

THE HIGH COURT

[2013 No. 8187 P]

IN THE MATTER OF CHAPTER III OF COUNCIL REGULATION (EC) 2201/2003

AND

IN THE MATTER OF THE EUROPEAN COMMUNITIES (JUDGEMENTS IN MATRIMONIAL MATTERS AND MATTERS OF PARENTAL RESPONSIBILITY) REGULATIONS 2005 (S.I. 112/2005)

AND

IN THE MATTER OF FOREIGN PROCEEDINGS IN THE SWANSEA COUNTY COURT BEARING REFERENCE NO. VR12C00059

AND

IN THE MATTER OF C.K. (A CHILD)

AND

IN THE MATTER OF K.K. (A CHILD)

BETWEEN:

CARMARTHENSHIRE COUNTY COUNCIL

PLAINTIFF

AND

C.D. AND P.D.

DEFENDANTS

AND

C.C.D AND C.D.

NOTICE PARTIES

JUDGMENT of Ms. Justice Finlay Geoghegan delivered the 30th day of June 2016

Introduction

1. On the 11th December, 2013, I heard and determined an application by the plaintiff seeking orders pursuant to Chapter III of Council Regulation (EC) 2201/2003 (the Regulation) and in particular Articles 21 and 28 thereof for the recognition and enforcement of orders made by the Swansea County Court on the 6th day of February, 2013, in proceedings bearing case reference number VR12C00059 making each of the children named in the title of these proceedings as C.K. and K.K. the subject of a special guardianship order in favour of the Notice Parties, their paternal grandparents and certain other related reliefs. Prior to that hearing, I had had the opportunity of reading all the affidavit evidence, exhibits thereto and written legal submissions prepared on behalf of the plaintiff.

2. At the commencement of the hearing, I made an order that the hearing of the motion filed on the 3rd October, 2013, be treated as the hearing of the plenary action. The proceedings had commenced on the 31st July, 2013 and on that day on an ex parte application I had made orders and given directions in relation to the proceedings including an order dispensing with the requirement under O. 42A(4) of the Rules of the Superior Courts, that application be made to the Master of the High Court. On that day also I gave liberty to issue and serve a motion returnable for the 16th October, 2013 seeking recognition and enforcement of the orders of the Swansea Court.

3. On the 16th October, 2013, service of the proceedings on the defendants, who are the parents of the children was not proved and I made further orders for service and the entry of appearances by the defendants in the event that they wished to oppose the application by the plaintiff and adjourned the matter to the 4th December, 2013. On the 4th December, I was told service had been effected and fixed the 11th December, 2013, as a hearing date.

4. The order made following the hearing on the 11th December, is appended to this judgment. As appears therefrom on that day I was satisfied that the defendants had been served with the proceedings and the notice of motion and that no appearances had been entered. The second named defendant had furnished to the plaintiff prior to service with the proceedings a written acknowledgment dated the 10th October, 2013, confirming that she did not wish to object to an order of recognition and a declaration of enforceability being made in respect of the special guardianship order in favour of the notice parties in respect of her two sons, the children named in the title to the proceedings. I was also satisfied the notice parties were notified of the hearing.

5. As further appears from the order, I was satisfied on that day by reason of the proofs before the court and submissions made of the following relevant matters:

1. the plaintiff being the applicant in the Swansea proceedings is an interested party for the purposes of the Regulation.
2. None of the matters referred to in Article 23 of the Regulation applied so as to permit refusal of the application.

3. For the purposes of Article 28 of the Regulation the Special Guardianship Order made by Swansea County Court and dated the 6th day of February 2013 was served on the defendants and has been declared enforceable in England and Wales.

4. The plaintiff had produced a Certificate of Swansea County Court and signed by His Honour Judge T. John on the 21st day of June 2013 in respect of the Special Guardianship Order in compliance with Articles 37.1 (b) and Article 39 of the said Regulation.

6. Being so satisfied, I then made the orders sought as follows:

"1. pursuant to Chapter III of Council Regulation (EC) 2201/2003 and in particular Article 21 thereof that the Order of the Swansea County Court dated the 6th day of February 2013 in proceedings bearing case reference number VR12C00059 making the child [C.K.] (date of birth: [date] day of [month] 2009) and named in the title of these proceedings as C.K. (A Child) the subject of a special guardianship order in favour of [C.C.D.] and [C.D.] Notice Parties his paternal grandparents be recognised in this jurisdiction.

