



Department for  
Constitutional Affairs  
Justice, rights and democracy

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David T C Davies MP  
House of Commons  
London  
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*Dear David Davies,*

### **ACCREDITED PARENTAGE TESTING BODIES**

I know that you have raised a number of questions related to the accreditation by the Department for Constitutional Affairs of bodies which may carry out court directed scientific tests for parentage in accordance with a direction made by a court pursuant to section 20 of the Family Law Reform Act 1969 (power of court to require use of blood tests). I felt that I wanted to write to you as Minister with responsibility for policy on the family justice system.

Firstly, please accept my assurance that this Department is committed to the proper maintenance of the accredited list of bodies. The Department is currently undertaking an urgent investigation into the status of all the bodies on the accredited list, and if there is any body on it that should not be, it will be removed.

I think it would be helpful to set out the background and current policy and I hope that in doing so some I can answer some of the questions you have asked.

In order to obtain DCA accreditation to carry out court-directed parentage tests, applicants must:

- Have a current and valid ISO/IEC/17025 certificate; and
- Undertake to comply with the Department of Health's Code of Practice and Guidance on Genetic Paternity Testing Services (copy enclosed).

It is the current practice to send out a standard letter in response to enquiries. This letter sets out the criteria above with the additional requirement that applications should be made in writing, and that the ISO/IEC/17025 certificate submitted must either be an original or a certified copy.

The Department must ensure that the ISO/IEC/17025 accreditation has been carried out by an accreditation body which complies with the requirements of ISO Guide 58. The United Kingdom Accreditation Service (UKAS) is such a body, but of course there are such bodies in other countries.

#### The Blood Tests (Evidence of Paternity) Regulations 1971, as amended

It is a legal requirement for eligibility for accreditation by the Department, that a body must be accredited to ISO/IEC/17025. It is also a legal requirement that the accreditation to the ISO standard must be carried out by an accreditation body which complies with the requirements of ISO Guide 58. The details of the statutory regime are set out in the Blood Tests (Evidence of Paternity) Regulations 1971 (SI 1971/1861) as amended. Amending regulations in relation to accreditation were made by SI 2001/773, in the light of changes to primary legislation made in the Child Support, Pensions and Social Security Act 2000.

#### Laboratory Standards

Officials from the Department do not inspect the laboratories that wish to be added to the Department's accredited list. This is because ISO/IEC/17025 accreditations are a specialised business and ISO Guide 58 compliant bodies, such as UKAS are the proper bodies to carry these out.

#### Department of Health Code of Practice

As a matter of policy, this Department has also determined that bodies accredited by it must comply with the Department of Health's voluntary Code of Practice and Guidance, which sets out best practice and clear standards for organisations seeking to deliver genetic paternity services to the public.

#### Investigation and Review

As I have said, this Department is carrying out an investigation of the bodies on the Department's accredited list. The Department should be in a position soon to have a confirmed list of accredited bodies. In the meantime, all courts dealing with civil proceedings (including family proceedings) have been advised about the review and have been informed of the bodies to which referrals should be made until the review of the list is completed. These bodies are 4 UK laboratories which, on the basis of investigations so far, I anticipate will be able to produce satisfactory up-to-date evidence that they still meet all the criteria for DCA accreditation. These laboratories are: Cellmark Diagnostics, Crucial Genetics, LGC Diagnostics and the Forensic Science Service Laboratory at Wetherby.

Following the investigation to confirm the status of the individual bodies, the Department will carry out a review to ensure that the procedures and processes associated with adding bodies to the Department's accredited list, and the regular review of the status of those bodies, is sufficiently robust.

When the Department has a confirmed list of accredited bodies, and the review of processes and procedures is complete, the accredited list will be published on its website, along with the criteria for accreditation.

I will ensure that you receive a further letter answering you questions more fully when the Department's investigation is complete.

*Yours sincerely,*

*Catherine Ashton*  
**CATHERINE ASHTON**