

# Parental Responsibility

In modern society many children are born outside of marriage, parents need to be clear about who has legal parental responsibility for their children. Unlike mothers, fathers do not always have parental responsibility for their children.

The legal definition of parental responsibility does not give an exhaustive list of what is covered by the term, but case law over the years has given us a good indication as to those issues that are encompassed within its meaning:-

- Taking the child/children outside the UK.
- Decisions in relation to education.
- Decisions with respect to a child's medical treatment.
- If required, appointing a guardian.
- Religion of the child.
- Any change to the child's surname.
- Allowing confidential information about a child to be disclosed.
- Providing for and maintaining the child.
- Responsibility for a child's own property.

## Who has Parental Responsibility automatically for a Child?

1. All mothers.
2. Fathers who were married to the mother of the child when the child was born.

## How can an 'Unmarried Father' obtain Parental Responsibility?

- A. By jointly registering the birth of the child with the mother (this only applies to children born after 1<sup>st</sup> December 2003).
- B. By a parental responsibility agreement with the mother.
- C. By a parental responsibility order, made by the Court.

If you have any specific or detailed questions that you would like to ask in respect of this issue, please feel free to call Katie Beaven who would be happy to deal with your enquiry.

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