

ROYAL COURT
(Samedi Division)

28th April, 1995.

79.

Before: The Bailiff and Jurat Rumfitt
and Jurat Potter.

In the matter of A, an infant.

Application under Article 5 of the Adoption (Jersey) Law, 1961.

Advocate R.A. Falle for the applicants.
Advocate S.C.K. Pallot, Esq., Crown Advocate for the
Education Committee of the States of Jersey,
Guardian ad Litem of the infant.

JUDGMENT

THE BAILIFF: 'A' is an infant who was born in December, 1986.

5 The Court has had the opportunity of reading the papers which
have been submitted to it, including two reports from the
Children's Service.

10 Initially it was the position that the father of the child
'A' intended to oppose the application, and it was, therefore,
necessary for these proceedings to be set in train.

15 When the matter came before the Court on 13th February, 1995,
the natural father appeared, and was not represented by Counsel.
The Court accordingly adjourned the application so that he could
have the benefit of legal advice.

20 Subsequently, it appears that he made contact with the
Children's Service and indicated that, although he was not
prepared to give his consent to the adoption of the child 'A' by
Mr & Mrs. X, he was, nevertheless, not minded now to oppose it, on
the ground that certain information which was given to him by the
Children's Service, had assuaged some, at any rate, of his
anxieties.

25 The Court does not deem it necessary, in the particular
circumstances of this case, to gild the lily. Having read the

papers, the Court is entirely satisfied that it is the best interests of the child 'A' that the consent of the natural father should be dispensed with.

5 We have had regard to the decision of this Court in re B (an infant), decided on 7th October, 1992, and we apply the principles set out in extenso in that case.

10 We are satisfied, having balanced the considerations which that judgment enjoins us to do, that it is right that the consent of the natural father should be dispensed with, and we order accordingly, and also make the order for the adoption of 'A', as applied for by Mr & Mrs. X.

Authorities

In re B., an infant (7th October, 1992) Jersey Unreported; (1992)
JLR N.8.

