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Travelling with controlled drugs or a criminal record

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Drugs

For many people who are prescribed controlled drugs such as methadone, or have a criminal record, travelling abroad can be a worrying prospect and many fear that they may be stopped at customs or have their medications confiscated. This factsheet hopes to put these fears to rest by outlining the general position regarding travelling from the UK with a controlled drug or a criminal record and explains how to find out the requirements of destination countries.

If travelling abroad for less than 3 months, a person may take with them their prescribed medication (and also return with any surplus) if the following conditions are satisfied: that the controlled drug is:

- Accompanied by a letter from the prescribing doctor (confirming the traveller's name, destination, details of the drug and the amounts required);
- In its original packaging; and
- Usually in the traveller's hand luggage – however, exact requirements on carrying the drugs will depend on the specific airline and should be confirmed prior to travel.

If travelling abroad for more than 3 months or carrying more than 3 months supply of controlled drugs, a person must have a personal export / import licence for carrying the drugs.

Applications for a licence must be made to the Home Office:

- At least 2 weeks before the proposed date of travel;
- On the relevant Home Office

application form (available online); and,

- Supported by a letter from the prescribing doctor or drug worker

Travelling with controlled drugs without a prescription or licence as above is illegal and a person risks having their medication confiscated at customs as well as criminal penalties.

Whilst the requirements to exit the UK are relatively simple, difficulties can often occur at the point that the traveller enters their destination country or passes through another country on their journey. This is because each country has its own laws and procedures on importing prescribed or controlled drugs and other countries are not bound by the laws of the UK.

It is strongly recommended, therefore, that anyone wishing to travel with controlled drugs contacts the relevant Embassy, Consulate, or High Commission of the country or countries that they intend to visit or pass through well in advance and request clarification in writing as to their requirements, laws and procedures.

Travellers should be aware that some countries can be very strict. For example, Pakistan prohibits the importation of methadone and does not have methadone treatment available in-country. Similarly travellers to Barbados must adhere to the following stringent regulations:

- A request by letter should be made on behalf of the patient to the Chief Medical Officer – approval will be communicated to the patient and the Barbados Drug Service informed;

- The total amount of methadone should be declared to Her Majesty's Customs on arrival at the port of entry in Barbados supported by the letter of approval from the Chief Medical Officer;
- Any unused quantity of methadone must be reported to the Barbados Drug Service so that an appropriate export authorisation document could be issued to allow the person to leave Barbados with any unused quantity of methadone.

On the other hand, most European countries have the same requirements as the UK although some may require extra certification by their embassy or consulate pre-travel.

Travellers to the United States should:

- Have all drugs, medicines, and similar products properly identified;
- Carry only the quantity that might normally be used by an individual having a health problem requiring such drugs or medicine
- Have either a prescription or written statement from their personal physician that the medicine is being used under doctor's direction and is necessary for their physical well-being while travelling.

Travellers to Australia should:

- Obtain a permit from Australia's Therapeutic Goods Administration (TGA) authority or a prescription from a medical practitioner for a specified amount;
- Not carry more than the specified amount which should not, in turn, amount to more than 3 months supply at the manufacturer's recommended dose and / or is

inconsistent with the length of stay in Australia;

- Declare the controlled substance on the Inward Passenger Card (IPC);
- Present the controlled substance and the permit or prescription to a customs officer for inspection on arrival.

Travellers to Sweden need:

- Permission from the Swedish authorities if carrying more than 5 days supply of a controlled drug

Travellers to France must abide by the following the rules if carrying more than 5 days worth of medication:

- An application must be made to the French Ministry of Health for an approval letter
- A Doctor's letter must be obtained which states that there is no opposition to the trip
- The approval letter, Doctor's letter and prescription must be carried with the drugs

Criminal Record

British Citizens can travel within Europe without the need for a visa, and as such should feel relaxed about travelling even if they have cautions or convictions for criminal offences. For example, in Finland past criminal convictions or arrests do not on their own amount to a ground to refuse entry to the country.

Under normal circumstances travellers can enter the USA under the visa-waiver programme. However, anyone who has been convicted of a criminal offence, or

even simply arrested, is not eligible for the programme and must:

- Apply for a visa from the US Embassy
- Provide a certificate relating to the arrest/conviction from the Association of Chief Police Officers (issued less than 6 months before the visa interview)
- Provide a copy of court records if the certificate does not show the full record
- Attend an evaluation with an Embassy physician if the offence is drink related

The consideration of the visa application is based on several factors, including nature of the crime committed, sentence served and the period of time which has elapsed since the conviction.

The above rules apply even to spent convictions as the Rehabilitation of Offenders Act 1974 does not apply in other countries.

The above information is correct at the time of writing; however countries may change their laws at any time. It is therefore important to make inquiries of the Embassy, High Commission, or Consulate well in advance of booking your trip. In the event that a trip is already booked and it seems unlikely that you will be able to comply with the requirements in time or at all, ask your drug-treatment provider to refer you to a similar service in your destination country for prescription on arrival. Do not hesitate to contact Release for further details.