



Obtaining Fingerprints and Photographs from Migrant Children Policy (1205/2025)

Abstract

Chief Constable designation for Inspectors to confirm / authorise the taking of fingerprints from migrant children aged 5 – 16 years old.

Policy

1. Introduction

1.1 This policy is designed to ensure Sussex Police is compliant with Section 141 of the Immigration and Asylum Act 1999, the power for police officers to take fingerprints on behalf of Immigration Enforcement (IE).

2. Scope

2.1 This policy gives a Chief Constable designation to Inspectors, who can confirm / authorise a constable to obtain fingerprints from a migrant child aged 5 – 16 years old.

3. Statement

3.1 Op Innerste was developed as a multi-agency response to the complex issues surrounding missing unaccompanied migrant children. The primary objective is to maximise the safeguarding opportunities to prevent the child going missing and prevent further harm, re-trafficking and re-exploitation.

Procedure

1. Purpose

1.1 This policy seeks to clarify that Sussex police officers (as designated persons within Section 141 (5) (a) Immigration and Asylum Act 1999, will continue to work in effective and appropriate interoperability with Home Office colleagues, such as Immigration Enforcement by supporting them to capture biometric identity details of unaccompanied migrant children encountered (Under 18 years) as part of Op Innerste.

Capturing fingerprints and photographs of unaccompanied migrant children is essential to allow the police and immigration departments to identify children later if they go missing, are trafficked or are found in distressing circumstances.

1.2 A child is someone under the age of 18 years of age. If an individual claims to be under 18, they must be treated as a child under the Children's Act, unless there is credible evidence to show they are over 18.

1.3 Police will not take photographs or obtain fingerprints from children under the age of 5 years.

2. Designation

2.1 For the purposes of Section 141(12) of the Immigration and Asylum Act 1999 the Chief Constable of Sussex Police, through this policy, gives designation to officers of the rank of Inspector and above to confirm / authorise the taking of fingerprints by officers of the rank of constable and above.

2.2 Police staff, including Detention Officers, are not permitted to take fingerprints or photographs under the Immigration and Asylum Act 1999.

2.3 Inspectors giving authority will be expected to ensure that the officer is briefed on Op Innerste and understand that it is a welfare procedure. To this end there will be no questions about asylum claims, or any other immigration applications. It is to allow agencies to build trust and rapport with the child to maximise the safeguarding opportunities to prevent the child going missing and prevent further harm, re-trafficking and re-exploitation.

2.4 The Op Innerste Tactical Briefing Document can be found on the intranet.

3. Process

3.1 Children aged 5 to 16 years must have an appropriate adult from children's services.

3.2 Section 141(3) of the Immigration and Asylum Act 1999 states that a 'responsible adult' is not required when taking fingerprints of anyone 16 years and over. However, when dealing with a vulnerable unaccompanied migrant child (between the ages of 16 and 18), particularly where age cannot be verified and age requires assessment, best practice is to take fingerprints with a 'responsible adult' in attendance". Responsible and appropriate adult are the same.

3.3 Redacted section

3.4 Redacted section

Team: Criminal Justice