

22 May 2026

Secretary  
Legislative Scrutiny Committee  
GPO Box 3721  
DARWIN NT 080

By email: LSC@nt.gov.au

**Submission to the NT Legislative Scrutiny Committee  
Care and Protection of Children Legislation Amendment (Every Child Matters) Bill 2026**

Dear Committee

Djirra welcomes the opportunity to make a submission regarding the *Care and Protection of Children Legislation Amendment (Every Child Matters) Bill 2026* (the 'Bill').

We do so with urgency and deep concern.

I write to you as CEO of Djirra - a specialist Aboriginal Community Controlled Organisation with over two decades experience supporting Aboriginal women and their children experiencing, or at risk of, family violence. Our work is led by Aboriginal women and grounded in cultural safety, Aboriginal-led solutions and self-determination.

Djirra is the only specialist Aboriginal Family Violence Prevention and Legal Service in Victoria. We work at the frontline of the intersecting systems of family violence, child protection, and justice, and are a leading voice in advocating for systemic reform. In the context of Victoria's nation-leading rates of child removal and the findings of the Yoorook Justice Commission, we continue to advocate for legislative change - including successfully raising concerns about elements of the recent *Children, Youth and Families Amendment (Stability) Bill 2025 (Vic)* that risked entrenching, rather than addressing, the structural drivers of Aboriginal child removal.

We also play a national leadership role through our long-standing involvement in the First Nations Advocates Against Family Violence (FNAAFV), including over a decade of leadership by me as Chair, and through my role as Co-Chair of Change the Record - Australia's only national First Nations-led justice coalition.

Our submission is aligned with the positions of the North Australia Aboriginal Family Legal Service (NAAFLS) and the North Australian Aboriginal Justice Agency (NAAJA). We share their serious concerns about this Bill and its likely impacts on Aboriginal children, families and communities.

## Our position

Djirra strongly opposes the proposed amendments.

This Bill represents a further entrenchment of punitive and removal-driven approaches to child protection. It undermines long-standing safeguards, including the Aboriginal and Torres Strait Islander Child Placement Principle, and risks accelerating the removal of Aboriginal children from their families, communities and culture.

The Committee ought to be aware that family violence is the leading cause of Aboriginal child removal, but too often, systems respond by separating mothers and their children, rather than addressing the violence driving the harm and by linking women into specialist family violence prevention and legal services to support her to escape violence safely with her children. And this is what this Bill does not do and why we oppose it.

In summary:

- The Bill is a significant and dangerous change to the NT child protection system and should not proceed.
- It expands government power to intervene in family life earlier and more easily.
- It introduces coercive, compliance-based mechanisms that shift the system from support to enforcement.
- The reforms fail to address the underlying drivers of child protection involvement, including housing, poverty and access to services.
- The Bill will weaken or dilute the Aboriginal Child Placement Principle, reducing protections for cultural connection and kinship.
- It limits court discretion and creates more rigid pathways that increase the risk of long-term or permanent removal.
- The approach replicates policy models that have failed in other jurisdictions and have been abandoned elsewhere.
- The reforms were developed without proper consultation and are not evidence-based.
- Overall, the Bill will not make children safer and risks causing further harm.

In Victoria, we have seen this before. And we know it does not work. This is evidenced by our internal data and backed up by external research.

## What should happen instead

Djirra strongly supports the solutions consistently advocated by Aboriginal legal and community-controlled sectors, including NAAFLS and NAAJA.

In our view, the Northern Territory Government should:

### 1. Shift from removal to prevention

Government investment must prioritise -

- culturally safe, community-led early intervention
- housing stability
- specialist family violence responses
- early access to legal support for Aboriginal mums when child protection becomes involved.

Removing children must always be a last resort.

### 2. Invest in Aboriginal women's safety

Keeping mothers safe is critical to keeping children safe.