2. pursuant to Chapter III of Council Regulation (EC) 2201/2003 and in particular Article 21 thereof that the Order of the Swansea County Court dated the 6th day of February 2013 in proceedings bearing case reference number VR12C00059 making the child [K.K.] (date of birth: [date] day of [month] 2010) named in the title of these proceedings as K.K. (A Child) the subject of a special guardianship order in favour of [C.C.D.] and [C.D.] the Notice Parties his paternal grandparents be recognised in this jurisdiction.

3. pursuant to Chapter III of Council Regulations (EC) 2201/2003 and in particular Article 28 thereof of the order of Swansea County Court dated the 6th day of February 2013 making the child [C.K.] (date of birth: [date] day of [month] February 2009) and named in the title of these proceedings as C.K. (A Child) the subject of a special guardianship order in favour of [C.C.D.] and [C.D.] the Notice Parties his paternal grandparents be enforced in this jurisdiction.

4. pursuant to Chapter III of Council Regulations (EC) 2201/2003 and in particular Article 28 thereof of the order of the Swansea County Court dated the [date] day of [month] 2013 making the child [K.K.] (date of birth: [date] day of [month] 2010) named in the title of these proceedings as K.K. (A Child) the subject of a special guardianship order in favour of [C.C.D.] and [C.D.] the Notice Parties his paternal grandparents be enforced in this jurisdiction."

7. In the course of the application I was informed that this was the first occasion upon which there was an application for recognition and enforcement in the State of a special guardianship order made by a court of England and Wales pursuant to the Children Act 1989. I was asked that I might set out in writing the reasons for which I had concluded that the High Court was not precluded by Article 23 of Regulation 2201/2003 from recognising the Special Guardianship Orders made by Swansea County Court on the 6th February, 2013, in favour of the notice parties. I unfortunately overlooked doing this and recently was reminded of the fact that I had indicated that I would hand down my reasons in a written judgment. I have now had the opportunity of re-reading the papers which were before me on the 11th December, 2013, including the written submissions lodged on behalf of the plaintiff and have listened to the Digital Audio Recording of the hearing before me on that day. I believe that the reasons which I am now setting out are the reasons for which I formed the view that the High Court had jurisdiction to make the orders sought on the 11th December, 2013 and in particular was not precluded by Article 23 of the Regulation from doing so. It seems preferable to now set out the full reasons for which the decision was made.

Background facts

8. It is only necessary to record very briefly the background facts. The two children named in the title CK (born in [month] 2009) and KK (born in [month] 2010), are the children of the defendants who were married to each other at the time of the proceedings before the Swansea County Court. The defendants had two other children, one older and one younger. The defendants are Irish and moved to Wales in 2011. They and their children came to the attention of the Welsh child protection services in October 2011 and following initial voluntary consent to foster care arrangements, proceedings commenced before the Swansea County Court. In May 2012, an interim care order was put in place and long term care arrangements were considered. These included a recommendation that CK and KK would be placed with adoptive carers as unfortunately return of CK and KK to the care of either parent was not considered to be in their best interests. When this came to the attention of the paternal grandparents who are the notice parties they came forward and sought to be assessed as long term carers. By this stage the defendants had separated.

9. Ultimately the paternal grandparents were considered to be suitable long term carers and a care plan was drawn up whereby the two children would move back to Ireland in the care of their paternal grandparents. The defendants were made aware of and supported this plan. The defendants were parties to the proceedings in Wales. Ultimately the Swansea County Court, approved the plan for CK and KK and by consent on the 6th February, 2013, made orders:

That the child, CK be the subject of a special guardianship order in favour of his paternal grandparents; and

That the child KK be the subject of a special guardianship order in favour of his paternal grandparents.

10. On the same day the plaintiff confirmed to the Swansea County Court that it would make an application for a recognition order in Ireland. On that day, the Swansea County Court also made a separate order granting leave to the paternal grandparents to remove the two children from the jurisdiction of Wales and in effect permitted them to take the children to Ireland.

The law

11. Chapter III of the Regulation applies to the recognition of certain judgments given in other Member States (Section 1) and to declarations of enforceability of such judgments (Section2).

12. The European Communities (Judgments in Matrimonial Matters and Matters of Parental Responsibility) Regulations, 2005, art. 4 designates the High Court as the court to which applications for both recognition and enforcement should be brought. Article 21.1 of the Regulation provides:-

"A judgment given in a Member State shall be recognised in the other Member States without any special procedure being required."

