

ARDS Aboriginal Corporation

Madam CHAIR: On behalf of the committee, I welcome everyone to this public hearing into the Care and Protection of Children Legislation Amendment (Every Child Matters) Bill 2026.

I welcome to the table to give evidence to the committee representatives from ARDS Aboriginal Corporation, Sylvia Nulpinditj and Eleanor Connop. I also welcome a member of the Gapuwiyak Leadership Group on Child Protection Matters by videoconference, Yangipuy Wanambi. Thank you for coming before the committee. We appreciate you taking the time to speak to the committee and look forward to hearing from you today.

This is a formal proceeding of the committee and the protection of parliamentary privilege and the obligation not to mislead the committee apply. This is a public hearing and is being webcast through the Assembly's website. A transcript will be made for use of the committee and may be put on the committee's website. If at any time during the hearing you are concerned that what you will say should not be made public, you may ask the committee to go into a closed session and take your evidence in private.

Could you please each state your name and the capacity in which you are appearing.

Ms CONNOP: My name is Eleanor Connop. I am a Senior Conflict Resolution Lead and lawyer working with ARDS Aboriginal Corporation.

Ms NULPINDITJ: My name is Sylvia Nulpinditj and I am a Co-Chief Executive Producer. My main role is on Yolngu Radio within ARDS organisation. I am a senior Yolngu Radio presenter.

Mr WANAMBI: I am Yangipuy Wanambi, the leader of Gapuwiyak and (inaudible), the country called (inaudible), Marrangu clan. We have been living in Gapuwiyak. My role is a chairperson of the Gong-Dal Aboriginal Corporation. I am one of the team that we, together with this child protection, for probably three years now, started talking about that. I am also in the leadership group for our child and family centre run by Gong-Dal as well.

Madam CHAIR: My name is Oly Carlson. I am the Chair and the Member for Wanguri. I have Clinton Howe, Deputy Chair, Member for Drysdale; Member for Fannie Bay, Laurie Zio; and Member for Johnston, Justine Davis. They are city seats. Then we have Member for Daly, Dheran Young.

Ms Nulpinditj, would you like to make an opening statement.

Ms CONNOP: We will all be part of the opening statement, if that is okay.

Thank you for inviting us to speak with the committee today. I have been asked by my colleagues to speak first.

Sylvia and I represent ARDS Aboriginal Corporation which has been working together with Yolngu in both worlds—being the balanda, non-Yolngu world, and the Yolngu world—for over 50 years. The work that we do is Yolngu-led based on Yolngu world views first and in first languages. When I speak about Yolngu I mean people living in north-east Arnhem Land.

I preface that by saying that for my colleagues here today, Sylvia and Yangipuy, English is their fifth or sixth language and we do not have an interpreter here today, so I ask the members to please phrase your questions today in plain English if possible.

Over the last 50 years there have been many changes of the dominant government and legislation, but for Yolngu their law has always remained the same and is accessible and understood by all Yolngu people. ARDS work with and support community elders' voices to be heard.

In a current project that we are working on ARDS have been supporting the leaders of Gapuwiyak and surrounding homelands through federal funding to be recognised and to have authority over child protection decisions and outcomes in their community and homelands. We have worked with the community to establish a leadership group who have been identified as the right people to make decisions about any child protection matters for Gapuwiyak and the surrounding homelands. These leaders have been asking government for recognition and to work together in making decisions for children for many years. Their leadership was recognised in a statement of commitment signed by Selena Uibo in 2024 as part of the local decision-making process; however, this process was not continued after the change of government in 2024.

Given the very short timeframes we have had to prepare our submission and this session, we wish to share a report created by the Gapuwiyak leaders and supported through ARDS which is called Decolonising Child Protection: Severing Unhealthy Ties and Restoring Secure Attachments. I have copies of that report to provide to you today. That report outlines the concerns from leaders about child protection and the Yolngu ways of keeping children safe within their own culture and extended families through Yolngu laws.

I will now pass to Yangipuy Wanambi, traditional owner and lawman from Raymangirr homeland who will talk about how the community wants to increase kinship caring for Yolngu children and other community priorities.

Mr WANAMBI: Thanks very much for this moment. I want to let you know, excuse me for something I am unable to—English is my fifth language, so forgive me. I apologise if I make a mistake or whatever.

We have been gathering, talking hard about this situation that has just come up, like *yapa* Ellie said, at very short notice. It has not been put (inaudible) and more concentration about this. (Inaudible) of Gapuwiyak and surrounding homelands leaders seeing government we recognise need to work together to address child protection issues in the community. What Yolngu want recognised is they are the right people to make decisions for their own children of their own community and their clan, where they come from and where they belong. What Yolngu want is the opportunity to recognise their authority and their leadership in making a safe place for our children. In 60,000 years or more until we were brought up, we have our own safe place. That is where we are today—our country where we belong, where our ancestors, our patterns, our songlines, everything.

