

Good Analysis in Age Assessment - Findings and Recommendations

These findings are from analysis of a sample of 11 age assessments. We were looking at the following questions, developed from public law guidance on good decision making:

- 1. What facts are being taken into account and are they relevant? We looked at indicators of age, contextual factors and timelines.*
- 2. What policy, guidance and other sources of information are being referenced and are they relevant and credible?*
- 3. How are views being considered/taken into account in the consultation process?*
- 4. What processes of reasoning are taking place and how transparent/rigorous are they?*

The full method will appear in the final report.

Findings

All the reports found the young people in the age range of 17-25.

Finding 1 - Appearance was the most noted and relied upon factor.

Across 11 reports more appearance indicators were noted than any other category (78 instances across 11 reports, compared to the next ranked - 67 factors for social history, and the lowest ranked – 16 for education). The most commonly noted appearance indicators were about height, weight, facial hair, facial lines, a broken voice and clothing.

Appearance indicators were used more in drawing conclusions than any other indicator type – 38 total uses compared to the next ranked (23).

Finding 2 – In observations about appearance, pseudo-scientific language/comments obfuscate the evidence.

Half the reports included pseudo-scientific observations for example, on ‘follicle thickness’, a ‘fully developed larynx’, an Adam’s apple visible from 2 metre distance, observations about ‘naso-labial lines’, hair density, an ‘ectomorphic body type’, a female deemed to have a ‘mature’ voice, ‘typical skin’. Use of this type of language or observation can appear to give factors meaning or scientific validity that they do not have.

All the reports noted the height of the young person and all but one report recorded the weight of the young person, with neither measurement serving a clear purpose.

Finding 3 – Evidence is underutilised.

66% of all the potential age indicators gathered and recorded by Social Workers were not used to draw any conclusions. The sub-categories least used (by percentage of total facts gathered in that sub-category) were social history, health and contextual factors. For example of all age indicators connected to social history 80% (of 67 indicators noted) were not mentioned in conclusions. By comparison, 50% of all appearance indicators were used to draw conclusions, and 70% of demeanour indicators gathered were used in drawing conclusions.

To take the example of Social History further: family structure and ages of family members were asked in 9 reports (two of which had genograms) but 8 of the reports did not use this information; family roles were explored in 7 reports but only analysed in one; dates of deaths came up in 6 reports but were never referred to in analysis; living arrangements/locations were described in 9 reports without any further discussion on what this might mean; past work experience was asked about in 7 assessments and findings only made in 2 reports. Aside from deaths, significant family or community events were rarely asked about and there was little enquiry about siblings (eg marriages, education).

In one illustrative example concerning independence skills, a lot of information was gathered about skills and roles in relation to cooking and shopping, a young person's perception of their cooking skill (being quite good) compared to what he was actually eating (take aways) and reliance on adults in different contexts. This was not used as evidence in the actual decision.

Finding 4 – Demeanour with the assessment is heavily relied on and it is not clear what it means.

Demeanour during the assessment was the second highest ranking factor used to draw conclusions (23 references to demeanour in conclusions across 11 reports). Many of the comments included an interpretation of the young person's attitude, behaviour or character. Descriptions included 'smug', 'conceited', 'staring intently', 'deferential', 'not intimidated', 'open gesture such as with open palms', eye contact, 'fiddling' with things, using hands for expression.

Social Workers appear to be assessing credibility as well as maturity, observing character/body language in the interview to determine if the young person is lying. Where assessors did consider signs of maturity, they mostly equated confident and assertive behaviour or measured/resilient behaviour with maturity. They found deference, manners and playfulness to equate with youth.

Of the 23 references to demeanour in conclusions across 11 report, 20 were used to argue the young person was an adult, potentially indicating a bias while assessing 'demeanour'.

Finding 5 – Observations of demeanour outside the assessment and observations of child social and behavioural development was under-explored.

Across the reports 35 recorded factors related to development and 14 of these were used to draw conclusions. Across all reports very few observations were made about several indicators that appeared on our initial list under this sub-category, such as peer relationships, decision making in different contexts, self-awareness, maturity of views, perceptions of future, memories, prioritisation of needs etc.

There was no explicit consideration of the impact of the quality of relationships and power dynamics and how these might affect a young person's behaviour (for example where young people were noted as being 'private' or not asking for help).

Finding 6 – Age indicators were sometimes oversimplified and not explored holistically.

Some indicators were treated at surface level. Follow up questions could have been asked and different perceptions explored. Further exploration could have provided more information about the age of the young person.

There were several useful illustrative examples of this:

- A professional was noted as saying that a young person dressed maturely. There could have been exploration of what this meant, for example what she was wearing, where did the clothes come from, how did her clothing compare to peers?
- Two young people described similar routines in their country of origin. They described spending time at home and at school and playing football with friends. In one case this was interpreted as being childlike, and in another case that it was not believable due to lack of detail. If days are routine and potentially even boring, it might be hard for a young person to identify significant events, and this could have been explored more with the right approach.
- When it came to independence skills, cooking, travelling and spending were commonly asked about but were not explored in much depth. For example a young person stated they were not able to cook. The staff in the placement said they had observed him cooking. It might have been useful to know what he was cooking (was it pasta or a complex meal?), and what he meant by being able to cook (did he mean making something basically edible or might he have been comparing to what his parents could prepare?).

Finding 7 – The impact of trauma and contextual factors were not considered. At worst disclosures of trauma were used against the child/young person.

Trauma - Collectively the young people whose reports were analysed had experienced poverty and hardship, homelessness and life in refugee camps, trafficking, exploitation, violent deaths of family members, experiences of personal violence, imprisonment, exposure to suicide, domestic abuse, emotional distress. The impact of these experiences were not used in any report to interpret the information gathered or observations made. The only time trauma was considered, it was used to challenge a young person's credibility, for example there were comments about 'expected emotions' related to deaths and torture.

Context – There were other examples where context might have led to more thorough analysis. For example one young person was spending a lot of time with an older female who she met in the UK. The young person's social history included a lot of time spent with, and reliant on, an older female relative. The knowledge about her previous living arrangements could have helped put her current relationships into context.

Finding 8 - Timelines/chronologies are underused.

Most reports did not record a separate chronology or timeline within the report. Where timelines were included, they were largely in narrative form. Using a narrative form can

make the timings and calculations difficult to understand. 7 out of the 11 had no analysis relating to chronologies. Where analysis did take place, reported dates or periods of time were added up and cross-checked against the age a young person stated they were at those times. One report acknowledged margin for error and used an activity to construct the timeline which was noted as good practice.

Some assessments recorded discussion about the use of calendars and young people's understanding of the passage of time but did not bring this into their analysis. One young person remembered the season when something happened (rainy season) but this was considered insufficiently specific, which could be seen as a Westernised interpretation of how young people might remember events and times.

Finding 9 – Objective sources used to back up parts of the assessment were limited to a small range of topics.

The largest proportion of references were related to the process of age assessment (law, guidance) (14 out of 32 total references found), then appearance and demeanour 6/32 and geography/population information 6/32 and education systems 3/32. There are opportunities to help Social Workers identify other sources which may be useful.