13. Articles 23, 24 and 26 are relevant to the approach which must be taken by the High Court in considering an application for recognition of a judgment relating to parental responsibility. These provide respectively:-

Article 23

"A judgment relating to parental responsibility shall not be recognised:

- (a) if such a recognition is manifestly contrary to the public policy of the Member State in which recognition is sought taking into account the best interests of the child;
- (b) if it was given, except in case of urgency, without the child having been given an opportunity to be heard, in violation of fundamental principles of procedure of the Member State in which recognition is sought;
- (c) where it was given in default of appearance if the person in default was not served with the document which instituted the proceedings or with an equivalent document in sufficient time and in such a way as to enable that person to arrange for his or her defence unless it is determined that such person has accepted the judgment unequivocally;
- (d) on the request of any person claiming that the judgment infringes his or her parental responsibility, if it was given without such person having been given an opportunity to be heard;
- (e) if it is irreconcilable with a later judgment relating to parental responsibility given in the Member State in which recognition is sought;
- (f) if it is irreconcilable with a later judgment relating to parental responsibility given in another Member State or in the non-Member State of the habitual residence of the child provided that the later judgment fulfils the conditions necessary for its recognition in the Member State in which recognition is sought.

or

- (g) if the procedure laid down in Article 56 has not been complied with."

Article 24

"The jurisdiction of the court of the Member State of origin may not be reviewed. The test of public policy referred to in Articles 22(a) and 23(a) may not be applied to the rules relating to jurisdiction set out in Articles 3 to 14.2."

Article 26

"Under no circumstances may a judgment be reviewed as to its substance."

14. Articles 28, 30 and 31 in Section 2 of Chapter III of the Regulation apply to a consideration of an application for enforcement and insofar as relevant to the facts of this application provide:

Article 28

"1. A judgment on the exercise of parental responsibility in respect of a child given in a Member State which is enforceable in that Member State and has been served shall be enforced in another Member State when, on the application of any interested party, it has been declared enforceable there.

2. . . ."

Article 30

"1. The procedure for making the application shall be governed by the law of the Member State of enforcement.

2. The applicant must give an address for service within the area of jurisdiction of the court applied to. . . .

3. The documents referred to in Articles 37 and 39 shall be attached to the application."

Article 31

"1. The court applied to shall give its decision without delay.

Neither the person against whom enforcement is sought, nor the child shall, at this stage of the proceedings, be entitled to make any submissions on the application.

2. The application may be refused only for one of the reasons specified in Articles 22, 23 and 24.

3. Under no circumstances may a judgment be reviewed as to its substance."

15. The documents referred to in Articles 37 and 39 are an authenticated copy of the judgment and the certificate of the court of the Member State of origin in accordance, in the case of parental responsibility, with annex II. Both of these documents were produced on this application as recorded in the order made.

16. As appears from the foregoing, in terms of procedure an application for recognition is to be made without any special procedure being required and an application for enforcement in accordance with the procedure of the host Member State. Order 42A of the Superior Court Rules provides initially for an application for enforcement to be brought before the Master. However, Article 31.1 of the Regulation also requires that the High Court shall give its decision without delay and in such circumstances on the facts of this case, it appeared appropriate both to dispense with the requirement to apply to the Master and also to permit the issue and service of a notice of motion seeking recognition and enforcement and then to treat the notice of motion as the hearing of the action. There were no facts in dispute and such procedural approach permitted the taking of the decision without delay and did not prejudice any party.

Special Guardianship Orders

17. A special guardianship order is made in England and Wales pursuant to s. 14A of the Children Act 1989 (as amended) ("the 1989

Act”) and is defined as an order appointing one or more individuals to be a child’s “special guardian”. The making and effect of special guardianship orders are governed by ss. 14A to F of the 1989 Act. The effect of a special guardianship order whilst it remains in force is specified by s. 14C to be:-

- “(a) a special guardian appointed by the order has parental responsibility for the child in respect of whom it is made; and
- (b) subject to any other order in force with respect to the child under this Act, a special guardian is entitled to exercise parental responsibility to the exclusion of any other person with parental responsibility for the child (apart from another special guardian).”

18. Importantly s. 14C(2) provides that subs. 1 does not affect –

- “(a) the operation of any enactment or rule of law which requires the consent of more than one person with parental responsibility in a matter affecting the child; or
- (b) any rights which a parent of the child has in relation to the child’s adoption or placement for adoption.”

19. Parental responsibility is defined under s. 3 of the 1989 Act, as including “all the rights, duties, powers, responsibilities and authority which by law a parent of a child has in relation to the child and his property”.

