



COMPLETING A DNA TEST

DNA Legal

YOUR QUESTIONS
ANSWERED

PROCESS

The family court has ordered that a DNA test be carried out to confirm the parentage of the child named in the order. This service is run by Cafcass for courts in England and Cafcass Cymru for courts in Wales – contact details for both are below. In this leaflet Cafcass means both organisations.

This test will be done at no cost to you and will either require you to attend or require you to bring the child to an appointment for the DNA sample to be taken. You must attend the appointment. You will be given instructions on what to do which are important that you follow. You can ask for the appointment to be rearranged, but if you do not attend without good reason the court will be informed.

Giving a DNA sample is important for the child's future, the court will expect you to cooperate. If you defraud or attempt to defraud the process the court will be informed and you may be in contempt of court. The sample will be collected under the supervision of an officer from Cafcass or Cafcass Cymru, and the test carried out by an approved laboratory, working under contract for Cafcass.



HOW THE DNA TEST WILL WORK

The DNA test requires a sample of cells, which are taken on a swab from inside the cheek of both the possible father and the child. This process is quick and painless. The appointments to supervise the tests will be arranged at different times.

IF YOU ARE THE POSSIBLE FATHER OF THE CHILD YOU MUST FOLLOW THESE INSTRUCTIONS:



So that we are sure that the right person is giving the sample, you need to come to our office (the details are contained in the appointment letter). A Cafcass Officer will supervise the taking of the sample, and will confirm your identity. It is important that you bring with you one of the following to prove your identity:

A current passport, a photo driving licence or another form of photographic ID if available.

We will take a photograph of the identity document and will also take a photograph of you that will accompany your test, and which will be part of the documentation sent back to court. We will ask you to sign the declaration and consent form.

You will need to rub a small swab inside your cheek for up to 45 seconds and place this swab directly into a specimen envelope. This is a painless process and not invasive.

IF YOU ARE THE PERSON WITH CARE AND CONTROL OF THE CHILD YOU MUST FOLLOW THESE INSTRUCTIONS:

(‘Person with care and control’ means the individual who is named in the court order – this is usually the resident parent).

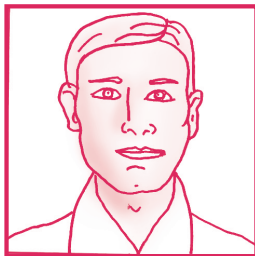
So that we are sure that the right person is bringing the child for the sample, you need to come to our office (the details are in the appointment letter). A Cafcass Officer will supervise the taking of the sample, and will confirm your identity. It is important that you bring with you one of the following to prove your identity:

A current passport, a photo driving licence or another form of photographic ID if available.

You will also need to bring the child’s birth certificate.

We will take a photograph of the identity documents and will also take a photograph of the child that will accompany the test, and which will be part of the report back to court.

We will ask the person with care and control to sign the declaration and consent form and to take the sample. You will need to rub a small swab inside the child’s cheek for up to 45 seconds and place this swab directly into a specimen envelope provided. This is a painless process and not invasive. If you are not able to take the sample then a further appointment will be needed for a meeting with an independent sampler.



INFORMATION FOR ALL PARTIES:



Giving the sample takes up to half an hour. Most of this time is spent on completing the paperwork to ensure that the sample is yours and cannot be tampered with. Before you leave you should see your sample being sealed in a tamper proof envelope to be sent direct to the laboratory.

This method of sampling has been used for 25 years and produces a very reliable DNA sample. We ask those giving the sample not to eat, drink, other than water, or smoke for two hours before the sample is taken – this increases the amount of DNA available to be sampled. This is not essential for children and certainly not for babies.

The parent or person with care and control will need to make sure that the child has an age-appropriate explanation of why the process is taking place; the Cafcass Officer will not discuss the case or the reasons for the test, but will also not tell the child anything which is untrue. There is more guidance on how to explain to a child on the Cafcass website.

The Cafcass Officer will not take a sample directly themselves. We do not normally collect samples from home, but if you have a disability which makes it difficult to travel to the office please contact DNAsupport@cafcass.gsi.gov.uk or the contact details in your appointment letter to discuss the sampling arrangement.

YOUR PERSONAL DATA

Your name, date of birth, ethnic origin and photograph are needed to identify the sample. We will pass these to the laboratory that does the test.

All our communications are by secure methods.

We comply with government regulations for handling personal data, and the laboratory has a verified equal level of security for the data. Your information, including the result of the test will be sent back to the court and nowhere else without the court's permission. The DNA sample is stored for six months by the laboratory - in case of a need to retest, and is then destroyed. The report is not stored in the Cafcass database unless you have a current case with Cafcass and this is part of the court's order.

THE REPORT



The testing laboratory will provide a report to the court which can show either greater than 99.99% positive proof of relationship – confirming the biological father – or 100% that there is no proof of relationship, and the individual cannot be the father.

THE STANDARD OF THE TESTING

The sampling and testing process follows government regulations for the collection and handling of the sample.

The testing laboratory will check that the samples have not been tampered with and will test the sample, with an automatic repeat process if the sample shows that there is no genetic relationship. The laboratory will test up to 67 DNA markers – the highest number worldwide, which means that conclusive results are provided without the need for the mother's DNA.

The testing laboratory that we use is Eurofins Medigenomics Forensik GMBH (Germany) operating as DNA Legal, which is accredited by the Ministry of Justice to carry out these tests to the court standard. Their laboratory has to comply with all the relevant international standards and you can read more about this on the MoJ website and the website of DNA Legal. All the work of the testing laboratory is double checked to proof against errors.

The testing process takes three – five business days within the lab. We aim to supply the report to the court within six weeks of receiving the court's order.



WHAT TO DO IF YOU THINK THAT THE RESULT IS NOT VALID

If you think that there is some reason that your sample might not be valid you must say so at the time, and the sample can be repeated immediately with a fresh sample kit. If you believe that there is some other reason why the test might not be valid you should raise this in court, and the court will consider whether a retest is needed.

WHAT TO DO IF YOU NEED SUPPORT

You can contact our DNA testing team at DNAsupport@cafcass.gsi.gov.uk.

We also have some frequently asked questions on the Cafcass website.

You may need support following the result of the test, and this could be from your family, health practitioners, lawyer, or counsellor. If you have a Cafcass Officer working with you they may be able to signpost you to help.

