

# **FAMILY RELATIONSHIP TESTING (DNA)**

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## **Table of Contents**

- 1. Introduction**
  - 2. Background**
  - 3. Suitability Criteria for Familial DNA Testing**
  - 4. Conducting Familial DNA Testing at the ASUs**
    - 4.1 Explain the Familial DNA Testing Process to the Main Applicant**
    - 4.2 Request Signed Consent from the Main Applicant**
    - 4.3 Main Applicant Refuses to Participate with the Familial DNA Test**
    - 4.4 Take Familial DNA Samples at the ASUs**
    - 4.5 Turnaround Time for Results**
    - 4.6 Custody Risk Assessment**
    - 4.7 Forwarding the Case**
  - 5. The Familial DNA Testing Results**
    - 5.1 Results State that the Child is Not a Biological Relative as Claimed**
    - 5.2 Notifying the FDT Manager when the Main Applicant and Child's Asylum Claims have been Concluded**
      - 5.2.1 Notifying the FDT Manager of Other Key Information**
- Annex A – Family Relationship Testing (DNA) - Process Overview Map**
- Glossary**

# 1. Introduction

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This instruction is aimed at:

- Officers within the Asylum Screening Units (ASUs) who have responsibility for and have been trained in familial DNA testing;
- Case owners responsible for cases that have undergone familial DNA testing.

This instruction details:

- Which cases are suitable for familial DNA testing;
- How to arrange and undertake familial DNA testing;
- What action to take depending on the results of the familial DNA testing.

## 2. Background

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Familial DNA testing has taken place for many years within the visa issue process, where confirmation of a biological family group is required. It is now possible to utilise this scientific method within the UK Border Agency's ASUs.

It has been suspected in the past and there have been cases where some family groups have consisted of children who are not biologically related to the adult asylum applicants and are sometimes 'used' to gain preferential treatment in the asylum claim.

As fingerprinting is not permitted for children less than five years of age it has not been possible in the past to confirm whether or not a child of that age has been presented at asylum screening previously, with a different 'family'. Familial DNA testing will enable the UK Border Agency to verify a child's biological connection (or not) with the family in question.

### 3. Suitability Criteria for Familial DNA Testing

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The child(ren) and the claimed biological relatives can only be familial DNA tested if they meet one of the following criteria:

- An officer has a suspicion that a child or children presented in a family group are not the biological offspring of the parents as claimed;
- An officer has a suspicion that a child or children presented as a relation to a presenting adult are not biologically related as claimed;

Please note that a child of any age may be tested, provided consent has been given by the parent/related carer.

## 4. Conducting Familial DNA Testing at the ASUs

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Once it has been considered that an applicant meets the suitability criteria, the officer must adhere to the following actions.

### 4.1 Explain the Familial DNA Testing Process to the Main Applicant

- Explain fully to the main applicant the use of familial DNA testing;
- Read verbatim the statements within the consent form (ASL.4039) to the main applicant.

### 4.2 Request Signed Consent from the Main Applicant

- Ask the main applicant to sign the consent form (ASL.4039) to state that they agree to participate with the test;
- If the main applicant decides to not participate with the test, ask them to provide an explanation and ensure they indicate on the consent form that they have chosen to not take part;
- Attach the consent form to the Home Office (HO) file and state on all of the claimed family members' CID 'Notes', whether or not the main applicant agreed to participate, and if not, document their reason for refusing.

### 4.3 Main Applicant Refuses to Participate with the Familial DNA Test

If the main applicant refuses to participate, the officer must refer the child(ren) involved to social services, and if necessary the police, immediately.

### 4.4 Take Familial DNA Samples at the ASUs

The familial DNA testing (FDT) manager will provide ASU officers with sufficient training prior to the commencement of these tests. An ASU officer must not take samples unless they have been trained by the FDT manager. The Familial Analysis Donor Information form (ASL.4040) must be used by the ASU officer when recording the collection of samples.

