

CHAPTER 5 – SPECIAL TYPES OF CASE

Disputed age cases

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1. INTRODUCTION

This section sets out procedures for how to dispute a claimant's age, where they claim to be a child but are believed to be an adult, and for handling and processing asylum cases where the claimant's age has been disputed.

2. WHEN A CLAIMANT'S AGE IS DISPUTED

A claimant **must** be given the benefit of the doubt with regards to their age unless their physical appearance **strongly** suggests that they are aged eighteen or over. The decision to dispute a claimant's age should always be confirmed by a second officer who is at no lower than Higher Executive Officer grade or the rank of Chief Immigration Officer, and is acting in a supervisory role at the port, local enforcement office or screening unit at which screening is being carried out.

3. EVIDENCE OF AGE

3.1. Travel documents and identity documents

An original and genuine passport, travel document, or national identity card which shows that a claimant is under eighteen at the time of application is sufficient proof of age. However, photocopies or faxed copies of these documents are not acceptable as proof of age.

3.2. Birth certificates

An original and genuine birth certificate is sufficient proof of the claimant's age. However, caution should be exercised because birth certificates in some countries are readily obtainable and these documents may not necessarily have been legitimately issued or obtained.

If the screening officer is satisfied that the birth certificate is genuine and there are no reasons to doubt that the claimant presenting the document is the lawful owner or holder of the document, the birth certificate is acceptable evidence of age.

If screening officers are in any doubt, they should seek guidance from a supervising officer at not lower than Higher Executive Officer grade or the rank of Chief Immigration Officer. For country specific guidance on birth certificates staff should refer to the relevant Country Report or speak to a senior caseworker with responsibility for that country.

3.3. Paediatricians' reports

If a claimant submits a report written by a practising consultant paediatrician that concludes that the claimant is under eighteen at the time of the application this **must** be considered.

However, care should be taken with such reports as the margin of error can be as much as five years either way.

If screening officers are in any doubt, they should seek guidance from a supervising officer at not lower than Higher Executive Officer grade or the rank of Chief Immigration Officer. If caseworkers are in any doubt they should seek guidance from a senior caseworker.

3.4. Social Services age assessments

IND's agreement with Social Services on age assessments provides the claimant with a readily accessible route to challenge IND's decision to dispute a claimant's claim to be a child.

An age assessment carried out by a local authority Social Services Department, which concludes that the claimant is under eighteen at the time of the application is acceptable evidence of age. If IND has already assessed a claimant as being aged eighteen or above, but a Social Services Department later submits an age assessment which concludes that a claimant is under eighteen, the IND decision should be set aside and records amended to reflect the conclusion of the Social Services age assessment.

It is envisaged that in the future Social Services Departments will provide IND with a standardised pro forma to confirm that an age assessment has been conducted. The pro forma will provide IND with an assessment of the age of the claimant.

3.5. Evidence from Social Services other than age assessments

If a local authority Social Services Department has not conducted an age assessment, IND are entitled to rely upon their own assessment of a claimant's age. Where two Social Services departments give conflicting advice, IND are entitled to rely upon their own assessment until an agreed view is reached by the Social Services Departments.

Where Social Services submit a letter which states that they are looking after a claimant but does not indicate that an age assessment has been conducted and/or does not state that they have concluded that the claimant is a child, the claimant should **not** be accepted as being under eighteen (see [3.4](#)). However, **any** evidence submitted from a Social Services Department (SSD) in support of a claimant's claim to be a child should be taken into consideration. It may be necessary for a caseworker or other officer to contact the SSD where evidence is in doubt, or if it is not clear that an age assessment has been carried out, or what the conclusions are. If any contact is made to the SSD, e.g. by telephone, the officer should record the outcome of the conversation in the minutes of the case file, recording details of the person spoken to. Where the officer obtains verbal information (e.g. confirmation that an age assessment has been carried out, or conclusions of that assessment) he should ask the SSD officer to provide this information to IND in writing, so that it can be attached to the case file.

