



Parental Order Reporters



When you and your partner have a child through surrogacy, you will need a parental order to transfer the legal status as parents from the surrogate to yourselves. For more information about parental orders see our parental order factsheet on our website. Once you have made your application, a Parental Order Reporter will be appointed.

What is a Parental Order Reporter?

The Parental Order Reporter (POR) is a person from Cafcass, appointed by the court. **Their role is to consider the child's best interests** and to investigate the circumstances of the case, before making a recommendation to the court about whether a parental order should be made.

All of our Parental Order Reporters are fully qualified social workers.

What will the Parental Order Reporter Consider?

When giving their advice to the court, the POR must take into consideration a welfare checklist. This includes:

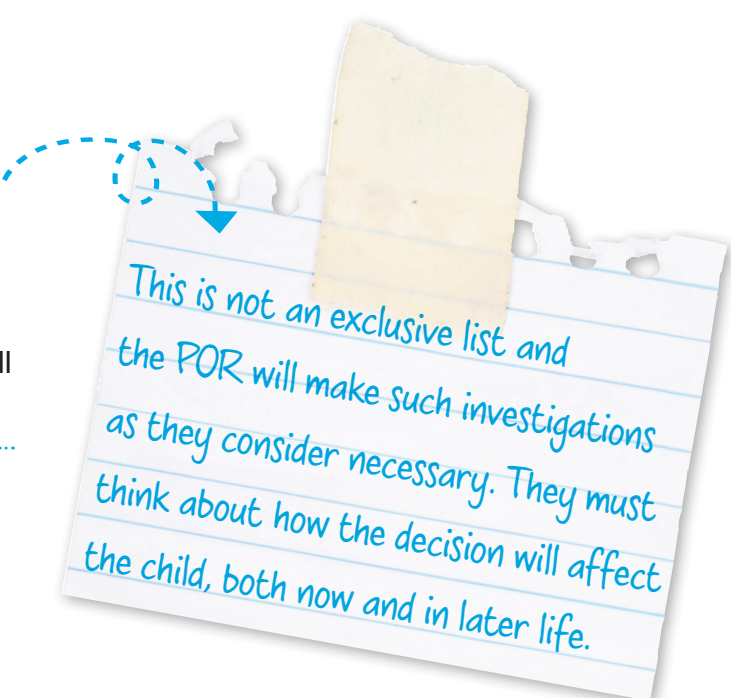
- * The particular needs of the individual child
- * Any possible risk of harm to the child
- * The relationship the child may have with any relatives
- * The child's background and whether they will grow up with knowledge of their origins.

What does the Parental Order Reporter do?

The POR will meet with you, the intended parents, and will see you with your child.

The POR will investigate whether all the criteria for making a parental order are met - if they are not, the court may not be able to make a parental order. Some of these criteria are fairly straightforward, for example showing that you are over 18, while others can be more complicated, for instance showing that you are 'domiciled' in the UK or that no money other than reasonable expenses has been exchanged.

If you have any questions about what conditions must be met, or whether you meet the criteria, see our parental orders factsheet on our website and consider seeking independent advice.



This is not an exclusive list and the POR will make such investigations as they consider necessary. They must think about how the decision will affect the child, both now and in later life.

The POR will also need to establish whether the surrogate and her legal partner, if she has one, consent to a parental order, and make sure that they have a full understanding of what consenting to a parental order means.

Beyond this, the extent of the enquiries made will vary in each case. However the POR may want to:

- * Make checks with the local authority and the police, to see if there is any information held which might be relevant to the safety of the child – your permission will be sought before this happens
- * Know about you and your child's journey so far, such as the background to your application, or why you chose surrogacy
- * Understand your family structure and the child's place within this. You should think about how you plan to inform your child of their origins – for more information about this see our factsheet on our website, explaining surrogacy to your child.

In making their enquiries and giving advice to the court, the POR will be considering the welfare of the child both now and in the future, and this will be the court's paramount consideration when deciding whether to make a parental order.

What will happen once the Parental Order Reporter has made their enquiries?

Once the Parental Order Reporter has made their enquiries, they will write a report to the court. It is then for the court to decide whether or not to make the parental order, taking this recommendation into consideration.

The time taken to make a parental order varies in each case, depending on the circumstances.

What can we do to assist the Parental Order Reporter with their enquiries?

The court might ask you to prepare a statement, setting out how you fulfil the conditions for a parental order to be made, with supporting documents as proof – for example, your marriage certificate.

Even if the court does not make an order requiring this, it is always helpful to provide a statement, setting out how the surrogacy came about, along with any supporting documents that show how the criteria are met.

Evidence that it might be useful to have prior to the POR visiting includes:

- * Your marriage or civil partnership certificate
- * Child's birth certificate
- * Bank log, or details of any payments you have made to the surrogate
- * The child's 'personal child health record' (commonly known as the PCHR or red book).

It is also important to begin thinking about how you will make sure that your child grows up familiar and secure with their origins and their identity. We suggest reading our After surrogacy factsheet on our website for more information.



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