

Gapuwiyak, 21st of May 2026

To the Legislative Scrutiny Committee of the Northern Territory Parliament, RE: Care and Protection of Children Legislation Amendment (Every Child Matters) Bill 2026

This submission is from the Gapuwiyak and surrounding homelands traditional owners and community members working with children and families.

We, the traditional owners and leaders from Gapuwiyak and surrounding homelands Northeast Arnhem Land write to oppose the new Children Legislation Amendment (Every Child Matters) Bill 2026. As a group we have been elected from our community to represent Child and Family matters in our community.

We do not want Care and Protection of Children Legislation Amendment (Every Child Matters) Bill 2026 passed or amended.

Any changes made to the Care and Protection Act NT must include Aboriginal people as decision-makers from the start of making any changes to the legislation that affect our children. The government apologised for the stolen generations, and we don't want this to happen again.

Context to Gapuwiyak and surrounding homelands Leaders Advocacy in the Child Protection Space

Gapuwiyak and surrounding homelands is a region in Yolŋu Country region in North-East Arnhem Land. This includes the Community of Gapuwiyak and important surrounding cultural homelands of Raymingirr, Yalakun, Bununhura and Burrum. We are the leaders and Yolŋu that live in these areas and whose lives will be changed by this potential legislation change.

Our leaders have been speaking out about Balanda (non-Yolŋu) welfare laws in our region for many years. We understand there is a problem, and we want to address these problems on our country, with our people, in our own way, with government support. Our forefathers spoke out about these laws before us, when the Stolen Generation and NT Intervention occurred. We have been speaking out even more in recent years to Government and in 2024 Member for Arnhem, Selena Uibo, signed a Statement of Commitment with us with the aim to sign a Local Decision Making (LDM) Agreement. As part of this agreement, we wanted recognition from the Northern Territory Government that we could address child protection issues in Yolŋu-led ways. That we are the right people to do this work, and that Government needs to recognise and support us to do this work in our own law. When the new Government was elected in October 2024, the Statement of Commitment was not progressed to an LDM agreement by the new Government. However, we are still advocating to do this work and achieve better

outcomes for our children in our communities and in our homelands. We want to continue to do this work with the recognition and support of the NT Government, so that we can work together in the best interest for our children for their future as leaders in our communities/homelands.

Concerns with changes outlined in the Children and Families on the Care and Protection of Children Legislation Amendment Bill 2026

1. Need to listen to and support Yolŋu ways

The Government does not need to take our children away. We have a Yolŋu system and law that is strong. We feel worried about the Balanda system, we don't want our children to leave until they are eighteen, only speaking English and not knowing Yolŋu ways of life. Yolŋu rom (law) should always be there, these are our children. We recognise there have been some problems with the care of children in recent times, because of influences that Balanda introduced, like alcohol and kava and social media. But we as the leaders who grew up in the old ways, we know how to get these djamarrkuḷi (children) back on a manymak dhukarr (good path). Instead of welfare just going to mothers, welfare should talk to the whole family, and the leaders so that everyone is involved and can help. We don't want our children to lose their language, their culture, their identity. Families will feel sad and embarrassed if our children are taken to be raised by Balanda (non-Yolŋu). Those children need to be growing up Yolŋu way, with their ceremonies. They are our future.

Government come here for one day and sometimes take our children away. But we are here every day, watching and knowing. We are building ourselves and our Yolŋu led teams of djāmamirr (workers) in this djāma (work) and welfare dhāwu (story). We want to be recognised by the government so we can work together. We don't need our children to be taken away. We need more support from government, more training, so we know how to work together better for our community. Government needs to watch us and learn, do cultural competency training to understand our ways, and we can do training to understand Balanda ways. We want to work together bala-rāli (working alongside each other).