Finding 10 – Where references were used, a significant number served an unclear purpose.

- There were 8 examples of suitable references, with a quote relevant to the section of the age assessment. These were in relation to law and guidance.
- Some references to policy/law/guidance had issues. A few simply stated that the assessment was taken in line with particular guidance but did not expand on how they had done this. 3 instances were found where guidance was quoted but then not followed (or even did the opposite of the guidance they quoted) and 3 were informal references that made correct inferences but were not very clear.
- There were 9 instances where good quality sources were used, but there was no analysis or link to what it meant for the age assessment (for example assessors found information that confirmed details about a young person's home village but did not explore why this mattered, for example that it may have added credibility or confirmed a timeline).

Finding 11 – Evidence of inappropriate use of references.

- In 5 instances inappropriate sources were used. These were particularly in relation to appearance and demeanour. For example one referred to a blog post for art students to learn about drawing anatomy, which was used to argue that a young person was an adult.
- In another 3 instances information in sources was misused. For example ability to read a clock was used as a sign of level of education. Another example used an article on the muscles used in genuine smiles ('Duchenne' smile) to argue that a young person was telling the truth.

- This reflects wider pattern we have observed of using sources which have no foundation or relevant evidence base, for examples magazines and advertising material.

Finding 12 – Consultation often did not involve all the relevant people at the right time.

Almost all the assessments where the young person was assessed as an adult had a Minded-to meeting. The Minded-to meeting still happened in two cases where the person was found to be a child. Consulting with professionals was inconsistent and several opportunities for consultation were missed. Examples of people who could have been consulted but were not included: a sibling, a Refugee Council worker, education staff and a youth worker. The allocated Social Worker was only consulted in 3 of the 11 reports. At other times, people were consulted when it was inappropriate – for example, an interpreter gave an opinion during an age assessment when their role should be impartial.

Finding 13 – Consultation – methods for requesting information/views.

The process for requesting and receiving third party information was recorded in only one assessment. None made their Minded-to process clear (just one indicated a separate session for this). Most had no evidence that the Minded-to meeting was explained to the young person.

The processes of gathering and interpreting opinions was not open and transparent. In some reports, opinions of third parties were interpreted by the Social Worker. For example key work reports were used, but the Key Worker was not formally consulted. In another example a Police Officer's opinion was registered but did not appear to come from a formal consultation request, which meant there was no reasons given for this opinion or information about how much time the Officer had spent with the young person and in what context.

Finding 14 - Consultation – curiosity and conscientiousness.

In general it seems the Minded-to meeting consisted of a series of points being stated and the response simply recorded, it came across as a transcript not a dynamic assessment/analysis of the decision. There was no exploration of these responses or how they could impact the conclusions. One report noted a risk that the young person was intoxicated at the time with no consideration of whether this would impact the process (it was used as a negative indicator instead).

Finding 15 – Good reasoning.

There were examples of reasoning that met our criteria for the reasoning process (average 2.7 per report (average of 12 concluding arguments per report)). For example one report considered a young person's account of how they were treated in a country on their migration route, identifying that it seemed like they had been treated as a minor,

and cross-referenced this with reports from support staff about emerging skills, and took into account contextual factors related to the young person's culture. Elsewhere there was some good reasoning around appearance, especially where the assessors provided a straightforward approach, acknowledged the margin of error and demonstratively applied case law in their weighting of appearance with other factors. There was some valid consideration of information from other sources including opinions of other professionals.

Finding 16 - Over confidence in conclusions.

The most common error of reasoning was overconfidence (average 6 per report¹), in other words definitive conclusions were drawn from evidence that did not allow for this level of certainty. Over-confidence often came up in relation to appearance. It was acknowledged that appearance should not be given too much weight because of known margins of error, and then definite conclusions were drawn relating appearance to adulthood/childhood. In other examples certain independence skills (eg local navigation) were taken as signs that a young person was an adult. Arguably independent navigation could say something about age, but it is not determinative of being specifically over or under 18. In many of the examples it might have been more appropriate to draw conclusions defining an age range.

Finding 17 – Considering alternatives and weighing them up.

Another common error was that reasonable alternative conclusions were not considered (average 4.6 per report). In addition, where alternative conclusions were considered, we found examples where reasons for choosing one possible explanation over another were not well reasoned or were otherwise problematic (average 1.2 of 12). There were several useful examples of this:

- One young person arrived in the UK by plane and explained that they exited the airport after being left by the agent. The assessors concluded that finding the way out of an airport unaided was a sign of experience and maturity. There could be other reasonable explanations for this, for example following the crowd of people disembarking.
- One young person was recorded as giving short answers. This was being interpreted as being evasive. It could also be that the young person was naturally reserved or reticent, unsure what was expected of them or even afraid.
- One young person had never had any ID documents. This was used to conclude that they lacked credibility. There was no exploration of what ID people were commonly issued in the country of origin, which could have provided an alternative conclusion.
- One young person's experience of torture was dismissed because the young person did not display the 'expected' emotions when talking about it. There was no consideration of what expected emotions are and reasons why a young person may or may not display emotions in relation to a traumatic event.

¹ In many arguments more than one error of reasoning were found. Where there was more than one error, each error was noted rather than counting simply the number of potentially invalid conclusions.

Finding 18 – Opinions presented as facts.

Some conclusions relied on unclear or disputable facts (Average of 2.1 conclusions per report). Subjective views were used as facts, for example a view that meeting friends for coffee is an adult activity or identifying 'typical behaviour' by nationality (based on a Social Worker's experience of working with young people from a particular country). Where arguments start by presenting an opinion as fact there can be a disbelief domino effect which leads to credibility being questioned.

Finding 19 – Negative framing in several age assessments.

Inference:

There was evidence of unnecessarily negative inference, particularly statements that included implications leaving a negative impression. For example a young person was said to have 'chosen' to present as clean shaven – most young men who shave would not require comment, and there's an implication it was somehow manipulative. One young person's reported height was disbelieved without any measurements being taken to check. In another example a young person gave an account of the immediate events causing him to leave his country. Later he gave more context about things that were happening around the area caused by the same militia. The Social Workers recorded this as inconsistent because he did not give the same detail about the wider events before. They then went on to claim they were not questioning his account, though the choice of wording made it come across as though they had.

No win:

There were examples of a 'no-win' situation, for example young people wanting to move out of adult accommodation was always interpreted negatively; a young person asking to check if the interpreter was interpreting correctly was taken as sign of maturity; a young person wearing a hat seen as an attempt to disguise, but it was also noted that the hat was appropriate for the weather.

Interrogative style:

A few had evidence of interrogative/confrontational questioning. One insistently asked questions about what the young person's parents knew and how. One told a young person their response was 'impossible'. In a Minded-to discussion, one subject was told "all professionals dispute your age" when this was untrue as educational and support staff had accepted the subject's age.

