



Parental Responsibility

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Parental Responsibility encompasses all the rights, duties, powers, responsibilities and authority that an adult has in relation to a child and their property. It is a legal relationship that lasts until the child is 18.

Parental responsibility allows the holder to be involved in decisions relating to the child, for example, how the child is educated and which school the child attends, which religion the child should follow, whether a child should receive medical treatment and what type, etc. A person with parental responsibility is able to obtain information about the child from the child's school, the local authority and the doctor.

Whether a parent has parental responsibility for their child depends on whether they are the mother or father, married or unmarried.

Mothers

Mothers automatically have parental responsibility when their child is born whether they are married to the child's father or not

Fathers

If the child's father is married to the child's mother he will automatically have parental responsibility for the child.

If the child's father is not married to the child's mother, but the child's birth was registered on or after 1st December 2003 and the father's name is on the birth certificate, he will automatically have parental responsibility for the child.



If neither of the above apply there are four ways in which an unmarried father can acquire parental responsibility :-.

- ✓ Marry the mother of the child
- ✓ If the child was born on or after 1st December 2003 and if the child's mother agrees, re-register the child's birth to show himself as the father.
- ✓ Enter into a parental responsibility agreement with the mother and register it with the Court
- ✓ Apply to the Court for a parental responsibility order. In deciding

such an application, the Court's paramount consideration is the welfare of the child. The Court will consider the child's attachment with their father, the father's commitment to the child and the father's reasons for making the application for parental responsibility. It is generally not difficult for fathers to meet the threshold to obtain parental responsibility

Civil Partners

The Civil Partnership Act 2004 allows same sex couples to register their relationship, which puts it on a formal footing akin to marriage.

A civil partner can obtain parental responsibility for his or her partner's child if all other people with parental responsibility agree and an agreement is signed and registered with the Court. Alternatively a civil partner can make an application to the Court for parental responsibility.

Step Parents

A step-parent can obtain parental responsibility for their partner's child if all other people with parental responsibility agree and an agreement is signed and registered with the Court. Alternatively, a stepparent can make an application to Court for step-parental responsibility.



Contact us

If you would like to speak to someone about our services or discuss your situation, please contact

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