

# Parental Responsibility: The Facts

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When you are in a steady relationship with your child's other parent, who has responsibility over your children is probably not something that you think very much about. However, if your relationship breaks down, responsibility over your children can suddenly become a very big deal.

'Parental Responsibility' may seem like a vague concept at first. If your child's other parent isn't around much, it can seem like they are not really 'responsible' for your child. On the other hand, just because you don't live with your little boy or girl, does not mean you don't feel a great deal of responsibility for their welfare.

## **So what is Parental Responsibility?**

This is a definite legal term that covers all the legal rights, duties, powers, responsibilities and authority a parent has for a child. A person with Parental Responsibility ("PR") for a child has the right to make decisions about their care and upbringing, and be updated about their child's development and progress. Important decisions in a child's life must be agreed between all those who have PR – this can be more than just two people!

Whoever has PR has a right to an input into decisions over:

- *Where a child lives*
- *How and where a child is educated*
- *Whether or not a child has medical treatment*
- *What a child will be named and registered*
- *When a child can leave the country, whether for a holiday or a permanent move abroad*

This means that it is important to ensure that you do have PR for your child in order to have an input into the important decisions of their life.

## **Who has it?**

Birth mothers automatically have Parental Responsibility.

Fathers acquire Parental Responsibility by:

- ✓ Being married to the birth mother
- ✓ Being listed on the birth certificate
- ✓ Making a Parental Responsibility agreement with the mother
- ✓ Applying to Court for a Parental Responsibility Order

For same-sex partners, both will have Parental Responsibility if they were civil partners at the time of the treatment (e.g. donor insemination or fertility treatment). If they were not, the second parent will need to apply to Court or arrange a formal agreement with their other parent.

The rules are quite complex, particularly for step-parents and co-habitants, so if you are not sure, have a chat with one of our team. If you are in dispute with your ex-partner, and application to Court may be necessary, and our solicitors will ensure the focus is on the needs and welfare of your child.

### **What it does NOT cover**

It does not automatically give you the right to contact with your child – if you concerned over contact arrangements, get in touch with us to discuss your situation.

If you are the child's biological parent, you have an obligation to ensure they are financially supported. This is the case even if you do not have Parental Responsibility, and even if you don't have contact with your child.

*Ultimately, Parental Responsibility is there to ensure as much as possible that your child gets a good start in life.*