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Legislative Scrutiny Committee
C/- The Hon Oly Carlson MLA
Chairperson
By email: LSC@nt.gov.au

21 May 2026

To the Chair and members,

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

I write to express the Tiwi Land Council's (TLC) deep concern about the proposed changes in the Care and Protection of Children Legislation Amendment (Every Child Matters) Bill 2026.

The timeframes to provide comment on this bill are unacceptably short to facilitate meaningful scrutiny of any legislation, but particularly for legislation of such significance.

This Bill is purportedly about safety. Culture is the most important protective factor for Aboriginal people. The changes in the Bill undermine this. Tiwi people have lived the Stolen Generations and continue to live the effects of dislocation and separation from family, culture and country.

We share the concern expressed by Aboriginal legal services and many other Aboriginal organisations that the Bill:

- lowers the threshold for intervention, making it easier to remove children from their families
- increases pathways into long-term care and reduces the focus on reunification
- expands coercive powers
- fails to adequately address the systemic issues of poverty, housing instability and service shortages.

Responding to the Committee's terms of reference, it is the TLC's view that:

1. The Assembly should **not** pass this bill.
2. Any **amendments** to the current legislation should only be made after genuine and extensive consultation with Aboriginal people and their organisations – the amendments must reflect this expertise.
3. The bill **does not** have sufficient regard the rights of Aboriginal people, specifically by repealing and weakening several important rights and principles in the current law, namely:
 - i) Removing the requirement that decisions about Aboriginal children be healing-focused and trauma-informed.¹

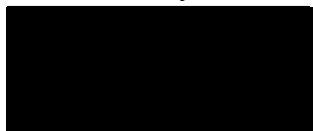
¹ Act s2(2A).



- ii) Removing the right of an Aboriginal child to be brought up within their own family, community and Country.²
 - iii) Weakening the duty to support an Aboriginal child to maintain connection with family, community, culture, traditions, language and Country, especially when the child is placed with someone outside their community or kinship group.³
 - iv) Weakening provisions for family participation.
 - v) Limiting family participation to Aboriginal people who are “of significance” to the child, which may shut out family and kin where the child has already been disconnected from culture.⁴
4. The bill **does not** have sufficient regard to the institution of Parliament, due to the rushed nature of the consultation.

If passed, this Bill is likely to cause significant harm to Aboriginal families. The TLC joins the call for the Northern Territory Government to withdraw the Bill and undertake genuine consultation with Aboriginal organisations, community services, legal services, frontline workers and affected communities to develop evidence-based reforms that keep children safe by strengthening families and communities rather than expanding punitive intervention.

Yours sincerely,



Brenton Toy
Interim CEO
Tiwi Land Council

² Act s2(2B)

³ Act s12(2A); Bill s.12C(3)(b).

⁴ Act ss.2(1)-(2D) references the “right(s)” of the child; Bill s.12C(2) changes this to what “should” be done.