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**Your ref: CAF 16-90**  
**Our ref: Gov/CAF 16-90**

Tel 0300 456 4000

27 June 2016

## **Re: Freedom of Information Request**

Thank you for your email of 27 June 2016. You made the following requests for information:

Last autumn you kindly provided me with details of the figures for Parental Orders granted from International Surrogacy arrangements.

I wondered if you could provide me with the 2014/2015 figures now?

Also do they take in to account other countries like Georgia/Ukraine/Greece - as before the categories were only UK US and India?

Please see below for our response.

Cafcass completed a [study into Parental Order applications made in 2013-14](#), which you refer to, which shows data relating to all surrogacy arrangements (domestic and international) where a parental order application had been made to the court in England. It involved a case file review of a sample of these cases, which allowed us to report on data held within the case file, such as the country where the surrogacy took place. This study has not been repeated for 2014-15 applications, so we are unable to provide updated information on international surrogacy arrangements; this data would take a long time to collate and is therefore exempt under section 12 of the Freedom of Information Act.\*

It is worth noting that the 2013-14 results were obtained from a random sample of all relevant case files (79 cases drawn from the 189 applications made in 2013-14); the figures did not exclude cases from other countries, they simply recorded the countries where the surrogacy took place within those sampled cases. Other cases not included in the sample may have involved surrogacy arrangements in other countries (for further discussion, please see page 15 of the study).

Baroness Tyler of Enfield Chair  
Anthony Douglas CBE Chief Executive





Please see below for the raw data on the number of parental order applications received by Cafcass in 2014-15 and 2015-16 (this includes domestic and international surrogacy arrangements). The data has been taken from the Cafcass national database ECMS; this is a live system which is subject to continual updates and change. As with any large scale recording system, these figures are subject to possible errors with data entry and processing.

Please note that this relates only to cases in England, and only the number of applications made rather than orders granted. Following the granting of a parental order, children can be registered with a registry office; the [General Register Office](#) holds this data and you may therefore find it useful to request the information from them.

Year	Number of parental order applications received by Cafcass
2014-15	242
2015-16	295

\*Information on the country in which the surrogacy arrangements took place is not held in a centrally reportable format. In order to provide a response for other years, each case file would need to be checked individually; as Cafcass handles hundreds of parental order cases annually, the cost of compliance would exceed the appropriate limit which for Cafcass is £450. In our estimation the cost (a flat rate of £25 per hour provided by the FOI Act) would exceed the appropriate limit which is 18 hours for Cafcass, in order to complete one or more of the following activities permitted to be accounted for, which are:

- Determining whether the information is held;
- Locating the information, or a document containing it;
- Retrieving the information, or a document containing it; and
- Extracting the information from a document containing it.

A response to this request is therefore exempt under Section 12 of the Freedom of Information Act.

[12 Exemption where cost of compliance exceeds appropriate limit.](#)

1. *Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.*
2. *Subsection (1) does not exempt the public authority from its obligation to comply with paragraph (a) of section 1(1) unless the estimated cost of complying with that paragraph alone would exceed the appropriate limit.*
3. *In subsections (1) and (2) “the appropriate limit” means such amount as may be prescribed, and different amounts may be prescribed in relation to different cases.*





4. *The Secretary of State may by regulations provide that, in such circumstances as may be prescribed, where two or more requests for information are made to a public authority—
  - (a) by one person, or
  - (b) by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign,the estimated cost of complying with any of the requests is to be taken to be the estimated total cost of complying with all of them.*
5. *The Secretary of State may by regulations make provision for the purposes of this section as to the costs to be estimated and as to the manner in which they are to be estimated.*

We hope that you feel your question has been answered effectively. If you are unhappy with the decisions made in relation to your request, you may ask for an internal review to be undertaken. If you are dissatisfied with the way the internal review is handled or with the final decision made at that review about the information released, you are free to contact the Information Commissioner's office ([www.ico.org.uk](http://www.ico.org.uk)):

**Post**

Information Commissioner's Office  
Wycliffe House, Water Lane,  
Wilmslow,  
Cheshire  
SK9 5AF

**Fax**

01625 524 510

**Tel**

0303 123 1113

**E-mail**

[casework@ico.org.uk](mailto:casework@ico.org.uk)

Yours sincerely,

Governance Team  
Cafcass

[Governance@cafcass.gsi.gov.uk](mailto:Governance@cafcass.gsi.gov.uk)

Baroness Tyler of Enfield Chair  
Anthony Douglas CBE Chief Executive

