



Home Office

# **Detention Services Order 15/2012**

## **Fingerprinting of Detained Individuals**

July 2023



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# Document Details

**Process:** This order outlines the- mandatory instructions and procedures to be followed by all Home Office and supplier staff for fingerprinting detained individuals

**Implementation Date:** October 2012 (reissued July 2023)

**Review Date:** July 2025

**Version:** 3.0

## Contains Mandatory Instructions

**For Action:** Home Office and supplier staff operating in immigration removal centres (IRCs) and residential short-term holding facilities (RSTHFs).

**For Information:** Home Office Caseworkers

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**Processes Affected:** All processes relating to the fingerprinting of detained individuals.

**Assumptions:** All staff have the necessary knowledge to take fingerprints and have received the relevant training.

**Notes:** N/A

# Instruction

## Introduction

1. This Detention Services Order (DSO) provides mandatory instructions for all Home Office and supplier staff working in immigration removal centres (IRCs) and residential short-term holding facilities (RSTHFs) on fingerprinting detained individuals.
2. This DSO does not apply to those detained in a non - residential STHF, pre-departure accommodation (PDA) or Residential Holding Rooms (RHRs).
3. Supplier staff working in RSTHFs are not expected to take fingerprints from detained individuals. In the event that fingerprints are required to be taken for someone detained in an RSTHF, Home Office Immigration Enforcement Officials (HOIE) should contact the facility directly and make arrangements to attend the RSTHF in order for fingerprints to be taken.
4. For the purposes of this DSO 'Centre manager(s)' refers to the service provider (i.e. it does not refer to on-site Home Office staff).
5. Two different **Home Office teams** operate in IRCs:
  - Detention Services Compliance teams (Compliance teams)
  - Immigration Enforcement Detention Engagement teams (DETs)

The **Compliance team** are responsible for all on-site commercial and contract monitoring work. The **DETs** interact with detained individuals face-to-face on behalf of responsible officers within the IRCs. They focus on communicating and engaging with people detained at IRCs, helping them to understand their cases and detention.

There are no DETs at residential STHFs. Functions which are the responsibility of the DET in RSTHFs are carried out by the Service Provider and overseen by the International and Returns Services (IRS) Escorting Contract Monitoring Team (ECMT).

## Policy

6. Rule 5(4) of the Detention Centre Rules 2001 states that any detained person may have his fingerprints taken in accordance with section 141 of the Immigration and Asylum Act 1999 if specifically directed by the Secretary of State (i.e. a Home Office official acting or other authorised person within the definition in section 141(5) of the Immigration and Asylum Act 1999 on behalf of the Secretary of State).

- Section 141(1) of the 1999 Act states that “Fingerprints may be taken by an authorised person from a person to whom this section applies”.
  - Section 141(5)(e) lists “a person who is employed by a contractor in connection with the discharge of the contractor’s duties under a removal centre contract” as an authorised person.
  - Section 141(5)(c) specifies “a prison officer” as an authorised person.
7. Rule 8(6) of the Short-term Holding Facility Rules 2018 provides for a detained individual’s fingerprints to be taken in an STHF, in accordance with section 141 of the Immigration and Asylum Act 1999.
  8. In IRCs, centre supplier staff are therefore authorised persons for the purposes of taking fingerprints.
  9. Section 141(7)(c) of the Immigration and Asylum Act 1999 gives authorisation to take fingerprints of any person in respect of whom the Secretary of State has decided to make a deportation order. This includes foreign criminals.
  10. All Foreign National Offenders (FNOs) aged 18 years and over are to be fingerprinted in accordance with section 141(7)(c) within 24 hours of arrival at the centre unless the detained individual’s Detainee Transferable Document (DTD) states they have already been fingerprinted in another centre, or in a Police Station by a Home Office Immigration Enforcement (HOIE) official
  11. If the individual’s fingerprints have been taken by the Police, but not an HOIE official, fingerprints will still need to be taken on arrival at the centre.
  12. Fingerprints must be taken in an IRC when requested by the Home Office responsible caseworker, for instance, if required for an emergency travel document (ETD) application or if fingerprints were not taken ahead of detention for cases of illegal entry served with a decision to remove.
  13. Fingerprints must be taken in an RSTHF when requested by the Home Office responsible caseworker. In these cases, the procedures outlined in Paragraph 3 must be followed.

## Procedures

14. DETs will receive fingerprint requests via email to the local DET generic inbox from the responsible caseworker who must use form ICD.5064 from Atlas. The request must specify the reasons for fingerprinting and the email inbox the results should be returned to.