In the future it is envisaged that the use of a standardised pro forma will enable improved communication between IND and Social Services. This will enable IND to clearly identify cases where age assessments have been conducted and where it has been concluded that the claimant is a child.

3.6. Caseworker's own opinion

Where a Social Services Department (SSD) or an IND colleague has assessed a claimant to be an adult but the caseworker nevertheless believes that the claimant looks under eighteen, the caseworker should **not** treat the claimant as a child (and as a result cancel a substantive asylum interview). This is because the claimant's appearance has already been assessed either by an SSD or agreed by a senior officer acting in a supervisory capacity.

4. CLAIMANTS WHO INITIALLY CLAIM TO BE ADULTS BUT LATER CLAIM TO BE CHILDREN

Sometimes a claimant will initially claim to be an adult when they make their application for asylum but later state that they are a child.

If the claimant's physical appearance suggests that they are under eighteen they **must** be given the benefit of the doubt and be treated as a child.

However, if the claimant's appearance or other factors **strongly** suggests that he is aged eighteen or over, the onus is on the claimant to supply satisfactory documentary evidence or otherwise to prove that he is in fact a child.

Claimants who appear to be under eighteen but who produce acceptable documents showing their age to be eighteen or over and claim that this is a mistake on the documentation should be challenged. A full explanation should be sought as to why they claim the documentation is false. Only where a plausible explanation is provided would a claimant who has submitted documents showing them to be aged eighteen or over later be accepted as a child. For further guidance on how to challenge documentation where age is in question see [Annex F](#).

IND is entitled to ensure that any documentary evidence has been properly considered by the Social Services Department (SSD) and this may involve contacting the relevant SSD. If any contact is made to the SSD, e.g. by telephone, the officer should record the outcome of the conversation in the minutes of the case file, recording details of the person spoken to. Where the officer obtains verbal information (e.g. confirmation that a documentary evidence had been submitted) he should ask the SSD officer to provide this information to IND in writing, so that it can be attached to the case file.

If screening officers are in any doubt about documents which have been provided, they should seek guidance from a supervising officer at no lower than Higher Executive Officer grade or the rank of Chief Immigration Officer. If caseworkers are in any doubt they should seek guidance from a senior caseworker.

5. DISPUTING AGE: FORMAL PROCEDURES TO BE FOLLOWED

5.1. Initial contact

During the initial contact between the screening officer and the claimant, the screening officer should ask basic details about the identity, nationality and date of birth of the claimant. These questions appear on the standard screening forms. If the claimant says that he is under eighteen but the officer has doubts and believes the claimant to be eighteen or over, the officer should first bring this to the attention of a supervising officer who meets the seniority requirements outlined in [2](#). Screening officers based in ports or local enforcement offices should continue to adhere to local issued instructions where a supervising officer is not available.

5.2. Informing the claimant

If the supervising officer agrees with the screening officer's assessment that the claimant is over eighteen, the screening officer should inform the claimant that the IND does not believe that they are a child. The claimant should be issued with a letter informing them that because they could not satisfactorily demonstrate their claimed age, they will be treated as an adult, and will be invited to attend a substantive asylum interview. The letter should also set out how they can challenge the age dispute by approaching a Social Services Department.

(Standard wording in [Annex A](#), available in a standard format for use by ACD operational staff as ACD.1162 or IS97M)

5.3. Age dispute report

The screening officer should complete a disputed age report giving full reasons why the age of the claimant was disputed, including why any documents or any medical evidence submitted has not been accepted, and anything said in the interview which led the officer to assess the claimant as an adult. This report is completed so that the decision to dispute a claimant's age is clearly documented. The age dispute report should be attached on the right hand side of the file.

5.4. The children's panel of advisers

The Refugee Council Panel of Advisers for Unaccompanied Refugee Children **must** be notified of any person claiming to be a child who has made an asylum or human rights claim. Where a claimant's age has been disputed this should be pointed out clearly. The screening officer should complete the checklist provided by the Panel of Advisers and fax it to their office as soon as possible and at the latest within 24 hours of the claim being lodged.

