

Question 1: Presently a child lives with his mother (due to the parents separation). During this period what rights does the father have with regards to telephonic contact with the baby, taking his child for day trips, the child coming to the father's home for short holidays, etc.?

Answer: It is the father's right to have contact (telephonic and in person) with his child. It is not permissible to deny him this. As far as the excursions and holidays are concerned, they will only be permitted if the mother gives permission.

N.B. It must be borne in mind that this permission is only granted for excursions within the city and its immediate proximity, not anywhere outside the city.

Fatāwā Dārul Ulūm Zakariyyā, Vol. 4, Pg. 358-359

Question 2: If the husband is denied any access, which Shariah permits him, to his children who are under seven years of age, or if the opposite party refuses to hand over a seven year old child to his father – then is the opposite party guilty of sin?

Answer: Yes, the opposite party is involved in sin. Moreover, they are continuously in sin until the situation is rectified.