20. As appears, a special guardianship order gives to the persons appointed parental responsibility for the child or children in question, but does not sever the legal link between the child and his or her parents and expressly requires the consent of parents for certain matters including adoption. Counsel for the plaintiff drew attention to Hershman and Mc Farlane, *Children Law and Practice* (Jordan) Vol. 1 at para. B-1021 which states that the special guardianship provision allows a child to be placed “with a non-parent with a degree of permanence which is greater than a simple child arrangements order but is less final and immutable than a full adoption”. It also records the main features of a special guardianship order noted in *Re. S (A Child) (Adoption Order or Special Guardianship Order)* [2007] EWCA Civ 54, as being to:-

- “give the carer clear responsibility for all aspects of caring for the child or young person, and for making the decisions to do with their upbringing;
- provide a firm foundation on which to build a lifelong permanent relationship between the carer and the child or young person;
- preserve the legal link between the child or young person and their birth family;
- allow proper access to a full range of support services including, where appropriate, financial support.”

21. Under s. 14D of the 1989 Act a special guardianship order may be varied or discharged upon application *inter alia* by the parents but they must apply to the court for leave to apply to vary or discharge the order. Pursuant to s.14D(5) the court may only grant leave where it is satisfied that there “has been a significant change in circumstances since the making of the special guardianship order”.

Reasons for Decision

22. Article 2 of the Regulation defines “parental responsibility” for the purposes of the Regulation as “all rights and duties relating to the person or the property of a child which are given to a natural or legal person by judgment, by operation of law or by an agreement having legal effect. The term shall include rights of custody and rights of access”. Accordingly I was satisfied that the special guardianship order made by the Swansea County Court was a judgment relating to parental responsibility within the meaning of the Regulation.

23. The plaintiff, as the applicant in the proceedings before the Swansea County Court was in my view an “interested party” entitled to apply for recognition pursuant to Article 21 and also for a declaration of enforcement pursuant to Article 28 of the Regulation of an order made in those proceedings.

24. The plaintiff produced to the High Court the documents required by Articles 37 and 39 of the Regulation. All the relevant procedural requirements under Irish law had in my judgement been satisfied by the plaintiff. Further there was proof before the Court that the special guardianship order made by Swansea County Court on the 6th February, 2013, had been served on the defendants and had been declared enforceable in England and Wales. As appears from the above provisions of the Regulation the special guardianship order, as a judgment relating to parental responsibility may only be refused recognition or enforcement by the Irish court upon the grounds set out in Article 23. Further when considering Article 23, the court must have regard to the provisions of Article 24 and also the prohibition on reviewing a judgment as to its substance in Articles 26 and 31.3.

25. The reasons for which I considered on the 11th December, 2013, that Article 23 did not require the court to refuse recognition or permit it to refuse enforcement of the special guardianship orders (following its sub-paragraphs) were as follows.

- (a) On the question as to whether the special guardianship order was “manifestly contrary to the public policy” of the State, taking into account the best interests of the child, I was referred to the judgment delivered by me in *Belfast Health and Social Care Trust v. D.S. and O.L.* [2011] IEHC 468, [2012] 3 IR 815, where having considered the relevant provisions and the judgment of Holman J. in the High Court of England and Wales in *Re. S. (Brussels II: Recognition: Best Interests of Child)* (No. 1) [2004] 1 FLR 571 with whose approach I agreed, I concluded that the hurdle set by Article 23(a) is “a high hurdle”. I remained of that view.

In 2013 whilst there was no provision enabling an Irish court to make an order analogous to a special guardianship order or a guardianship order in favour of a grandparent where both parents of the child were alive I considered that this was not the relevant test. It did not follow that such an order was contrary to public policy in Ireland. I considered Articles 41 and 42 of the Constitution as then enacted and the constitutional protection of the family comprising parents and children therein and concluded that a special guardianship order made in favour of the grandparents of a child should not be considered as “manifestly contrary to the public policy” of the State in the sense of being clearly inconsistent with Articles 41 and 42. As set out above it does not sever the legal links between the child and their parents and puts in place a regime for the long term care of the child considered by the County Court in Wales to be in the best interests of the child in circumstances where it had been decided their parents were unable to care for them.

(b) On the 6th February, 2013, CK was just under four and KK just over three years of age. A *guardian ad litem* had been appointed to represent their interests in the proceedings before the Swansea County Court. Her report was before that court which included observation of the children. I was satisfied the children were at an age where in accordance with Irish law they would not be formally interviewed for the purposes of being given an opportunity to be heard.

