

Not many people realise that unmarried fathers do not automatically have Parental Responsibility for their children, unless they are registered as the child's father on the child's birth certificate and the child was born after 1 December 2003.

Come to [stevensdrake](#) to get advice on Parental Responsibility, what it means and how it may be acquired.

### WHAT IS PARENTAL RESPONSIBILITY?

Parental Responsibility refers to parental rights and obligations and includes the following:

- The right to determine the child's education.
- The right to consent to or to cause the child's surname to be altered.
- The right to appoint a Guardian.
- The right to access the child's medical records.
- The right to determine the child's religion.
- The right to consent to the making of an Adoption Order.
- The right to arrange the child's immigration.

### WHO HAS PARENTAL RESPONSIBILITY?

The child's mother always has Parental Responsibility for her child. This cannot be removed unless an Adoption Order is made in respect of the child.

The child's father is in the same position as the mother if he was married to the child's mother at the time the child was born. However, when the child's parents were not married at the time of the child's birth before 1 December 2003, the child's father will not have Parental Responsibility unless he acquires it in one of the ways specified below.

### HOW CAN THE UNMARRIED FATHER ACQUIRE PARENTAL RESPONSIBILITY FOR HIS CHILD?

Parental Responsibility can be acquired by one of the following:

- Marrying his child's mother.
- By entering into a Parental Responsibility Agreement with the child's mother.
- By obtaining a Residence Order in his favour.
- By applying to the Court for an Order that he shall have Parental Responsibility.

## PARENTAL RESPONSIBILITY AGREEMENT

stevensdrake can advise you in respect of entering into a Parental Responsibility Agreement with the other parent. We can help you complete the necessary forms and advise you as to how the agreement can be put in place.

## PARENTAL RESPONSIBILITY ORDER

If an agreement cannot be reached between the parents, the child's father can apply to the Court for an Order that he have Parental Responsibility. In considering the Application, the Court will be guided in the first instance by the child's welfare. Experienced members of **stevensdrake** Family Department will be happy to represent you on an Application for a Parental Responsibility Order in respect of your child.

### FAMILY



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