

Parenting and legal family formats in the UK: Northern Ireland

by Brian Sloan ¹

The LawsAndFamilies Database – Aspects of legal family formats for same-sex and different-sex couples

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Based on the [LawsAndFamilies questionnaire](#) on legal family formats for same-sex and/or different-sex couples (Section 3 – Parenting)

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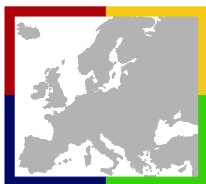


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FamiliesAndSocieties

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The six sections of the questionnaire

The interactive LawsAndFamilies Database is based on the [LawsAndFamilies questionnaire](#), which consists of six sections:

- Section 1 – Formalisation
- Section 2 – Income and troubles
- Section 3 – Parenting
- Section 4 – Migration
- Section 5 – Splitting up
- Section 6 – Death

Papers and an interactive database

For each jurisdiction there are therefore six papers like this one. And each of these papers contains the full answers, references and explanations (given by

a legal expert for the jurisdiction concerned) to the questions in one of these six sections. All these papers can be found in open access at www.LawsAndFamilies.eu. There the user also has access to the [interactive part of the LawsAndFamilies Database](#), which can be used to search the whole database and to create comparative overviews for different questions, different years, different countries and/or different legal family formats.

This website also contains references to publications analysing the results of the project, and to some other legal, sociological and statistical publications about same-sex and different-sex families. And it gives information about the methodology used for this questionnaire and database.

About the questionnaire

The [full text of the questionnaire](#) can be found in the paper: K. Waaldijk, J.M. Lorenzo Villaverde, N. Nikolina & G. Zago, 'The LawsAndFamilies questionnaire on legal family formats for same-sex and/or different-sex couples: Text of the questions and of the accompanying guidance document', *FamiliesAndSocieties Working Paper* 64(2016), www.familiesandsocieties.eu.

The [Guidance document](#) contained in that paper, asked the experts answering the questionnaire to make several assumptions. These included the assumption that the partners have been living together as a couple already for at least two years. Plus the assumption (except for certain questions in Section 4 – Migration) that both partners have the citizenship of the country where they are now both lawfully and habitually residing, and that this is also the country where their relationship would have been formalised and where it would be dissolved.

About the answers

This paper contains the answers, references and explanations – for one jurisdiction – to all questions in one of the six sections of the questionnaire. The answers are presented in columns. Each column is a coloured timeline, representing legal developments for one question for one legal family format.

The year at the top of each coloured timeline is the most recent year for which a question was answered by the author. In the timelines the years given above and below an answer indicate that the answer applied between a certain day in the lower year and a certain day in the higher year. The year "0000" means that the answer applied since an unknown year before 1965. See further the [Guidance document](#).

The following **answer codes and colours** have been used:

Yes	Yes, this is so in the law of this country/jurisdiction, although possibly with a qualifying period of 24 months or less.
Yes, but	Yes, but with exceptions or restrictions, for example a qualifying period of 25 months or more, or only in most parts of the country/jurisdiction, or this is mostly a “dead letter”.
No, but	No, but it may be so exceptionally, or in a very limited way, or in a few parts of the country/jurisdiction, or indirectly, or by using a different legal instrument, or legislation says no while some courts might say yes.
No	No, this is not so in the law of this country/jurisdiction.
Doubt	The law is unclear (the law does not “know” the answer).
?	No information was available.
N/A	Not applicable (for example because this family format is not available in this jurisdiction, or not for same-sex or different-sex couples).
X	This question was not asked for this legal family format.
Open question	Question without answer codes like Yes and No.
Empty cell	For this year the question was not asked or not answered.