6. UPDATING IND RECORDS

NOT FOR DISCLOSURE – Start of section

6.1. Recording 'disputed age' on CID records

The claimant's CID record should be updated to show that the claimant's age has been disputed.

1. Create a CID record
2. Select the 'Special Conditions' icon (indicated by a blue flag on the left hand side of the screen)
3. In the 'Special Conditions' field select the 'Age Dispute' option from the static data drop down list
4. In the 'Lodged Date' field, enter the date that the claimant's age was disputed.

5. Any additional information can be inserted in the 'additional information' field. (This can include an 'estimated Date of Birth').
6. Do **not** enter any data into the Closed Date field. This is for use when the Special Conditions no longer apply (see [9](#))
7. Save the changes and exit CID

NOT FOR DISCLOSURE – End of section

6.2. Recording disputed age on the cover of the ACD case file

If the claim is made at an Asylum Screening Unit the ACD case file is created while the claimant waits to be fingerprinted. 'Disputed minor' or 'Disputed age' flags should be attached to the case files of claimants whose age has been disputed. Where available 'Disputed minors' stickers should be attached to the front of the files or on the screening paperwork.

On Single Case Files (SCFs), the word 'disputed' should be written after the date of birth on the front of the file and recorded on the IS97 next to the date of birth. Where available 'Disputed minor' or 'Disputed age' flags should be attached to the case file.

6.3. Minuting of the ACD case file

The screening officer should minute the case file to note that the claimant's age has been disputed. The minute should include confirmation that the decision to dispute the age was agreed by a supervisory officer who meets the seniority requirements set out in [2](#). Suggested wording is contained in [Annex B](#).

7. RECORDING AGE DISPUTE DETAILS ON ASYLUM CORRESPONDENCE

7.1. General correspondence

When writing to a claimant or to a representative (e.g. in the reasons for refusal letter), all references to the claimant's claimed date of birth should be accompanied by a note to the effect that the date is disputed by IND. It is suggested that '(disputed)' (within brackets) is written immediately after any mention of the date of birth including where the date of birth is given as a part of the claimant's bio-data in the head of a letter as given in the example below.

Name: Name

Nationality: Nationality

Date of Birth: 10 April 1988 (disputed)

7.2. Age dispute details in status letters

It is not necessary to record age dispute details in status letters.

7.3. Age dispute paragraph in Reasons for Refusal letters

Where an application is refused, any reasons for refusal letter should include the following paragraph:

When you made your application for asylum/human rights, you claimed that your date of birth is date. However, you have failed to produce any satisfactory evidence to substantiate this claim. Although you claimed to be a child your physical appearance/demeanour/other reasons before the screening officer strongly suggested that you were over eighteen. In the absence of any satisfactory evidence to the contrary, it is not accepted that you are a child for the purposes of paragraph 349 of HC 395 (as amended).

Guidance on where the age dispute paragraph should be placed in a reasons for refusal letter is given [The Reasons for Refusal Letter](#).

8. THE APPLICATION REGISTRATION CARD

Application Registration Cards (ARCs) issued before December 2003 will store details of the age dispute in the card's microchip. ARCs issued after December 2003 will display the word 'disputed' on the visible part of the ARC next to the claimed date of birth.

9. WHERE THE AGE OF A CLAIMANT IS NO LONGER IN DISPUTE (THE CLAIMANT HAS PROVIDED EVIDENCE TO BE A CHILD)

9.1. General principles

Claimants whose ages have been disputed should be treated as adults until such time that they can prove that they are a child. If a claimant provides satisfactory evidence that they are a child, their case should be dealt with by a specialist children's case management unit. For guidance on what is considered satisfactory evidence of age see [3](#).

9.2. Where satisfactory evidence has been received

The following is a list of situations where satisfactory evidence may have been submitted during the decision making process. For guidance on what is considered satisfactory evidence of age see [3](#).

