

AESAC Meeting

23 April 2024
13:00 – 15:30
MS Teams

For Information

These minutes are an accurate record of this meeting of the Committee, but some information has been summarised or redacted as it is sensitive and/or related to ongoing work.

Note of Meeting

1 Welcome, introductions and matters arising

- 1.1 Chair welcomed all to the meeting and attendees introduced themselves.
- 1.2 Details of attendees and apologies for this meeting are available in Appendix A.

2 Minutes and actions from the previous meeting

- 2.1 Chair asked for comments on the January 2024 minutes. The minutes were accepted with no amendments.

3 Previous actions from January 2024 meeting

- 3.1 Outstanding actions from previous meetings were reviewed. The following updates were provided, and the remaining actions were marked as closed.

ACTION 2 (September 23): A meeting was to be arranged with AESAC to discuss the interim report.
- 3.2 To be actioned following the completion of the DNA methylation commission.

4 Chair's update

Commissioned work update

- 4.1 AESAC had completed and returned advice on an Image Triage commission from the policy sponsor in January. A response to the second element of this commission on Imaging Criteria was provided to Policy in February.
- 4.2 AESAC had received an additional commissioning brief regarding clarification on selection of images in certain scenarios. The panel was working towards a deadline at the end of April.
- 4.3 **ACTION 1: AESAC to submit selection of images commissioning brief to deadline**
- 4.4 The DNA Methylation Working Group Chair had been working on developing the final report on DNA Methylation. A timetable for publication was still to be agreed.
- 4.5 **ACTION 2: Update on timetable for publication of the DNA methylation report to be provided at next meeting**

Meetings and events

- 4.6 AESAC Co-Chairs were introduced onto the Home Office Science Advisory Council (HOSAC) board. This was the Home Office's overarching Science Advisory Committee. HOSAC had been set up by the Chief Scientific Adviser (CSA), to support the delivery of Home Office Science priorities.
- 4.7 AESAC had conducted outreach with professionals with expertise in Law, working on age assessment in the asylum-seeking population.
- 4.8 While AESAC did not attend, the committee contributed to an event held by the Inter-Governmental Consultation on migration, asylum and refugees.
- 4.9 The AESAC Secretariat attended the Security & Policing conference on behalf of AESAC and engaged with some relevant contacts.

Process updates

- 4.10 AESAC continues to provide assistance to the sponsoring Policy team with regards to any legal or ministerial requests for advice or clarification.
- 4.11 The Terms of Reference and annual commissioning brief for the full panel were in development. It was noted that AESAC would be given the flexibility to self-direct 30% of their commission.
- 4.12 **ACTION 3: Secretariat to update on progress of Terms of Reference and Commissioning brief**
- 4.13 It was being considered how AESAC may be able to engage with the Biometrics and Forensics Ethics Group (BFEG), due to their expertise in AI technologies including facial recognition, in providing advice and recommendations on facial ageing as method of age estimation.
- 4.14 **ACTION 4: Secretariat to provide a progress update on meeting with BFEG**

Secretariat update

- 4.15 AESAC were informed that the AESAC co-chairs continued to regularly meet with Secretariat to ensure smooth delivery of AESAC work priorities.
- 4.16 The Secretariat were working to ensure payments for members honorarium fee were processed. Secretariat informed AESAC that following some challenges, the issue had been appropriately escalated.
- 4.17 **ACTION 5: Secretariat to confirm progress on payments**

5 DNA methylation commissioning brief update

- 5.1 The DNA methylation working group Chair verbally updated meeting attendees on the work which had been undertaken to date, with a draft report having been completed and submitted to the full panel for review.
- 5.2 The DNA methylation working group Chair thanked the report co-authors and working group members, as well as thanking the Secretariat for their support with the process and drafting the report.

- 5.3 Secretariat provided attendees an outline of the anticipated publication process and timelines.
- 5.4 Secretariat updated the panel on the DNA methylation report publication timeline, with AESAC and CSA sign-off being sought in the coming weeks and publication planned for early summer 2024.

6 Policy update

Policy update

- 6.1 Policy provided a brief update to meeting attendees. Key points are below.
- The Safety of Rwanda bill had passed through both houses of Parliament and Ministers would be focused on progressing through broader asylum and immigration priorities.
 - There had been a lot of ministerial interest in age assessment policies. The Policy team had been engaging with Ministers and ministerial offices to establish suitable time scales.
 - Policy thanked AESAC for their responses to the commissions which had been sent. Policy also informed members that they were continuing to work through the development of policy and guidance for age assessment. This would include guidance to social workers and other practitioners.
- 6.2 Policy was engaging with the wider community and local authorities.

Programme update

- 6.3 A brief update was provided on the programme delivery to meeting attendees. Key points are copied below.
- 6.4 Following agreement in December 2023 from the Home Secretary for a community-based model for the delivery approach for scientific age assessment, the programme team were working on the design of a phased model.
- 6.5 Engagement with Local Authorities had commenced.
- 6.6 The group discussed the possibility of embedding a scientific expert to temporary work with the team to provide expert advice.
- 6.7 AESAC member suggested that two different experts would be needed to advise on the imaging process and psychology and consent, respectively. This is because the disciplines were very distinct.
- 6.8 AESAC member queried whether there were any restrictions on who could take on the role and specifically in relation to conflicts of interest. Policy indicated that this would be considered on a case-by-case basis.
- 6.9 It was confirmed this new post would be embedded within the project team as an additional resource and would not replace the National Age Assessment Board or AESAC.

