

Dental Age Assessment (DAA) on living individuals for medico-legal purposes - challenges and way forward

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ABSTRACT

Forensic Age Estimation (FAE) on living individuals is done when they are unable or unwilling to provide documentary evidence regarding their date of birth. The criminal responsibility, consent, custodial care, leniency in sentencing are few age related issues that are frequently faced by the law enforcement authorities. Thus in dealing with cases of human trafficking, child labour, sexual exploitation of teenagers, conscription of children in armed conflicts, juvenile delinquency and crime are few instances where FAE may have to be performed. During the recent years the number of individuals who are being referred by the legal authorities for FAE has increased.

There are two methods that are being used for FAE on living individual i.e. social assessment and medical assessment. Social assessment is widely used in UK whilst most of the EU countries and Australia tend to use the medical assessment. Even then there is no uniformity in selecting the parameters for the medical assessment. However the Interdisciplinary Study Group on Forensic Age Diagnostics (AGFAD) recommends the use of a multidisciplinary medical assessment in FAE for medico-legal purposes. Dental age assessment (DAA) is one of the three parameters that have been recommended in the guidelines.

Methods that are used to assess the dental age is of two forms i.e. methods based on the changes that occur in tooth morphology and methods based on tooth development. There is no one method that provides absolute correct dental age. Even though there are recommendations made by the International Organization for Forensic Odonto-Stomatology (IOFOS) there is no uniform practice that has been established to follow in DAA. However DAA can be subjected to strict scrutiny if performed for a medico-legal purpose and challenged in a court of law. Obtaining the consent, selection of an appropriate method, deciding on appropriate imaging modality, interpretation of data, scientific limitations, legislative requirements, documentation and maintaining chain of custody are few ethical, legal and scientific challenges one may encounter in such situation. Therefore developing a standard operating procedure to be adopted in conducting DAA, recommending a standard format to be followed when reporting and having a mentoring system for novices is a timely requirement.