9.2.1. Satisfactory evidence of age received before the substantive interview

If evidence that meets the requirements set out in [3](#) is received before the day of the substantive asylum interview and the caseworker is satisfied it proves that the claimant is under eighteen, the caseworker should:

1. Clearly minute the file to say what evidence has been received
2. Obtain authority to cancel an interview from an SEO Deputy Group Leader (where interviews are due to be conducted in AGC(S), or an SEO SCW where interviews are due to be conducted in AGC(N))
3. Arrange for the interview to be cancelled (see [Conducting asylum interviews](#))
4. Inform the claimant or representative that the case file will be forwarded to the appropriate section which deals with claims from children by completing and issuing 'Former Age Dispute - Confirm accept as a child' letter (Standard wording in [Annex C](#), available in a standard format for use by operational staff as ACD.2381)
5. Update CID record **NOT FOR DISCLOSURE – Start of section** (see [9.2.2 NOT FOR DISCLOSURE – End of section](#))
6. Dispatch the file to one of the dedicated children's case management units: either ACG(S) CMU 12 (for cases dealt with in Asylum Casework Group (South) or H10 for cases dealt with in Asylum Casework Group (North). Ensure that file movements are accurately recorded on the File Tracking System.

NOT FOR DISCLOSURE – Start of section

9.2.2. Updating CID when a claimant's age is no longer in dispute

1. Search for the claimant's details on A-CID
2. Select the Special Conditions icon
3. In the 'closed date' field, enter the date that the case ceased being a disputed case, i.e. when the evidence was received (if an SSD age assessment was completed include the name of the SSD)
4. In the 'additional information' field, state what evidence was received

NOT FOR DISCLOSURE – End of section

9.2.3. Where satisfactory evidence is received on the day of the substantive asylum interview

If a claimant provides satisfactory evidence, meeting the requirements set out in paragraph [3](#), on the day of the interview, the caseworker should follow the procedure outlined above in paragraph [9.2.1 NOT FOR DISCLOSURE – Start of section](#) and [9.2.2 NOT FOR DISCLOSURE – End of section](#).

9.2.4. Satisfactory evidence of age received before a decision is made

If a claimant provides satisfactory evidence, meeting the requirements set out in [3](#), before a decision is made, the caseworker should follow the procedure outlined above in [9.2.1](#) (omitting steps 2 and 3) **NOT FOR DISCLOSURE – Start of section** and in [9.2.2 NOT FOR DISCLOSURE – End of section](#).

9.3. Referral of former age dispute cases to a children's Case Management Unit

9.3.1. Initial checks by children's Case Management Units

When the file is received in the appropriate children's case management unit the caseworker should undertake the following checks before progressing the case.

- Has the claimant been interviewed as an adult?

If a substantive asylum interview has already been conducted because the claimant's age was disputed, the interview record must **not** be used in the consideration of the case unless the claimant consents in accordance with the following bullet point.

- Should the claimant be interviewed as a child, or has the child now turned eighteen?

If the claimant would have been required to attend an interview, in spite of being a child, the claimant should be asked (via reps) whether they are content for the first interview record to be used as a basis to make a decision. (This is because the first interview will not have been conducted by an interviewing officer who was specifically trained to interview children and may not have been in the presence of a responsible adult.) Where the claimant should be interviewed but does not wish to rely upon the original interview, they should be invited to attend a new interview.

- Has the claimant returned a Self-Completion - SEF (Adult)?

If a Self-Completion - SEF (Adult) has been completed and submitted, this cannot be used in the consideration of the case unless the claimant consents. The claimant should be asked (via reps) if they are content for the information already held to be used as a basis for making a decision on the case.

If there is no adult SEF, or no interview on the case file, or the claimant does not consent to using any evidence already on the case file, the claimant should be issued with an ACD.1957 Statement of Evidence Form (Self Completion) – Children which should be completed within 28 days. To help a claimant complete a SEF, notes are available in 34 languages.