2. The importance of Homelands

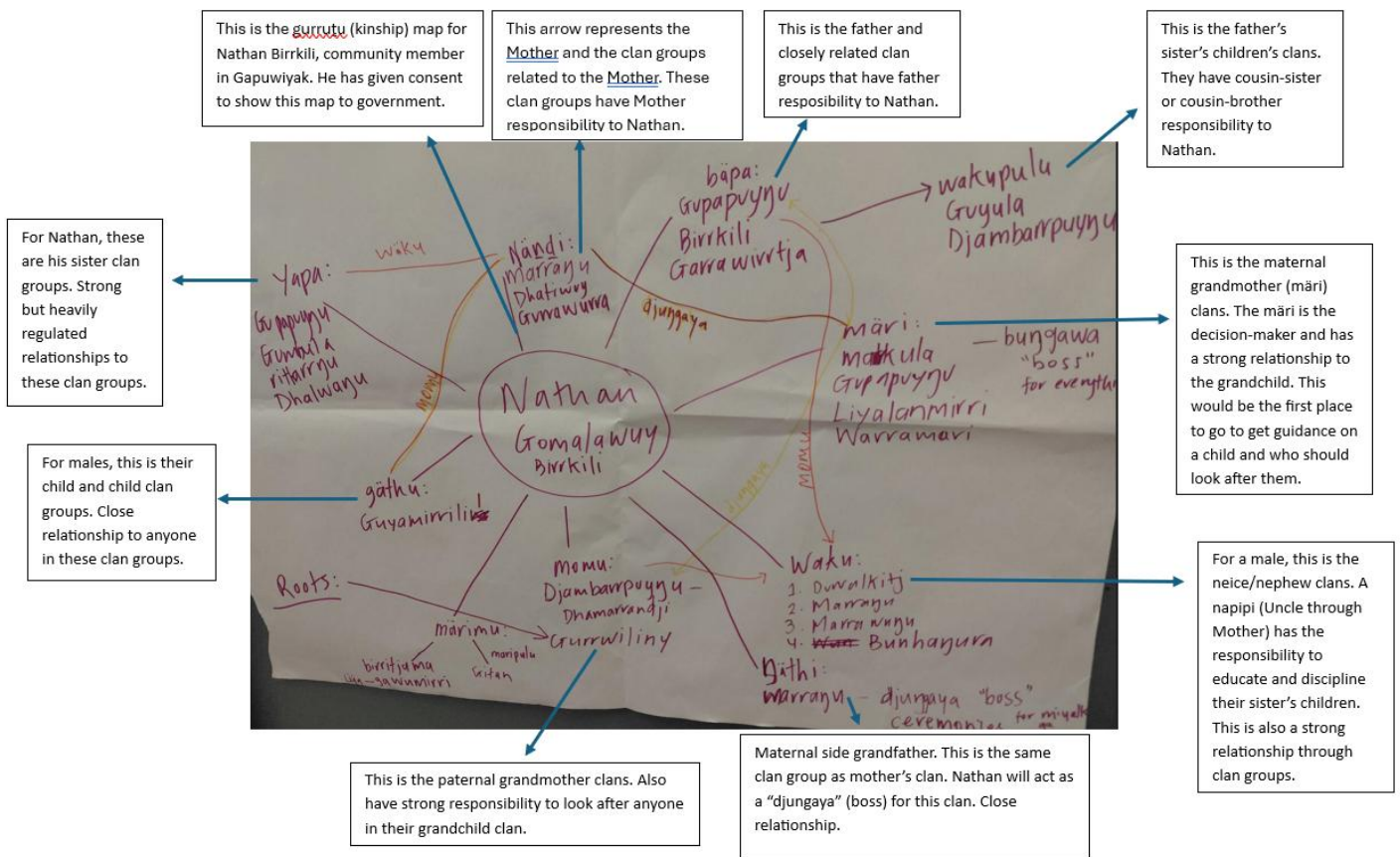
Yolŋu don't just need alcohol & other drug programs or counselling in the Balanda way. Yolŋu also need rehabilitation in our way. Yolŋu rehabilitation and healing is in our homelands, in our traditional country. Children do not need to be taken away from our communities, they need to be taken to their homelands where they can learn Yolŋu ways of hunting, fishing, bungul (dance), manikay (song). It was

the Balanda (non-Yolŋu) policies of the past that put us together in large communities, but we are all from different clans and different homelands that are our cultural homes for healing and learning. We need government support to better access these homelands, to stay on these homelands and teach our children and families how to grow them up the right way to be the leaders of tomorrow. We can teach parents how to care for their djamarrkuḷi (children), we need to give them that education. We need to do this in our homelands. Government can support Yolŋu by building more housing in homelands, people want to return to live on homelands to live peacefully but there are no houses. Some leaders and families want to move back to their homelands to teach their kids and families the right way away and be strong within our own culture. We also need support with the roads to keep them open. This is what Yolŋu children need.

3. Gurruṯu and kinship

In Yolŋu rom (law) we have gurruṯu (kinship). Our gurruṯu means we are all connected and we have lots of family who have responsibilities to us and our clans. This means there are always other Yolŋu who can take care of our djamarrkuḷi (children). Yolŋu have been taking responsibility for children, that are not their own biological children, but children through close kinship, for generations. We share our children clan to clan with the correct gurruṯu connections, so that they learn from many and grow up strong and healthy. Our children are safe when they are with their correct gurruṯu connections, and it is important for them to learn who these connections are and to learn from them. welfare do not need to take our children and put them with Balanda families. Our children have lots of close family in every community and homeland in Northeast Arnhem Land, who have responsibilities to teach and discipline and grow up our children.

An example of just how many close clan groups and family each Yolŋu person has is shown in the below image which is an example of a gurruṯu map. This is the close kinship relationships represented in clan groups, and the Yolŋu who are in those clan groups and their roles and responsibilities to the Yolŋu person represented in the middle (in this case, this is the gurruṯu map for Nathan Birrkilli, an adult Yolŋu man from Gapuwiyak who has given us permission to share his connections):



This gurrutu map represents the importance of government understanding Yolŋu law and culture and to work alongside us in the best interest of Yolŋu children. We can work with welfare to find the right path for children, the right people to care for them in a way that maintains their culture and identity. This is in the best interest of our djamarrkuŋi (children).

Taking children away from their gurrutu connections breaks their connections and their identity and causes trauma for the children. Gurrutu is safety.

4. Impact of these laws on Yolŋu

We want our children to grow up as strong Yolŋu with their culture, language, law and songlines. Government must work with us from the ground up and listen to us. We don't want to go back to the stolen generation. We don't want this to happen. We want to do it ourselves, support these children and families. These children are our future, if they are taken away from us, and raised by Balanda, then it will be very bad for us and our communities. We don't want that. These children are from our own soil, from our land. They are the leaders of the future. We know

how to raise them up the right way, we want government to work in partnership with us, support us and listen to us so that can happen.

Summary:

We, as leaders and traditional owners of Gapwuiyak and surrounding communities, do not agree to the proposed changes to the Care and Protection of Children Legislation Amendment (Every Child Matters) Bill 202. The safest thing for our children is to stay with their gurrutu connections, in their own community and the safety of our love for our children.

We, as leaders and traditional owners of Gapwuiyak and surrounding communities would welcome a Public Hearing in relation to this matter.

ARDS Aboriginal Corporation has been supporting the Gapuwiyak and surrounding communities' leaders throughout the Local Decision-Making processes and helping to share their strong voice about child protection to increase their input in any child protection matters.

This submission has been prepared by the Gapuwiyak and surrounding homelands traditional owners and community members with support from ARDS Aboriginal Corporation.