(c) The affidavit evidence established that the parents as defendants had been properly served with all the relevant proceedings before Swansea County Court and had participated in the proceedings and hence para. (c) did not apply.

(d) No such application was made.

(e) and (f) The evidence before the court was that there was no actions in relation to the children existing in any other Member State and hence these did not apply.

(g) A copy of an order of Swansea County Court of the 25th January, 2013, was produced to the Court which recorded that it had taken the view on that day "that Article 56 of Brussels II Revised is not engaged in respect of the placement of [CK and KK] with the paternal grandparents in Ireland".

26. Having been satisfied that Article 23 did not require or permit the Court to refuse the orders of recognition and enforcement sought and for the other reasons set out in this judgment for which I formed the view that the plaintiff had put before the court the necessary proofs to satisfy the Court that it had jurisdiction to make the orders sought I determined that the orders should immediately be made.

27. For the purpose of ensuring compliance with Article 32 of the Regulation I included in the order a requirement that the defendants and notice parties be notified subject to "reasonable attempts" to give notice of the order by hand delivery to the first named defendant. This arose by reason of the then living arrangements of the defendant which unfortunately were uncertain.

APPENDIX

2013 No 8187 P

Wednesday the 11th day of December 2013

BEFORE MS JUSTICE FINLAY GEOGHEGAN

IN THE MATTER OF CHAPTER III OF COUNCIL REGULATION (EC) 2201/2003

AND

IN THE MATTER OF THE EUROPEAN COMMUNITIES (JUDGEMENTS IN MATRIMONIAL MATTERS AND MATTERS OF PARENTAL RESPONSIBILITY) REGULATIONS 2005 (S.I. 112/2005)

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BETWEEN:

CARMARTHENSHIRE COUNTY COUNCIL

PLAINTIFF

AND

C.D. AND P.D.

DEFENDANTS

AND

C.C.D. AND C.D.

NOTICE PARTIES

Upon Motion of Counsel for the Plaintiff pursuant to Notice of Motion filed on the 3rd day of October 2013 for the following reliefs:-

1. An Order pursuant to Chapter III OF Council Regulation (EC) 2201/2003 and in particular Article 21 thereof for the recognition in

Ireland of the Order of the Swansea County Court dated the 6th day of February 2013 in proceedings bearing case reference number VR12C00059 making the child [C.K.] (date of birth: [date] day of [month] 2009) and named in the title of these proceedings as C.K. (A Child) the subject of a special guardianship order in favour of the Notice Parties, his paternal grandparents.

2. An Order pursuant to Chapter III OF Council Regulation (EC) 2201/2003 and in particular Article 21 thereof for the recognition in Ireland of the Order of the Swansea County Court dated the 6th day of February 2013 in proceedings bearing case reference number VR12C00059 making the child [K.K.] (date of birth: [date] day of [month] 2010) named in the title of these proceedings as K.K. (A Child) the subject of a special guardianship order in favour of the Notice Parties, his paternal grandparents

3. A declaration of enforceability in Ireland pursuant to Chapter III of Council Regulations (EC) 2201/2003 and in particular Article 28 thereof of the order of the Swansea County Court dated the 6th day of February 2013 making the child [C.K.] (date of birth: [date] day of [month] 2009) and named in the title of these proceedings as C.K. (A Child) the subject of a special guardianship order in favour of the Notice Parties his paternal grandparents

4. A declaration of enforceability in Ireland pursuant to Chapter III of Council Regulations (EC) 2201/2003 and in particular Article 28 thereof of the order of the Swansea County Court dated the 6th day of February 2013 making the child [K.K.] (date of birth: [date] day of [month] 2010) named in the title of these proceedings as K.K. (A Child) the subject of a special guardianship order in favour of the Notice Parties his paternal grandparents

5. An order directing the hearing of the within motion be treated as the hearing of the within plenary action

6. An order providing for any further necessary and/or incidental directions in relation to this application.

7. Such further or other Order as this Honourable Court shall deem appropriate;

8. An Order providing for the costs of this application.

And on reading the Plenary Summons herein and the Affidavits (2) of Muiris Gavin filed on the 31st day of July 2013 and the 3rd day of October 2013 respectively and the Orders of this Court made on the 1st day of August 2013 and 16th day of October 2013 respectively and the written legal submissions filed on behalf of the Plaintiff

