

Comment on *ACB v. Thompson Medical*

by Jennifer Hutchens

In a recent conversation with John Conley about his April 25 [post](#) on the *ACB v. Thompson Medical* ruling by the Court of Appeal of Singapore, I made a couple of points, and he asked me to write them up to briefly comment on the topic for the Genomics Law Report.

First, the real damage caused by loss of genetic affinity is that the couple's baby will never share any of the inherited (genetic) traits of the husband. For the mother who brought the case, this is significant because those traits (presumably) are an important part of the couple's initial attraction and, ultimately, the mother's implicit desire to have a child with a man with those specific traits. For the husband, of course--who is not the named plaintiff--the fact that the child is not biologically related to him is an even more definitive loss.

Second, it is curious that the husband was not the plaintiff (or at least a plaintiff) in the case. Given that his total genetic exclusion was not by his choosing, it could be argued that the husband was even more injured than the mother. After all, it is the husband who had the total "fracture of biological parenthood," not the mother, as she has provided 50% of the child's genetic makeup.

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