The six papers about Northern Ireland

The answers concerning Northern Ireland can be found in the [interactive database](#) and in the following six papers (all of which are published in open access in: K. Waaldijk et al. (eds.), *The LawsAndFamilies Database – Aspects of legal family formats for same-sex and different-sex couples*, Paris: INED, 2017, www.LawsAndFamilies.eu):

Formalisation of legal family formats in the UK: Northern Ireland by Brian Sloan (Section 1)

Income, troubles and legal family formats in the UK: Northern Ireland by Brian Sloan (Section 2)

Parenting and legal family formats in the UK: Northern Ireland by Brian Sloan (Section 3)

Migration and legal family formats in the UK: Northern Ireland by Brian Sloan (Section 4)

Splitting up and legal family formats in the UK: Northern Ireland by Brian Sloan (Section 5)

Death and legal family formats in the UK: Northern Ireland by Brian Sloan (Section 6)

So this paper is based on **Section 3 (Parenting)** of the [LawsAndFamilies questionnaire](#), which contains questions about the following topics:

3.1 Assisted insemination

3.2 IVF

3.3 Surrogacy

3.4 Legal parenthood

3.5 Parental authority

3.6 Parental leave for both parents

3.7 Parental leave for partners

3.8 Grandparents

3.9 Second-parent adoption

3.10 Joint adoption

3.11 Individual adoption

3.12 General background regarding parenting

3.13 Single parenting

3.14 Multiple parenting

In the following pages of this paper, first the answers to questions 3.12, 3.13 and 3.14 are presented, followed by answers to questions 3.1 to 3.11.

3.12 - General background regarding parenting (Open question)

If you consider it useful to provide some general information or comments about (past, present or future) developments and trends in legal policy and case law in your country/jurisdiction, or information on other aspects (socio-legal, political, legal-cultural, etc.) that may be relevant for the understanding your answers above regarding parenting, then please do so here.

3.13 - Single parenting (Open question)

If there are any developments in legal policy and case law regarding the possibilities of an individual person without a partner to have a child through adoption, medically assisted insemination, and/or IVF, you could indicate that here.

3.14 - Multiple parenting (Open question)

If there are any developments in legal policy or case law regarding possibilities for a child to have more than two parents, you could indicate that here.

–

All of these are possible: see Adoption (Northern Ireland) Order 1987, art. 15 in the case of adoption. As regards assisted reproduction, the need for "supportive parenting" must be considered before treatment is provided (Human Fertilisation and Embryology Act 1990, s. 13).

I am not aware of any such developments, although it should be noted that parental *responsibility* can be held by more than two people.

Jurisdiction: **UK: Northern Ireland**

Source: **B. Sloan**, "Parenting and legal family formats in UK: Northern Ireland". In: K. Waaldijk et al. (eds.), *The LawsAndFamilies Database – Aspects of legal family formats for same-sex and different-sex couples*. Paris: INED, 2017, www.LawsAndFamilies.eu, [LawsAndFamilies-UK NI-Section3.pdf](#) (please use this full citation when citing any information from this table).

Section: **3 - Parenting**

Question: **3.01 - Assisted insemination**

Is it legally possible in this type of relationship to become pregnant through medically assisted insemination using sperm of a donor?

Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
2016 Yes 0000	2016 N/A 0000	2016 N/A 0000	2016 Yes 2009	2016 Yes 0000	2016 Yes 2009
			Yes, but 2005		Yes, but 0000
			N/A 0000		
References to legal sources: Human Fertilisation and Embryology Act 2008. Human Fertilisation and Embryology Act 1990.		References to legal sources: Human Fertilisation and Embryology Act 2008. Human Fertilisation and Embryology Act 1990.		References to legal sources: Human Fertilisation and Embryology Act 2008. Human Fertilisation and Embryology Act 1990.	
Explanations and nuances: Before the Human Fertilisation and Embryology Act 1990, the position was essentially unregulated and there were no prohibitions.		Explanations and nuances: As regards access to treatment, women with male partners were preferred before 2009.		Explanations and nuances: See under Marriage and Registered Partnership.	

Jurisdiction: **UK: Northern Ireland**

Source: **B. Sloan**, "Parenting and legal family formats in UK: Northern Ireland". In: K. Waaldijk et al. (eds.), *The LawsAndFamilies Database – Aspects of legal family formats for same-sex and different-sex couples*. Paris: INED, 2017, www.LawsAndFamilies.eu, [LawsAndFamilies-UK NI-Section3.pdf](#) (please use this full citation when citing any information from this table).

Section: **3 - Parenting**

Question: **3.02 - IVF**

Is it legally possible in this type of relationship to become pregnant through in vitro fertilisation (IVF) using donated egg or sperm?

Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
2016 Yes 0000	2016 N/A 0000	2016 N/A 0000	2016 Yes 2009	2016 Yes 0000	2016 Yes 2009
			Yes, but 2005		Yes, but 0000
			N/A 0000		
References to legal sources: Human Fertilisation and Embryology Act 2008. Human Fertilisation and Embryology Act 1990.		References to legal sources: Human Fertilisation and Embryology Act 2008. Human Fertilisation and Embryology Act 1990.		References to legal sources: Human Fertilisation and Embryology Act 2008. Human Fertilisation and Embryology Act 1990.	
Explanations and nuances: See question 3.1.		Explanations and nuances: See question 3.1.		Explanations and nuances: See question 3.1.	

Jurisdiction: **UK: Northern Ireland**

Source: **B. Sloan**, "Parenting and legal family formats in UK: Northern Ireland". In: K. Waaldijk et al. (eds.), *The LawsAndFamilies Database – Aspects of legal family formats for same-sex and different-sex couples*. Paris: INED, 2017, www.LawsAndFamilies.eu, [LawsAndFamilies-UK NI-Section3.pdf](#) (please use this full citation when citing any information from this table).

Section: **3 - Parenting**

Question: **3.03 - Surrogacy**

Is it legally possible for both partners in this type of relationship to become the legal parents of a child through the help of a surrogate mother in the country?

Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
2016 Yes, but 1990	2016 N/A 0000	2016 N/A 0000	2016 Yes, but 2009	2016 Yes, but 2009	2016 Yes, but 2009
Yes, but 0000			No 2005	No 0000	No 0000
			N/A 0000		
References to legal sources: Human Fertilisation and Embryology Act 2008, section 54. Human Fertilisation and Embryology Act 1990, section 30. Surrogacy Arrangements Act 1985.		References to legal sources: Human Fertilisation and Embryology Act 2008, section 54. Human Fertilisation and Embryology Act 1990, section 30. Surrogacy Arrangements Act 1985.		References to legal sources: Human Fertilisation and Embryology Act 2008, section 54. Human Fertilisation and Embryology Act 1990, section 30. Surrogacy Arrangements Act 1985.	

Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
<p>Explanations and nuances: A married couple can apply for a "parental order" in order to become legal parents following surrogacy. Before 1990, adoption could in principle have been used to confer parenthood. Commercial surrogacy is in principle prohibited due to restrictions on advertising etc, but is effectively available via the mechanism of retrospective judicial authorisation of payments.</p>		<p>Explanations and nuances: Since 2009, civil partners have been able to apply for a parental order. See under Marriage on commercial surrogacy.</p>		<p>Explanations and nuances: Since 2009, "two persons who are living as partners in an enduring family relationship and are not within prohibited degrees of relationship in relation to each other" have been able to apply for a parental order. See under Marriage on commercial surrogacy.</p>	

Jurisdiction: **UK: Northern Ireland**

Source: **B. Sloan**, "Parenting and legal family formats in UK: Northern Ireland". In: K. Waaldijk et al. (eds.), *The LawsAndFamilies Database – Aspects of legal family formats for same-sex and different-sex couples*. Paris: INED, 2017, www.LawsAndFamilies.eu, [LawsAndFamilies-UK NI-Section3.pdf](#) (please use this full citation when citing any information from this table).

Section: **3 - Parenting**

Question: **3.04 - Legal parenthood**

When one partner gives birth, will (or can) the other partner then also become legal parent of the child, without having to go through adoption?
 (For example automatically, or by way of recognition/acknowledgement.)

Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
2016 Yes 0000	2016 N/A 0000	2016 N/A 0000	2016 Yes, but 2009	2016 Yes 0000	2016 Yes, but 2009
			No 2005		No 0000
			N/A 0000		
References to legal sources: Human Fertilisation and Embryology Act 2008, section 35. Human Fertilisation and Embryology Act 1990.		References to legal sources: Human Fertilisation and Embryology Act 2008, section 42.		References to legal sources: Human Fertilisation and Embryology Act 2008, sections 36, 43.	

Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
<p>Explanations and nuances: If the mother's husband is the biological father, he will be the legal father. If the husband is not the biological father but the biological father and the mother's husband give relevant consent, the husband will become the child's second parent (irrespective of whether the mother is inseminated within a clinic). Section 35 applies to situations where the mother is married at the time of "the placing in her of the embryo or the sperm and eggs or of her artificial insemination", which might include natural intercourse with a third party. Even if it does not, the husband benefits from a presumption of parenthood even if he is not the biological father (which existed before and after 1990), although this could be rebutted where the true biological father had not given a relevant consent.</p>		<p>Explanations and nuances: If the biological parent and the mother's civil partner give relevant consent, the civil partner will become the child's second parent (whether or not treatment has been provided in a clinic). Section 42 applies to situations where the mother is in a civil partnership "the placing in her of the embryo or the sperm and eggs or of her artificial insemination", which might include natural intercourse with a third party.</p>		<p>Explanations and nuances: If a male cohabitant is the biological father, he will be treated as a parent, for example via registration on the child's birth certificate or if necessary a declaration of paternity (although he may have to rebut a presumption if the mother is married to someone else). The "agreed female parenthood" conditions would have to be complied with in order for a same-sex cohabitant to become the second parent without adoption. There are similar provisions for when an unmarried male cohabitant of the mother is not the biological father.</p>	

Jurisdiction: **UK: Northern Ireland**

Source: **B. Sloan**, "Parenting and legal family formats in UK: Northern Ireland". In: K. Waaldijk et al. (eds.), *The LawsAndFamilies Database – Aspects of legal family formats for same-sex and different-sex couples*. Paris: INED, 2017, www.LawsAndFamilies.eu, [LawsAndFamilies-UK NI-Section3.pdf](#) (please use this full citation when citing any information from this table).

Section: **3 - Parenting**

Question: **3.05 - Parental authority**

Is joint parental authority/responsibility possible for the couple, while only one of the partners is the legal parent of the child?

Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
2016 Yes 2002	2016 N/A 0000	2016 Yes 0000	2016 Yes 2005	2016 Yes, but 1996	2016 Yes, but 1996
Yes, but 1996			N/A 0000	? 0000	? 0000
? 0000					
References to legal sources: Children (Northern Ireland) Order 1995, art. 7, as amended by the Family Law Act (Northern Ireland) 2001.		References to legal sources: Children (Northern Ireland) Order 1995, art. 7.		References to legal sources: Children (Northern Ireland) Order 1995.	

Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
<p>Explanations and nuances: A court order is necessary. Before 2002, the court was unable to confer PR per se and a collateral order (such as a residence order) would have been necessary.</p>		<p>Explanations and nuances: A court order is necessary.</p>		<p>Explanations and nuances: A "step-parent" is defined in Children (Northern Ireland) Order 1995, art. 7(1C) as "a person who is married to or a civil partner of, a child's parent who has parental responsibility for the child". A partner who does not satisfy this definition would have to apply for a residence order in respect of the child (Children (Northern Ireland) Order 1995, art. 12).</p>	

Jurisdiction: **UK: Northern Ireland**

Source: **B. Sloan**, "Parenting and legal family formats in UK: Northern Ireland". In: K. Waaldijk et al. (eds.), *The LawsAndFamilies Database – Aspects of legal family formats for same-sex and different-sex couples*. Paris: INED, 2017, www.LawsAndFamilies.eu, [LawsAndFamilies-UK NI-Section3.pdf](#) (please use this full citation when citing any information from this table).

Section: **3 - Parenting**

Question: **3.06 - Parental leave for both parents**

When both partners are the legal parents of a child, does each partner then have a statutory right to paid or unpaid parental leave?

Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
2016 Yes 1999	2016 N/A 0000	2016 N/A 0000	2016 Yes 2005	2016 Yes, but 1999	2016 Yes, but 2005
No 0000			N/A 0000	No 0000	N/A 0000
References to legal sources: Maternity and Parental Leave etc. Regulations (Northern Ireland) 1999, art. 13.		References to legal sources: Maternity and Parental Leave etc. Regulations (Northern Ireland) 1999, art. 13.		References to legal sources: Maternity and Parental Leave etc. Regulations (Northern Ireland) 1999, art. 13.	
Explanations and nuances: Art. 13 imposes a minimum employment period of a year for parental leave.		Explanations and nuances: See under Marriage.		Explanations and nuances: A parent must have or expect to have "responsibility" for a child, which equates to "parental responsibility", or be registered as a parent, to be entitled to parental leave under art. 13.	