And on hearing said Counsel

IT IS ORDERED that the hearing of the said Motion filed on the 3rd day of October 2013 be treated as the hearing of the plenary action herein

And on reading the Affidavits of Service of Phil Richards (2) sworn on the 4th day of November 2013 and filed on the 20th day of November 2013 and the Affidavits of Service of Margaret Irwin (2) sworn on the 1st day of November 2013 and filed on the 20th day of November 2013

And on reading the acknowledgement from the Second Defendant herein dated the 10th of October 2013 wherein she confirmed that she did not wish to object to an order of recognition and a declaration of enforceability being made in respect of the Special Guardianship Order in favour of [C.D.] and [C.D.] in respect of her sons [K.K.] and [C.K.] and that she would not be entering an appearance in the within proceedings

And the Court being satisfied that the First named defendant had been served with the Plenary Summons and the said Notice of Motion and noting that the five weeks to enter an appearance from the date of service provided for in Order 11C Rule 3(a) of the Rules of the Superior Courts and in the said Order of this Court made on the 16th day of October 2013 has expired and that no appearance has been entered herein

And on reading the letter from the Plaintiff's solicitors to the Defendants and to the Notice Parties dated the 5th day of December 2013 informing them that the hearing of the said Motion would be proceeding on this day

And there being no attendance in Court by or on behalf of the Defendants or the Notice Parties

And on production of a stamped copy of the Special Guardianship

Order made by Swansea County Court on the 6th day of February 2013 relating to each of the children [C.K.] and [K.K.] and bearing case record number VR12C00059 a copy of which is annexed hereto

The Court being satisfied

1. that the Plaintiff being an applicant in the aforementioned proceedings is an interested party pursuant to Article 21.3 of Council Regulation (EC) 2201/2003

2. that none of the matters referred to in Article 23 of the said Regulation apply to the application herein

3. that for the purposes of Article 28 of the said Regulation the Special Guardianship Order made by Swansea County Court and dated the 6th day of February 2013 was served on the Defendants and has been declared enforceable in England and Wales

4. that the Plaintiff has produced a Certificate of Swansea County Court and signed by His Honour Judge T. John on the 21st day of June 2013 in respect of the Special Guardianship Order in compliance with Articles 37.1 (b) and Article 39 of the said Regulation

IT IS ORDERED

1. pursuant to Chapter III OF Council Regulation (EC) 2201/2003 and in particular Article 21 thereof that the Order of the Swansea County Court dated the 6th day of February 2013 in proceedings bearing case reference number VR12C00059 making the child [C.K.] (date of birth: [date] day of [month] 2009) and named in the title of these proceedings as C.K. (A Child) the subject of a special guardianship order in favour of [C.C.D] and [C.D.] Notice Parties his paternal grandparents be recognised in this jurisdiction.

2. pursuant to Chapter III OF Council Regulation (EC) 2201/2003 and in particular Article 21 thereof that the Order of the Swansea

County Court dated the 6th day of February 2013 in proceedings bearing case reference number VR12C00059 making the child [K.K.] (date of birth: [date] day of [month] 2010) named in the title of these proceedings as K.K. (A Child) the subject of a special guardianship order in favour of [C.C.D.] and [C.D.] the Notice Parties his paternal grandparents be recognised in this jurisdiction

3. pursuant to Chapter III of Council Regulations (EC) 2201/2003 and in particular Article 28 thereof of the order of Swansea County Court dated the 6th day of February 2013 making the child [C.K.] (date of birth: [date] day of [month] 2009) and named in the title of these proceedings as C.K. (A Child) the subject of a special guardianship order in favour of [C.C.D.] and [C.D.] the Notice Parties his paternal grandparents be enforced in this jurisdiction

4. pursuant to Chapter III of Council Regulations (EC) 2201/2003 and in particular Article 28 thereof of the order of the Swansea County Court dated the 6th day of February 2013 making the child [K,K.] (date of birth: [date] day of [month] 2010) named in the title of these proceedings as K.K. (A Child) the subject of a special guardianship order in favour of [C.C.D.] and [C.D.] the Notice Parties his paternal grandparents be enforced in this jurisdiction

And the Court doth direct that this Order be notified to the Second Named Defendant and to the Notice Parties by Ordinary pre-paid post to each of them at their current address and that the Plaintiff should make reasonable attempts to give notice of this Order by hand delivered copy to the First Named Defendant

And the Court doth make no Order as to costs

Aisling de Búrca

REGISTRAR

Perfected :- 20th December

Dermot G. O'Donovan

Solicitors for the Plaintiff