

CHANGING A CHILD'S NAME

A child acquires their name when registered shortly after their birth by their mother or father, or someone else with parental responsibility. The birth certificate is the official record of the child's name, date of birth, and parent(s).

CAN I CHANGE MY CHILD'S NAME?

It is possible to change a child's forename or surname or add more names, provided it is not done to deceive someone else. However, there are some restrictions on names that can be used.

WHO CAN CHANGE A CHILD'S NAME?

- Anyone with parental responsibility for the child, however, if a parent without parental responsibility objects, it is good practice to seek permission from the court;
- If two or more people have parental responsibility for a child, all of them must agree to the child's change of name; if they do not agree, then an application must be made to the court for permission;
- If a child arrangements order is in force regulating with whom the child is to live. In that case, the child's name cannot be changed without the written agreement of everyone with parental responsibility or the court's permission.

NB If your child's name has been changed without your consent, you can ask the court to change it back.

The court will consider what is best for the child when deciding whether to allow or rescind the name change.

WHAT IF A PARTY OBJECTS TO A CHANGE OF NAME?

If you cannot obtain consent to a name change by someone with parental responsibility, you can apply to the court to seek permission.

The Court will consider what is best for the child when deciding whether to allow the name change, but the onus will be on you to prove why it is in your child's best interests.

If an objecting parent plays no active roles in your child's life, you will have a stronger case in court.

WHAT IS THE PROCESS TO CHANGE A CHILD'S NAME?

Many official organisations require evidence that a name has been changed, so it is preferable to draw up a Change of Name deed to provide that evidence.

Everyone with parental responsibility for the child needs to sign the deed, and those signatures need to be witnessed.

If a child has attained the age of 16 and is not married or in a civil partnership, they should endorse the deed with their consent signed in their old and new names.

A deed may be registered at the Central Office, Filing Department of the Supreme Court to provide a public record, but this is not a requirement.

This guide is intended to be general information and not to be relied upon as legal advice. This is a complex area, and each case is different. We would suggest you contact us to obtain complete and proper legal advice.