

Proposed Northern Territory Child Protection Reforms

The Northern Territory Government has proposed changes to its child protection laws, intended to make child safety the primary consideration and ensure safety of vulnerable children. A parliamentary committee has recommended that the legislation proceed, despite various calls for it to be withdrawn or substantially amended.¹

The proposed reforms relate to situations where children are removed from their families because authorities believe they are at risk of abuse, neglect or other serious harm. While the laws apply to all children, much of the criticisms raised focus on their potential impact on Aboriginal and Torres Strait Islander children and their connections to family, community and culture.

Key Proposed Changes

- make the Aboriginal and Torres Strait Islander Child Placement Principle (ATSICPP) apply only "as far as practicable", reducing its legal enforceability. While 89% of children in out-of-home care are First Nations, only 16.7% of these children are placed with relatives or kin. It is the lowest rate in Australia, revealing that the Aboriginal child placement principle is not being implemented as it should.
- removing the requirement that, as far as practicable and consistent with the best interest of the child, the child should eventually be returned to their family and, instead providing contact between the child and their family should be encouraged and supported.²

¹ Dechlan Brennan. Children's watchdogs urge NT to halt child protection reforms. *National Indigenous Times*. 15 July 2026. <https://nit.com.au/15-07-2026/25369/childrens-watchdogs-urge-nt-to-halt-child-protection-reforms>

² Legislative Scrutiny Committee. Inquiry into the Care and Protection of Children Legislation Amendment (Every Child Matters) Bill 2026. https://parliament.nt.gov.au/_data/assets/pdf_file/0004/1622497/Signed-Report-Care-and-Protection-of-Children-Legislation-Amendment-Every-Child-Matters-Bill-2026.pdf

Government MLAs are justifying the bill by saying that children's "safety" has to come before "culture".³

Supporters argue that the reforms:

- prioritise the safety and best interests of every child
- create greater stability through permanent care arrangements
- strengthen the child protection system following recent failures.

Critics argue that the reforms:

- Disproportionately affect Aboriginal children and weaken protections for them. The replacement of the Aboriginal placement hierarchy with a universal placement principle was highlighted as concerning. The Aboriginal placement hierarchy is a crucial element of the Aboriginal Child Protection Principle, though it is not the only element thereof. Other elements thereof, eroded by the proposed changes include the tenets of partnership, connection, kinship, and culture.
- Increase the likelihood of children being permanently separated from their families, culture and communities. Some interest groups highlighted that the universal placement principle inadequately considers the long-term harm that Aboriginal peoples have suffered in care
- Increase reliance on coercive and compliance-based intervention mechanisms
- Introduce a 'proactive efforts' framework for preventing removal and prioritising early reunification of children with family that, while positive, falls short of a robust statutory standard and will be ineffective without investment in services to support families.

³ Stephen W. Enciso. NT CLP-stacked committee endorses dangerous NT child removal bill. Green Left. 13 July 2026.

<https://www.greenleft.org.au/2026/1458/news/nt-clp-stacked-committee-endorses-dangerous-nt-child-removal-bill>

- Do not establish delegated authority, Aboriginal community-controlled decision-making or accountability mechanisms consistent with Closing the Gap Priority Reforms.⁴
- Overlook evidence and expert advice received during public consultation.⁵

Various organisations called for the government to pause the legislation and undertake further consultation. The resignation of the Northern Territory Child Commissioner has also drawn attention to the importance of independent oversight, evidence-based policymaking and meaningful consultation in child protection reform.⁶

The proposed reforms raise broader questions about how governments should balance children's immediate safety with preserving their cultural identity, family relationships and community connections. They also highlight the role of expert advice, public consultation and independent oversight in shaping policies that affect vulnerable children.

⁴ Secretariat of National Aboriginal and Islander Child Care (SNAICC) Submission to Legislative Assembly of the NT Legislative Scrutiny Committee: Review of the Care and Protection of Children Legislation Amendment (Every Child Matters) Bill 2026. May 2026. <https://www.snaicc.org.au/wp-content/uploads/2026/05/Submission-to-Legislative-Assembly-of-the-NT-Legislative-Scrutiny-Committee-%E2%80%93-Review-of-the-Care-and-Protection-of-Children-Legislation-Amendment-Every-Child-Matters-Bill-2026.pdf>

⁵ Sarah Collard. NT children's commissioner resigns over child protection changes that remove Indigenous placement principle. *The Guardian*. 10 July 2026. <https://www.theguardian.com/australia-news/2026/jul/10/nt-childrens-commissioner-resigns-over-child-protection-changes-that-remove-indigenous-placement-principle>

⁶ Fiona Alston. NT Children's Commissioner resigns amid concerns over governance and child protection reforms. *The Sector*. 15 July 2026. <https://thesector.com.au/article/nt-childrens-commissioner-resigns-child-protection-reforms>

Questions

1. What are your thoughts on this approach? Should the government proceed with these reforms considering they are strongly opposed?
2. What does ensuring safety and preservation of cultural identities and prioritising them respectively, involve, in your view?
3. What does meaningful consultation look like? Should governments have a responsibility to demonstrate how community views and children's rights have influenced the final policy?

Sources

1. Dechlan Brennan. Children's watchdogs urge NT to halt child protection reforms. National Indigenous Times. 15 July 2026. <https://nit.com.au/15-07-2026/25369/childrens-watchdogs-urge-nt-to-halt-child-protection-reforms>
2. Legislative Scrutiny Committee. Inquiry into the Care and Protection of Children Legislation Amendment (Every Child Matters) Bill 2026. https://parliament.nt.gov.au/_data/assets/pdf_file/0004/1622497/Signed-Report-Care-and-Protection-of-Children-Legislation-Amendment-Every-Child-Matters-Bill-2026.pdf
3. Stephen W. Enciso. NT CLP-stacked committee endorses dangerous NT child removal bill. Green Left. 13 July 2026. <https://www.greenleft.org.au/2026/1458/news/nt-clp-stacked-committee-endorses-dangerous-nt-child-removal-bill>
4. Secretariat of National Aboriginal and Islander Child Care (SNAICC) Submission to Legislative Assembly of the NT Legislative Scrutiny Committee: Review of the Care and Protection of Children Legislation Amendment (Every Child Matters) Bill 2026. May 2026. <https://www.snaicc.org.au/wp-content/uploads/2026/05/Submission-to-Legislative-Assembly-of-the-NT-Legislative-Scrutiny-Committee-%E2%80%93-Review-of-the-Care-and-Protection-of-Children-Legislation-Amendment-Every-Child-Matters-Bill-2026.pdf>
5. Sarah Collard. NT children's commissioner resigns over child protection changes that remove Indigenous placement principle. The Guardian. 10 July 2026. <https://www.theguardian.com/australia-news/2026/jul/10/nt-childrens-commissioner-resigns-over-child-protection-changes-that-remove-indigenous-placement-principle>
6. Fiona Alston. NT Children's Commissioner resigns amid concerns over governance and child protection reforms. The Sector. 15 July 2026.

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