(Inaudible) government to work with the leaders in Gapuwiyak to make decisions about the children to engage cultural understanding, to work together and to speak with leaders about their concerns and work with leaders to address them. More services to be in our homelands or in our communities to get out to our homelands actually, because homelands are a better place, a safe place, where we can be. We have no problems being in the homelands. We had so many (inaudible) no access to our country.

Yolngu too want to work through *gurrutu* and relationships to Yolngu *rom* as well as balanda *rom*. Balanda means *gurrutu* in relationship, skin group or our cultural awareness and connected to white man's law.

For Yolngu children to be raised by Yolngu family on their homelands with their language and culture, with support from government to allow leadership to make this happen, work together to make these priorities for government to understand that we live in these two worlds. Balanda need to meet us in the middle; there needs to be two-ways learning and understanding.

Community elders have not been consulted on this Bill. We need to work together to make something that works. Government has been working on this Bill for 12 years with no consultation with the community elders and leaders. How can the government decide what is safe and best for our children without us?

Ms CONNOP: Now Sylvia will speak.

Ms NULPINDITJ: Especially as a Yolngu woman, I am in a position as a co-chief executive officer. It is a new thing for me to be in. It has just been a couple of months now. My understanding, as co-CEO for the organisation, is still very new, but the organisation that I work for represents Yolngu community. We advocate for Yolngu community. We are *napungga'wuy*; it is part of our strategic plan. What *napungga'wuy* means is an organisation that is right in the middle of community, working, supporting community and also being an advocate for a government department.

This has been a very long time coming for an organisation to appoint someone to sit in this position, in these chairs, and talk about our strength and what lies ahead. This is all part of a discussion that we always, as part of an organisation, try very hard to be strong with the strength of reliable—both balanda and Yolngu—staff really working together because that is where the understanding lies; it comes from that.

The organisation—as my *mari* was talking about, he mentioned one term, *gurrutu*. *Gurrutu* in this context means a kin, a kinship. It is not just a kinship or a relationship that us as workers with the organisation have within the workplace level; it is more than that. *Gurrutu* is its own foundation; it is its own system. In the same manner how government has its own system, and then government has other small parts of system that it is in alliance with. We are no different from that. When we are engaging with the Yolngu communities supporting our mob, young people and children, we are coming from that *gurrutu* perspective. That is very strong, and still alive and well within our practice.

Also part of our strategic planning for the ARDS organisation is this one concept called *ral-manapanmirr* which is basically working together, sharing responsibilities and incorporation when it comes to engaging and working with children, working with community to work with the children or external organisations in that relation. It is also part of being agreeable to any decision-making. That is *ral-manapanmirr*.

Ms CONNOP: Our stance on this Bill today is that there needs to be more consultation and more working together with communities and leaders if the law is going to be changed.

Mr HOWE: Thank you, uncle, and thank you, aunty, for coming today. My question is about Yolngu *rom*. Please forgive me; my Yolngu is very bad. Your English is much better than my Yolngu.

With Yolngu *rom* and balanda law, the map of the *gurrutu* that you have provided helps. When home is bad for little fella, little girl, little baby, does department understand or use this *gurrutu* to help find safe home?

Mr WANAMBI: The answer that I can give you might help, but my (inaudible) will take over. As you saw, the network—our extension of our moiety and this kinship network right across from east to west. That is how we understand. It has been there for 60,000 or more in our lifetime.

Ms CONNOP: I can speak a bit more to that as well. At ARDS, we start all of our work, when we are working with our Yolngu clients, with this *gurrutu* map. This map puts the child or the Yolngu person in the middle. From that middle person, it goes out and explains who all the related people are to that person. Through *gurrutu*, there are many people in community who have responsibilities towards that child or that person. That might be specific people or it might be specific homelands or clan groups. Starting from that point of finding out who are the people who have responsibilities for this child and who are the clan groups, it allows us to find those people who all need to be consulted as part of deciding what is the best path is for that child or person going forward.

In my experience working as a child protection lawyer and in this work as well, the department do not have the cultural competency to be able to do that. That is why we ask the department to work with leaders because leaders know what works in community. They have these foundational laws and concepts that have been there for thousands of years. That is how they work and why they ask government to work with them to do things the right way and the best way.

Ms NULPINDITJ: Because when we are engaging with young people, our children, we are engaging from a Yolngu perspective or Yolngu cultural aspects. It is very important to also recognise these young people because when it comes to Yolngu *rom* the core of the Yolngu world view is based on our children. That is why one child has more than a few relatives. They can have immediate family—nuclear family—and it can extend right out as far as Miwatj from Gumurr Gattjirrk versus Gumurr Miyarrka versus Gumurr Marthakal. These are some of the six regional wards across Arnhem Land. There is another two. The child has so many relatives. Yolngu people are the best people to work with to navigate, negotiate, look out and sit down with someone. They can plan who is the best family. That is all based on *gurrutu*.

