

Secretary, Legislative Scrutiny Committee

Re CARE AND PROTECTION OF CHILDREN LEGISLATION AMENDMENT (EVERY CHILD MATTERS) BILL 2026

Dear Secretary

Please accept our submission we are deeply concerned at this legislation and request it be withdrawn in full. There has been NO genuine consultation with First Peoples across the NT. Communities, their leaders / Elders and Northern Territory Aboriginal Organisations must be all involved .

We call for the Northern Territory Children’s Commissioner and the National Commissioner for Aboriginal and Torres Strait Islander Children and Young People to lead any inquiry.

Regards

Georgina Gartland

‘concerned Australians’

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Dear Committee Members

We are deeply concerned at this legislation and request it be withdrawn in full. There has been NO genuine consultation with First Peoples across the NT. Communities , their Elders , Aboriginal professionals and Northern Territory Aboriginal Organisations must be all be genuinely consulted . The legislation has been rushed, and this will cause more harm.

Over 330 organisations across the Northern Territory have called for this legislation to be abandoned . We stand with them. The legislation breaches International human, child and Indigenous rights . The legislation is discriminatory , as it disproportionately impacts on First Nations children. This is not about child safety, and it ignores Aboriginal solutions.

As Yingiya Mark Guyula MLA has said,

The NT Government are bringing new child protection laws that mean more children will be removed from their families and placed with non-Aboriginal families.

Once the government takes control of our children, these new laws will make it very hard to get the children back and more families will be having to face the courts.

I am not supporting this law.

I want the government to withdraw the law and to properly consult about the best changes that can be made to protect our children.

The safety of children is the most important thing. Making sure they know their identity, culture and land is part of that safety.

We want to bring more programs to support families so we can keep kids on country and with their families.

Where a child needs placement we want to work together to find those solutions that will keep our children safe.

‘concerned Australians’ are deeply disturbed that this legislation will disproportionately and adversely impact on Aboriginal children, their families and communities. This legislation is racist, short sighted and also takes one back to the assimilation era. We oppose the legislation in full.

This legislation also ignores best practice and the recommendations of the 1997 *Bringing Them Home* (BTH) report in full - including the requirement for the department to place Aboriginal children with Kin. We saw throughout the BTH report and in the decades that have followed the profound damage caused to children (and their communities) removed from their kin, culture, language and country. We must not repeat the mistakes of the past. Aboriginal children need culture, kin wherever possible, country and language; Culture is life.

Report after report has been ignored. This is the failure of consecutive Governments. Hence the situation we have today.

Already in the Northern Territory we know that 90% of children in the out of home care are Aboriginal. The child protection system in the NT is broken, discriminatory and Out of Home care has been described as a direct pathway to the juvenile justice system. We have heard this repeatedly throughout our years working with First Peoples of the Northern Territory around their deep concerns living under the racist and punitive NT Intervention. Many of those policies still continue to this day.

Less than 17% of Aboriginal children in the NT, who have been placed in out of home care, are placed with relatives or Kin - the lowest rates in Australia. This is an indictment. The System is failing Aboriginal children. The numbers don't lie. Aboriginal Youth Suicide increased by 160% during the Northern Territory Intervention. Discriminatory, paternalistic and punitive policies which caused profound harm and deepened poverty across the NT. This is the cost of policy built on punishment instead of partnership.

We disagree with the proposed punitive measures for parents through the family responsibility agreements that can be triggered by police and others. Families and communities need to be empowered and supported in their solutions. Aboriginal led solutions are the only way forward. We stand fully behind Yingyia Mark Guyula MLA, in his rejection of this legislation, and in his call for genuine consultation and partnership in this.

We wish to stress that First Peoples are being failed by systems that exclude Aboriginal input, their knowledge, cultural norms and their own solutions.

Proposed Legislation breaches our international child rights, human rights and Indigenous rights obligations. We saw recently at the United Nations an urgent call to Australia,

The UN Committee called on Australia to intensify and accelerate its efforts to eliminate racial discrimination against Indigenous children, including its institutional and systemic dimensions, in the administration of criminal justice and to address the persistent overrepresentation of Indigenous children in the criminal justice system. It also urged Australia to review laws with potentially discriminatory effects, explicitly ban racial profiling by law enforcement, ensure policing is conducted in a non-arbitrary and non-discriminatory manner, and improve detention conditions to meet international standards.

May 7th, 2026, UNDRIP, Australia accused of ignoring human rights obligations on Indigenous children, [here](#)¹

That this legislation removes the specific rights for Aboriginal child's family to participate in court processes is wrong.

That the legislation will restrict short-term protection orders to a maximum of two years means that children who cannot be reunified with family within that timeframe will be placed in government care until they are 18. This totally undermines the ability of the courts to decide in a child's best interest.

We wish to conclude in the words of a friend,

"When communities ask for Healing and receive surveillance, when they ask for support and receive removal, when they asked to be heard and get handed another review led by someone- who will never live with the consequences - that is not a mistake. That is a pattern"

It needs to stop

It is time that Aboriginal communities, their experts be heard.

Recommendations

The legislation be abandoned in full.

This inquiry should be led by Aboriginal experts -by the Northern Territory Children's Commissioner and the National Commissioner for Aboriginal and Torres Strait Islander Children and Young People

Thank You

¹ <https://nit.com.au/07-05-2026/24132/australia-accused-of-ignoring-human-rights-obligations-on-indigenous-children>

Georgina Gartland

On behalf of 'concerned Australians'

'Concerned Australians' acknowledge the First Nations Peoples, the Traditional Owners of this land and their many unique cultures and languages. We respect the knowledge and wisdom of Elders past and present. They have never ceded their sovereignty and we commit to walking with them in their quest for truth, justice and treaties.