National Age Assessment Board (NAAB) update

- 6.10 NAAB representative provided an update on the NAAB. Key points are copied below:

- 6.11 Recruitment campaigns had been underway, with 64 new social workers to be onboarded, alongside social work team managers and a social work head of service.
- 6.12 80 age assessment referrals had been accepted, with 34 being completed. Of these: 21 had been assessed as adults, 10 had been assessed as children and had their ages accepted, while 3 had been accepted as children but with different ages been accepted.
- 6.13 The NAAB was currently in operation in 31 local authorities across 7 UK regions.
- 6.14 36 training sessions had been completed with local authorities, training a total of 649 social workers.
- 6.15 NAAB were looking to expand their reach across 2024, subject to enhanced IT systems.
- 6.16 Policy shared that the intention was for social workers within local authorities and the NAAB, to use the biological evidence via the likelihood ratio as part of the final decision of age.
- 6.17 AESAC member stressed that the social workers' Merton assigned age should remain separate from the biologically assigned age, it was also shared that the knowledge of the likelihood ratio determined age assessment should also be independent. The age, as determined through scientific age assessment, should only be unveiled after the Merton assigned age is determined.
- 6.18 Policy agreed and outlined that the social workers Merton assigned age would be determined independently of each other.
- 6.19 AESAC member reflected on the understanding that scientific age assessment would only be conducted if the Merton assigned age is disputed. It was stressed that imaging should only occur if the age is still disputed after age assessment. This is because the risk was not negligible, and radiation exposure should be justified.
- 6.20 Policy clarified that only when doubts arise regarding an individual's claim to be a child would scientific age assessment be conducted.
- 6.21 In agreement with comments from the AESAC member, Chair commented that it was the understanding of the panel that scientific age assessment would not be conducted if the Merton assigned age agreed with the claimed age.
- 6.22 Policy noted that the biological age assessment would only be conducted when there was doubt. The individual would be able to drop out of or be removed from the process at any point, including where doubts no longer exist.
- 6.23 Policy clarified that the social worker would have access to the likelihood ratio/biological age assessment, to make the final decision on age.
- 6.24 AESAC member stressed that the process and written documentation should be explicit that social workers' Merton assigned age and the biologically assigned age are completed in isolation. The final output when Merton and claimed age are weighted using the scientific evidence via the likelihood ratio, would be to determine which age is more possible.
- 6.25 AESAC member requested reassurance that once the Merton age assessment was completed, time was provided for the individual to consider the outcome. Details of

experiences were shared where individuals, following the age determination, would come forward and share their actual age. Additionally, AESAC members shared concerns that time should be provided before the individual is exposed to the scientific age assessment and radiation.

- 6.26 Policy agreed to take this away for consideration.
- 6.27 **ACTION 7: Policy to consider providing time for the applicant to consider Merton assigned age assessment before commencing with scientific age assessment.**
- 6.28 AESAC member was concerned about the intrinsic difficulty of age assessments and a possible scenario where applicants are referred for scientific age assessment because social workers do not feel they can arrive at an accurate assessment via a Merton assessment.
- 6.29 Policy agreed to consider this.
- 6.30 AESAC member queried the circumstances under which a social worker could override the results of a scientific age assessment and why this wouldn't be accepted automatically.
- 6.31 Policy confirmed that if the likelihood ratio indicates the claimed age or assigned age is more likely, then this would be accepted.
- 6.32 **ACTION 8: Policy to consider the ethics and risks of a scenario where applicants may be referred for scientific age assessment before the Merton assessment was completed.**
- 6.33 AESAC member asked for clarification that social workers would only be asking applicants to consent to referral for scientific age assessment, rather than consenting to undergo scientific age assessment.
- 6.34 Policy confirmed that informed consent would need to be obtained at each stage of the process.

Codification of the Merton assessment update

- 6.35 Policy provided an update on the codification of the Merton assessment. Key points are copied below:
- 6.36 The team were looking to utilise regulations to document what a Merton-compliant age assessment should consist of and how it should be conducted.
- 6.37 Courts had previously set out certain criteria for these assessments, but they lacked clarity, and were not set out in one place and had led to inconsistencies. The team were preparing for external engagement, subject to clearances, on creating a clear and uniform set of standards, that would produce clarity on how Merton assessments should be conducted.
- 6.38 Codification of scientific age assessment would not be included in this piece of work at present.

Facial age estimation update

- 6.39 Policy provided an update on their work on facial age estimation. Key points copied are below:

- 6.40 Facial estimation was being explored as a possible option for a quick method of age estimation at the border. This was not planned to replace an officer-led age assessment at the border but would complement it.
- 6.41 The team were currently working to test the capabilities of the technology and were not yet considering operationalisation.
- 6.42 It was confirmed that AESAC would be consulted on this, together with the Biometrics and Forensic Ethics Group.

7 AOB

- 7.1 Nothing raised.

Appendix A.

AESAC

Lucina Hackman (Chair)

Stuart Boyd (Co-Chair)

Tim Cole (Co-Chair)

Sally Andrews

Tabitha Randell

Denise Syndercombe-Court

Allison Ward

Liam Way

Present (Home Office (HO) officials and Stakeholders)

AESAC Secretary and Secretariat

Home Office Policy representatives

Apologies: Home office

Deputy Chief Scientific Adviser