 **Who has parental responsibility?**

A mother automatically has parental responsibility for her child from birth. However, the conditions for fathers gaining parental responsibility varies throughout the UK.

**For births registered in England and Wales**

In England and Wales, if the parents of a child are married to each other at the time of the birth, or if they have jointly adopted a child, then they both have parental responsibility. Parents do not lose parental responsibility if they divorce, and this applies to both the resident and the non-resident parent.

This is not automatically the case for unmarried parents. According to current law, a mother always has parental responsibility for her child. A father, however, has this responsibility only if he is married to the mother when the child is born or has acquired legal responsibility for his child through one of these three routes:

* (from 1 December 2003) by jointly registering the birth of the child with the mother
* by a parental responsibility agreement with the mother
* by a parental responsibility order, made by a court

Living with the mother, even for a long time, does not give a father parental responsibility and if the parents are not married, parental responsibility does not always pass to the natural father if the mother dies.

All parents (including adoptive parents) have a legal duty to financially support their child, whether they have parental responsibility or not.

**For births registered in Scotland**

A father has parental responsibility if he is married to the mother when the child is conceived, or any time after that date. An unmarried father has parental responsibility if he is named on the child's birth certificate (from 4 May 2006). Alternatively, unmarried fathers can also be named following a re-registration of the birth.

**For births registered in Northern Ireland**

A father has parental responsibility if he is married to the mother at the time of the child's birth. If a father marries the mother after the child's birth, he has parental responsibility if he lives in Northern Ireland at the time of the marriage. An unmarried father has parental responsibility if he is named, or becomes named, on the child's birth certificate from 15 April 2002.

**For births registered outside the UK**

If a child is born overseas and then comes to live in the UK, the parental responsibility rules apply for the UK country in which they live – that is the rules for England, Wales, Scotland or Northern Ireland.