



AD HOC QUERY ON 2019.97 Forensic age determination (only AT, DE, DK, FI, SE & NO)

Requested by Adolfo SOMMARRIBAS on 13 November 2019

Compilation produced on 28 November 2019

Responses from Austria, Finland, Germany, Sweden plus Norway (5 in Total)

Disclaimer:

The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.

1. Background information

In connection with the medical determination of the age of unaccompanied minor foreigners, the Federal Office for Migration and Refugees is interested in finding out whether the X-ray-free magnetic resonance imaging (MRI) procedure is applied in the Member States in connection with immigration, and if so via which methodologies this takes place (imaging of the clavicle using a whole-body device or of the knee or wrist with a joint scanner). In this context, any information regarding the current state of research in the Member States on the use of MRI as an examination method was considered useful, and in particular whether any method is considered to be suitable for providing unambiguous proof of reaching the age of majority. Finally, the query intended to find out which methodology, possibly in a combination of non-medical and medical approaches, is considered by the Member States to be the most appropriate in terms of practicability, authoritativeness of the evidence and acceptance (particularly by the courts).

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2. Questions

- 1. What medical examination methods – with and without X-rays (i.e.X-rays, CT, MRI or ultrasound) – are used in your Member State in connection with immigration procedures for age determination?**
- 2. If you answer yes to question 1: can you precise which regions of the body are examined (i.e. hand/wrist or knee and/or clavicle), and which device (s) (i.e. joint scanner or whole-body device) is/are used**
- 3. If you answer yes to question 1 and 2: Is MRI regarded as a suitable examination method in order to provide an optimum level of precision when it comes to proving majority?**
- 4. If your answer to question 1 was no: Has there been any discussion in your Member State on the use of MRI as an examination method? Are there any recent studies from the period 2017 to 2019?**
- 5. If you answer to question 1 was no: If your MS does not plan to use MRI in the short term, which examination methodology is currently considered by your Member State – use in isolation or in combination with which other methods – to be the most appropriate in terms of practicability, conclusiveness and acceptance (in particular by the courts)?**
- 6. Does your MS allow subsequent medical age verifications? Does it lead to a change in the initial assessment from a preliminary qualified inspection of the minor by socio-educational specialists?**

We would very much appreciate your responses by **15 November 2019**.



3. Responses

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¹ If possible at time of making the request, the Requesting EMN NCP should add their response(s) to the query. Otherwise, this should be done at the time of making the compilation.

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		Wider Dissemination ²	
	EMN NCP Austria	No	
	EMN NCP Finland	Yes	<p>1. In Finland age determination is usually done by using clinical exam and X-rays. Previous or current illnesses, nutrition, living conditions or other factors that might have had an effect on physical development is taken into account.</p> <p>2. X-rays are taken from the hand/wrist and teeth.</p> <p>3. MRI is not used to determine person's age in Finland. "Is it regarded as a suitable examination method?", see answer to question 4.</p> <p>4. Discussion on MRI as one possible method has not been active, partly due to small numbers of age determinations (in migration procedures) in general. However, Finland is – like Germany - interested to hear more about its use and accuracy. There is a recent publication/a doctoral theses by Mari Metsäniitty, a Finnish forensic dentist, called: "FORENSIC AGE ASSESSMENT IN FINLAND, AND DENTAL DEVELOPMENT OF SOMALIS" (https://helda.helsinki.fi/bitstream/handle/10138/301893/FORENSIC.pdf?seq...) which mentions MRI as a</p>

² A default "Yes" is given for your response to be circulated further (e.g. to other EMN NCPs and their national network members). A "No" should be added here if you do not wish your response to be disseminated beyond other EMN NCPs. In case of "No" and wider dissemination beyond other EMN NCPs, then for the Compilation for Wider Dissemination the response should be removed and the following statement should be added in the relevant response box: "This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further."


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			<p>possible method to estimate age.</p> <p>5. In Finland age of a person/applicant is determined by using X-rays. However the method does not offer precise age and results are assessed in combination with other evidence in the case. Courts have, in general, accepted this methodology and it's use in combination with other facts.</p>
	EMN NCP Germany	No	
	EMN NCP Sweden	Yes	<ol style="list-style-type: none"> 1. In Sweden in asylum cases, if needed, the medical age determination is made by The National Board of Forensic Medicine. In those cases they use x-ray of wisdom teeth and MRI of knee joint. 2. X-ray of wisdom teeth and MRI of knee joint. 3. MRI of the knee joint is one of the medical methods used. 4. Not applicable 5. Not applicable 6. The age assement done by the Swedish Migraiton Agency is based on all the submitted information, for example school certificates, other certificates and the result of the medical age assessment

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	<p>EMN NCP Norway</p>	<p>Yes</p>	<p>1. In Norway in asylum cases, if needed, we use a medical examination method based on x-ray of teeth and wrist. At the moment, due to practical problems, we only use x-ray of teeth.</p> <p>2. Norway X-Rays teeth and wrist.</p> <p>3. No, Norway doesn't use MRI.</p> <p>5. Norway X-Rays teeth and wrist. There is a significant amount of research on this issue in Norway and we are always looking for more reliable methods that do not subject children to unnecessary radiation.</p> <p>6. N/A no_response._de_emn_ahq_201989_forensic_age_determination_at_de_dk_fi_se_no-2.docx</p>
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4. Summary of results
