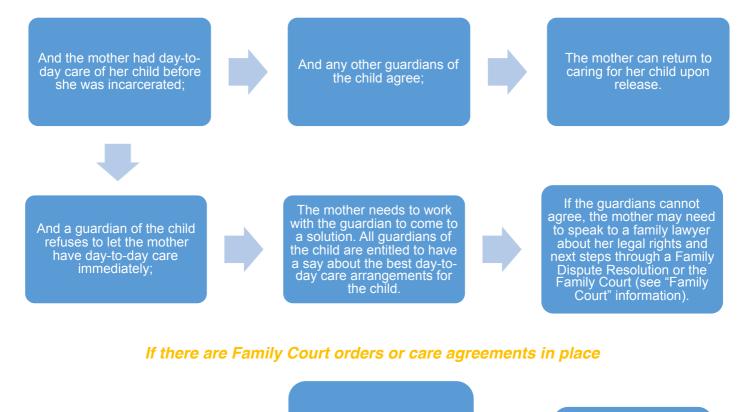


Day-to-day care of children after prison

If there are no Family Court orders or care agreements in place



A mother will need to refer to that document to understand if and when she can get her child back. If she is not happy with what the agreement or order says about the arrangement after her release and she wants to change it, she will need to apply to the Family Court for a new Order. She can do this while still in prison, or upon her release.

The Family Court will decide who gets day to day care of the child on the basis of the child's best interests.

These things can increase the likelihood that a court will consider it in the child's best interests to be in a mother's care:

- •keeping in regular contact/seeing the child while the mother is in prison;
- •ensuring that the mother has a regular income and a place to live upon her release;
- •ensuring that the mother is willing and able to care for her child;
- •having good family and friends to support the mother and the child; and
- •ensuring she has dealt with any other outstanding issues (such as substance dependency).

The Court will consider factors like the age of the child. If the child was young when their mother was imprisoned, a court may think that it will be harder for them to remember her and in the meantime, they may have formed a bond with their caregiver. The Court may order regular contact until the mother has formed a stronger connection with the child and can care full time for them.