

Issues on Methods of Identification in Court Ordered Paternity Testing –The Case of Portugal

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Abstract

Official technical and scientific recommendations on standard procedures and quality control in the field of testing of paternity do not cover issues relating to methods of subjects' identification in the processing of paternity investigations that are compulsory for the individuals – parental testing ordered by courts. The aim of this paper is to explore the main issues posed to forensic laboratories when collecting samples for court ordered paternity investigation and therefore contribute to the ongoing debate on social and ethical implications of parental testing and open up new dimensions of this practice. The data was collected from a qualitative study carried out in forensic laboratories in Portugal, based on interviews conducted with forensic experts. The methods for identifying individuals during sample collection are unspecified and heterogeneous and raise several concerns that need to be addressed by common recommendations and an ethically informed code of conduct. Our results indicate that it is needed to start an interdisciplinary discussion about subjects' identification in that context. These practices demand a more effective coordination between courts of law and forensic laboratories and national guidelines for good practices in the case of paternity testing in judicial proceedings.

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