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PRIME MINISTER

13 May 1987

DRUGS: CUSTOMS/POLICE

Further to previous minutes concerning the rivalry and deep acrimony between police and customs, I have now had the frankest disclosures from a senior and highly regarded officer, until recently in the Drugs Squad. He instanced occasions when customs and police both arrived to arrest the same suspects after following their tracks for some weeks, in one instance months, neither knowing the same quarry. Apparently these blunders are still happening.

We cannot stress the Home Secretary's first recommendation too strongly, that there should be direct access into each others data bases or, as we have recommended since 1985, that both data bases be merged.



HARTLEY BOOTH



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Prime Minister²

Prime Minister

DRUGS : CO-OPERATION BETWEEN POLICE AND CUSTOMS

There has been considerable recent press interest in the level of co-operation between police and Customs in the investigation of drug traffickers. This note summarises the issues which remain outstanding between the two services and reports on the measures we have taken towards resolving them.

2. As you know, Customs have long experience in preventing the illegal importation of controlled drugs and in investigating importation offences; they seize the bulk of drugs which are discovered by the United Kingdom enforcement agencies. More recently, with encouragement from the Government and with additional resources provided specifically for drug enforcement work, the police have devoted a great deal more effort to the investigation of drug offences. They have also become increasingly concerned about the links between drug trafficking and other forms of major organised crime.

3. From the beginning of the recent drive against drug trafficking, we have recognised the possibility of conflict between the two services arising from their different traditions, professional backgrounds and, to some extent, priorities. For this reason we established the National Drugs Intelligence Unit, staffed jointly by police and Customs officers, and we appointed the National Drugs Intelligence Co-ordinator. We formed at the same time the Drugs Intelligence Steering Group (DISG) to guide the direction of the enforcement effort and to monitor its effectiveness. These measures have succeeded in identifying, and in many instances resolving, the difference of approach.

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4. The main difference which remains outstanding is over the authority for controlled deliveries, the purpose of which is to lead investigators to the criminal network responsible for the drugs' illegal importation (with the attendant risk that they might be lost and go into circulation within the country). Customs claim the ultimate authority for deciding whether drugs should be allowed through their controls for this purpose; the police are seeking a parallel authority to decide as a matter of their own judgement the action to be taken with regard to controlled deliveries where their own operations are involved, including their operations against other forms of organised crime. They accept that decisions should be made in consultation with Customs but do not accept that Customs should have effectively a power of veto.

5. There is considerable strength in the police argument that the importation of drugs is increasingly part of a wider criminal operation and that their assessment of a particular courier's place in a wider pattern of organised crime needs to be given proper weight in the decision whether or not to allow a controlled delivery. Nevertheless, I recognise that Customs see it as their job to prevent illegal drugs from going into circulation within this country and a controlled delivery which goes wrong as their responsibility.

6. Neither service is presently in any mood to compromise. Equally, a solution cannot successfully be imposed; both services would react strongly to any imposed concession and the result would be to set back co-operation at operational level to an extent which could defeat its own objective.

7. I therefore see the task as one of concentrating on improved co-operation and exchange of information, whilst working on a fresh attempt to draw up mutually acceptable guidelines on co-operation between the two services, particularly over the authorisation of controlled deliveries.

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8. The issue was discussed at the meeting of DISG on 7th May which has agreed the following conclusions:

- (a) to continue to avoid public recrimination which can in the end only damage our enforcement effort and give encouragement to the traffickers;
- (b) agreement that the Home Office should act as brokers between the police and Customs, involving Customs' Investigations and Policy Divisions, NDIU, ACPO and the Metropolitan Police in a fresh attempt to produce acceptable guidelines;
- (c) energetic efforts to improve mutual confidence between operational officers in the two services by -
 - (i) exploring the scope for providing each service with direct access to the other's drugs intelligence data bases;
 - (ii) ensuring that operational officers understand exactly what is held on the data bases;
 - (iii) continuing to bring examples of successful joint operations to the attention of the media, as well as the staff of the two services;
- (d) postponing the next edition of 'Tackling Drug Misuse' to ensure that the wording on police/Customs responsibilities can be agreed.

9. I understand that the attitude of both services was entirely constructive and all the service representatives accepted the urgent need for the outstanding issues to be brought to a satisfactory conclusion. I have given instructions for work to proceed accordingly.

10. You will also wish to know that at the meeting of DISG on 7th May the National Drugs Intelligence Co-ordinator, Mr Colin Hewett announced his intention to retire in August. He

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will by that time have reached an age at which he can draw his police pension and will have served two years in the post. Mr Hewett made clear at the meeting his disappointment that he had not received the degree of co-operation and support which he had hoped for from senior police colleagues. These tensions may have contributed to his decision to retire but he is maintaining that it is based entirely on personal considerations. We are, of course, putting in motion the process for selecting a successor but we shall not be making an immediate decision. There is no question that the NDIU has proved its worth and must be retained. However, we would like to take this opportunity to review the constitutional and organisational arrangements in the light of experience so far to see whether any changes would help to improve co-operation.

11. I am sending copies of this minute to the Chancellor of the Exchequer and to Sir Robert Armstrong.

Douglas Hurd.

13 May 1987

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