

**Response to a Question Pursuant to Rule 14  
of the Rules of Procedure of the States of Deliberation and their Committees**

**Subject:** Birth Certificates

**States' Member:** Deputy Jayne Ozanne

**Date received:** 2<sup>nd</sup> March 2026

**Date of reply:** 16<sup>th</sup> March 2026

**Question:**

When will same-sex parents be able to obtain birth certificates for their children that carry both their names, enabling them to then get a passport to travel independently with their children, and will there be a mechanism for same-sex parents to reclaim the not insignificant costs they have incurred whilst waiting for this policy to be finally implemented?

**Answer:**

It was agreed in July 2020, following the successful amendment to the policy letter titled, 'Proposals for a New Discrimination Ordinance', that the Policy & Resources Committee, in consultation with the Committee *for* Health & Social Care and the Committee *for* Employment & Social Security, should bring proposals to the Assembly that update the birth registrations process.

This work is more complicated and nuanced than anticipated by the sponsors of the Amendment due to the number of competing human rights involved, such as those of donors, intended parents, surrogates and the child.

The primary purpose of registering the birth of a child is to establish them as a citizen. Obtaining parental responsibility and legal parent status is a secondary purpose. The Committee is therefore of the view that the rights of the child need to be at the forefront of any policy decision in this area, which is in line with case law in the UK.

This work was not prioritised under the 2020-25 Government Work Plan. However, the Committee has been leading work in modernising legislation (Marriage Law; Marital Causes) so, early in the last political term, work was undertaken to draw up a list of key proposals to modernise the birth registration process. These were endorsed by the former Committees *for* Employment & Social Security and Health & Social Care and considered by a small, targeted consultation with key stakeholders. It was also acknowledged in the 2025 Government Work Plan Report at the end of last term that modernising birth registrations

was a key outstanding resolution that needed to be addressed this term.

This Policy & Resources Committee is working to bring forward proposals as quickly as possible. Members are sympathetic to islanders who are impacted by the limitations of the 1935 birth registration legislation so it has already revisited the work of the previous term; refined policy principles; and last month agreed to continue plans to launch public consultation, anticipated for next month. Once this has been completed and considered, a Policy Letter will be finalised and submitted.

Although the legislation is in need of modernisation, the fact that the primary purpose for registering the birth of a child is for the child themselves rather than the parents, it is not envisaged that there will be a mechanism to reclaim any costs.