- Is there any involvement with the Social Services Department?

Where there is no Social Services involvement the claimant should be advised to contact their local authority in order to access benefits.

A stock letter 'Former Age Dispute - Further Information' containing various options should be sent to the claimant or their representative (standard wording in [Annex D](#), available in a standard format for use by operational staff as ACD.2382). For instructions on progressing the case see [9.3.2](#).

9.3.2. Progressing the case

Once the children's unit caseworker has completed the initial checks on the case, the caseworker should:

1. Where appropriate (i.e. in cases where there is no evidence at all on the case file) print off a copy of the ACD.1957 Statement of Evidence Form (Self-Completion) – Children, including the completion notes in the appropriate language. Endorse with a personal date stamp (from team support) and enter the return date where indicated (to be returned within 28 calendar days).
2. Prepare 2 copies of ACD.2382 ([Annex D](#) - Former Age Dispute - Further Information, selecting the relevant options and completing the information where required. Place one copy of the letter on the right hand side of the case file. Send one copy to the representative/ claimant (enclosing the Children's SEF where appropriate)
3. Prepare two copies of a letter to inform the Panel of Advisers/SSD that a decision to dispute age has been overturned (where there is no evidence of SSD involvement prepare only one copy) (suggested wording at [Annex H](#)) and
 - fax the letter to the Panel of Advisers
 - send it to the SSD
 - place the original on the right hand side of the case file
4. Prepare an email addressed to: NASS FINANCE (POISE), and include the following details:
 - Subject: Former Age dispute - decision overturned
 - Claimant's name
 - Nationality
 - Date of Birth
 - Date that the LA Age Assessment was conducted (where available) or date that the decision was overturned and the reasons why (according to CID records)
 - Caseworker name, CMU number, location and contact telephone number
5. Send the email and print off a copy from the 'sent items' folder, and attach to the right hand side of the case file.
6. Place the case file in a local hold to await a response from the claimant/representative whether to use the previous SEF/interview (as appropriate) or the return of the Children's SEF
7. Depending on the response:
 - A. CLAIMANT/REP INDICATES THAT THEY ARE CONTENT FOR INFORMATION ALREADY CONTAINED ON THE CASE FILE TO BE USED AS A BASIS FOR MAKING A DECISION OR DO NOT REPLY WITHIN SPECIFIED TIME PERIOD/ OR RETURNS THE CHILDREN'S SEF
 - i. Continue with consideration of the asylum application (remembering to annex correspondence between IND and the rep/claimant regarding the use of the information already held on the case file, in the event of a refusal)
 - ii. Implement decision in normal manner
 - B. CLAIMANT/REP INDICATES THAT THEY ARE NOT CONTENT FOR INFORMATION ALREADY CONTAINED ON THE CASE FILE TO BE USED AS A BASIS FOR MAKING A DECISION

Issuing a Statement of Evidence Form (Self Completion) – Children:

- i. Print off a copy of the ACD.1957 Statement of Evidence Form (Self-Completion) – Children, including the completion notes in the appropriate language. Endorse with a personal date stamp (from team support) and enter the return date where indicated (to be returned within 28 calendar days). Send to the claimant/representative with a SEF covering letter (for cases in Asylum Casework Group (South)) or ACD.1038 for cases in Asylum Casework Group (North) ACD.1037).
- ii. Place case file on hold to await return of the Children's SEF (this may mean that a 2 month target is missed)
- iii. Once the Children's SEF has been returned, the caseworker should make a decision on the case in the usual manner.

WHERE THE CLAIMANT WAS INTERVIEWED AS A DISPUTED AGE CASE, BUT WHO HAS SUBSEQUENTLY BEEN ACCEPTED AS A CHILD WHO DOES NOT CONSENT TO RELYING UPON THE PREVIOUS INTERVIEW RECORD, BUT HAS SINCE TURNED EIGHTEEN.

