



The Royal Australasian  
College of Physicians

From the President

31 January 2012

Committee Secretary  
Senate Legal and Constitutional Affairs Committee  
PO Box 6100  
Parliament House  
Canberra ACT 2600  
Australia

Email: [legcon.sen@aph.gov.au](mailto:legcon.sen@aph.gov.au)

Dear Committee Secretary

### **Crimes Amendment (Fairness for Minors) Bill 2011**

The Royal Australasian College of Physicians (the RACP) welcomes the opportunity to contribute to the Senate Legal and Constitutional Affairs Committee inquiry into the Crimes Amendment (Fairness for Minors) Bill 2011.

The RACP understands that there is currently no accurate means of determining age of people who say they are children. However, there is still a need for some form of age assessment in the criminal justice system, so that children are not trialed and incarcerated as adults and are afforded the necessary protections under the *United Nations Convention on the Rights of the Child*.

The RACP supports the Bill's proposal that wrist x-rays should not be used to determine age as this method is not reliable or validated for this purpose. The Gruelich and Pyle method (GP method) evaluates the bone age of children by x-raying the left hand wrist.

However, the GP method was based on white middle-class Americans born in the 1930's and does not take into account factors prevalent in developing countries which include malnutrition and race. There is also insufficient evidence to conclude that dental x-rays are accurate.

There is room to investigate alternative methods of age assessment to the methods currently used in Australia. The RACP suggests investigating comprehensive assessments which may include psychological, cognitive, developmental and cultural factors.

In reviewing and developing more comprehensive assessment processes, a multidisciplinary approach is needed. The RACP recommends government work with a range of professional disciplines, such as paediatricians, social workers, psychologists and related professions, to explore and develop comprehensive and balanced assessment processes.

If you have any further queries, please contact \_\_\_\_\_, Senior Policy Officer, on \_\_\_\_\_ or by email: \_\_\_\_\_.

Yours faithfully

John Kolbe  
President  
RACP

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President  
Paediatric and Child Health Division