Inconsistency – bias towards the negative

In weighing up reasoning there were issues of inconsistency, where the social worker drew conflicting conclusions at different points in the same document, and in all cases where discrepancies existed, the Social Worker favored the adverse argument in the end.

A tendency toward negative framing is reflected in the collective experience of the research team.

Finding 20 – Prejudiced language

A few of the reports contained at least some language that was considered prejudicial. This fell into three main categories. Two reports contained rude and dehumanising descriptions of facial features (“his forehead is huge” and he has a “large round head”) or presentation (“simple”), which was felt to have Victorian/colonial overtones. Other reports indicated views about migrants ‘playing the system’ (“gave the impression she didn’t leave her country for purely economic reasons” and another containing a suppressed judgement on a young person getting advice from others in the care system). There were also comments on the education level of young people’s families and their perceived lack of understanding of their children’s dates of birth, which implied demeaning and problematic opinions of people of a lower socio-economic status. The wider experience of the research team is that these are not isolated incidents.

Finding 21 - Assessment of credibility – searching for deficiencies?

7 reports only had negative credibility statements. One had no credibility findings. Across all reports there were only 4 statements about positive credibility. This was not felt to be due to lack of any evidence of consistency/plausibility. Overall this created the impression that assessors were actively looking for things that might indicate negative credibility.

7 assessments drew more conclusions on age than on credibility. 5 drew more conclusions on credibility than on age. Of the 7, some still relied heavily on credibility (eg 6 on age, 5 on credibility). This suggests that the assessors saw assessment of credibility as at least as important as the assessment of age indicators.

Finding 22– Assessment of credibility - issues in methods.

Of the credibility assessments, 26 related to plausibility, 18 to inconsistency, and 9 to other types of credibility findings (eg comments on behaviour and presentation). As discussed under findings about demeanour, assessment of character/attitude seems to have been closely linked to assessment of credibility.

Plausibility was the most heavily questioned but raised the issue of cultural awareness and trauma informed practice. There was overconfidence in assessing plausibility, for example in relation to: emotions expressed when talking about a mother’s death; finding family through social media; realities of care systems in other countries (compared to the government’s policy); realities of migration journeys; a school timeline which was detailed and credible but disputed because the young person’s skill set seemed not to match the assessors view of the level of education; a young person’s approach to fasting; a young person’s reaction to a false-positive STI test without exploring their understanding of the test).

Most reports had some examples where a young person was held accountable for others’ actions (found in an average of 1.4 out of 12 conclusions). For example in two reports the social workers questioned the parents’ reliability in knowing the child’s date of birth, for example because they were believed not to be well educated. Another young person was asked why the Home Office had ‘made her an adult’.

Finding 23 - Writing style.

The style of report writing varied. Some were written as transcripts with separate analysis whereas some were written as assessments (verbatim notes were presumably held separately but were not included). There were examples of very descriptive writing. Some reports came across as critical and lacking compassion. Most were not written in a style that would be approachable for the young person reading the report.

Social work survey

We completed a short anonymous, voluntary survey, circulated to Social Workers primarily through ISWS newsletter and social media channels. We had 32 responses. This only provided a small sample of Social Work views but gave us some insights.

Of the 32 respondents, 21 had completed an age assessment in the last 3 years, 11 had not. 23 were expected to complete age assessments as part of their current role but may have had past experience or had recently completed age assessment training.

Social Workers were asked to rate their confidence in age assessment out of 5 (with 5 being most confident). The average rating was 3.16. Those who felt confident noted their depth of experience, having had practical training, and having sensitivity to the young people and context. Social Workers who did not feel confident noted the fact that age assessment is full of uncertainties, complex and changing case law, feeling unsure what to ask, the impact of the decision and feeling of responsibility, challenges in making an accurate decision before a young person is well known to them, needing more tools, lack of experience and time pressures.

Social Workers were asked about what existing guidance they used or referenced. 11 survey respondents mentioned the Merton judgement and 9 mentioned the ADCS guidance. 7 mentioned other case law. 5 said they would refer back to their training notes. Two Social Workers referred to the Children Act 1989 and two mentioned Country of Origin information (although one noted it did not always align with young people's experiences). Two survey respondents said they would refer to Coram for guidance. Other guidance mentioned included gov.uk, colleagues, lead UASC Social Work guidance, Leaving Care legislation, the Human Rights Act, general reference to guidance on trauma, guidance from NAAB, Just Right Scotland and Colsa, and Local Authority policy.

Social Workers rated their confidence in using the existing guidance. Their average rating was 3 out of 5.

Those who felt confident said they were familiar with the guidance and had forms and processes set up in their local authority. They said they worked alongside similarly experienced colleagues who they could speak to. Those who did not feel confident shared worries about whether guidance was up-to-date and were concerned about

constant legal changes. Some were concerned about the difficulties around age assessment being inexact and that it is difficult for guidance to cover this.

Social Workers who said they needed extra help wanted more information on:

Useful resources to help with analysis (25)

Presenting their findings (22)

What information to gather (19)

How to get the best information from other people (19)

How to conduct the minded-to meeting (18)

How to gather information (17)

How to assess information gathered (17).

Social Workers added specific requests for more information on trauma, assessing younger children, use of different calendars, and a regularly updated source for case law.

Social Workers also raised concerns about different cultures in different local authorities where they had worked. Some were worried about the prospect of legal challenges and going to court. They commented on the need for continuous learning. One Social Worker raised the ethical dilemma she would face if offered a job with the NAAB. Social Workers mentioned pressures on time and from managers. One Social Worker noted that assessing age is an 'odd experience'.

Recommendations

Reduce the need for age assessment – a different way forward

Our findings underline the complexity of age assessment, which remains an inaccurate process that is potentially damaging for children and young people and stressful for Social Workers, who worry about getting it wrong, having to go to court and finding time to do assessments properly.

As such, age assessment should only be done when absolutely necessary. There should be a renewed emphasis on the principle set out in guidance that young people are only age assessed when there is a “significant reason to doubt that the claimant is a child.”²

Social Workers need to spend time considering this and clearly record their reasons if they decide to dispute a young person's age and proceed to age assessment. This should apply whether Social Workers are working for a Local Authority or the National Age Assessment Board. If Home Office officials doubt a young person's age, it is still the Social Worker's role to consider, decide and record if there is a need for assessment. Where the Home Office are disputing a Local Authority's decision not to assess, and a NAAB Social Worker proceeds with assessment, they would need to be very clear why they have come to a different view on the 'reason to doubt' the child's age.

² ADCS, 2015, https://adcs.org.uk/assets/documentation/Age_Assessment_Guidance_2015_Final.pdf

It is also worth considering why a small number of teenagers and young adults may claim to be younger than they are and address the root cause of this issue. Legislation has set up a stark binary between children and adults seeking asylum. While 17-year-olds and 18-year-olds who have experienced forced migration, trauma and separation from their families in their formative years are indistinguishable in their needs and potential vulnerabilities, children (under 18s) are protected, but barely older teenagers and young adults are offered only the most basic support, often demonised in parts of the media and by current government policy. By contrast other young people, outside of the immigration context, who have been separated from their families and have been supported by children's social care, are recognised as needing additional support until they are 25. When very young adults, often tired, traumatised and overwhelmed have been advised to say they are under 18 in order to get additional support, it's not surprising that some will make this choice

Compassionate support for all asylum seekers and refugees, tailored to age and need, would therefore be likely to reduce the number of age assessments required, and would be a more effective use of resources. Higher levels of support should be available for young people age 18-25 and for vulnerable adults. All refugee adults should be entitled to meet their own needs through the right to work and should get support to enable participation in their community.

