

This response was submitted to the consultation held by the Nuffield Council on Bioethics on *The Forensic use of bioinformation: ethical issues* between November 2006 and January 2007. The views expressed are solely those of the respondent(s) and not those of the Council.

Anon 20

I'm an Italian citizen, a physician, with a specialisation in Legal Medicine, and working as a medico-legal consultant both to the Judiciary - in Turin and elsewhere in Italy, for Courts of every level and Prosecution Offices (Procura della Repubblica, whose members here are "judges") - and to Hospital Trusts (Aziende Ospedaliere), and a past as lay magistrate (Giudice Onorario) at both the Juvenile Court and the Juvenile Section of the Court of Appeal here in Turin. I've seen that you opened an "external consultation" on the issue of the **Forensic use of bioinformation**. May I participate to it, even if I'm not one of Her Majesty's subjects?

I must warn you that on some very technical points I could not answer, because I'm not a "forensic pathologist", I never personally worked in DNA fingerprinting and the like, and - above all - I do not know the UK legislation on the issue. I usually deal mostly with either cases of what here is called the "protection of the weak" (children, old people, women, mentally ill and handicapped persons, migrants etc.). This means working on cases of abuse (physical, psychological, financial, sexual, work-related) of such "weak persons", on cases of institutional ill treatment etc.; when called by hospitals, I deal with issues of consent (especially in cases of mentally unsound persons or minors, i.e. < 18 y. old, Jehovah Witnesses etc.), diffusion of patients' medical/psychological information to other people (close relatives included), management of multiproblem patients, besides the usual questions of medical liability and medical devices-related issues. I also work on HIV-related medico-legal problems; as a lay magistrate in the Juvenile Court of Turin I defined, in 1988, the guidelines about the sharing of information on HIV status within the school (my answer was a big "NO": teachers had no right whatsoever, under existing Italian law, to know about a pupil HIV status; that information had to be given only to school doctors, under the strictest secrecy); I was also the chairman of the group which led to the elaboration of a Charter of the Right of the HIV Child in 1992. I've been invited to the XX ANLAIDS meeting on HIV infection and related syndromes in Rome, to speak about the legal protection of the HIV patient after the reform of the Italian civil code's rules on guardianship etc. by the Law 6/2004.

My apologies for such an abrupt irruption; I hope you will forgive it. Grazie.