

Woman loses plea to have daughter's baby

By John Bingham, Social Affairs Editor

A MOTHER has been refused permission to become the first person in the world to give birth to her own grandchild from the frozen eggs of her late daughter.

The unnamed 59-year-old wanted to honour "the dying wish" of her daughter, who urged her to "carry my babies" when she realised in her early 20s that she was not going to survive cancer. She died four years ago at the age of 28.

The daughter, identified as 'A', viewed the eggs as "living entities in limbo waiting to be born", the High Court in London

heard. She signed a form giving consent for her eggs to be stored for use after her death but she did not complete a separate document making clear how she wished them to be used.

A's parents hoped to take the frozen eggs to a clinic in the US to be used with a donor sperm and have them implanted in her mother.

But the fertility watchdog, the Human Fertilisation and Embryology Authority, refused to allow the eggs to be released from storage in London because she had not given formal instructions.

Mr Justice Ouseley rejected a human

rights' challenge brought by the family against the HFEA's decision because A had not given "the required consent".

The judge explained: "I must dismiss this claim, though I do so conscious of the additional distress which this will bring to the claimants."

He added he had "much sympathy" for the parents but did not believe an appeal would have any prospect of success.

The family was ordered to pay £10,000 towards the HFEA costs.

The watchdog said: "Our committee decided there was not the kind of fully informed consent required by the law."

Widely telegraph 16-7-2018