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**Committee of Inquiry  
into Crowd Safety and  
Control at Sports Grounds  
Final Report**

**Chairman: Mr Justice Popplewell**

*Presented to Parliament  
by the Secretary of State for the Home Department  
and the Secretary of State for Scotland  
by Command of Her Majesty  
January 1986*

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Rt Hon Douglas Hurd MP  
Secretary of State for the Home Department

Rt Hon George Younger MP  
Secretary of State for Scotland

## FINAL REPORT OF THE COMMITTEE OF INQUIRY INTO CROWD SAFETY AND CONTROL AT SPORTS GROUNDS

### Introduction

Sirs,

1. On 13 May 1985 I was appointed to undertake an Inquiry with the following terms of reference:

**“To inquire, with particular reference to the events at Bradford City and Birmingham football grounds on 11 May, into the operation of the Safety of Sports Grounds Act 1975; and to recommend what if any further steps should be taken, including any that may be necessary under additional powers, to improve both crowd safety and crowd control at sports grounds.”**

2. The Assessors appointed to assist me were Mr Alan Goodson OBE, QPM, Chief Constable of Leicestershire and Mr Martin Killoran QFSM, formerly Chief Fire Officer of Greater Manchester. They have been of the greatest assistance. Their professional expertise and advice has been invaluable to my Inquiry. Without their help my task could scarcely have been completed with such expedition.

3. Neil Morgan was Secretary to the Committee. He has contributed enormously to the smooth running of the Inquiry by his constant good humour and efficiency. Mark de Pulford and Jill Hales have both shown the twin virtues of the Civil Service, intelligence and hard work, and they have been ably assisted by Jane Osborn. Nathalie Austrie has been our efficient personal secretary.

4. At an early stage of my Inquiry I decided to prepare an interim report giving the results of my investigations into the events at Bradford and Birmingham, together with some preliminary recommendations on safety matters and crowd control. This was done so that safety levels could be improved quickly, before the start of the new football season in the middle of August 1985. In a list of provisional recommendations I also gave a tentative view on a number of longer-term issues which I proposed to follow up in this my Final Report. My Interim Report was submitted to the two Secretaries of State and subsequently presented to Parliament on 24 July 1985 (Cmnd 9585). I am grateful for the Government's quick and positive response to my Recommendations and to local authorities and sports management for their subsequent action to improve safety.

5. Since my Interim Report was published I have considered the written evidence submitted by a wide range of organisations and individuals on the remaining aspects of my Inquiry. I have also heard oral evidence from many of them. A full list of those who submitted evidence to the Inquiry is given in Appendix A to this Report. I am grateful to all of them.

6. During the course of the Inquiry the two Assessors and I have, between us, visited 31 soccer grounds in England, Wales and Scotland. They are listed in Appendix B. We have also visited sports grounds devoted to Rugby Union, Rugby League, cricket, horse racing, greyhound racing, athletics, tennis, motor racing, stock car racing and speedway. In addition, we have visited indoor stadia.

7. In this, my final report, I deal with five main subjects. The first, in *Chapter 1*, is the disaster at the *Heysel Stadium in Brussels* on 29 May 1985. It was agreed that I should take account of any lessons arising from this tragic event, although the official investigation was, of course, a matter for the Belgian authorities. I visited Brussels, together with my Assessors, and met the chairman of the Belgian Parliamentary Commission which investigated the disaster and Madame Coppieters't Wallant, the investigating judge, together with representatives of the police, gendarmerie and fire service. All were extremely helpful, and I am grateful to them, and also to the British Ambassador and his staff in Brussels for their assistance and advice.

8. In *Chapter 2* I review *previous inquiries* over the last sixty years into crowd safety and hooliganism at sports grounds and conclude that there is still need for action.

9. *Chapter 3* deals with the working of the *Safety of Sports Grounds Act 1975*, and the need for further regulation to protect the public who attend sporting events, from fire and the hazards of faulty construction. Unfortunately, these are not the only hazards to spectators at sporting events nowadays, and in *Chapter 4* I turn to the serious problem of violence.