In circumstances where age assessment is still necessary, we have the following recommendations to improve the consistency and quality of decision-making, and the experiences of young people and Social Workers throughout the process.

Knowledge/resources

In our survey of Social Workers, we asked what they needed to help them with age assessment; useful resources to help with analysis was the top request. Our findings suggest the need for additional resources in the areas set out below. We suggest that all guidance is available online in a centralised place, with user-friendly factsheets that Age Assessors can easily find and refer to during the age assessment process. These resources should be produced and managed by a Social Work body, such as the Associated Directors of Children's Services, as an update or supplement to the existing guidance.

1. Guidance on appearance indicators

Case law indicates that assessing appearance without overly relying on it is an ongoing issue³ and this was reflected in our findings. We found appearance indicators were often analysed and presented as scientific but without evidence-based foundations.

A guidance factsheet on appearance could include a simple list of indicators that are appropriate to consider. Alongside there should be an explanation of the limit of each

³ MR v Newham, 2023, Upper Tribunal, JR-2022-LON-002079
<https://tribunalsdecisions.service.gov.uk/utiac/jr-2022-lon-002079>

indicator to guide social workers in weighting this evidence appropriately. For example, it might be relevant to note growth of facial hair on upper lip, chin or cheeks but even a full beard pattern might only be able to determine that a young person is older than perhaps 15-16, given that timing of puberty is “extremely variable”⁴. In providing this guide social workers can still use visual evidence but will be supported to do so in line with the case law and appropriate scientific guidance.

Additional notes could identify features of appearance that are not meaningful or evidence-based, or which cannot be measured or assessed accurately in the context of an age assessment. These features, such as follicle thickness or size of an Adam’s apple, should not be used as a basis of assessment.

Guidance could address whether and in what circumstances information like height and weight is relevant, to avoid collection of unnecessary data. Where measurements are relevant it could signpost to information on how to collect and analyse the data in an appropriate way. For example, the Royal College of Paediatrics and Child Health gives guidance on how to measure growth and makes it clear that this should be done by someone trained to take, plot and interpret the measurements.⁵

Advice on appropriate language would help guard against the use of unnecessarily technical or jargonistic language, or the use of pseudo-scientific language to try and give a veneer of scientific validity.

2. Guidance on assessing psycho-social development

Our evidence showed a preconception that confidence and assertiveness, or measured, resilient behaviour were equated with adulthood and conversely that deference, playfulness and manners were equated with youth. It is unlikely that this division of attributes to childhood or adulthood are accurate. Development is much more nuanced than this, and our findings show confusion of development indicators with personality traits.

Areas such as peer relationships, decision making in different contexts, self-awareness, perceptions of the future, memories, prioritisation and understanding of needs were not asked about but might have been useful.

It is acknowledged that it is incredibly complex to assess development. The Royal College of Paediatrics and Child Health’s (RCPCH) position on age assessment explains “A child’s physical, emotional and developmental presentation is influenced by a myriad of factors including but in no way limited to their ethnicity, socio-economic environment and nutritional status. It is especially important to acknowledge the

⁴ RCPCH, 2022, Refugee and asylum seeking children and young people - guidance for paediatricians <https://www.rcpch.ac.uk/resources/refugee-asylum-seeking-children-young-people-guidance-paediatricians#age-assessment>

⁵ RCPCH <https://www.rcpch.ac.uk/resources/uk-who-growth-charts-2-18-years>

impact of adverse experiences, conflict, trauma, violence and forced migration on a child.”⁶

The Helen Bamber Foundation’s on the psychological impact of age assessments⁷ included young people’s own words about their experiences of growing up compared to their British peers, and how this might impact the age they appear to someone unfamiliar with these factors. One talked about earlier expectations of responsibility such as marriage and establishing a family, the strength required to live through experiences of forced migration, and an awareness that these experiences would be very different to those of the average British teenager. Another young person talked about the impact of being forced by circumstances to be self-sufficient from the age of twelve.

It is the role of Social Worker during the age assessment process to unpick these “myriad of factors” and they therefore need informed guidance to do this, developed by relevant Social Work, Health and Mental Health professionals with specialist experience in adolescent development.

Guidance might cover the best sources of information on the young person’s development, particularly sources outside the assessment room, such as sports teams, English classes, youth clubs or where they live. Young Roots and the Helen Bamber Foundation’s report on supporting young people through age disputes describes the benefits of observations in age-appropriate spaces and activities, and using experienced, multi-professional working to “establish a comprehensive picture of their mental health symptoms, and how these interact and overlap with personality, social and emotional maturity and cognitive ability.”⁸

3. Guidance on assessing independence skills

Cooking, travelling and spending of allowances were commonly asked about in our sample of age assessment reports. These skills, however, are readily developed by many teenagers of different ages and therefore do not have much meaning without further analysis. Many young people of all backgrounds travel independently in their local area, and child refugees have often already had to make long and dangerous journeys, so their ability to find their way around a safe local area is hardly surprising (as noted in *Karimi v Sheffield City Council*).⁹

Assessment of independence skills needs more nuanced analysis, which could be explored in guidance for Age Assessors. With the example of travel, how a young person planned their journey, what kind of support they required from adults or peers, their

⁶ RCPCH, 2022

⁷ Helen Bamber Foundation, 2024, <https://helenbamber.org/resources/research/psychological-impact-age-dispute-process-unaccompanied-children-seeking-asylum>

⁸ Helen Bamber Foundation and Young Roots, 2024, <https://www.youngroots.org.uk/blog/report-they-made-me-feel-like-myself>

⁹ *Karimi, R v Sheffield City Council*, 2024, EWHC 93 (Admin) <https://www.bailii.org/ew/cases/EWHC/Admin/2024/93.html>

past experiences and knowledge, and how successfully they travelled and dealt with problems along the way might give some useful information. In-depth assessment may also be more useful in some cases than others: although ability to travel might be weak evidence of adulthood, not being able to travel locally may be strong evidence of childhood. We found that differing perceptions of skills were also relevant.

Guidance could also include a wider range of skills to assess, including higher-level independence skills that take longer to develop, and which might provide more relevant information. For example, indicators on our list which were not readily asked about included longer-term budgeting and planning, paying bills, personal organisation and administration, and understanding systems and processes. While assessing these skills, it nonetheless needs bearing in mind that possession or lack of many of these skills could be quite culturally specific.

Guidance should promote gathering useful information from wider support networks. A holistic assessment will be useful but as with all factors there will be limits to what it can 'prove' and should be used to estimate an age range only.