Once all of the samples have been collected they must be:

- Placed in the appropriate sealed tamper proof bag (identifiable by reference numbers only);
- Logged within the familial DNA 'Sample Register';
- Locked away in the dedicated fridge.

The samples will then be removed collectively approximately every two days from the dedicated fridge by the FDT manager and sent securely to a laboratory for analysis.

### 4.5 Turnaround Time for Results

In normal cases the turnaround time for results from the date in which the laboratory receives the samples to the date they are returned is seven working days.

At an additional cost the turnaround time can be reduced to three working days. If the case is particularly urgent, e.g. the child is at high risk of harm, the officer must notify the ASU HMI responsible for familial DNA testing, who will ask the FDT manager to expedite the results.

#### **4.6 Custody Risk Assessment**

The officer must assess the level of risk involved in allowing the child to remain with their claimed biological relatives.

**If there are concerns about the child's wellbeing if allowed to remain with the claimed biological relatives, the officer must immediately refer the child to the social services, and if necessary the police.**

Please note that as stated in section 4.3, if the main applicant refuses to participate with the familial DNA test, the officer must refer the child(ren) involved to social services, and if necessary the police, immediately.

For further guidance refer to the [\*Processing Asylum Applications from Children\*](#).

#### **4.7 Forwarding the Case**

Once appropriate action has been taken and the screening process complete, the asylum claim should be routed to a regional asylum team as per normal procedures.

## 5. The Familial DNA Testing Results

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Results from the familial DNA tests will be sent directly from the laboratory to the FDT manager on the 7<sup>th</sup> working day (or 3<sup>rd</sup> working day in urgent cases) from the date in which the DNA samples were received by the laboratory.

The FDT manager will locate the appropriate case owner by:

- Opening CID and clicking on the asylum case type;
- Clicking the 'standard events' icon on the left-hand toolbar, this will then display a list of events that the asylum applicant has gone through and it also displays the case owners name under 'Event Status Details' (right-hand side of the screen).

As this is the principle way to identify the responsible case owner, it is vital that CID is updated accurately, immediately after the case has been assigned to a case owner.

The FDT manager will then send the results of the tests to the case owner. The case owner must review the results and take appropriate action immediately.

If the DNA results state that the child is related to the claimed biological relatives, then no further action is required, except to ensure that the applicants are linked appropriately on CID.

### 5.1 Results State that the Child is Not a Biological Relative as Claimed

If the familial DNA test results state that the child is not a biological relative as claimed, **the FDT manager must contact the appropriate case owner immediately and inform them of the results and state that they must telephone the appropriate social services, and if necessary the police immediately and then send a written document preferably by fax or email to verify the telephone conversation, immediately.**

If the case owner is not available, another colleague within the responsible asylum team must undertake the notification.

If the FDT manager cannot locate the case owner or the responsible asylum team on CID, then the FDT manager must undertake the notification.

As the child's safety could be at risk it is imperative that these actions are undertaken immediately and documented sufficiently on CID and in the HO file.

### 5.2 Notifying the FDT Manager when the Main Applicant and Child's Asylum Claims have been Concluded

In all circumstances, respective case owners must contact the FDT manager once the main applicant's and/or the child's asylum claims have been concluded. This is because the DNA samples collected from the applicants must be destroyed as soon as their asylum application has been concluded for data protection purposes.