Policy must -

- recognise family violence as the primary driver of child protection involvement
- fund ACCOs to support Aboriginal women
- ensure women are supported to escape violence with their children.
- ensure all specialist Aboriginal Family Violence Prevention and Legal Services are adequately funded to support women and their children experiencing, or at risk of experiencing, family violence.

Failing to do this drives unnecessary removals.

### 3. Guarantee early access to legal support

Child protection is always a legal issue. Djirra (together with other specialist Family Violence Prevention and Legal Services) has long advocated for a Child Protection Notification and Referral System (CPNRS) to ensure that when child protection becomes involved, Aboriginal mothers are immediately connected to specialist legal services.

Early legal advice -

- informs women of their rights
- ensures women are connected into other critical wraparound services, such as housing, health and counselling
- prevents unnecessary removals
- supports safer outcomes for children
- ensures women are supported to escape the violence safely with their children.

Delays in legal access directly contribute to child removal.

#### **4. Invest in self-determined, Aboriginal-led solutions**

The evidence is clear - culturally safe, Aboriginal-led, wraparound services keep families together. Governments must -

- invest in ACCOs, including frontline specialist Family Violence Prevention and Legal Services.
- centre Aboriginal women's expertise and leadership
- support long-term, sustained community-led responses and funding.

This is what works. Self-determination is not repeating a broken system - it is the creation of a new one.

#### **What we know from decades of practice**

Across more than two decades, Djirra has supported Aboriginal women navigating child protection systems that too often:

- target and red flag mothers for being Aboriginal
- punish and blame women for the violence they experience
- remove children instead of supporting mothers escape the violence safely with their children
- silence women through fear of child removal
- fail to recognise family violence as the primary driver of intervention

Family violence is the single biggest driver of Aboriginal child removal, yet system responses just like this Bill continue to prioritise separation over addressing the violence itself.

Aboriginal women live with an impossible choice:

- seek help and risk losing their children, or
- remain silent and risk being deemed "not protective enough"

This is not a system that keeps children safe. It is a system that drives harm.

#### **The evidence from Victoria: punitive reform worsens outcomes**

Victoria provides a clear and deeply concerning case study of what happens when child protection law becomes more punitive. Despite decades of reform:

- Aboriginal children are removed at dramatically disproportionate rates, among the highest in the country
- family violence remains the central driver of removals
- investment continues to favour statutory intervention over prevention
- involvement in child protection is closely linked to youth justice and later incarceration.

We see the devastating consequences every day:

- children who experience multiple placements are more likely to enter youth justice
- mothers are criminalised, misidentified as the primary aggressor of family violence, and separated from their children
- cycles of trauma, incarceration and removal are entrenched across generations.

Expanding coercive powers and weakening safeguards does not improve safety. It increases surveillance, intervention, and removal. The NT must not repeat these mistakes.

### **Weakening safeguards will cause harm**

The Aboriginal and Torres Strait Islander Child Placement Principle exists to ensure children remain connected to family, community and culture. Weakening this Principle will not improve outcomes. It will worsen them. Connection to culture is not secondary to safety - it is central to it. The evidence is clear - when Aboriginal women are supported to be safe, resourced, and connected to culture, their children are far more likely to remain safely in their care.

When those supports are absent, removal increases. This Bill moves in the wrong direction.

### **Conclusion**

The proposed amendments risk taking the Northern Territory further down a path that has already failed Aboriginal families elsewhere in Australia.

We urge the Committee to:

- Reject provisions that weaken safeguards
- Align with the positions of Aboriginal legal services including NAAFLS and NAAJA
- Re-centre policy on prevention, not removal
- Invest in Aboriginal women and community-controlled solutions.



Aboriginal Community Controlled  
Culturally Safe  
Prevention of Family Violence  
Legal Services and Holistic Support  
Cultural and Wellbeing Workshops  
Policy and Advocacy



Aboriginal women and their children deserve better than systems that continue to punish, separate and silence them.

Yours sincerely



**Antoinette Braybrook AM**  
Chief Executive Officer