with therapists, educators, paediatricians and support services, while also managing significant distress at home. Despite this, some families report feeling pressured, monitored or threatened with child protection involvement due to their child’s non-attendance, even when the child’s disability, anxiety or trauma presentation is well documented.

We are concerned this Bill may unintentionally increase pressure on families who are already at capacity, further contributing to caregiver burnout, family stress and disengagement from services. Increased coercive intervention may discourage some families from seeking support early due to fears that disclosing struggles related to behaviour, school attendance or family functioning could escalate into child protection involvement.

We are also concerned that many families are referred to allied health or mental health services without a clear understanding of what those services provide, while simultaneously facing limited availability, unaffordable costs or extensive waitlists. Families cannot reasonably be expected to meet increasing system expectations when the supports required to help children stabilise, regulate and participate safely are often inaccessible.

While Palm Tree OT does not currently provide regular services in remote communities, our clinicians have previously worked in communities including Daly River, Wadeye, Wurruminyaga and

Katherine, where access to allied health, specialist disability supports and therapeutic services was already extremely limited. We are concerned these reforms may disproportionately impact regional and remote families who are being asked to comply with expectations despite significant shortages in available services and workforce capacity.

Long-Term Impacts on Children, Families and Communities

We are concerned the long-term impacts of this Bill may extend far beyond immediate child protection intervention.

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We are concerned that increased intervention powers and stricter approaches to permanency may result in more children being separated from their families earlier, particularly children with disability, neurodivergence, trauma presentations and complex support needs whose behaviours may be misunderstood by systems.

From our work, we know that children experience the best outcomes when they remain safely connected to their families, communities, culture and trusted relationships. Children with disability and neurodivergence often rely heavily on predictable relationships, attachment figures and familiar environments to support their regulation, communication and emotional wellbeing. Disruption to these relationships can have significant long-term impacts on mental health, attachment, identity and participation.

We are particularly concerned about the long-term impact on Aboriginal children and families if adequate therapeutic, cultural and kinship supports are not available before more invasive intervention occurs. Historical and ongoing overrepresentation of Aboriginal children in child protection systems demonstrates the importance of prioritising prevention, culturally safe supports and family strengthening approaches.

We are also concerned about the intergenerational impacts of increasing surveillance and punitive intervention into families already experiencing poverty, trauma, disability and systemic disadvantage. In our experience, families are more likely to thrive when they are supported early with compassion, practical assistance and accessible services, rather than being drawn further into crisis-driven systems after difficulties have already escalated.

Missed Opportunity to Invest in Prevention and Early Intervention

This Bill represents a missed opportunity to invest in prevention, healing and early intervention.

While the Bill acknowledges that families require access to support services to safely care for children, many of the services children and families rely upon remain significantly underfunded,

difficult to access or unavailable within reasonable timeframes across the Northern Territory. Families are already navigating substantial barriers to accessing occupational therapy, speech pathology, psychology, paediatric services and other early intervention supports, particularly during the early years where evidence consistently demonstrates intervention is most effective.

We are also concerned about the increasing uncertainty many families are experiencing in relation to disability funding and access to supports. Changes to disability funding systems and increasing pressures on the sector place many children at risk of receiving significantly reduced supports or losing access to services altogether, despite ongoing developmental, behavioural, and emotional support needs.

In our experience, children and families are safest when they are supported early, respectfully and holistically. Families benefit most from services that work collaboratively alongside them to understand the underlying causes of distress, strengthen relationships, build caregiver capacity and create practical, sustainable supports across home, school and community settings. Therapeutic and family-centred approaches that prioritise connection, regulation, communication, flexibility and collaborative problem-solving are significantly more effective than punitive or compliance-driven responses.

Families frequently tell us they need:

- earlier access to allied health and mental health supports;
- reduced waitlists for assessment and intervention;
- practical parenting and caregiver support;
- flexible school engagement pathways for children experiencing disability-related school distress;
- respite and community-based supports;
- services that understand neurodivergence, trauma and disability through a compassionate and evidence-informed lens.

We are concerned the Bill prioritises surveillance, compliance and intervention without corresponding investment in the services that genuinely help families stabilise and remain safely together. Families cannot meet increasing expectations without access to the supports required to help children regulate, communicate, participate and recover from distress.

We believe greater investment is needed in prevention-focused, community-led and therapeutic services that support families before crises escalate. This includes strengthening access to early intervention, disability-informed family support, culturally safe services, school inclusion supports, caregiver mental health supports and multidisciplinary collaboration between health, education and community sectors.

Impact on the Clients and Communities We Work With

The proposed reforms will have real impacts on the people and communities our organisation works alongside every day.

In practice, we are already seeing families of children experience increasing pressure related to school attendance, despite children presenting with significant anxiety, sensory overwhelm, trauma responses, autistic burnout or disability-related distress. Some children are physically unable to tolerate the cognitive, sensory and social demands of the school environment for sustained periods of time, even when families are implementing recommended supports and engaging with multiple professionals.

For these families, the proposed reforms may increase fear, shame and scrutiny at a time when they are already overwhelmed and actively seeking help. We are concerned that families caring for children with invisible disabilities or complex behavioural presentations may increasingly be viewed through a lens of non-compliance or risk, rather than being recognised as families requiring support, flexibility and therapeutic intervention.

We have worked with families who:

- spend hours each morning attempting to support a distressed child to attend school safely, often resulting in emotional exhaustion for both parent and child;
- are attending multiple medical and therapy appointments each week while also managing financial stress, employment instability and caregiving responsibilities;
- have been advised to seek therapy supports but are unable to access services due to extensive waitlists, workforce shortages or affordability barriers;
- report feeling blamed or judged for their child's behaviours despite consistently engaging with schools, therapists and medical professionals;
- fear that being honest about their struggles may lead to increased monitoring or child protection involvement.

Allied health workers are also observing increasing levels of caregiver burnout, family breakdown and emotional distress in families caring for children with complex support needs. Many caregivers are functioning with minimal respite, little informal support and ongoing uncertainty around disability funding and service access.

We are particularly concerned about the impact these reforms may have on trust between families and support services. Families are more likely to engage openly and early when they feel safe, respected and understood. Approaches that increase surveillance or punitive intervention risk creating fear and disengagement, particularly for families who have previously experienced stigma, discrimination or traumatic interactions with systems.

In our experience, behaviours that may be interpreted by systems as defiance, aggression, disengagement or parental non-compliance are often manifestations of disability, trauma, communication differences, sensory overwhelm or nervous system dysregulation. Without appropriate disability-informed assessment and support, there is significant risk that vulnerable children and families may be misunderstood and drawn further into punitive systems rather than receiving therapeutic intervention.

Closing Position

Palm Tree OT supports the importance of child safety and recognises the need for effective child protection systems.

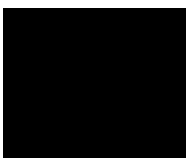
However, we do not believe this Bill addresses the underlying causes driving child protection involvement in the Northern Territory.

Instead, we are concerned the Bill:

- lowers the threshold for intervention into families;
- expands coercive powers;
- increases pathways into long-term care;
- fails to adequately address poverty, housing instability and service shortages;
- risks causing further harm to vulnerable children, families and communities.

We are calling on the Northern Territory Government to reconsider the proposed reforms and undertake genuine consultation 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.

Kind regards,



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