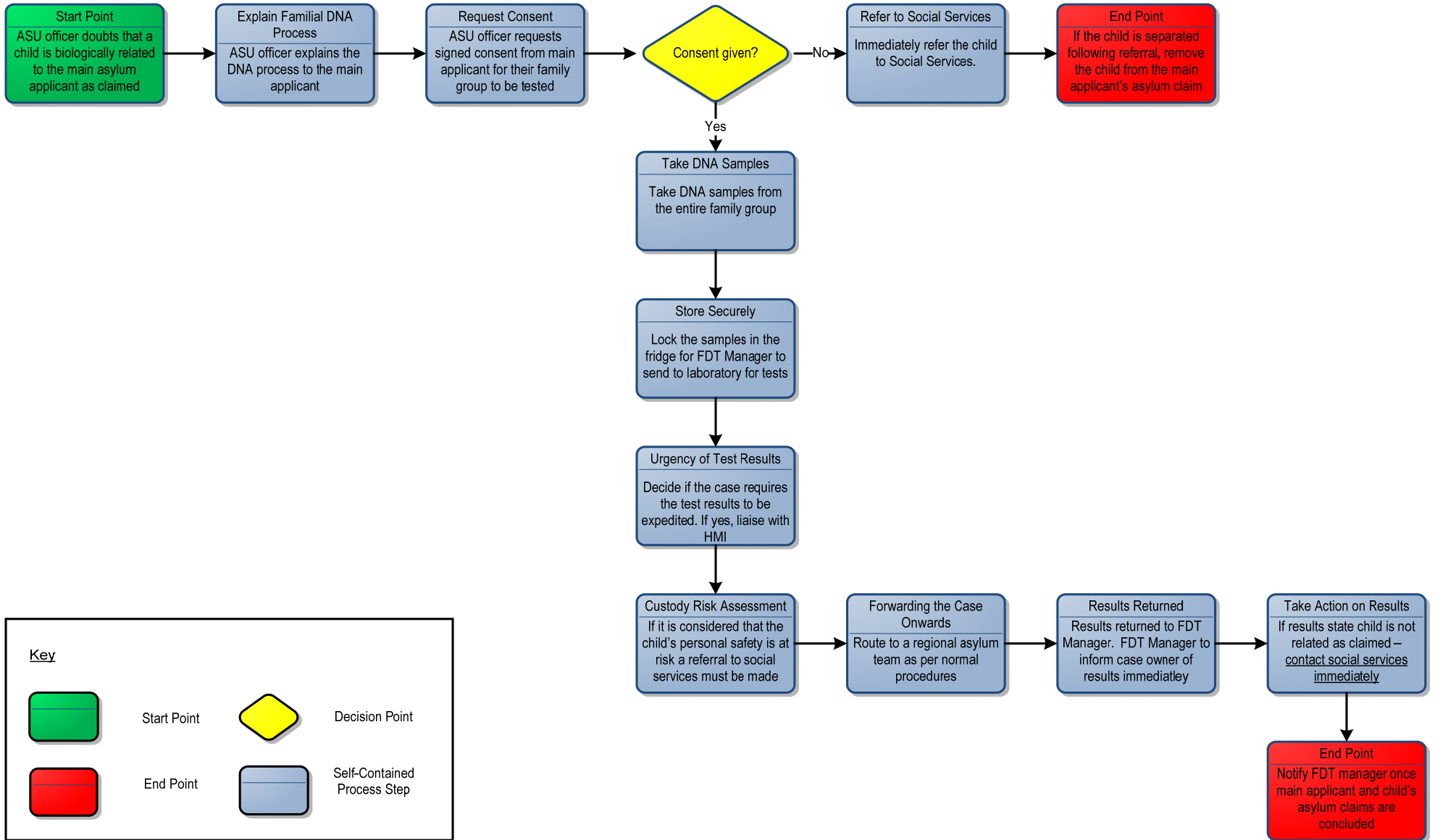
#### 5.2.1 Notifying the FDT Manager of Other Key Information

If the familial DNA test results stated that the child was not a biological relative of the main applicant as claimed, the respective case owners responsible for the child and the main

applicant must contact the FDT manager once their asylum claims have been concluded and state:

- The outcome of the case;
- Whether or not the DNA information had any impact on their removal (if applicable).

# Annex A – Family Relationship Testing (DNA) - Process Overview Map



## Glossary

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<b>Term</b>	<b>Meaning</b>
ASU	Asylum Screening Unit
CID	Case Information Database
FDT	Familial DNA Testing
HO	Home Office
HPP	Human Provenance Project

# Document Control

## Change Record

Version	Authors	Date	Change Reference
01	BN	27/08/09	