

Why would someone normally apply to the Court for a paternity test?

There may be genuine circumstances whereby paternity is in dispute and a test is needed including:

1. The child may be as a result of an affair and paternity needs to be clarified.
2. The mother may have genuine reasons for doubting the identity of the father.
3. The father may have sufficient doubt regarding the paternity of the child.
4. For the purpose of child maintenance, the identity of the biological father must be established.

How do I apply?

You can request a paternity test be carried out as part of your application to the court. This request would normally be included within a C100 Form if paternity is in doubt and the application may include other requests such as an application for a Child Arrangement Order (for contact or to have the child live with you). Similarly, you might be applying to the court for a Parental Responsibility Order on a C1 Form. The matter of paternity would be the first issue to be dealt with by the court before any other orders are looked at. Within the application form to court, you should briefly set out your reasons for asking that the court direct that a paternity test be carried out.

If you are the respondent to proceedings, and are doubtful as to paternity, you could choose

to file a C2 Form with the court in response to the application.

How is paternity proven?

Paternity is proven by way of a DNA test.

Who carries out the DNA testing?

A DNA testing firm that is approved by the court must be used in accordance with section 20 of the Family Law Reform Act 1969 otherwise the results are not considered valid. It is possible to acquire testing kits but we strongly recommend you use a court approved DNA testing firm. The court can advise on approved firms during proceedings.

How much does a DNA Test Cost?

Costs will vary depending on the firm which carries out the tests, but a cost of circa £500 is typical. In addition to this, you would have to pay the cost for the application to court.

Who has to pay?

Ordinarily the person making the application will have to pay for the DNA test, although depending on the circumstances, it might be reasonable to ask the courts to award half the costs to the other party. You might also ask for costs to be awarded against the other party if they had alleged you were the biological father, but the tests proved otherwise.

How are the DNA samples taken?

You will need to make an appointment to have your samples taken by a Doctor or a Nurse at your GP Practice or sometimes at an approved testing centre. At the appointment a mouth swab will be rubbed gently and painlessly on the inside of your mouth to collect a sample of cheek cells. You will also need to confirm your identity (a passport and photo driving license is ideal for this).

How long do the tests take?

Typically, getting the test results can take several weeks although some laboratories produce their reports in a matter of week once all DNA samples have been taken.

Are the tests reliable?

When a mother, child and the possible father are tested, the results will either confirm he is not the father or provide a proof of paternity with a confidence level usually greater than 99.999%

Does being identified as the biological father give me Parental Responsibility?

No. Please refer to our separate guide on Parental Responsibility which details how you acquire the legal rights and responsibilities as a parent.

Will I still be expected to pay child maintenance?

If you are not the primary carer, and once it is confirmed you are the biological father, yes.