

Westlaw UK Delivery Summary

Request made by :	IPUSERCP3396247981 IPUSERCP3396247981
Request made on:	Saturday, 05 July, 2014 at 13:30 BST
Client ID:	ukadvlegal-245
Content Type	Cases
Title :	CH (Contact: Parentage), Re
Delivery selection:	Current Document
Number of documents delivered:	1

Sweet & Maxwell is part of Thomson Reuters. © 2014 Thomson Reuters
(Professional) UK Limited

CH (Contact: Parentage), Re

Family Division

01 December 1995

Case Analysis

Where Reported

[1996] 1 F.L.R. 569; [1996] Fam. Law 274

Case Digest

Subject: Family law

Keywords: Artificial insemination; Parental contact

Summary: Parental contact; artificial insemination; couple separating after child's birth; wife refusing husband contact with child; whether presumption of contact between husband and child

Abstract: The issue was whether, after the marital breakdown, the father should have contact with his daughter, who had been born by artificial insemination; he was not the biological father and there was no presumption in his favour that contact should take place.

Held, applying the [Human Fertilisation and Embryology Act 1990 s.28](#), that where a child had been carried by the mother as a result of artificial insemination and the donor was not the other party to the marriage, the other party should be treated as the father of the child, unless he had withheld his consent to the insemination. The father had given his consent, had been present at the birth and was registered as the child's father and so was to be treated in law as the father of the child. There existed a statutory presumption in favour of contact.

Judge: Judge Callman

Counsel: For the husband: Graham Brody. . For the mother: Tina Harrington.

Significant Legislation Cited

[Human Fertilisation and Embryology Act 1990 \(c.37\) s.28](#)

Legislation Cited

[Human Fertilisation and Embryology Act 1990 \(c.37\) s.28](#)

Journal Articles

Re G: a missed opportunity

Artificial insemination; Lesbianism; Parental contact; Same sex partners; Shared residence orders.

[Fam. Law 2007, 37\(Jan\), 53-56](#)

Children - parentage - contact.

Artificial insemination; Parental contact.

[Fam. Law 1996, 26\(May\), 274](#)

Books

Encyclopedia of Social Services and Child Care Law

Chapter: Children Act 1989

Documents: [A1-273 Power of court to make section 8 orders](#)

**The Law Relating to Parent & Child in Scotland (SULI) 3rd Ed.
Norrie**

Chapter: Chapter 4 - Parenthood and Assisted Reproduction

Documents: [Parenthood Determined by the Human Fertilisation and Embryology Act 2008](#)

© 2014 Sweet & Maxwell

