



# ALS

Aboriginal Legal Service (NSW/ACT) Limited

# What is a parent capacity order?



- Information about child protection and FaCS -

**A PARENT CAPACITY ORDER** is an order from the Court. It means a parent or a carer must do a program, or get assistance from a counsellor or a doctor, about how to improve their parenting skills.

The aim of the Parent Capacity Order is to improve a person's ability to parent.

## WHAT IS IN A PARENT CAPACITY ORDER?

A Parent Capacity Order will order a person to do a parenting course, rehabilitation, therapy, or engage with a support service or some other form of treatment. For example, the Order may say a person needs to do:

- drug or alcohol relapse counselling
- domestic violence counselling
- a parenting course
- residential rehabilitation, or
- anger management therapy.

A Parent Capacity Order has a completion date written on the Order. The Order can also be cancelled by the Court.

## WHEN CAN THE COURT MAKE A PARENT CAPACITY ORDER?

A Parent Capacity Order can be made after children have been removed or while a person is caring for children. A Parent Capacity Order can also be made even when a care application has not been filed.

## WHAT ARE MY RIGHTS?

If you receive a Parent Capacity Order, you have rights.

- The Court must give you a copy of the Order.
- If you don't understand the Order, you can ask your lawyer to help you understand.
- Make sure you know how long the Parent Capacity Order will run for.
- You can apply to the Court to have the Order changed or cancelled.
- If the Court is cancelling or changing the Order, you have the right to speak in Court.
- Always ask for legal advice.

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