4. Guidance on assessing social history

In our sample of age assessment reports, Social Workers appeared to find it easy to gather information about Social History but did not use it in drawing conclusions. Useful guidance might cover how genograms, family history, family roles, important dates and cultural events might be triangulated to inform a chronology. Social History is critical to developing a fuller understanding of other areas such as development and independence skills. Assessing social history and its relevance is a key part of any child or family assessment, and our research indicates that Social Workers need support to adapt their existing skills for use in this context. Guidance that references existing toolkits could help Social Workers transfer their skills from other types of assessment, rather than seeing age assessment as something that requires an altogether different approach.

5. New guidance on trauma

In our sample of age assessment decisions, there was evidence of significant and multiple traumas, but consideration of the impact of this trauma was at best missing and at worst used against the young person. This is despite the existence of guidance on trauma in age assessment, not least the often-cited ADCS guidance, which explores different psychological responses to trauma (distress, avoidance, dissociation, flashbacks, impact on recall and relationships) and how this could be interpreted (or misinterpreted) in age assessment.¹⁰ Similar poor practice has been observed elsewhere, such as by the judge in *GR v Croydon*, who found the Assessors had made observations "manifestly contrary" to the guidance. Our findings suggest that a separate and more practical guide on how to consider trauma may be needed, and that Social Work managers need to make sure assessors are aware of the guidance and are

¹⁰ ADCS, 2015, https://adcs.org.uk/assets/documentation/Age_Assessment_Guidance_2015_Final.pdf

receiving appropriate training on trauma-informed practice. It might be useful to explore further with Social Workers to find out what would help them make use of guidance in day-to-day practice.

It is also worth noting that in our sample, challenging behaviour and substance misuse were equated with adulthood, despite anger and frustration being very common teenage emotions. “Trauma and toxic stress”, can also cause “exaggerated responses” to “normal emotional triggers” and these responses can include “challenging behaviour”.¹¹ Misconceptions around the connection between challenging behaviour and adulthood have also been addressed in court decisions.¹² Trauma can also cause young people to turn to unhealthy coping mechanisms, including use of alcohol and drugs. Updated guidance needs to consider the link between trauma and these types of behaviour.

There must be a trauma-informed approach throughout the assessment, in keeping with the idea that it should be ‘embedded’ in Social Work practice.¹³ Guidance should bring together existing resources to help assessors understand what this should look like in age assessment. A trauma-informed approach should cover the set-up of the age assessment, interviews and activities with young people, the analytical process, the language used in the reports and sharing the decisions with young people. Young people should feel safe and be given choices. They should be listened to, their experiences should be acknowledged, and they should be supported with their wider needs. Practitioners should be open and honest throughout the age assessment, with particular thought to giving difficult information and decisions in a compassionate way.

6. Guidance on making and using timelines

In our research, we found that Age Assessors made limited use of timelines, and most often recorded chronologies in narrative form. Timelines are a practical way of recording the events in a young person’s life and can help with calculations of age. They are also very visual which can help young people understand that they are being asked to put events in order. While this may seem obvious, it is an assumption that all young people naturally give their accounts in time linear order. Timelines can also help young people see if known dates and time periods are being recorded in the way that they have described.

In other contexts, Social Workers already construct timelines through life story work and could, with support, adapt these skills for use in age assessments. Age Assessors could be provided with child-friendly tools to help them create timelines during their age assessment sessions. Guidance and training could help assessors develop timelines that are culturally aware, paying particular attention to different calendars (with links to reliable conversion calculators) and ways young people might notice, mark or recount the passing of time. Guidance would need to consider reasonable

¹¹ RCPCH, 2022

¹² Osbornes Law, 2022, <https://osborneslaw.com/case-studies/vulnerable-child-wrongly-assessed-to-be-an-adult/>

¹³ Gillian MacFarlane, 2023, Community Care <https://www.communitycare.co.uk/2023/09/12/a-trauma-informed-approach-to-social-work-practice-tips/>

expectations of memory and specificity of dates, and the impact of trauma and disruption of routines, so that assessors can go in with realistic expectations. Where young people are unsure of dates but might be able to check with family members or friends they travelled with, it should be clear that it is ok for them to do this, as the construction of a timeline is not meant to be a test of memory.

7. Guidance on third party/objectives sources

Objective sources of information were not well used in the reports we reviewed, and in some instances, clearly unsuitable sources were referenced. There is wider evidence of this happening, most notably in the case of *GR v LB Croydon* which criticised the use of an out-of-date country information note, an article in *Forbes*, and materials written by the shaving company Gillette.¹⁴

Our findings suggest that Social Workers need access or signposting to a wider range of relevant, robust and evidence-based source material across a range of topics. Where assessors need to identify their own sources, it would be helpful for them to have advice on determining if a source is appropriate and how to ensure that the evidence they are accessing is being accurately represented in their reports. Social Workers will also need guidance on how to consider the limitations of the source material they are using.

8. Reconsider the term ‘demeanour’

Our findings suggest that the definition of ‘demeanour’ is unclear and needs reconsideration. Age Assessors appeared to interpret it to mean how attitude, character, or body language during the assessment indicated truth-telling, and to a lesser extent how it indicated maturity.

The first interpretation is highly problematic. Academics taking an overview of the existing studies have found that the link between non-verbal cues and deception are “faint and unreliable”¹⁵ and “potentially illusory”¹⁶. When judging whether someone is lying from their ‘demeanour’, “few people do better than chance”¹⁷. We strongly recommend that assessment of truth-telling through body language, such as eye contact, facial expressions or hand-gestures, should not form any part of an age assessment. Research that examines the relation of vocal clues to deception, such as ‘units of information’ given, confidence or difficulty in answering questions or logical structure in statements, suggests vocal cues may have some connection to truth-telling but the effect size in studies is small¹⁸ and therefore unlikely to have any meaningful degree of accuracy in the real world. Age Assessors should be extremely wary about using the length of a young person’s answers or a round-about way of giving information

¹⁴ *GR v Croydon*, 2023, Upper Tribunal, JR- 2022-LON-001513, <https://www.bailii.org/uk/cases/UKAITUR/2023/JR2022LON001513.html>

¹⁵ A Vrij, M Hartwig, PA Granhag, 2019, Reading Lies: Nonverbal Communication and Deception, *Annual Review of Psychology* [PubMed], <https://www.annualreviews.org/content/journals/10.1146/annurev-psych-010418-103135>

¹⁶ TJ Luke, 2019, Lessons From Pinocchio: Cues to Deception May Be Highly Exaggerated, [sagepub.com]

¹⁷ H Genn, 2016, https://www.judiciary.uk/wp-content/uploads/2016/01/genn_assessing-credibility.pdf

¹⁸ Vrij et al, 2019

as evidence that they are not telling the truth. Assessment of character (*smug, conceited, not intimidated*) is equally - if not more - questionable, as it assigns intent and moral judgement to body language and presentation, which is wide open to misinterpretation and is not related to age.