10. In my Interim Report I said that your Guide to Safety at Sports Grounds (the "*Green Guide*") contained so much good advice that it should be compulsory reading for all sports ground management. That opinion holds good, but as the last edition of the Guide was published in 1976, and as it is so important a source of advice, I decided to follow your suggestion and look afresh at the whole document to see if it should be revised, or if it could be improved. The Inquiry commissioned research from three consultants—Professor Canter, Professor of Applied Psychology at the University of Surrey (on human behaviour in emergency situations and its implications for the design and dissemination of information); Professor Happold, Professor of Civil Engineering at the University of Bath (on technical building aspects); and Dr Woolley of the Fire Research Station, Borehamwood (on fire precautions matters). The material they produced was extremely useful and practical, and I am indebted to them. This information greatly assisted a special working group which I set up under Mr Killoran's chairmanship to consider the Green Guide. A record of the Group's deliberations and membership is given elsewhere in this Report (Appendix E).

11. *Chapter 4* deals with *crowd control*. In this chapter I look at the problem as it exists now, and make a number of recommendations for new offences and for some increased powers for the police in relation to sports grounds and hooliganism. In the light of my many visits to football grounds, and evidence from a variety of football authorities and other bodies, I give my further thoughts on control of alcohol and on membership cards. I also deal with the role which football clubs themselves should play in improving crowd behaviour.

12. In *Chapter 5* I look at the extent of football *hooliganism* and several theories about its causes. I have been much assisted in this task not only by academic research and evidence, but also by observing for myself the behaviour of fans on the terraces and by listening to them when they came to give evidence before me. But I have to confess to a certain lack of success in this part of my Inquiry.

13. Finally, I believe that the paramount need is to protect the public by improving safety standards, and thereby restoring confidence among those who attend sporting events. This means that effective steps should be taken quickly. In this belief I commend my findings and Recommendations for your consideration.

Oliver Popplewell

29 November 1985.

## CHAPTER 1

### *Tragedy at Brussels*

1.1 At about 7.30 pm on 29 May 1985, English fans charged into Block Z of the terrace at the Heysel Stadium, Brussels, shortly before the European Cup Final between Liverpool and Juventus was due to take place. There was a panic among the spectators in Block Z; as a result 38 people died and some 400 people were injured.

1.2 It was agreed that I should take into account any lessons arising from the events at Brussels. In doing this I do not intend to apportion blame. Neither do I propose to make any comments which might prejudice any possible criminal proceedings.

1.3 The official investigation into these events has already been carried out by a Commission of Enquiry set up by the Belgian Parliament, which reported on 9 July 1985. At the present time Madame Coppieters't Wallant is carrying out an inquiry into the circumstances. She will be producing a confidential report, which will be used purely to consider the prosecution of those alleged to have committed criminal offences.

1.4 The death and injury of so many people must be the main subject of my investigation. However, it is clear from all the evidence available to me that the behaviour of the crowds, both inside and outside the ground, and before the match, as well as during it, needs also to be considered. So do the precautions which the various authorities sought to take to prevent outbreaks of violence.

1.5 I have had the opportunity, together with my Assessors, of visiting the Heysel Stadium and discussing the matter with the Belgian and British authorities and with Liverpool Football Club. I have been provided with a very large number of statements by those who were present, together with reports from Belgium and a variety of official documents. I have also talked to Madame Coppieters't Wallant. It will be obvious that in the absence of a thorough and prolonged public enquiry the evidence available to me is somewhat limited. It is bound to be fragmentary, and while it gives generally the broad picture it will not necessarily coincide with the individual observations of everyone who was present. Indeed there are acutely differing views about some matters. The lessons to be drawn are, however, reasonably clear.

