



# Medical age assesement.

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## Farhan - 17year old - from Pakistan.

*“One week after my arrival, I had an evaluation at the local centre for children and families (CDEF). It took 30 minutes. An interpreter was there. I was a bit confused at that time. I had problems with dates. [...] The lady took my birth certificate and gave me a copy. A month and a half later, the CDEF gave me a hospital appointment. They told me it was for a medical test, no more precise information. [...] Someone came to the hotel to get me. Two other boys were in the car. [...] In the hospital, a woman came to do hand and teeth x-rays on me. Then they looked at my head. Then I went to the Doctor. He asked if I had any specific problems. I said no. Then he asked me: ‘Can you unzip?’ So I opened my trousers zip and he looked at my penis. I had to take my T shirt off. He checked my height and weight. I was once again very confused and when he looked at my body I felt very embarrassed. [...] Then he told me I could go. He gave a report to the man who had taken me there, but I was never able to see it. I had to go home alone. [...] A month later, they told me I was not a minor, that I was a man, and that I had to leave the hotel. [...] Today, I live in a squat.” (MdM France – Nantes – 2015)*



# How to determine the age of a child ?

1. Interview with minor (psycho-social evaluation).
2. Review of civil status documents.
3. Medical evaluation: it should only intervene in cases of doubt about the minority
  - physical examination
  - radiological





# Medical Determination: today's practice

1. Puberty Tests
2. Dental examination
3. Radiological examinations

In any case, impossible to determine the age of an individual between 15 and 18 years



# Radiological examinations: evaluation of bone age.

1. Interest in assessing bone growth in case of :
  - An abnormality of the size,
  - An abnormal puberty
  - A chronic disease hindering growth and/or having an impact on puberty.
2. Technique:
  - X-rays of the wrist and left hand +++, elbow, pelvis.
  - Collar CT scan.
  - MRI of the knee.
3. Dental panoramic:



# A legal framework

1. In France, in a UMJ examinations, at the request of the prosecutor or a juvenile judge.
2. Need informed consent of the child.
3. Second practitioner's opinion, indication of the margin of error.



## Last resort decision: doubt must always benefits the child, but...

- Austria: medical assessments are systematically ordered with respect to unaccompanied asylum-seeking children following the asylum reform of July 2015 in (ECRE 2015),
- Cyprus: introduction of intrusive medical tests as the main way of assessing age from May 2015 (AIDA 2015).
- Sweden: reform of the asylum system: medical age assessments for children as a rule (AIDA 2015).
- France: concerns have been raised by the Children's Ombudsman, where bone examinations continue to be applied even in respect of unaccompanied children who hold civil status documents (AIDA 215)



# Diversity in practice. A study of 34 countries including the EU and Switzerland

There is no common approach to age assessment among countries.

- 23 using the method of Greulich and Pyle,
- 17 dental panoramics,
- 15 scanner clavicles,
- 14 examinations of the teeth,
- 8 puberty tests





# The 2013 EASO age assessment report

- Referral to medical examinations does not seem to be conditional upon the exhaustion of other methods of age determination.
- Out of the 30 countries studied, only 10 attempted other approaches before carrying out age assessment examinations (EASO age assessment report ).
- The 2013 research from EASO showed that **all but two Member States (the United Kingdom and Ireland) rely on medical methods** (EASO 2013).



## Medical age assessment is unanimously recognised as inaccurate and unnecessarily intrusive

- 2004 and 2009 committee for children's rights near the High Commissioner for Human Rights of the United Nations.
- 2005, the National Consultative Ethics Committee,
- 2007, the French National Academy of Medicine,
- 2010, the French National College of Physicians, Fundamental Right Agency,
- 2011, the Commissioner for Human Rights of the European Union, PACE,
- 2012, the Defender of Rights (the French ombudsman),
- 2014, the French National Consultative Commission on Human Rights and the High Council for Public Health, Union of Magistrates.



# Ethical reservations !!!

- A medical procedure without medical purpose, without scientific basis, separate migrant populations.
- Is it the role of a doctor ?
- Irradiation of a young population.

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Médecins du Monde:  
“These unnecessary and  
degrading assessments  
should be banned”





# Merci beaucoup



**Solidarity & care instead of fences – Thank you**