Arranging an interview

- i. Minute case file with outline of the situation for the attention of ACU 1 (for interviews to be conducted in Asylum Casework Group (South)) or ACU 11 (for interviews to be conducted in Asylum Casework Group (North)) to arrange an interview. The interview does not have to be conducted by a caseworker who has been specifically trained to interview children, as the claimant has turned eighteen.
- ii. Write the destination clearly on the front of the case file, and dispatch it to the forwarding location ensuring that any movements are accurately recorded on the File Tracking System.

10. SATISFACTORY EVIDENCE RECEIVED AFTER A DECISION IS MADE

10.1 Where the claimant has been refused outright

If a claimant submits satisfactory evidence that they were under eighteen when their application was considered and a decision was made on the basis that the claimant was an adult, that decision should be reconsidered by a specialist children's unit. The interview record should **not** be used in the reconsideration (unless consent is given as detailed in [9.3](#)). Procedures outlined above in [9.2.1](#) (omitting steps numbered 2 and 3) **NOT FOR DISCLOSURE – Start of section** and **9.2.2 NOT FOR DISCLOSURE – End of section** should be followed. Once the case file has been received by a children's unit, caseworkers should reconsider the case, following the procedures outlined in paragraph [9.3](#) where it is considered appropriate.

10.2. Where a claimant has been granted leave to remain

If a claimant submits satisfactory evidence that they were under eighteen when their application was considered and were granted leave to enter or remain and already issued with a status letter, the decision should be reconsidered. However it would be highly unusual that someone should be granted leave whilst being treated as an adult and that leave would no longer be appropriate when re-considered on the basis of being a child.

Procedures outlined above in paragraph [9.2.1](#) (omitting steps 2 and 3) **NOT FOR DISCLOSURE – Start of section** and **9.2.2 NOT FOR DISCLOSURE – End of section** should be followed. Once the case file has been received by a children's unit, caseworkers should reconsider the case, following the procedures outlined in [9.3](#) where it is considered appropriate. Where status letters have been issued and need re-issuing in the light of a new decision, the claimant should be asked to return their original status letter in order for it to be re-issued to reflect that a new decision has been made. Suggested wording is contained at [Annex E](#).

10.3. Satisfactory evidence received in the grounds of appeal

If, in the grounds of appeal, satisfactory evidence is received that the decision was made when the claimant was under eighteen, the Appeals Processing Centre can recommend that the decision be reconsidered, and will send the case file to the ACU to reallocate to an appropriate CMU. Once the case file has been received by a children's unit, caseworkers should reconsider the case, following the procedures outlined in paragraph [9.3](#) where it is considered appropriate.

10.4. Satisfactory evidence received during the appeal

If satisfactory evidence is received during an appeal hearing, this will be considered by the adjudicator. Alternatively an adjudicator may recommend that the decision be reviewed in the light of the new evidence. The Asylum Policy Unit are currently working on Age Assessment policy for Presenting Officers - this section may be added to at a later date.

11. CLAIMANTS WHO HAVE BEEN GRANTED LEAVE AS A CHILD BUT WHOSE AGE IS LATER ASSESSED BY A SOCIAL SERVICES DEPARTMENT TO BE OVER EIGHTEEN

11.1. Introduction

Sometimes a claimant who has been accepted as a child by the IND will be assessed by a Social Services department to be an adult only after a decision has been made on their asylum claim.

11.2. Claimants refused asylum but granted limited leave under UASC policy

A decision to grant leave to enter or remain may have been made on the basis that, although the claimant did not qualify for asylum, there were no adequate arrangements for their reception in their country of nationality if they were to be removed from the United Kingdom. In these cases it **may** be appropriate to terminate the limited leave that was granted. For further guidance, caseworkers should contact their senior caseworker, on a case by case basis.

11.3. Claimants granted indefinite or limited leave as a refugee

Where the claimant has been granted asylum (indefinite or limited leave to enter or remain as a refugee), it **may** be appropriate to revoke their status. In most cases, however, the finding of age will not make a difference to the appropriateness of the grant of refugee status. For further guidance, caseworkers should contact their senior caseworker, on a case by case basis.