#### **The Heysel Stadium**

1.6 It was opened in 1930. It has been regularly used for football matches, including an international football match a few weeks before the 29 May, between Belgium and France, at which the attendance was about the same as at the Liverpool/Juventus game.

1.7 The Stadium is owned by the City of Brussels and leased to the Belgian Football Association. There had been no criticism by the Belgian Football Association nor by UEFA, who are the body controlling European football, of the facilities at the ground or of the structure.

1.8 A plan of the Stadium is at Appendix C. There are two open terraces at each end of the ground marked "X", "Y" and "Z" and "O", "N" and "M" respectively. Between the two sets of terraces are two stands. The stand marked Tribune 2 was built in about 1980. Apart from that, the Stadium is as it was constructed in 1930. It is the largest of its kind in Belgium and provides facilities not only for football matches but for athletics.

1.9 The terraces at "X", "Y" and "Z" were formed of a slope of approximately 1 in 10 at the shallowest and about 1 in 6 at the steepest. The surface of the terraces was earth with only the nosing of the steps being formed in concrete. Over the years the concrete nosing has deteriorated, and rusted re-inforcing bars have been exposed. The edges were uneven and jagged where pieces of concrete had broken off. The general condition of the terracing may be described as poor. The crush barriers showed signs of deterioration to both the concrete uprights and the re-inforcement. On the day of the match the perimeter fence consisted basically of two barriers. One was a brick structure; the other, on the terrace side, was wire fencing about two metres high.

1.10 There was a barrier dividing Block "Y" from Block "Z". It consisted of two lines of tubular steel hand rail fixed by metal straps to the top of the existing concrete crush barrier uprights. It thus formed a passageway from top to bottom of the terrace. To one of the continuous hand rails were fixed fairly lightweight steel posts approximately 2.5–3 metres high. Tied to the steel posts was plastic coated wire



mesh fencing. This composite construction, whilst forming a physical barrier, was not of sufficient strength to resist the determined efforts to breach it. It was removed by physical force during the charge by English fans from Block "Y" into Block "Z".

1.11 The flank wall where the disaster occurred was about three metres high at its maximum, reducing to just under two metres adjacent to the terrace. The brickwork wall did not appear to have been bedded in mortar nor fixed in any other way to the concrete wall. The buttresses of the wall were such that they would not assist in restraining the wall from movement when subjected to crowd pressure. It was not constructed as a crush barrier. Not surprisingly, it was not adequate to act as such. The wall and perimeter fence in front of the terrace were of fairly light construction which readily collapsed under the forward pressure of the crowd.

1.12 There were three places of entry and exit at the back of Blocks "X", "Y" and "Z" and three single access doors from the terraces onto the pitch. There were no turnstile controlled access points, but some control was exercised by gatemen. It was thus impossible to know the numbers going into each block or to prevent overcrowding in one block. In addition there were gaps in the boundary walls through which entry was effected by a number of spectators into Blocks "X" and "Y".

1.13 Having regard to the state of the crush barriers and fences, and the general condition of the terraces it seems unlikely, had it been located in this country, that a certificate would have been issued under the Safety of Sports Grounds Act 1975 for this part of the ground. However, the poor state of the terraces played no part in the tragedy.

### **The Arrangements for the Game**

1.14 By 24 April 1985 the finalists were known. A meeting was held by the Belgian Football Association at its own Headquarters. There were present M. Roosens, the Secretary of the Belgian Football Association, a number of police officers, a member of the gendarmerie and representatives of Liverpool Football Club.

1.15 In Belgium the policing is carried out by both the local police force and by the gendarmerie, who are a national body organised on military lines. The Brussels police were to be responsible for the area including Blocks "O", "N" and "M", and the gendarmerie for Blocks "X", "Y" and "Z".

1.16 It was agreed that the distribution and the positioning of spectators should be organised so that English fans would be positioned in Blocks "X" and "Y" of the terraces, in "U", "V" and "W" (in Tribune 2) and in "A", "F", "B" and "D" (in Tribune 1). Juventus were to be accommodated in Blocks "O" and "N" of the terraces, in "Q", "P" and "W" (in Tribune 2) and in "G", "L", "I" and "K" (in Tribune 1). It was agreed that each side would be issued with some 14,500 tickets of which 11,000 were for the terraces.

