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## Parental rights and responsibilities

### What is parental responsibility?

All mothers and most fathers have legal rights and responsibilities as a parent - known as 'parental responsibility'.

### Who has parental responsibility?

A mother automatically has parental responsibility for her child from birth.

A father usually has parental responsibility if he's either:

- married to the child's mother
- listed on the birth certificate (after a certain date, depending on which part of the UK the child was born in)

### Births registered in England and Wales

If the parents of a child are married when the child is born, or if they've jointly adopted a child, both have parental responsibility.

*They both keep parental responsibility if they later divorce.*

### Unmarried parents

An unmarried father can get parental responsibility for his child in 1 of 3 ways:

- jointly registering the birth of the child with the mother (from 1 December 2003)
- getting a parental responsibility agreement with the mother
- getting a parental responsibility order from a court

### Same-sex parents

- **Civil partners**

Same-sex partners will both have parental responsibility if they were civil partners at the time of the treatment.

- **Non-civil partners**

For same-sex partners who are not civil partners, the 2nd parent can get parental responsibility

### Step-Parent Parental Responsibility

Step parent parental responsibility can't be acquired by simply marrying the child's biological parent. Step parental responsibility can be obtained for a child in very specific circumstances, including:

- When the Court makes a Child Arrangements Order that the child lives with the step parent, either on their own or with another person. However, these types of 'step parent' orders are uncommon.

- When the step parent adopts a child which puts him/her in the same position as a birth parent.
- When the Court has made a Parental Responsibility Order following an application by the step parent.
- Through the signing of a step parent Parental Responsibility Agreement, to which all other people with parental responsibility consent

Further information can be found on this website:

<https://www.gov.uk/parental-rights-responsibilities/who-has-parental-responsibility>