

Re Haringey London Borough Council v C, E and Another Intervening (2006)

Citation:

[2006] EWHC] 1620 (Fam) [2007] 1 FLR 1035 (Fam)

Date:

19.07.2006

Court:

High Court of Justice Family Division

Comment:

'Miracle baby', whose birth parents were unknown placed in foster care. The local authority sought a care order and a declaration freeing the child for adoption.

The child was brought to this country by a couple, Mr and Mrs E, who claimed he had been born to them as a 'miracle baby'. Their religious faith led them to believe that the conception and birth came about through the 'will of God', that placement of the child with others would not be permitted by God and that placement with themselves would be divinely ordained. However, the court held that they were not the child's parents and he was taken into care and placed with a foster carer in 2003: see *Haringey London Borough Council v C, E and Another Intervening* [2004] EWHC 2580 (Fam). The Kenyan genetic parents were unable to be located and Mr and Mrs E held to the view, despite the evidence and the court ruling, that they were the birth parents and not substitute carers, and wanted the child returned to them. The local authority plan, however, was for adoption (a West Indian couple, Mr and Mrs A, were approved as adoptive applicants in 2005) and the foster carer also wished to offer the child a permanent home, albeit she did not believe in adoption. The local authority sought a care order and a declaration freeing the child for adoption, Mrs E sought a residence order and the foster carer applied to be joined as a party to the proceedings and sought a residence order with a view to a special guardianship order in due course. Assessments of all three parties were undertaken.

Barrister:

Martha Cover