1.17 It was arranged by the Belgian Football Association that Block "Z" and Block "M" would be allocated to neutral spectators, and Liverpool Football Club officials were told that a maximum of five tickets per person would be sold to spectators. There was agreement that there should be a barrier put up between Block "Y" and Block "Z", and another barrier between Block "N" and Block "M". The Belgian Football Association had agreed with the authorities that there should be at least one gendarme on each of the steps of the segregation gangway between Block "Z" and the English fans in Block "Y". These and other matters were discussed, including the times of opening the ground and how English fans should arrive. There were further meetings during May in Belgium and England. One matter which was agreed was that there should be a ban on the sale of alcohol around the ground.

1.18 Thus it was hoped that the English fans and Juventus supporters would be properly segregated and that they would be physically prevented from being able to get at or to throw missiles at each other. They would be contained within their own areas. However, the officer-in-charge of the gendarmerie at the ground did not fully understand what his instructions were, nor unfortunately had he attended any of the meetings preceding the game. In the result, for a number of different reasons, the gendarmerie presence between Blocks "Y" and "Z" was insufficient.

1.19 The advance intelligence was, broadly, that the English fans would present little or no trouble. This had a marked effect on the precautions which were taken. Liverpool have a good record, so far as European competitions, in which they have played for some 22 years, are concerned. Their management has long experience and they sought to take the normal precautions to prevent the unauthorised acquisition of tickets, to co-ordinate travel arrangements and to liaise with the Belgian authorities.

1.20 So far as the sponsored travel arrangements were concerned, supporters were accompanied by officers of the British Transport Police. That generally seems to have gone off without difficulty. However, one group of unsponsored supporters were refused passage by a Belgian vessel and there was a further group of 400 unsponsored coach travellers who had apparently had a great deal too much to drink.

### **The Sale of Tickets for Block "Z"**

1.21 There were various alarms about the sale of black market tickets and forged tickets. One of the matters of concern for the Liverpool Club was the sale of tickets for Block "Z". By the UEFA instructions, no blocks of tickets were to be sold at the venue of the match except in small quotas. What happened to the sale of some of the tickets for Block "Z" was described by M. Roosens. He said that there were some 3,000 tickets available for sale on the first day and they were put in the hands of a M. Desment who had been selling tickets for the last twenty years. The sale took place at the Heysel Stadium, and a notice was put up saying that they were available for 300 Belgian francs each and that the maximum which could be purchased was five per person. When the staff arrived there was already a massive queue before sales had started. M. Desment later walked through the crowds and noticed that there were more tickets being sold to foreigners than to Belgians. He enquired from M. Roosens whether the sale should be stopped. The sale was in fact stopped. By then they had sold 2,000 to 3,000 tickets.

1.22 Because tickets were being sold from five different windows it was impossible to control who bought them. It was quite clear from all the evidence that some organisations had been buying large quantities of tickets. They did this by using a large number of their employees to take it in turns to go to the ticket windows. M. Roosens agreed in evidence that people had left the Stadium with whole rolls of tickets. Additionally, M. Roosens allowed 1,000 tickets to be sold to a director of a sports club committee who apparently sold them to an insurance company which sponsored the club. One witness spoke of a travel agent from Sicily with 60 tickets for Block "Z" which he was selling outside the ground at 100 times the official price.

1.23 It is quite clear that whether the tickets found their way onto the black market or not, a large number of tickets for Block "Z" came into the hands of Juventus supporters. The effect was, therefore, that all the careful preparations for the segregation of the English and Italian fans were rendered useless.

