

Chris Bowen MP
Minister for Immigration and Citizenship
Parliament House
M1/45
Canberra ACT 2600

Friday, 19 August 2011

Dear Minister,

Assessment of age of refugees and those persons accused of providing refugees with illegal access to Australia:

The unethical use of Ionizing Radiation (X-Rays) and / or Genital examination

We write on behalf of the Australasian Paediatric Endocrine Group, the Royal Australasian College of Physicians, the Australian and New Zealand Society for Paediatric Radiology, and the Royal Australian and New Zealand College of Radiologists. Our professional bodies have specialist expertise in the medical assessment of the growth, development and maturity combined with the science and practice of medical imaging of young people in this country.

We were disappointed to learn that representatives of our professional organisations were not invited to contribute to the recent discussions you organised to determine the appropriate means of assessment of age of refugees attempting to gain entry to Australia and the people who are accused of providing the means of entry for the refugees.

We would like to ask that you urgently reconsider the use of **Ionizing Radiation (X-Rays) or Genital examination** by those under your direction in your department and the Australian Federal Police as a means of deciding the age of a person. We advise you that these methods are unreliable and untrustworthy when used as criminal evidence in a Court of Law and unethical when used by medical practitioners in situations when their use is for administrative purposes.

We consider that x-rays of teeth and wrists to assess skeletal maturity should be used only when a therapeutic relationship has been established between the doctor and patient. We consider it is unethical to expose a young person to x-rays for purely administrative reasons. X-rays of teeth and wrists should not be used as evidence in a court of law because the age assessments obtained by these means are very inaccurate.

This practice is generally considered to be inappropriate by health professionals with experience in paediatrics because:

- It is unethical to use X-rays for non-clinical purposes (immigration control), without informed consent, and where there is no therapeutic benefit to the subject.
- In the UK, at least, this practice is unlawful, and could lead to practitioners facing legal charges of assault and professional misconduct.
- The Gruelich and Pyle method (GP method, which is a technique for evaluating the bone age of children by using a single frontal radiograph of the left hand wrist) is unreliable and not validated for this purpose:
 - The GP method was designed for assessment of skeletal age knowing the chronological age, not the reverse.

- The GP method was based on a white middle class American population born in the 1930's, and the result obtained will be affected by malnutrition and racial factors prevalent in refugee populations

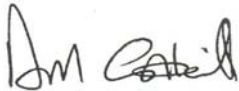
For these reasons this practice is not used by the UK and other European Governments, nor the International Olympic Committee or FIFA.

The physical examination of a young person to assess pubertal development should only be performed in the context of a therapeutic relationship, when permission is granted by the adult responsible for the young person and consent is given by the patient. We consider the genital examination of a young person for purely administrative reasons to be unethical and is not consistent with the United Nations Convention on the Rights of the Child¹.

We would be happy to discuss these matters with you or your expert group in order to arrive at an evidence-based solution to this matter.

With best wishes

Yours sincerely



Dr Andrew Cotterill
President
Australasian Paediatric Endocrine Group



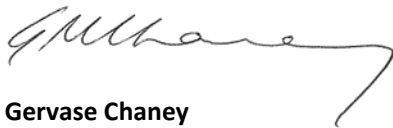
Dr Matthew Andrews
President
RANZCR



Prof Michael Ditchfield
Convener
Paediatric Imaging Reference Group, RANZCR



Dr David Lord
President
**Australian and New Zealand Society for Paediatric
Radiology**



Dr Gervase Chaney
President
Division of Paediatrics
Royal Australasian College of Physicians

¹ Convention on the Rights of the Child, Office of the United Nations High Commissioner for Human Rights:
<http://www2.ohchr.org/english/law/crc.htm>.