



Police and United Kingdom Border Agency Engagement to Strengthen the UK Border

A Memorandum of Understanding

Between

The Association of Chief Police Officers of England, Wales & Northern Ireland (ACPO)

And

The United Kingdom Border Agency (UK Border Agency)

1. Purpose

1.1 The new UK Border Agency and the Association of Chief Police Officers (ACPO) are committed to improving, strengthening and better co-ordinating border security arrangements at ports and airports. This Memorandum of Understanding (MOU) provides a framework for deeper collaboration between the new agency and ACPO at the border. It establishes a clear set of principles to strengthen the UK's border through closer working. Critically, it provides strategic direction for intelligence sharing and delivery of frontline operations and supports the aims of the National Security Strategy in providing a platform for addressing and managing security challenges and underlying drivers, both immediately and in the longer term.

2. Strategic Objectives

2.1 The core joint strategic objective is:

'To work in partnership to strengthen the UK Border'

Meeting this core joint strategic objective will support delivery of the following Home Office strategic objectives:

Objective 2: Cut crime, especially violent, drug and alcohol related crime.

Objective 5: Protect the public from terrorism

Objective 6: Secure our border and control migration for the benefit of our country

In addition, it will also contribute actively to the delivery of UK Border Agency objectives.

Objective 1: We will protect our border and our national interests;

Objective 2: We will tackle border tax fraud, smuggling and immigration crime;

Objective 3: We will implement fast and fair decisions

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All of these objectives align with the border related aims of the ACPO (TAM) Three-Year Plan. The plan sets a strategic direction for the police to strengthen our border security and police the transport infrastructure to maximise safety for passengers and staff.

3. Background

3.1 The agencies operating at the border have made significant progress over recent years in making the UK more secure. But the challenges they face – for example from organised crime and terrorism - continue to intensify, as do the flows of passengers and trade that are so vital to the UK economy.

3.2 Recognising the need to move beyond traditional ways of working to meet these challenges, the UK Border Agency has been created to provide a stronger and more effective control of the UK's border, integrating the work previously administered by the Border & Immigration Agency (BIA), UKvisas and the frontier detection function of Her Majesty's Revenue & Customs (HMRC)¹.

3.3 The role of the police at the border is critical to the success of the UK Border Agency. Both parties are committed to closer working to improve border controls and security at ports and airports. This relationship will continue to evolve in response to new threats and priorities and as further work develops on the role of the police at the border. This agreement will be updated to reflect changing circumstances.

3.4 This complementary relationship will make the UK more secure – against threats such as crime, terror, attacks on the tax base and immigration abuse – while ensuring that legitimate travel and business can continue with the minimum disruption.

4. Principal areas for closer working

4.1 The following core principles have been developed jointly by both parties to provide a platform for closer working.

¹ Cabinet Office Border Review paper; Security in a Global Hub: Establishing the UK's new border arrangements. November 2007

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- ***We recognise that:***
 - Officers of the UK Border Agency will have primary responsibility for the administration and enforcement of immigration and customs law at ports and airports; and
 - Police officers have primary responsibility for general and protective security policing at ports and airports; Special Branch having primary responsibility for intelligence gathering and interdiction in support of the national security effort².

- ***We will develop appropriate joint structures/approaches***
 - At international level, we will engage jointly with Frontex³ and work together with international partners to make sure our efforts are co-ordinated.
 - At national level, we will embed routine contact between the office of the National Co-ordinator Ports Policing (NCPP) and the UK Border Agency; increase multi-agency staffing of the Joint Border Operations Centre (JBOC) and its successor, the e-Borders Operations Centre (e-BOC); and deploy UK Border Agency officers to the National Ports Analysis Centre (NPAC).
 - At regional/local level, we will set up formal consultation arrangements at ports between regional heads and lead officials of the UK Border Agency and Chief Constables and Senior Port Officers; establish communications between the new agency and the police at regional intelligence units for the effective exchange of information; agree service levels at ports between the UK Border Agency and local Chief Constables; co-ordinate our participation in MATRA⁴ and port security plans; and engage jointly with other relevant local partnerships.

- ***We will strengthen intelligence co-operation and data sharing within the legal framework***

² Home Office Guidelines on Special Branch work in the United Kingdom. March 2004.

³ European Agency for the Management of Operational Cooperation at the External Borders of the Member States

⁴ The creation of the Multi-Agency Threat and Risk Assessment (MATRA) follows a recommendation by Sir John Wheeler in his 2002 review of airport security. It provides a framework for all security stakeholders to work together to assess jointly threats to airports from crime and terrorism.

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- We will share information between the two agencies, wherever lawful and appropriate to do so, in support of closer working to tackle crime, terrorism and wider Special Branch responsibilities for national security.
- Within e-Borders, an enhanced capability to share information and intelligence will deliver a modernised border control that is effective, efficient and secure.

- ***We will co-ordinate operational priorities***
 - We will use joint threat assessment mechanisms.
 - We will develop and apply a single approach to identifying and managing risk within each agency to inform deployment decisions at the border.

- ***We will work together on joint operations whilst respecting the existence of separate tasking and co-ordination arrangements for the police and the UK Border Agency***
 - We will facilitate and support interventions and related investigations at the border.
 - We will provide an effective joint response to critical incidents at the border in accordance with the Critical Incident Response and Management (CIRAM) protocol.

- ***We will conduct cross-agency training to improve the awareness and effectiveness of officers' work at the border***
 - We will strengthen core skills in responding to smuggling, document forgery and fraud.
 - We will add to our capability to counter the threats from terrorism and organised crime.

- ***We will work together in support of the Government's Counter Terrorism Strategy (CONTEST) in relation to border security***

- ***We will work together to improve co-operation with other key stakeholders at the border including SOCA, TRANSEC and port and***

airport operators

- We will take advantage of opportunities for delivering mutual benefits.
- We will seek to minimise disruption to the travelling public through more coherent activity.

5. Performance management

5.1 Both parties will agree performance measures for jointly supported operational activities.

5.2 Both parties will reflect closer working activities within their respective Business Plans and agree performance indicators to measure successful application of the principles.

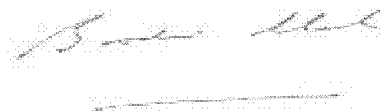
6. Resources and funding

6.1 The arrangements set out in this document will be achieved within existing resources.

7. Review of this MoU

7.1 The NCPP will act on behalf of ACPO in reviewing this agreement. A Strategic Director of the UK Border Agency will act on behalf of the UK Border Agency in reviewing this agreement. It is envisaged that this agreement will remain under continual review.

Signatories



Brodie Clark
UK Border Agency



John Donlon
Association of Chief Police Officers

Date: 3 April 2008

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