### **The events of 29 May**

1.24 It is not surprising that there is a great deal of conflicting evidence about the events of this day even from experienced witnesses such as police officers. Contradictions about the behaviour of the English fans before the game abound. I set out here as best I can some of the evidence presented to me.

1.25 Elaborate arrangements were made within the Belgian authorities for meeting and escorting the English supporters after their arrival in Belgium and on the train. Unfortunately, because of the timetable which the shipping companies operated, large numbers of English fans arrived in Brussels well before kick-off.

1.26 The behaviour of the English fans in the centre of Brussels gave a foretaste of what was to happen later in the day. It is only necessary to refer to one or two incidents so as to give an idea of how some, albeit a small minority of the English supporters, were behaving. It is said that about 2,000 supporters had taken over the Grand' Place and the surrounding area. They were throwing beer bottles at the Belgian Police, they were spitting, they were hurling beer at cars. One witness described the Grand' Place as looking like a broken glass factory. One supporter, who had drunk too much and was wearing a toy British police helmet, stood at a nearby cross-roads directing traffic, thereby causing severe dislocation of traffic. A jeweller's shop was robbed by English fans. Other fans were bathing in the fountains. A witness described a grocer's shop being pillaged. The steps of the Stock Exchange were invaded. A number of English fans arrived at Jette from the train. They already had drink with them, although a good deal of it was confiscated. They tried to get into the buses provided for them without paying. In this they were unsuccessful because the bus driver simply refused to drive them. A very experienced senior British police officer described the conduct of the English fans as the worst he had ever seen.

1.27 Other witnesses, however, gave a totally different picture. Some supporters have written to say that while there was some noise, the general behaviour was good, the atmosphere friendly and relaxed, and that far from the police standing by while something akin to a riot was taking place, the police were heavy handed, interfering with people who were merely singing and enjoying themselves and treating both sets of supporters to an excessive display of authority.

1.28 Yet other witnesses talk of a carnival atmosphere with British and Italian fans fraternising freely with each other, taking photographs and exchanging mementoes and favours. This view was supported by a senior police officer to whom I spoke when I was in Belgium.

### **Events at the Stadium**

1.29 The first incident recorded in the Brussels Police Report took place at 3.55 pm when some of the temporary fencing, which had been erected all round the Stadium, was knocked down by Juventus supporters. It was erected to enable the Police more easily to search fans. It was about a kilometre long, comprising fifty sections. By about 4 pm about thirty or more sections had already been knocked down. This was not, apparently, considered serious by the police, because it was only intended to provide a buffer between the supporters and the ticket barrier. The police and gendarmes intended to search fans near the outside fence with a view to confiscating sticks or other weaponry. It is perfectly clear from all the evidence that there were insufficient police or gendarmes to search all spectators. Additionally it was wholly impossible to search people and at the same time to make sure that they did not retrieve weapons that had been confiscated.

1.30 There is a great body of evidence that the searching was perfunctory; that because of the absence of turnstiles and the presence of holes in the perimeter wall, a large number of people got into the Stadium without tickets; that those who had tickets inside were able to pass them back to those outside who did not. Weapons which were confiscated earlier were retrieved. The weapons varied. There were sticks used to carry flags, pieces of tree trunks, bottles and stones. Additionally, it is clear that a number of spectators had had too much to drink and a ban on the sale of alcohol outside the ground was not enforced. Bottles of drink were on sale at a number of stalls, thus providing more ammunition for the fans.

1.31 At 5.15 pm there was a police report that some of the perimeter fence in Block "N", occupied by Juventus supporters, had been cut. At 5.46 pm there was a report that Italian supporters were beginning to vent their anger on the police. At 5.55 pm there was a report that there was general disorder in Block "O", that supporters were becoming agitated and that 200 of them were beginning to get worked up, hurling insults at the police in the segregation gangway. A few minutes later there was a mass invasion of Block "M" by supporters because Blocks "O" and "N" were full.

