

Births, Deaths and Marriages

One Parent Registering the Birth of a Child



Joint Registration of a Child

Children born in South Australia must be registered with Births, Deaths and Marriages (**BDM**) within 60 days of their birth. Registering the birth of a child involves the completion of a birth registration statement (**BRS**) which includes details about the child, including their date of birth and name as well as details about the parents. The BRS must be signed by the parent(s) to confirm that the details are correct. The BRS is available on-line or in hard copy and it is free to register the birth.

If the child has two parents, both parents are jointly responsible for registering the birth of their child and must sign the BRS to confirm that the details are correct and agreed by both parents.

Recording the Details of Both Parents in the Birth Register

The *Births, Deaths and Marriages Registration Act 1996* (SA) requires that the names and personal details of both parents (if known) must be included on the BRS when registering the birth. If you know the name of the father or other parent, you must disclose that information to BDM on the BRS

There are many reasons to record the name of both parents in the Register. These include:

- the right of the child to know who their parents are;
- the ability for the child to seek a medical history of their parents;
- the ability for the child to connect with siblings;
- for citizenship and consulate reasons.

Depending on individual circumstances, if the father or co-parent does not sign the statement they may not be added at the time of birth. They may be added later via an application by one or both of the parents, the child themselves once they reach adulthood, or by court order.

Victims of Domestic or Sexual Violence

We understand that parents who are the victims of domestic or sexual violence perpetrated by the other parent may not wish to have any contact with the other parent.

Domestic violence involves any pattern of behaviour that aims to control, coerce or intimidate a partner or family member, and can include acts of physical, sexual, emotional, psychological, verbal, and financial abuse. Sexual violence involves any unwanted or non-consensual sexual act, and can encompass a wide range of behaviours.

There may also be intervention orders in place preventing contact between the parents.

In these circumstances, you may wish to ask a family member or friend to liaise with the other parent and arrange for them to sign the registration statement.

Alternatively, BDM can arrange for the registration of your child without you having direct contact with the other parent.

If you do not wish to contact the other parent through fear for the safety of yourself or your child, the BRS can be submitted to BDM without the other parent's signature. A signed statement must be provided outlining the circumstances preventing contact.

BDM will then attempt to contact the other parent on your behalf and ask them to sign the statement.

When BDM contacts the other parent, we may redact or remove any information which identifies the location and contact details of both you and your child at your request.

Registration by One Parent Alone

If the other parent refuses to sign the document, does not respond or where contact with the other parent may lead to a further risk of harm to the parent and/or the child, BDM can accept an application to register a child from one parent alone.

To accept an application from one parent alone BDM need evidence to be satisfied that:

- The other parent cannot be involved due to their death, disappearance, ill-health, or unavailability; or
- there is a need to avoid unwarranted distress; or
- for some other reason.

Unwarranted Distress

We understand that for a victim of domestic or sexual abuse, having to interact with the other parent may cause further distress. This might include extreme discomfort, anxiety or disturbance.

If you can provide evidence about your circumstances, BDM may approve the making of the application by one parent alone.

This could include:

- Police reports;
- Court documents or orders;
- A letter of support from a qualified support worker, health practitioner, abuse support service or legal representative.

If the Registrar accepts the evidence of unwarranted distress the birth will be registered with only one parent named. If the evidence is not accepted the birth will remain unregistered until such time as both parents are named, or further evidence is accepted.

Adding a Parent after Registration

An application to add a parent's details to a birth registration can be lodged at any time once the child's birth is registered. This application can be made by one or both parents. A child can also apply once they turn 18.

Evidence including but not limited to DNA results may be required to support an application. DNA testing should preferably be completed by accredited facilities where the swabs from each person have been taken by an independent pathology collector. Evidence of paternity may not be accepted from DNA test results where the swabs were privately collected, because there is no guarantee that the swabs were taken from the actual person/s named on the test swabs. It is recommended that the DNA Parentage report should be NATA (National Association of Testing Authorities) accredited and compliant with the *Family Law Act 1975* (Cth). The Registrar may refuse an application where only non-NATA approved evidence is provided.

Further information regarding this process can be found by visiting www.sa.gov.au/topics/family-and-community/births-deaths-and-marriages/certificates/corrections-to-certificates.



Assistance Available

Support is available to assist parents who are concerned about experiencing unwarranted distress.

If you are concerned for your safety or the safety of another person, contact South Australia Police for assistance.

- In an emergency: 000
- In a non-emergency: 131 444

If you have been affected by domestic or sexual violence, there are legal and information services that can assist you, including:

Legal Help Line - Legal Services Commission of South Australia

PH: 1300 366 424

EMAIL: LSC.Correspondence@lsc.sa.gov.au

Free legal advice and assistance, including referral to the Family Safety & Support team for women affected by domestic or family violence.

Women's Information Service – Office for Women

PH: 8303 0590

EMAIL: wis@sa.gov.au

Free information and resources for women, as well as referrals to a variety of government, non-government and community services and programs.

24 Hour Domestic Violence Crisis Line - Women's Safety Services South Australia

PH: 1800 800 098

Emergency advice, assistance and supports for women escaping domestic or family violence.

Contact us

For assistance regarding registering your child's birth you can:

- Call Births, Deaths and Marriages **131 882 (press 1)** between 9am-4.30pm Monday to Friday.
- Visit www.sa.gov.au and search for the relevant topic (e.g. birth).

