

Committee Secretariat
Legislative Scrutiny Committee
Email: LSC@nt.gov.au

21 May 2026

To the Legislative Scrutiny Committee,

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

We are writing with regards to the Every Child Matters Bill 2026. We write from Community Restorative Centre- a lead non-government organisation supporting people exiting prison in NSW. Given the out of home care to prison pipeline, wherein children who are placed in out of home care are disproportionately more likely to enter the prison system,¹ we have a specific interest in this Bill. We highlight that any legislation that could increase children's chances of being removed from their families and guardians has notable implications for children's risk of criminal legal system involvement. We say this recognising that children involved in the out of home care system are more likely to come into contact with police at earlier ages, and receive harsher penalties through the criminal legal system.² Ultimately, we recommend the Parliament abandon this Bill and ensure any work in the child safety space is done through substantive consultation with relevant stakeholders, particularly with Aboriginal community-controlled sectors. This position is in alignment with a coalition of legal experts in the Northern Territory, including Aboriginal community controlled organisations like the North Australian Aboriginal Justice Agency (NAAJA), the North Australian Aboriginal Family Legal Services (NAAFLS), and the Central Australian Aboriginal Family Legal Service (CAAFLU).³ We highlight that over 330 Northern Territory organisations do not support the Every Child Matters Bill.⁴

¹ McFarlane, K. (2018). Care-criminalisation: The involvement of children in out-of-home care in the New South Wales criminal justice system. *Australian & New Zealand Journal of Criminology*, 51(3), 412-433. <https://doi.org/10.1177/0004865817723954>

² Baidawi, S. (2020). Crossover Children: Examining Initial Criminal Justice System Contact Among Child Protection-Involved Youth. *Australian Social Work*, 73(3), 280–295. <https://doi.org/10.1080/0312407X.2019.1686765>

³ NAAJA, NAAFLS, CAAFLU, CAWLS, TEWLS, KWLS, DCLS and LANT (2026, May 15). *Joint release – Serious concerns raised about proposed NT child removal reforms*. NAAJA. <https://www.naaja.org.au/joint-mr-scrap-the-bill/>

⁴ Kellaway, E. (2026, May 21). *Explainer: How will the NT's child protection overhaul impact First Nations children?* NITV. <https://www.sbs.com.au/nitv/article/what-is-the-child-placement-principle-and-why-is-it-under-threat-in-the-northern-territory/e4cmy5idg>

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While the government has stated that the Bill will introduce the safety of children as ‘the primary consideration’ ‘for the first time’,⁵ we recognise that the best interests of the child are already considered paramount under the Northern Territory Care and Protection of Children Act.⁶

We highlight the concerns raised by First Nations led organisations with respect to the way the Bill weakens the Aboriginal child placement principle.⁷ We highlight that at present, only 17.5% of First Nations children in the out of home care system in the Northern Territory are placed with First Nations kin or family.⁸ This rate is the lowest across the continent.

We also share the concern raised by the North Australian Aboriginal Justice Agency (NAAJA) that the Bill expands the power of the state to intervene in child protection matters, without meaningfully supporting families to care for children⁹- for instance, through the provision of safe and stable housing.¹⁰ The aforementioned coalition of experts like NAAJA and the North Australian Aboriginal Family Legal Service highlight that, ‘child safety outcomes are strongest when families can access stable housing, therapeutic support, culturally safe services and early intervention before crises escalate’.¹¹

We are also concerned about the lack of consultation with respect to this Bill, including with First Nations led organisations and leaders¹² and the short time frame offered for this consultation. Providing 1 week for the community to provide feedback on a Bill whose text was inadequately consulted on risks worsening the displacement of First Nations children and removing them from their communities. This is not in the interests of children’s safety and wellbeing.

⁵ Brennan, D. (2026, May 13). *NT Government pushes ahead with Indigenous child placement law changes despite expert warnings*. National Indigenous Times. <https://nit.com.au/13-05-2026/24243/nt-government-pushes-ahead-with-indigenous-child-placement-law-changes-despite-expert-warnings>

⁶ Northern Territory of Australia. *Care and Protection of Children Act 2007*, section 10(1), <https://legislation.nt.gov.au/en/Legislation/CARE-AND-PROTECTION-OF-CHILDREN-ACT-2007>; NAAJA. (2026, May 8). *Joint release- law reform built without evidence is fundamentally flawed*. <https://www.naaaja.org.au/law-reform-without-evidence-flawed/>

⁷ SNAICC. (2026, May 18). *Aboriginal and Torres Strait Islander Leadership Calls for Real Action on Child Safety*. Media release. <https://www.snaicc.org.au/aboriginal-and-torres-strait-islander-leadership-calls-for-real-action-on-child-safety/>

⁸ AIHW. (2025, September 30). *Data tables: Child protection 2023–24: Aboriginal and Torres Strait Islander Children. Table 10.4*. https://www.aihw.gov.au/getmedia/e63bca9f-d493-4687-9dce-4d88eb71dafc/AIHW-CWS-99_Aboriginal-and-Torres-Strait-Islander-Children-data-tables.xlsx

⁹ NAAJA, NAAFLS, CAAFLU, CAWLS, TEWLS, KWLS, DCLS and LANT. (2026, May 15). *Joint release – Serious concerns raised about proposed NT child removal reforms*. NAAJA. <https://www.naaaja.org.au/joint-mr-scrap-the-bill/>

¹⁰ Ibid.

¹¹ Ibid.

¹² Ibid; Brennan, D. (2026, May 10). *NT Government accused of failing to consult Indigenous groups, children’s commissioner over child protection review*. National Indigenous Times. <https://nit.com.au/10-05-2026/24179/nt-government-accused-of-failing-to-consult-indigenous-groups-childrens-commissioner-over-child-protection-review>

Kind regards,
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