1.32 Commissioner Meura of the Brussels City Police said that some of his officers inside the stadium were pelted with missiles by the Italians, who were attempting to use riot tactics, surging forward en masse and retreating. He decided that what he must do was to protect the pitch and, although some of the perimeter fencing intended to protect the pitch was knocked over, he succeeded in preventing a pitch invasion. However, some 27 police were injured as a result of concrete and metal objects being thrown at the Juventus end of the ground.

1.33 The Police report records a request at 7.06 pm for re-inforcements in the gangway of Blocks "N" and "M", where the situation suddenly took a turn for the worse. And the report continues:

**"It should be noted that the relative calm in the upper parts of sections "N", "M" and "O" only served to camouflage the jeers and provocation which a few hundred Juventus fanatics were directing at the police lower down. They began to cause trouble between 5.55 pm and 7.25 pm; initially in a fairly moderate way, there was a  $\frac{1}{2}$  hour during which insults were being hurled at the police and the supporters were trying to break through the fencing (Heras fencing shaken several times). The police in the gangway could not prevent 5 to 6 metres of fencing from being torn down at about 7 pm. Then 30 metres were forced and trampled down so as to give direct access to the track. All this despite the use of shields and truncheons by the police, several of whom were injured. It should also be noted that stones and/or lumps of concrete and some beer bottles, 20 in all, were raining down onto the track. Some hooligans from amongst the supporters were even running up to the police with sticks and iron bars."**

1.34 The report describes one hooligan at the Juventus end getting through the fencing and onto the pitch itself and sprinkling salt between the goal-posts; and there is a report of another incident when a pair of hand-cuffs were taken from a police officer by a hooligan who got onto the pitch; subsequently they were returned. Although it had been arranged that Juventus supporters should have Blocks "O" and "N" and that "M" should be allocated to neutral supporters, it is clear that Block "M" was occupied by Juventus supporters. Both the police and the gendarmerie described to me the behaviour of the Italian fans up to this stage as worse than that of the English fans.

1.35 What meanwhile was happening at the other end of the ground, in Blocks "X", "Y" and "Z"? The first signs of unrest among the English fans appeared during the youth match which had been organised

to keep the spectators occupied; this occurred somewhere between 6.15 pm and 6.30 pm. The English fans fired flares and rockets and threw stones into Block "Z", which was beginning to be occupied by what were clearly Italian supporters. There was also a number of English fans in Block "Z" who sought to escape into Block "Y". According to Captain Mahieu, who was in charge of the gendarmerie responsible for patrolling the area between Block "Y" and Block "Z", everything was calm between 6.15 pm and 7 pm. Accordingly he had gone out of the Stadium; so too had Lieutenant Bonnet who was his second-in-command, to investigate a criminal complaint and to see about closing Block "X". It appears there were about 15,000 spectators in Blocks "X" and "Y" and about 5,000 in Block "Z".

1.36 There is no doubt but that somewhere between 7.15 pm and 7.30 pm English fans charged Block "Z". Preceding this there had been an exchange of missiles between Blocks "Z" and "Y". There were three charges by English fans. The first two seemed to have been repulsed; the third resulted in the Italian supporters in Block "Z", who were seeking to escape towards the perimeter, being squashed and suffocated by the press of large numbers.

### **Extreme Political Parties**

1.37 There was evidence about the presence of supporters from the extreme right. The Mayor gave evidence at the Inquiry that he had seen British and Italian spectators wearing the political insignia of parties of the extreme right and carrying flags. One British supporter, himself a referee, said that the ground outside the Stadium was littered with British National Front leaflets, some overprinted by the British National Party with their address. One witness spoke of passengers on the boat crossing the Channel with National Front insignia singing songs of hatred and exhibiting violence.

