

Twenty Year Drug War

By Peter Kowalick

The Vietnam war brought home to Australians a sad chapter in world history.

It brought home, too, the realisation of a new unexpected influence on the drug problem in Australia.

It was the opening of Australia as a rest and rehabilitation post for US troops stationed in Vietnam which introduced Australian youth to illicit drug abuse, primarily cannabis.

Although illicit drugs did exist in Australia, their use was restricted to a fairly small section of society. Opium brought in by Chinese seamen had been seized as early as the 1930s but the problems of heroin, cannabis and cocaine were not significant.

The new challenge for law enforcement was not entirely unexpected. In 1961, the internationally-supported Single Convention on Narcotic Drugs came into being after 50 years of conferences and the signing of successive treaties. Its chief purpose was to limit production, manufacture, trade, import, export distribution and use of narcotic drugs exclusively to medical and scientific purposes. Parties to it also had an obligation to control drug addiction.

Australia was a signatory to the Convention, but at that time had no single authority to either investigate drug matters or administer drug enforcement at the national level. State police drug squads, whose members developed their skills the hard way, were trying to keep abreast of a threat comparatively new to them.

The Australian Government met its Convention obligations with the formation of a specialist group solely for drug law enforcement — the Federal Narcotics Bureau. It was set up on a law enforcement footing late in 1969 in the Department of Customs and Excise Special Services Branch with the strategy of concentrating on investigating rather than merely intercepting importations of drugs.



Assistant Commissioner Brian Bates

Drug experience

It was a completely new approach and new methods were called for. A number of State police officers were recruited; names like Tom Mullaly, Bernie Delaney, Ray Phillips, Ross Bannister, Brian Bennett, Steve Polden, Barry Campbell and Ray Cooper appear among the 50 or so staff who joined the Bureau.

Operating in the Customs environment, the amalgam worked well; the police with their previous drug investigation experience and the Customs officers with their wide knowledge of Customs procedures. It was a mixture of know-how that provided a sound base for the country's first national drug law enforcement body.

For Canberra staff members like Bureau Director Brian Bates and David Schramm, both now senior AFP officers, they were long, busy days of dedication.

"It was a growing period when new ground truly was being broken," David Schramm recalls. He was one of the early heads of the Bureau's National Co-ordination Section which had the difficult task of co-ordinating operations throughout Australia.

"The first overseas post was opened late in 1973 in Malaysia. Ross Bannister, recently retired from Eastern Region, had the difficult job of not only selling authentic intelligence to agencies in Aus-

tralia, but of also convincing certain people with responsibility for Australia's overseas relations that a police presence was worthwhile."

Bannister covered Thailand, the Philippines, Singapore and Indonesia from his headquarters in Kuala Lumpur. A second office was established in Bangkok in 1977 and a year later another in Jakarta. Most of the big seizures of the time were cannabis and LSD — 5kg of cannabis was an average haul, where today it may be tonnes. Heroin seizures ranged from grammes to hundreds of grammes. Now it's kilogrammes.

Small group

"One of the major difficulties we faced was the fact that the Bureau was a small group within a larger department," Schramm said.

"It operated as a law enforcement agency but was governed by Public Service rules and regulations, and had to compete for funds with other operational areas.

"Working in the Public Service environment, we didn't have the benefit of the experience of senior law enforcement officers for advice on problems."

However, there were advantages. An important one was that the Bureau could co-ordinate with the preventive area activities between goods consignments coming in and being cleared by Customs, a critical stage in many operations.

But perhaps the greatest benefit was the ability of Bureau agents to operate under the Customs Act.

"Many investigators today look back with envy on the existence of the Schedule 4 search warrant, as it was called," Schramm said. "This was a warrant under the Customs Act issued to individual officers enabling them to enter premises at any time. Present day police, faced with a controlled delivery situation, couldn't help but appreciate the benefits of those warrants."

Under current procedures, they require a warrant issued by a Magistrate

under Section 10 of the Crimes Act, a process which takes time; and time can be critical when there's a risk of a suspect being alerted.

With the growing expansion of its overseas intelligence-gathering activities, its acceptance by foreign law enforcement agencies as an effective ally, and recognition by the Australian Government in the granting of telephone interception powers, the Bureau became a powerful force in the drug fight.

But few people, inside or outside the Bureau, foresaw what was to come. Perhaps there was a hint in the fact that the name "Federal Narcotics Bureau" had no legislative backing; it was merely a popular title.

In September 1979, the Federal Royal Commission of Mr Justice Williams, formed to inquire into drug trafficking, released its preliminary report. The recommendations led to the the Prime Minister, Mr Fraser, disbanding the Federal Narcotics Bureau and handing the function over to the Australian Federal Police.

Tribute to staff

The new arrangements changed the relationship between investigation, now vested in the AFP, and processing, which remained with Customs. However, this was overcome by an agreement between Ministers to co-ordinate both activities.

Former Assistant Commissioner John Reilly was appointed Assistant Commissioner Drugs, with then Chief Superintendent Brian Bates being given the difficult task of running a Narcotics Bureau within the AFP while longer term policies were determined. Staff involved in the transition remember it as a difficult time.

As one senior officer recalls: "It was not easy rearranging the AFP to meet this new responsibility and it is a tribute to the professionalism of those staff affected that they stuck to their task and got the AFP through the first two or three difficult years."

They quickly blended into the police environment and today many are senior AFP officers. Mr Bates is now Assistant Commissioner ACT Region. Commander Ray Phillips is head of Eastern Region Intelligence Branch. Detective Superintendent David Schramm became OIC Bureau of Criminal Intelligence and Drug Operations before being posted early this year to Buenos Aires to set up a liaison office.

Expertise base

Drug trafficking has become more than just another task for the AFP. Today, it shares top priority with the investigation of organised crime. Overseas Liaison representation has been extended and upgraded, intelligence collection and processing given high priority and new operational techniques adopted.

"It is not possible to compare present drug enforcement with that of ten years ago," said a member who has served with both the Bureau and AFP drug operations. "The Narcotics Bureau operated in a different era and in a different environment. It certainly made a major contribution to Federal drug enforcement and provided the AFP with a base of expertise on which it has been able to

build.

"Those who served with the Bureau, like those who served with the two other former wings of AFP, remember both the good times and the bad.

"However, the majority of members now involved in drug investigations joined the AFP, not the former agencies. Drugs are and will continue to be a major challenge and will require our best efforts. We can learn from the past but we must plan for the future."

The 20-year evolution of Federal drug enforcement has had its problems, but the AFP now has this responsibility well bedded into its structure and rightly enjoys both national and international recognition of the important role it plays in the fight against drug trafficking. ■



The trawler Mariana, intercepted by Narcotics agents aboard a Navy patrol boat, an RAAF helicopter and a Customs launch off the north coast of Australia carrying 31kg of cannabis destined for the Australian market. The 1973 operation became the forerunner to a number of other joint operations.