

Science, ethics and demagogy: on recent attacks against forensic age estimation in Germany

.....
Götz Gelbrich¹

Bianca Gelbrich²

¹University of Würzburg
(Germany), Institute of Clinical
Epidemiology and Biometry

²University Hospital of Leipzig
(Germany), Department of
Orthodontics

.....
Corresponding author:
Gelbrich_G@ukw.de

ORAL PRESENTATION
.....

.....
J Forensic Odontostomatol
2017 Nov 1; Supp1(35): 35 - 36
ISSN :2219-6749

ABSTRACT

Background: Age estimation is a scientific discipline that comes into play in the context of archaeological research, the question of criminal responsibility, the decision whether a person has reached relevant age limits in civil proceedings, the identification of unknown human corpses, and others. Although the matter is unspectacular in general, it is most controversial when young unaccompanied refugees (YUR) have to undergo forensic age diagnostics in order to decide whether they are of minor age and, therefore, deserve for the special protection and care of the state that apply to minors. A most recent statement of the Ethical Committee of the German Federal Medical Association claimed that forensic age estimation in YUR is unethical and should be banned. In our talk, we try to put this discussion on a scientific basis. We shall explain the difference between mathematical models to estimate the age of a person (regardless of any political preference) and applying these models to legal and political decision making. We shall also highlight that science is not unpolitical: the mathematical truth is independent on policy, but it is the responsibility of scientists to explain politicians the probable consequences of their decisions.

Methods: We will explain how the decision about the age of minority is linked to the general diagnostic paradigm. We will point out the risks and consequences of false positives (minors classified as adults who will not receive the care they deserve) and false negatives (adults classified as minors who will unduly use resources that are reserved for children). We shall also critically discuss the methods of the opponents of age estimation in YUR.

Results: Methods of age estimation are the same (and have the same precision) in YUR as well as in other contexts. Age estimation is driven by the examination of the relationship between biological markers of age (skeletal, dental etc.) which is independent of the individuals to whom it is applied (YUR or other). On the other hand, setting the diagnostic threshold (e.g., which minimum age should be estimated to treat an individual as an adult) is a question of political decision making that purposefully weighs false positive and false negative decisions against each other. Furthermore, we note that advocates of “alternative” approaches (e.g., psycho-social clearing) have zero hits in a PubMed search on age estimation.

Conclusion: The current campaign against forensic age estimation is driven by ideology, is lacking scientific methodology, and is based on the inability to discriminate

between objective scientific methods and political responsibility. Everybody needs to face the reality that diagnostics is never free of error (and so is the action following the diagnostics), and this simple fact also applies to the diagnostics of minor age in YUR. It needs to be accepted that age estimation in YUR is not an evil that is responsible for this dilemma; it is a scientific tool to minimize errors in decision making in this field.