NOT FOR DISCLOSURE – Start of section

ANNEX A – Advising claimants their age has been disputed (ACD.1162/IS97M)

See Document Generator for latest version of this document.

NOT FOR DISCLOSURE – End of section

ANNEX B – Suggested wording for minutes where a claimant's age has been disputed

The claimant claims to be a child but his/her age has been disputed for the reasons given in the Age Dispute Contention report dated **date**. The dispute was agreed by **name of superior/supervising officer**.

Name of Screening Officer:

Date:

ANNEX C – Former age dispute – accept as a child (ACD.2381)

NOT FOR DISCLOSURE – Start of section

See Document Generator for latest version of this document.

NOT FOR DISCLOSURE – End of section

This letter should be completed and issued to confirm the cancellation of a substantive asylum interview/or the fact that the claimant is accepted as a child due to satisfactory evidence being received that the claimant is a child.

ANNEX D – Former age dispute – further information (ACD.2382)

NOT FOR DISCLOSURE – Start of section

See Document Generator for latest version of this document.

NOT FOR DISCLOSURE – End of section

This letter should be completed by a specialist children's CMU and issued to confirm to the claimant and representative that the claimant is being treated as a child, and to give them further information.

ANNEX E – Suggested wording for requesting the return of a status documentation

This is to confirm that **your client has/ you have** now been accepted as a child following the submission of acceptable evidence of **your client's/ your age**.

You were issued with an **Immigration Status Document and UKRP and/or ACD/ASL.0725 or ACD.0716** on **date**.

A new decision has been made on your application. Please arrange for the original status documentation to be returned to this office as soon as possible, in order for a new status document to be issued.

Yours sincerely

ANNEX F – Disputed age – guidance for challenging and considering documentary evidence indicating a claimant is over eighteen

Where the claimant states the documentary evidence contains a mistake

Find out

- When the document was issued and who by
- What evidence was needed to obtain the document (e.g. birth certificate needed for a passport)
- If the claimant had to sign a declaration confirming correct details
- When the claimant noticed the error
- Whether the claimant reported the error to the issuing authority (and when, and the outcome)
- If the claimant used the document (e.g. travelling on a passport containing an error, or using a birth certificate to get other documents/benefits)

Consider

- The country situation, evidence of strict procedures, likelihood of this happening
- Is there any other strong evidence indicating that the claimant is a child?
- Were Social Services aware of the documentation in their evaluation of age? (This may involve some degree of liaising with the Social Services Department)

Where the claimant states that the documentary evidence does not belong to them/is a forgery/ was obtained using forged documents/ through bribery

Find out

- How the claimant obtained the document and who by and where from
- If other documents were used to obtain the document (if so, what)
- Whether they gave the wrong details (e.g. providing correct name but incorrect date of birth)
- Why they gave incorrect details
- When they became aware of the mistake/that it was a forgery (if they had not been aware of this)
- If any officials were bribed

Consider

- The country situation, evidence of strict procedures, likelihood of this happening
- Whether the claimant used the document (e.g. travelling on a passport containing an error, or using a birth certificate to get other documents) If they had an opportunity to say it was a forgery etc (e.g. travelling through a third country)
- Is there any other strong evidence indicating that the claimant is a child?
- Were Social Services aware of the documentation in their evaluation of age? (this may involve some degree of liaison with the Social Services Department)

ANNEX G – Suggested wording informing panel of advisers/SSD that a decision to dispute age has been overturned

Dear Salutation

RE: Name – Nationality – DOB – Refugee Council reference (where available)

On date of application the above named made an application for asylum and claimed that he/she was a child, which IND disputed.

However satisfactory evidence has now been received that the claimant is a child, and the decision to dispute the age has been overturned.

You will wish to note your records.

Option 1 - SSD involvement

According to our records name of SSD Social Services Department is responsible for the care of the claimant. A copy of this letter has been sent to them for their records.

Yours sincerely

Name

CMU