

Changing a Name

Ref: 8.8.5.0.

1. How easy would it be to change my name?

It is very easy to change a name - you just start by using the name. You can be known by whatever name you wish as long as the new name is not being used for criminal purposes. You may have to provide evidence that you have changed your name (See Paragraph 5.)

2. Are there any circumstances where there might be difficulties?

- (i) Children under 16 years of age cannot change their name without a parent's consent.
- (ii) Parents cannot change the child's name without the consent of the other parent. If parents have not been married, the mother can change the child's name without the father's consent unless he has acquired parental responsibility through agreement or a court order. If a parent, or any other person with parental responsibility objects to the change of name, they can apply to court for a *prohibited steps* or *specific issue* order, which would prevent a change taking place. A solicitor should be consulted in this case.
- (iii) In church law a person cannot change the Christian name s/he was baptised with except at the time s/he is confirmed, or by Act of Parliament. But in practice, church law is not always adhered to and people can change their baptismal name in the usual way.
- (iv) Changing a child's name on (re) marriage, pre-children Act orders such as custody orders or where there is no custody order and the divorce took place before the act was in force, in these situations please see an Adviser.
- (v) If there is a residence or care order in relation to a child, their name cannot be changed without either the written consent of everyone with parental responsibility for the child or the leave of the court.

3. As a married woman must I use my husband's name?

No, this is a custom, not a legal requirement

4. If I change my sex or wear clothes of the other sex, can I change my name?

Yes, first and surnames can be changed to whatever you want.

5. How do I go about showing evidence of a change of name, and why might this be necessary?

There are 4 ways to provide evidence:-

- (i) *by letter*
- (ii) *by public announcement*
- (iii) *by statutory declaration*
- (iv) *by deed poll*

Evidence is usually required for the following purposes (continued overleaf):

PURPOSE	TYPE OF EVIDENCE REQUIRED
Changing NHS card	<i>Letter</i>
Inland Revenue (Tax)	<i>Letter</i>
Banks & Credit companies	<i>Letter</i>
School (for a child)	<i>Letter</i>
Changing a passport	<i>Letter or statutory declaration</i>

PURPOSE	TYPE OF EVIDENCE REQUIRED
For dealing with DSS	<i>Statutory declaration</i>
Changing name on driving licence	<i>Statutory declaration</i>
Changing name with professional associations	Deed Poll

6. How can this be done?

(i) By letter

A letter written by a responsible person, for example, a doctor, a JP, a teacher, a headteacher, or an MP, stating the change will usually be sufficient evidence. This is a very cheap way. The choice of person will depend on who the evidence is needed for. The letter should state that the responsible person has known you in both names and that the change of name is to be used for all purposes.

(ii) By public announcement

This can be done by inserting an advertisement in a newspaper, stating his/her intention to be known by a new name, and renounce the old name. Whenever necessary, a copy of this advertisement could be produced with the birth certificate with the old name.

(iii) By Statutory Declaration

A statement is made declaring the new name and is witnessed by a solicitor or JP. There are two ways of doing this:-

- a) *a declaration could be drawn up by a solicitor. The cost should be checked beforehand. Someone on a low income may be able to get public funding legal services.*
- b) *a declaration could be drawn up by the person, him/herself and taken to the solicitor or JP to be witnessed. There may be a cost for it to be witnessed.*

An additional fee is charged if the solicitor wishes to refer to the person's birth certificate which would then be signed by the solicitor and referred to as an exhibit.

A statutory declaration is sufficient evidence for most purposes. It would be useful to have one or two copies in case the original gets lost.

(iv) By Deed Poll

This is a formal statement that a name has been changed: not necessary for most people but some professional bodies require their members to produce a deed poll as proof of a change of name. Forms are available from law stationers: or a solicitor can prepare the deed. Costs vary and may be expensive. Clients on low income may

be entitled to public funding.

7. Can the birth certificate be changed?

Ref:

8.55.3.6

A parent can change a child's first name, but not the surname, within 12 months of the original registration.

If the child was baptised into the Christian faith during this time the parent(s) will have to produce a certificate of Name Given in Baptism, completed by the person who has custody of the register of baptisms. There may be a charge for completing the certificate. The certificate can be obtained from any local Register Office.

If the child has not been baptised then the forenames may be changed by production of a Certificate of Name Given NOT in Baptism, again this form is available from the local Register Office.

Upon receipt of either of these forms the Register of Superintendent Register will add the new Name(s) to the birth entry in the Register. There is no fee for this service but should parents wish for a new Birth Certificate then the standard fee applies.

Where a parent wished to change the name of a child who was not given a name by baptism after 12 months have elapsed, they must provide proof that the new name was given within that 12 month period.

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