

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

I am writing to express my opposition to the Care and Protection of Children Legislation Amendment (Every Child Matters) Bill 2026. The proposed amendment is a knee-jerk reaction that ignores expert evidence and the experience of Aboriginal families, and does not address the systemic failures of the Northern Territory's child protection system.

I recently spent 4 years working at a language and culture centre in an Arnhem Land community. I worked closely with Elders to deliver programs to children at the local school. I saw first-hand the deep love and care that families in Aboriginal communities have for their children. I have also seen the challenges these families face due to poverty, lack of access to support services, and structural inequalities.

This proposed amendment will undermine the Aboriginal and Torres Strait Islander Child Placement Principle. The Aboriginal and Torres Strait Islander Child Placement Principle recognises that connection to family, culture and language is central to the wellbeing of Indigenous children. It is a framework supported by decades of evidence, and exists to prevent a recurrence of the immeasurable harms caused by the child removal policies that led to the Stolen Generations. Any legislative change that seeks to weaken or override this important principle is a backwards step that risks repeating past harms and further entrenching intergenerational trauma and disadvantage.

The Bill introduces the concept of 'family responsibility agreements' relating to 'events of concern', which can include school non-attendance. I spent 4 years delivering school programs in a remote Aboriginal community, and the notion of government intervention into families being triggered by school non-attendance deeply disturbs me. Research demonstrates poor school attendance rates in Aboriginal communities are due to a combination of many complex factors, including poverty, intergenerational trauma, and curriculums that do not reflect students' culture and first language. Many caregivers I worked with lamented how difficult it was to convince their kids to go to school and stay at school. The government needs to work alongside communities, schools and families to improve children's school attendance, rather than expanding punitive intervention.

Some members of government have insinuated that the current legislation prevents Aboriginal children from being removed from unsafe situations. However, this claim is not supported by child removal data. Aboriginal children are already massively overrepresented in the out-of-home care. 92% of children in out-of-home care in the NT are Aboriginal, and of those, only 16% are placed with family, which is the lowest rate of kinship placement in Australia. 82% of NT Aboriginal child removals are for neglect. Dr Tracy Westermann AM, who has spent decades working in Aboriginal mental health service delivery, affirms that 'the evidence-based response to neglect is intensive family support, not removal.' The government should be focused on investing in services that support families, rather than rushing through legislative changes that do not address structural issues.

As the National Children's Commissioner Deb Tsorbaris has stated: 'We cannot protect First Peoples children by stripping away the very safeguards designed to protect their identity, stability and sense of belonging.' The safety of children is paramount, but it must be recognised that access to family and culture is an essential part of Aboriginal children's safety and wellbeing.



Vivien Dunn