Jurisdiction: **UK: Northern Ireland**

Source: **B. Sloan**, "Parenting and legal family formats in UK: Northern Ireland". In: K. Waaldijk et al. (eds.), *The LawsAndFamilies Database – Aspects of legal family formats for same-sex and different-sex couples*. Paris: INED, 2017, www.LawsAndFamilies.eu, [LawsAndFamilies-UK NI-Section3.pdf](#) (please use this full citation when citing any information from this table).

Section: **3 - Parenting**

Question: **3.07 - Parental leave for partners**

When only one partner is the legal parent of a child, does each partner then have a statutory right to paid or unpaid parental leave?

Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
2016 Yes, but 1999	2016 N/A 0000	2016 N/A 0000	2016 Yes, but 2005	2016 Yes, but 1999	2016 Yes, but 1999
No 0000			N/A 0000	No 0000	No 0000
References to legal sources: Maternity and Parental Leave etc. Regulations (Northern Ireland) 1999, art. 13.		References to legal sources: Maternity and Parental Leave etc. Regulations (Northern Ireland) 1999, art. 13.		References to legal sources: Maternity and Parental Leave etc. Regulations (Northern Ireland) 1999, art. 13.	
Explanations and nuances: A person (whether a parent or not) must have or expect to have "responsibility" for a child, which equates to "parental responsibility", to be entitled to parental leave under art. 13.		Explanations and nuances: See under Marriage.		Explanations and nuances: See under Marriage.	

Jurisdiction: **UK: Northern Ireland**

Source: **B. Sloan**, "Parenting and legal family formats in UK: Northern Ireland". In: K. Waaldijk et al. (eds.), *The LawsAndFamilies Database – Aspects of legal family formats for same-sex and different-sex couples*. Paris: INED, 2017, www.LawsAndFamilies.eu, [LawsAndFamilies-UK NI-Section3.pdf](#) (please use this full citation when citing any information from this table).

Section: **3 - Parenting**

Question: **3.08 - Grandparents**

Do grandparents have a statutory right to visit the children in this type of relationship?

Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
2016 No, but 0000	2016 N/A 0000	2016 N/A 0000	2016 No, but 2005	2016 No, but 0000	2016 No, but 0000
			N/A 0000		
References to legal sources: Children (Northern Ireland) Order 1995, Part III.		References to legal sources: Children (Northern Ireland) Order 1995, Part III.		References to legal sources: Children (Northern Ireland) Order 1995, Part III.	
Explanations and nuances: Grandparents have no statutory right to contact, but may in principle apply to the court for a contact order.		Explanations and nuances: See under Marriage.		Explanations and nuances: See under Marriage.	

Jurisdiction: **UK: Northern Ireland**

Source: **B. Sloan**, "Parenting and legal family formats in UK: Northern Ireland". In: K. Waaldijk et al. (eds.), *The LawsAndFamilies Database – Aspects of legal family formats for same-sex and different-sex couples*. Paris: INED, 2017, www.LawsAndFamilies.eu, [LawsAndFamilies-UK NI-Section3.pdf](#) (please use this full citation when citing any information from this table).

Section: **3 - Parenting**

Question: **3.09 - Second-parent adoption**

When only one partner is the legal parent of a child, does the other partner then have the possibility of becoming the child's second parent by way of adoption?

Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
2016 Yes, but 0000	2016 N/A 0000	2016 N/A 0000	2016 Yes, but 2013	2016 Yes, but 2013	2016 Yes, but 2013
			No 2005	No 0000	No 0000
			N/A 0000		
References to legal sources: Adoption (Northern Ireland) Order 1987, art. 14.		References to legal sources: Adoption (Northern Ireland) Order 1987, art. 14. Re Northern Ireland Human Rights Commission's Application for Judicial Review [2013] NICA 37.		References to legal sources: Adoption (Northern Ireland) Order 1987, art. 14. Re G (Adoption: Unmarried Couple) [2008] UKHL 38.	

Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
<p>Explanations and nuances: Adoption in Northern Ireland terminates all existing legal parenthood and transfers it to the adoptive parents. In order to retain parenthood alongside his or her spouse the two must adopt as a couple, meaning that a parent must adopt his or her own child.</p>		<p>Explanations and nuances: As explained under Marriage, the existing parent must adopt as a couple with her partner in order to retain parenthood. Adoption by civil partnership and cohabiting couples is now possible in Northern Ireland (see question 3.10).</p>		<p>Explanations and nuances: See under registered partnership.</p>	

Jurisdiction: **UK: Northern Ireland**

Source: **B. Sloan**, "Parenting and legal family formats in UK: Northern Ireland". In: K. Waaldijk et al. (eds.), *The LawsAndFamilies Database – Aspects of legal family formats for same-sex and different-sex couples*. Paris: INED, 2017, www.LawsAndFamilies.eu, [LawsAndFamilies-UK NI-Section3.pdf](#) (please use this full citation when citing any information from this table).

Section: **3 - Parenting**

Question: **3.10 - Joint adoption**

Can partners jointly adopt a child?

Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
2016 Yes 0000	2016 N/A 0000	2016 N/A 0000	2016 Yes 2013	2016 Yes 2013	2016 Yes 2013
			No 2005	No 0000	No 0000
			N/A 0000		
References to legal sources: Adoption (Northern Ireland) Order 1987.		References to legal sources: Adoption (Northern Ireland) Order 1987. Re G (Adoption: Unmarried Couple) [2008] UKHL 38. Re Northern Ireland Human Rights Commission's Application for Judicial Review [2013] NICA 3.		References to legal sources: Adoption (Northern Ireland) Order 1987.	

Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
<p>Explanations and nuances:</p>		<p>Explanations and nuances: Adoption by a couple is limited to married couples by the text of art. 14. That said, following court challenges in Re G (Adoption: Unmarried Couple) [2008] UKHL 38 and Re Northern Ireland Human Rights Commission's Application for Judicial Review [2013] NICA 37, the Department of Health, Social Services and Public Safety now states that "if you are applying to adopt as a couple, the term couple extends to unmarried couples (including same sex couples) and those in a civil partnership" (www.dhsspsni.gov.uk/index/hss/child_care/adoption/adoption_faqs.htm).</p>		<p>Explanations and nuances: See under registered partnership.</p>	

Jurisdiction: **UK: Northern Ireland**

Source: **B. Sloan**, "Parenting and legal family formats in UK: Northern Ireland". In: K. Waaldijk et al. (eds.), *The LawsAndFamilies Database – Aspects of legal family formats for same-sex and different-sex couples*. Paris: INED, 2017, www.LawsAndFamilies.eu, [LawsAndFamilies-UK NI-Section3.pdf](#) (please use this full citation when citing any information from this table).

Section: **3 - Parenting**

Question: **3.11 - Individual adoption**

Can one partner in this type of relationship individually adopt a child?

Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
2016 No, but 1989	2016 N/A 0000	2016 N/A 0000	2016 No, but 2013	2016 Yes 1989	2016 Yes 1989
? 0000			No 2005	? 0000	? 0000
			N/A 0000		
References to legal sources: Adoption (Northern Ireland) Order 1987, art. 15.		References to legal sources: Adoption (Northern Ireland) Order 1987, art. 15. Re Northern Ireland Human Rights Commission's Application for Judicial Review [2013] NICA 37.		References to legal sources: Adoption (Northern Ireland) Order 1987, art. 15.	

Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
<p>Explanations and nuances: A married person cannot individually adopt a child unless his spouse "cannot be found", "the spouses have separated and are living apart, and the separation is likely to be permanent", or "his spouse is by reason of ill-health, whether physical or mental, incapable of making an application for an adoption order" (art. 15(1)(b)).</p>		<p>Explanations and nuances: In Re Northern Ireland Human Rights Commission's Application for Judicial Review [2013] NICA 37, the Court of Appeal held that art. 15 should be read in a way that treats married couples and civil partners in the same way for this purpose.</p>		<p>Explanations and nuances: The informal relationships of a prospective adopter are not formally relevant to eligibility to adopt, but would be taken into account in the welfare assessment.</p>	