15. On receipt of a fingerprint request from the responsible caseworker, the local DET -will make a note on the detained individual's Atlas record and task the IRC supplier with taking the fingerprints.
16. Unless otherwise specified by the responsible caseworker in the request form, all fingerprint requests should be completed within 72 hours by IRC suppliers.
17. All IRCs are equipped with a Livescan unit to take fingerprints of detained individuals. Livescan units run fingerprints taken through the Immigration and Asylum Biometric System (IABS) – UKVI's biometric database. Unless wetprints are specifically requested by responsible caseworkers, all fingerprints must be taken using Livescan. Once fingerprints are taken through Livescan, the results, along with a picture of the individual being fingerprinted, will be emailed directly to the inbox used by the responsible caseworker in the request form. An IS86 form must be issued by the Casework team to the detained individual each time their fingerprints are requested. This must include the reason why they are being fingerprinted and how long those fingerprints will be retained, in line with the [Retention and Usage of Biometric Information guidance](#).
18. When required, responsible caseworkers can request wetprints to be taken. This must be clearly stated on the request form sent to local DETs as above. IRC suppliers will complete standard requests for wetprints using form IFB1. The completed fingerprint forms must be given to the local DETs who will post them to the responsible caseworker by special/recorded delivery and make a note on the detained individual's Atlas record. The centre supplier staff must note on their Detainee Management System that wet-prints have been taken, and that they have been passed on to a member of their on-site DET. **Note: if responsible caseworkers require specific forms for fingerprints, e.g. for country specific ETD requests, these forms must be provided to local DETs with the original request for fingerprints.**
19. Local DETs will provide the IRC suppliers with IFB1 and IS86 forms when needed.
20. All staff who take fingerprints from detained individuals must undertake IABS training before being allowed to do so.
21. On the front page of the DTD, supplier staff must clearly state that fingerprints have been taken and record the date and time-below their centre name. Detailed instructions for the DTD are located in the latest guidance available on detained individual escort records.

## Dealing with refusals to provide fingerprints

22. Section 146(2) of the Immigration and Asylum Act 1999 gives any person authorised to take fingerprints, as listed under section 141 of the same Act, the power to use reasonable force to fingerprint an individual when necessary. Depending on the

circumstances, this might include someone refusing to provide his or her fingerprints. It is essential that any use of reasonable force is proportionate to the situation (i.e. the minimum necessary to achieve the identified objective) is applied in accordance with the Home Office guidance on use of force and reporting [DSO 07 -2016 Use of Restraints](#) refers.

23. Under section 141(5) of the Immigration and Asylum Act 1999, those authorised to take fingerprints are: a constable; an Immigration Officer; a prison officer; an officer of the Secretary of State authorised for the purpose; or a person who is employed by a contractor in connection with the discharge of the contractor's duties under a removal centre contract. Detainee Custody Officers (DCOs) taking fingerprints by force must be trained in Control and Restraint (C&R) or HOMES (Home Office Manual for Escorting Safely) and must pass annual C&R or HOMES refresher training.
24. When a detained individual refuses to have their fingerprints taken, all reasonable efforts must first be made to persuade him/her to comply. It follows from Rule 41 of the Detention Centre Rules 2001 and Rule 36 of the Short-term Holding Facility Rules 2018 that the use of force must always be regarded as a matter of last resort to be used when other measures (e.g. verbal persuasion) not involving the use of force, have been unsuccessful or are unlikely to succeed. If all other measures have been exhausted or are assessed as unlikely to succeed, and there is no record of the detained individual having already provided fingerprints (or the fingerprints on record are not of acceptable quality), the matter should be dealt with as a planned use of force.
25. The Centre Manager (or nominated person fulfilling the role of the centre manager in charge) must be satisfied that all efforts made to acquire fingerprints, without recourse to force, have been exhausted. The decision to take fingerprints by force must be documented and supported by a risk assessment to be conducted and signed by the Centre Manager (or nominated person fulfilling the role of the centre manager in charge), detailing the efforts leading to the decision to use force. Consideration should be given to filming the use of force.
26. All decisions to take fingerprints by force, and the use of force reports completed in relation to the incident, must be kept by the IRC supplier. These records must be available to the local Compliance Team.
27. The IRC supplier must notify the International and Returns Services (IRS) Detainee Escorting Population Management Unit (DEPMU) by way of a IS91RA Part C, that force was used to take the fingerprints. DEPMU will then note the non-compliance on ATLAS.
28. The IS91RA part C: Supplementary Information form is used for any subsequent notification in escalation or reduction in risk factors. The DETs must submit an IS91RA Part C by email to the relevant dedicated casework generic inbox and HO Compliance team, when fingerprint requests are delayed due to a refusal by the detained individual

to comply with the process. The Compliance Team should escalate this delay to the Compliance Team Area Manager, for consideration of a planned use of force in agreement with the IRC supplier.

## Revision History

Review date	Reviewed by	Review outcome	Next review
Feb 2015	F Hardy	Rebranded	Feb 2017
July 2016	E Jarvis	General update	July 2018
July 2023	T Amisu	General Update  Update to reflect the change in terminology from detainee to detained individual  Removal of Eurodac requirements following Britain leaving the European Union	July 2025