That is why it is important to work with an organisation that has the ability and the infrastructure within the organisation and has two-way understanding, learning and working together. That has always been the strength when it comes to our organisation, ARDS, because when you work in a two-way, it is approaching to blend traditional *rom* with wider mainstream law. The way of managing such as through working—I work with Ellie, my (inaudible), every day when it comes to maintaining the safety and health of our community and our children and understanding how we have to approach. It is really important to us; that is what we are there for. It is really hard, but we are trying to uphold (inaudible) too—responsibilities and world views. We try our best because that is why we are there.

Mr YOUNG: Thank you for your submission and coming here today. I appreciate your time.

In regard to the current legislation, not the one that has been drafted, many witnesses have been raising concerns that the department does not have an understanding of the Aboriginal child placement principle and have not been implementing that principle. Has anyone from the Department of Children and Families come out to meet with you to specifically speak about the *gurrutu* map? I am sorry if I am not pronouncing that correctly. If they have, have they implemented it when there has been a notification of a child?

Ms CONNOP: *Wawa*, do you want to speak to that? Has anyone from the Department of Children and Families ever come to speak to your or other leaders in Gapuwiyak about kinship?

Mr WANAMBI: No, not that I know, but actually they just go and speak to the mums and dads, not the whole *gurrutumirr* that are affected. No, but that is something when we say *ral-manapanmirr* whether we could meet together, have our both ways to have cross-cultural awareness. Also, we can do the same thing to learn more about government regulations. That is why we then walk side by side instead.

Ms NULPINDITJ: I just heard *mari*—when I say *mari* I am referring to him through a kinship system. I just learned that when the department comes into the community they approach people or family members directly. That becomes a concern because the elders in the community would like to be approached on a collective level instead of individual. That is where they need to understand that when they are going into the community to come and work with a child, they need to approach them on a collective level. That is where the *gurrutu* initiates the whole idea of trying to find a better pathway and how to work with children, not on an individual level.

Mrs ZIO: Thank you for coming today, I appreciate your time.

In your submission you state that Yolngu leaders know how to get children back onto a good path and that government should support Yolngu-led solutions and responses. I agree with that. I am not sure that I have seen any barriers to that happening in community. I think Yolngu people in community can do that and lead those solutions in their communities.

As you know, over the years things change. There is evolution of people's behaviours and kids' behaviours, their attitudes all change over time and we develop different responses. We behave differently now than we did 50 or 100 years ago.

With ARDS and the way you are working, is this taken into account? You talk about Yolngu law. Is Yolngu law changing to keep up with the fact that kids are not responding to elders the way they used to 20 years ago? Is ARDS taking that into account when it does its strategic planning and working forward to look at how you deal with the kids who are playing up in the community?

Ms NULPINDITJ: Yes, that has been one of our many projects as part of the youth restoration projects that we have been involved in.

Ms CONNOP: We also have a youth diversion program. We have many projects to do with Yolngu children. In relation to this project with the Gapuwiyak leaders, that is to do with child protection.

In relation to your question of whether Yolngu law changing, Yolngu law does not change; it stays the same. It has been the same for 60,000 years and it is strong and is understood by all Yolngu. It is actually the *balanda* law that changes; it is the *balanda* governments that change. It is hard for Yolngu to understand those changes, understand what is happening in that *balanda* law. That is what is causing confusion, and it is leading to paralysis in communities because they do not know how to approach things.

I do not want to speak on behalf of Yolngu, but after things like the intervention and these laws that come in and take children away without explaining, it means that Yolngu are in a place where they feel that they cannot act, so they need to work with government to have that support, to know that the way that they want to approach things will be supported by government and government is willing to work with them.

Ms NULPINDITJ: If I may also add to that. I was debriefing with my colleague before we came and the story about the families' and children's services ...

Ms CONNOP: Territory Families?

Ms NULPINDITJ: No, based in Gapuwiyak. It is my understanding, like the old man said, it was established three years ago, so it is three years old. They have been asking government since early 2000; it has been over 20 years. Compare that to Yolngu ways; our ways of managing the affairs of our community and our people are very different. If old people back in the days had been doing that without any sort of funding, way before, why can we not do that now? It is because today is very different. Like you said, everything is growing fast around us, even our children, and that is the challenging and difficult part. That is why it is important to focus on a local organisation that stands for something that we look up to that is something that is positive for the community. There are a lot of service providers that stand in that position, and we need to be recognised and supported because we know our people, we know how to support, we know who works beside us.

Madam CHAIR: Thank you for your time today. That ends our session. Thank you very much for coming before the committee.