

A v R and Another (Declaration of Parentage) (2017)

[2017] EWHC 396 (Fam)

25/01/2017

Barristers

Andrew Powell

Court

Liverpool County Court

Practice Areas

Private Children Law

Declaration of parentage made where the wrong forms were signed after the couple's child was born following fertility treatment.

This is a further case in the series of cases arising from an audit of fertility clinics that began with the decision in A & others (Human Fertilisation and Embryology Act 2008) [2015] EWHC 2602 (Fam) .

This was an application by a couple for a declaration of parentage under s 55A of the FLA 1986 in respect of their child born as a result of fertility treatment. Because of a clerical error made by the treating clinic, the wrong forms were signed. The declaration was granted. There was no question that the intention of both parents and the clinic was that the correct consent forms would be signed. Both parents should be fully recognised in law as what they have always been in practice - the parents of the child. Apologies were made on behalf of the NHS trust, along with an agreement to pay the applicants' reasonable costs.

Permission

 Family Law Week