The second interpretation of 'demeanour', to mean looking for signs of maturity or childlike behaviour in the assessment, is also problematic. Any observations about behaviour in an assessment could be highly influenced by the formal setting the power imbalance of the situation¹⁹. Evidence of development and behaviour would be better gathered in other settings outside the age assessment interviews.

We recommend that the term 'demeanour' would be better replaced by a clearer term such as behaviour, alongside a clear explanation of what this should and shouldn't cover in age assessment.

9. Guidance on assessing credibility

In our research sample, we found that Social Workers gave virtually equal weight to assessing credibility as they did to identifying signs of age. In our sample there was a strong focus on finding deficiencies in a young person's presentation or account.

The Helen Bamber Foundation's report on the psychological impact of age assessments illuminated young people's experiences of how it feels to be subjected to this sort of approach and the damage it causes to their mental health, relationships and sense of identity.²⁰

Guidance is needed on how Social Workers should approach the assessment of credibility, including:

- How much consideration should be given to credibility as opposed to age.
- Giving equal attention to positive credibility findings.
- Not using body language to assess credibility.
- Assessment of plausibility. This should be done with great care and should be culturally and trauma aware. The young person should be recognised as the expert on their culture.
- Addressing inconsistencies in a child-friendly way. Interrogative or adversarial approaches are never appropriate in Social Work.
- Not holding young people accountable for the decisions or actions of others.
- The range of possible reactions to traumatic events. These should never be used to question credibility due to the complexity of potential emotional responses. Additionally, any questions about these events need sensitive handling because of the possibility of re-traumatizing a young person.
- Existing guidance is already clear that if a young person is found not to be credible in one part of their account it does not necessarily follow they are being

¹⁹ ACDS, 2015

²⁰ Helen Bamber Foundation, 2024

untruthful about their age.²¹ Credibility findings must be demonstrably relevant to age findings.

- Recognising that assessment of credibility is not a science and is still being researched. Given the issues around assessing credibility, it is likely that benefit of the doubt should be generous.

10. Guidance needs to be reviewed regularly

In our survey Social Workers raised concerns about whether guidance was up-to-date in a fast-paced legal and policy environment. They also noted that there needs to be a culture of constant learning and development of practice. It would be beneficial for a professional Social Work body to take ownership of guidance and ensure it is reviewed regularly.

11. Central resource for case law

Similarly Social Workers said they would value an up-to-date, centralised place to find the latest case law. This should include extracts and explanation of that the case law means for their assessments.

12. Final thoughts on guidance

The length of the reports in our research sample varied widely and did not necessarily correlate with the quantity or quality of analysis that took place. Guidance on each area of age assessment should make it easier to ask well-prepared and thoughtful questions, and how to make better use of other sources, so that interviews are not just extended to cover more ground unnecessarily.

Tools, processes and techniques

13. Pro-actively frame the assessment fairly, setting up an exploratory approach

In our survey Social Workers commented on the need for continuous learning, the importance of sensitivity to young people and their experiences, managing ethical dilemmas and the uncertainties and complexities of age assessment.

These are all indications of the curious mindset needed for fair and unbiased exploration. In our research sample we did, however, also find evidence of negative framing, bias and even prejudiced language. This indicates that in some cases there may have been a move away from Social Work expertise, towards the stance of immigration control. Our findings show that the quality of age assessment decisions could be increased through open-mindedness, reflection, and curiosity. Age Assessors should be supported to be confident in their professional Social Work skills and

²¹ B (R) v London Borough of Merton [2003] EWHC 1689 (Admin)
<https://www.bailii.org/ew/cases/EWHC/Admin/2003/1689.html>

principles, and be given practical techniques to frame their assessments fairly and set up an exploratory approach.

Question-setting

Social Workers might be able help by rethinking the question they are asking. If Age Assessors ask, 'Is this young person an adult?', then research suggests they are unconsciously more likely to find evidence that the person *is* an adult.²² A fairer decision might result from the question, 'What evidence is there about age?'

Interview techniques

Social Workers are often encouraged to start with open questions in order to allow children and young people to tell their own stories. However these sometimes need to be followed up with child-friendly, specific enquiry in order to draw out information. In our research sample, some young people found it hard to give more information about their routines at home, perhaps because as it was a daily experience it was not noteworthy to them. Social Workers should consider what types of questions would elicit more helpful answers. Questions can be circular, but with a view to exploring rather than attempting to 'trip up' the young person. Accusations and an interrogatory style should be avoided. 'Why' questions can be very difficult to answer especially about situations where a young person had no control, but even their own decisions and feelings can be hard to unpick under pressure. 'How', 'when', 'what' and 'who' questions can generate more tangible and useful information.

14. Identify evidence systematically

Our findings showed that Age Assessors overlooked a high volume of potentially relevant information. Assessors might find it useful to systematically go through the interview record and consultation feedback to identify age indicators and contextual factors. In the interests of transparency, they could do this by highlighting factors on their transcripts and consultation documents so that it is clear what factors have made it to the analysis stage. New guidance on the topics above might help identify what information to highlight, and areas where information is missing.

15. Present evidence and reasoning clearly

Pulling together complex factors and producing a clear analysis is a difficult task, and we found that there were often errors in identifying facts (sometimes mixing opinions with facts), weighing up possibilities, and using them to draw appropriate (not overstated) conclusions. Evidence tables, which help organize and give structure to information and conclusions, might help assessors with this process.

These evidence tables should:

- Include all factors, not just those used to draw a conclusion. The purpose of an evidence table is to aid and demonstrate a fair process.

²² Gilovich, 1993, *How We Know What Isn't So: The Fallibility of Human Reason in Everyday Life*. [Free Press].

- Make facts and the sources of facts clear and separate. For example, did the information come from the young person, third party, other professional etc.
- Analysis should appear in a separate column. This should explore different interpretations of the evidence, demonstrating that contextual factors have been taken into account.
- Conclusions should include clear reasons why one interpretation has been chosen over another. Arguments should be spelled out rather than inferring or implying.
- Most conclusions will be possible age ranges rather than specific ages.
- Conclusions can use words that indicate level of confidence, such as definitely, likely, possibly or unlikely so as not make claims beyond that which the evidence shows. Conclusions should avoid ratings that might give a false sense of a scientific analysis, such as numerical weightings.
- Analysis from each section can then be drawn together to identify a likely overall age range. The benefit of the doubt should then always be applied²³ in recognition of the possibility for error. In considering the application of the benefit of the doubt, it might be useful to ask the question 'Is this person's stated age 'possible'?'

16. Develop the Mind-to process

In our research, we found evidence that the Mind-to process was not clear or meaningful, in that young people's responses were simply recorded with no further assessment. We recommend that the Mind-to process is formalised and made consistent. When Social Workers believe they have identified adverse information, the first step should be to check the information with the young person during the interview. Asking the young person in different ways can help make sure there has not been a misunderstanding or an interpreting error.