1.38 Mr John Smith, Chairman of Liverpool Football Club, spoke of how six members of Chelsea National Front had boasted to him of their part in provoking the violence and said that they seemed proud of their handiwork. Mr Bob Paisley, a former manager of Liverpool Football Club, said that he was forced to leave the Directors' Box at the start of the game as dozens of fans poured over the dividing wall and that the person next to him claimed that he was a Chelsea supporter and was wearing a National Front badge. A number of banners decorated with swastikas were recovered after the match, including one marked "Liverpool Edgehill". There was also evidence that the flag of a right wing organisation, "New Order", was being flown by a small group of Juventus fans. A banner with "England for the English" and "Europe for the English" was observed and a contingent of the National Front were clearly seen in Blocks "X" and "Y". One party leaving Brussels main station was observed to be Londoners wearing Liverpool colours, carrying Union Flags and having National Front and swastika tattoos.

1.39 Apart from their presence, there is very little hard evidence that they caused any of the violence. Commissioner Meura said that he had not seen anyone from any extreme right wing organisation wearing any insignia. On 5 July a press statement was issued by the Merseyside Police which said:

**"There is no evidence to suggest that any National Front members were involved in the riot at the Heysel Stadium in Brussels."**

### **What lessons are to be learned?**

1.40 A Parliamentary Commission of Enquiry was set up in Belgium on 12 June 1985. It reported on 9 July 1985.

1.41 The Commission concluded in this way:

**"It should be emphasised from the outset that it was the British supporters who mounted the disastrous charge into Section "Z". They bear the main responsibility for the terrible events that followed and this must remain the case for whatever blame might be attributed to others as having aggravated the matter."**

An extract from their conclusions appears in Appendix D.

1.42 When I spoke with M. Collignon, the Chairman of the Parliamentary Commission of Enquiry in Brussels in November, he told me that the only matter in his report that on reflection he might like to alter was to make rather more criticism of the Belgian and European football authorities and less of the individual members of the gendarmerie.

1.43 In his principal statement to Parliament about the Heysel disaster, the Belgian Minister of the Interior said:

**“Everyone knows that those guilty of the violence, those responsible for the deaths of the victims, are the violent groups among the English supporters.”**

He also referred to the

**“collective responsibility of English society which tolerates this violence and tries to channel it without wanting to eliminate it.”**

He said that the organisers of the match were the second group of people responsible. With regard to the role of the police and gendarmerie, he said that the overall plan had been adequate. He acknowledged that there had been errors in execution and announced measures to improve training and equipment to remedy these deficiencies. He added that if in future a larger police deployment was necessary, he would prefer to ban matches. He did not want to turn Brussels, even for a day, into a police state, for the sake of those who liked to manifest their violence.

1.44 The lessons to be learned from the disaster can be summarised in this way:

- (a) It is essential that opposing fans at matches such as this should be properly segregated so that there is no possibility of their being within attacking distance of each other. Missiles from rival supporters caused enormous problems and contributed in no small way to the disorder which occurred. So far as domestic football is concerned, that means ensuring either that there is an unoccupied space between opposing factions or that the physical method of securing segregation is such that they are unable to attack or bombard each other with missiles.
- (b) Sales of tickets need to be properly controlled so that segregation can be effectively enforced. One of the problems of all-ticket matches is that ticket touts may be able to purchase numbers of tickets and sell them indiscriminately; the effect of this is to put the whole segregation policy at risk. Police need to be aware if this occurs. In Scotland any person who in a public place touts for the purpose of selling so as to give another person cause for annoyance commits a criminal offence under the Civic Government (Scotland) Act 1982.
- (c) It is clear that a large number of spectators, particularly the English, had consumed substantially too much drink, and that they were able to take drink into the ground. This is now covered by the provisions of the Sporting Events (Control of Alcohol etc) Act 1985 in England and Wales and by the Criminal Justice (Scotland) Act 1980.
- (d) In addition to the fact that a number of fans were able to get into the ground without paying, most of them were also able to get in without being effectively searched; if they were searched, they were able to recover weapons which they subsequently used. This is particularly relevant to the power of the police to search at sports grounds in the United Kingdom.
- (e) While the structure of the police in Belgium is different from that in Britain there was obviously a breakdown in communications and instructions both prior to and during the course of the match. It was accepted by the Commandant of the gendarmerie that mistakes had been made. The important lesson for us to learn is that there needs to be strict co-operation between the football club and the police; that the police need to lay down and observe fixed procedures and that the communications need to be efficient. There was also criticism at the lack of liaison between the Headquarters outside the ground and those inside the ground. There needs to be good early planning with close co-operation between all the relevant authorities and clear decisions made. Those who are to be in charge on the day need to have taken part in the planning and to clearly understand their role.
- (f) Another lesson which can be learnt is that in order to enforce segregation, apart from physical barriers, it is necessary to have present a sufficient number of properly instructed police to take effective action at the first sign of trouble. If there are perimeter fences, they should contain an adequate number of doors in them; they need to be manned and to be opened immediately in the event of an emergency.
- (g) It is clear that, notwithstanding the previous good record of any particular club, those who go to see that club play can readily behave like hooligans, particularly when affected by drink. Unfortunately a previous good record is no guarantee of good behaviour in the future.
- (h) The final and most important lesson, which I cannot too strongly or too frequently emphasise is that if hooligans did not behave like hooligans at football matches there would be no such risk of death or injury.