In the formal Mind-to process, we recommend that after the Age Assessor has recorded their provisional findings they provide the young person with a clear written list of the potential adverse findings. They should be told the significance of these issues and that they will have time to give further information which may lead to a different understanding. For example the Assessors might believe there is evidence of some advanced independence skills, but the young person might explain that they have been getting help from friends or community members. A meeting should be set up for the young person to go through this list of issues with an independent advocate and potentially a different interpreter (which would create an additional check for any translation issues). In their report, Assessors should demonstrate that the young person's responses have been taken into account, identifying how the decision has changed as result of that information, or if hasn't, the reasons for that.

Our study also raised the question of whether a Mind-to meeting is needed when a child's age is accepted, or whether this just prolongs the process unnecessarily. A child whose date of birth has been accepted should still have the right to read their

²³ ACDS, 2015, and AS, R v. Kent County Council, 2017, Upper Tribunal, UKUT 446 (IAC)
<https://www.bailii.org/uk/cases/UKUT/IAC/2017/446.html>

assessment and have their views recorded, but it could be done as part of a less formal process than the Mind-to process.

17. Draw up a list of people to be consulted ahead of the age assessment

In our research sample, opportunities for consultation of relevant people in the young person's life were missed. We recommend that before an age assessment is started, Age Assessors ask the young person who they would like to be consulted as part of the process. This would be reflective of other Social Work processes such as Looked After Child reviews. Ideally young people should be given time to think about who they want to be consulted and the Assessors and young person should develop the list together. The young person should be given an opportunity to explain their relationships with key people. Family members, allocated social workers, foster carers, key workers, teachers, community members, youth workers and mental health professionals who are involved in supporting a young person should always be involved (with the young person's consent) unless there is a good reason why not. Family members should be a particular priority as they may know more about a young person's documents or details of their birth. A young person may request that their peers are consulted. This could be useful but would need to be considered on a case-by-case basis, given that those peers may find it difficult to say no to their friend, and there is potential for their relationship to be negatively affected.

18. Have a process for requesting information from other relevant people

In our research sample, we did not find a clear process for consulting other professionals.

We recommend that Local Authorities formalise the process for gathering views for age assessments. This should include a covering letter to explain what information is being requested and why. It should explain that weight is likely to be applied to responses, the possible outcomes of the process, and the significance of the assessment for the young person. It should explain that young people will be allowed to read the responses, and consent should be obtained to share the response with the young person. For those with contracts with the Local Authority it may be helpful to make it clear that views can be provided freely and without repercussions. A template form could be used to request information, including space to explain how the responder knows the young person, followed by observations, evidence and views on age. Local authorities might wish to consider training for people who are regularly involved in giving views in age assessment.

Age Assessors should reflect on the relationships between young people and those who have been consulted. As with interactions during the age assessment sessions, power balance, trust and feelings of safety or belonging are likely to impact a young person's relationships with those giving their feedback, and those consulted may also be influenced by their own beliefs and values.

19. Give copies of all consultation feedback to the young person.

In some circumstances the opinions of other professionals were interpreted from statements or reports not produced for the age assessment. This could be problematic. For example, while there might be useful observations in a document like a weekly key work report, it would be more appropriate for the key worker to be consulted formally to ensure all information is given in context and not used selectively. There were also examples of the opinions of other professionals being misrepresented to a young person who was told that no-one believed their age when it was also recorded that some professionals thought they were a child.

We recommend that young people and their advocates should be given copies of all the responses in their original format (provided consent has been given in cases of third parties, where required²⁴). This would be in keeping with young people's rights to see information held about them, as set out in GDPR legislation²⁵ and would be a preventative measure against misrepresentation of views.

Language and report style

20. Use clear and factual language and simple sentences

We found a variety of language and writing styles, some of which were clearer than others. The use of over-descriptive and pseudo-scientific language made reports less clear and objective. Some language in our sample lacked compassion.

We recommend that age assessment reports should strive for the same best practice as any other social care record. The British Association of Social Workers' guide, Recording in Children's Social Work, is a useful starting point.²⁶ Plain and straightforward language is easier to translate and more accessible for young people. Wording should be as factual as possible and avoid assigning meaning or intent without basis. For example, a young person may provide brief responses to questions, but is it therefore fair to state they are being evasive without clear evidence to support this? Care should be taken to avoid derogatory description - assessors might find it useful to consider how they would feel if they were reading those words about themselves. BASW's suggestion of addressing reports as if to the young person might be a useful technique to aid considerate wording. Verbatim notes should be separated from the assessment and analysis so that it is clear who has said what.

21. Managers should actively look for prejudiced language

²⁴ Information Commissioner's Office, <https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/individual-rights/right-of-access/information-about-other-individuals/>

²⁵ Information Commissioner's Office, <https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/individual-rights/individual-rights/right-of-access/>

²⁶ Recording in Children's Social Work, 2020, https://new.basw.co.uk/sites/default/files/resources/basw_recording_in_childrens_social_work_aug_2020.pdf

Our sample of age assessments contained some language which indicated prejudicial views or the use of stereotypes. We recommend that Social Work managers make it a specific part of the process to check for prejudice in age assessments, as inclusion of prejudiced views would be a breach of professional Social Work standards²⁷. Managers should follow their institutional policies when practice falls below expected standards and give consideration as to whether the Age Assessors should continue with age assessment, and whether the assessment done to date needs to be reconsidered. There should be evidence of active management decision and notes recorded on steps taken to ensure that the young person has a fair and unbiased age assessment.

Organizational context, systems and culture

22. Age assessment should sit with the Department of Education as the department with overall responsibility for Social Care, and should be done by organizations whose primary function is to carry out Social Work duties.

Our findings indicate potential blurring of the boundaries between immigration control and Social Work, particularly where there were incidents of hostile questioning and negative framing of the young person. With the introduction of the National Age Assessment Board (NAAB), there is a risk that these boundaries could become more blurred. One of the Social Workers in our survey raised that it was a professional ethical dilemma for them about whether they would accept a job working within the NAAB.

Age assessment is an assessment of children and young people and should be the responsibility of the Department of Education. It should sit in Social Care teams, where the interests and needs of children and young people are the main priority and are best understood and implemented. Although age assessment standards can and should be improved, this can best happen where the values and principles, skills, experience and structures are already in place to meet this task. This is also the position taken by the British Association of Social Workers²⁸ and the Children's Commissioner Rachel De Souza.²⁹

23. Guidance should address how to review and challenge discriminatory culture and narratives.

Some Social Workers in our survey reported compassion and sensitivity to the experiences of young refugees and had teams that supported each other and were keen for learning and training. However, another Social Worker had left a Local Authority where there was a "pervasive culture of disbelief". One Social Worker said they had been criticised for disagreeing with the findings of the age assessment of a young person allocated to them, and had been put off being involved in age assessment in future. The Helen Bamber Foundation's report on age assessments shares the

²⁷ Social Work England, 2020, <https://www.socialworkengland.org.uk/standards/professional-standards-guidance/#health>

²⁸ BASW, 2023, https://new.basw.co.uk/sites/default/files/resources/naab_statement_-_march_2023.pdf

²⁹ Politics Home, 2024, <https://www.politicshome.com/thehouse/article/the-home-office-shouldnt-anything-children-childrens-commissioner-interview>

experiences of young people who found the process hostile and threatening. The report makes it abundantly clear that the process of age assessment has great potential for harm, and that the consequences for children and young people are significant.³⁰ While some Local Authorities are striving for best practice, the general experience of the research team and colleagues in the sector indicates that in some places team culture and narratives around asylum-seeking young people needs addressing.

We recommend that age assessment guidance includes a section on anti-discriminatory practice, and how to review and challenge poor practice. This would be useful for a wide range of professionals involved in the process, including the Lead Member for Children's Services in the Local Council, Directors of Children's Services, Service Managers, Team Managers, Social Workers and young people's advocates. The guidance could provide advice on reviewing policies, processes and written reports, give suggestions on issues to explore with staff and young people, anonymously if appropriate, and would be a useful starting point for conversations with colleagues in order to generate healthy challenge (See Appendix). Guidance should cover what Social Workers or other colleagues can do if they believe they need to raise concerns about discriminatory practice.

24. Proactive team management

All of the age assessments in our research sample were signed off by Social Work Team Managers. There is therefore a clear role for Team Managers in improving standards.

Managers need to:

- Take an active role in decision-making relating to age assessment, starting with the decision about whether an age assessment is needed and why, referring to relevant guidance and legislation.
- Be familiar with all relevant guidance on age assessment and use it to prepare Social Workers who are conducting age assessments. They should use the guidance to prompt healthy challenge on emerging views, and to 'quality assure' throughout using supervision and reflective discussion.

Accountability

While our research covered a relatively small number of age assessments, the consistent evidence of need for improved practice identified in our sample, and wider experience in the sector, suggests that age assessment needs better monitoring to drive standards up.

25. Information for young people before age assessment take place

Young people should be better informed about what will happen in the age assessment process. The organization GMIAU have developed a guide for young people which can

³⁰ Helen Bamber Foundation, 2024

be used to help young people understand the age assessment process before it starts³¹. There may be room to develop further resources, co-produced with young people, particularly focusing on making sure young people are informed about the age assessment interview. A useful model would be to Right to Remain toolkit on asylum interviews.³² It could explain, for example, that they may be asked to make a timeline of events or that they may be asked to disclose their social media accounts. Young people should have time to talk it through with someone and ask any questions before the day of the first assessment. Young people should be given suggestions on preparing for the meeting, for example talking with their family (where possible) about dates they are unsure of and about evidence they could provide.

26. Local authority panels

Local Authorities could set up age assessment panels to scrutinize draft age assessment reports. These should include young people's advocates as well as Local Authority representatives. Strong consideration should be given to including independent panel members, for example from organisations like the Refugee Council, to ensure balanced oversight and to avoid giving seeming legitimacy to inadequate age assessments. Panels should not replace legal routes. However in cases where panels identify overlooked evidence that someone is a child, this method could be a quicker and more child-friendly resolution and save time and money by avoiding the young person having to go to court to challenge the age assessment decision

27. Audio-recording

Age assessment interviews should be audio-recorded. Audio-recording safeguards everyone involved in the interview. The recording can be heard by an independent person if necessary, it can assist Social Worker's with accuracy, and can help to identify interpretation issues.

28. Social Worker evidence in court

Social Workers are usually required to give evidence in care proceedings but are rarely asked to attend age assessment hearings. Social Workers should be called on more often to give evidence about their decisions, in line with wider Social Work practice. Social Workers would need additional support if this were to happen more frequently.

29. Guidance and quality assurance

Any guidance developed in line with our recommendations should be in a format that would make it useful as a quality assurance guide for solicitors, judges and young people's advocates who are reviewing completed age assessments.

³¹ GMIAU, 2020, A Guide to the Age Assessment Process, <https://gmiau.org/speaking-out/children/age-assessments/>

³² The Right to Remain Toolkit: A guide to the UK immigration and asylum system, 2024, <https://righttoremain.org.uk/toolkit/asylumiv/#attheinterview>

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APPENDIX

B. Reflective review – anti-discriminatory practice

Questions	Good practice	Risk indicators of poor practice
Do staff have a clear sense of the professional Social Work role in age assessment and how Social Work principles apply?	Young asylum seekers are treated as children first, and best interests are prioritized. Young people's views are heard and taken into account. Trauma-informed practice is embedded throughout the age assessment. Social work assessment skills are evident. Child/young-person friendly Social Work tools/approaches are used. Interviews are collaborative and non-confrontational. There is a focus on relationship building and relationship-based approach	Evidence of hostile or immigration enforcement approach in interviews, reports, or from young people's feedback. Age assessments are confrontational or coercive. Questions are designed to trip young people up. Poor relationships between young people and allocated Social Workers/Assessors. Power is misused – the threat of detention or removal, or failure of their asylum claim is used to get them to co-operate.
Are age assessments approached with an open mind?	Age assessments are evidence based. Evidence of reflection and analysis before decisions are made.	Evidence that there is a presumption against young people whose age is disputed (culture of disbelief). Eg Do records show that there is resistance to taking young people into care pending an age assessment? Is there an over-reliance on Home Office allocated dates of birth (assigned at port of entry). Have Social Work or other staff ever been asked to amend their reports or asked not to consult certain key people who might give a favorable view?
Are unaccompanied asylum-seeking children and young people treated compassionately and seen as deserving an equal service to their peers?	Individual needs are assessed and met during the age assessment process. Young people are considered for the same services as other looked after children, including access to foster placements. Education placements are identified quickly. Care is taken with language used to talk about young refugees and asylum seekers. Traumatic experiences are recognised, and appropriate support put in place. Support is equal to that which would be	Language is prejudiced or discriminatory. Language implies young people are to be distrusted. Intent is assigned to actions of young people without fair evidence (eg they called manipulative, or seen as 'playing the system', do people say 'they know more than they say'.)? Are young asylum seekers expected to be grateful and not ask for things to meet their needs?

	put in place if the events had happened to a child in the UK	Are they put in stressful and powerless situations and then called demanding when they react? Young people are not visited as regularly as other looked after children. Trauma is disbelieved or disregarded.
Are risk assessments and age assessments done separately and in line with other practices in places where 16-25 year olds often co-exist (such as colleges, semi-independent accommodation)?	Young people are placed in accommodation that meets their needs and can become a long-term option if their age is accepted. Risk assessment is done separately and without presumption. If necessary, solutions such as one-child foster placements are used.	Risk assessment and age assessment are treated as the same thing. Young migrants who are age disputed are treated as though they are a risk to children without assessment taking place.
How are those assessed as adults treated? Are they supported to move on in a positive way?	Young person is met in person to explain the outcome and next steps. Where young people are challenging the age assessment, consideration as to whether they can remain in placement while appealing. Reasonable notice given to prepare young people to move to adult accommodation. Social Workers advocate for the young person where necessary, for example in requesting location and type of accommodation required (for example where they have mental health difficulties or there is evidence that they are victims of trafficking). Referrals are made to relevant support agencies in the area they move to.	Young people are moved at very short notice, without any support and with no handover to an adult service or local charities.