## EUROPEAN CONVENTION

1.45 In August 1985 “The European Convention on Spectator Violence and Misbehaviour at Sports Events and in Particular at Football Matches” was agreed. It has at the moment been signed by ten of the parties. It has been ratified by four.

1.46 The key points are that the Contracting Parties shall:

- 1. co-ordinate the policies and actions of Government Departments and other public agencies against spectator violence and misbehaviour (Article 2);**
- 2. secure that adequate public order resources are employed to counter outbreaks of violence and misbehaviour near and inside grounds and along transit routes used by spectators; and facilitate co-operation and exchange of information between police forces of different localities (Article 3.1);**
- 3. seek to ensure that offenders (especially visiting supporters) are identified, prosecuted and that they receive appropriate penalties (Articles 5 and 3.1(c));**
- 4. encourage the co-ordination of travel arrangements to inhibit potential troublemakers from leaving to attend matches (Article 3.3);**
- 5. introduce procedures to identify problem matches in advance and for effective co-operation between authorities and clubs on precautions and measures to be taken (Article 4);**
- 6. encourage the use of stewards in supporters’ clubs for crowd control and information (Article 3.2);**
- 7. press football and local authorities and stadium owners and clubs to take the necessary practical measures for problem matches, eg in the design, improvement and selection of stadia, segregation, alcohol control, ticket sales, the exclusion of drunks and troublemakers etc (Article 3.4);**
- 8. encourage football authorities to review their regulations continuously (Article 6.3);**
- 9. looking further ahead, take social and educational measures to promote the more positive side of sport, eg fair play and active participation (Article 3.5); and**
- 10. establish a standing committee to police the operation of the Convention and to propose improvements (Article 8).**

1.47 This is a blueprint for European football, which has lessons for our domestic game.

## CHAPTER 2

### *History of previous Inquiries*

2.1 When my Interim Report was published, it might have been thought by some that the suggestions which I set out had only recently been considered. It was said to be unfair to expect the football clubs to have taken earlier steps to arrange their affairs. It was urged that they should now be entitled to more time and more money in order to deal with the problems of crowd control and safety at their grounds. The problem of crowd control and safety had, so it was said, suddenly arisen. I have to say that almost all the matters into which I have been asked to inquire and almost all the solutions I have proposed, have been previously considered in detail by many distinguished Inquiries over a period of sixty years.

#### **The Shortt Report**

2.2 On 11 June 1923, the then Secretary of State for the Home Department asked the Rt Hon Edward Shortt KC to form a Committee to inquire, amongst other things, into arrangements made to deal with the abnormally large attendances on special occasions, especially attendances at athletic grounds. This arose from disorder which occurred at Wembley Stadium on the occasion of the first Cup Final on 28 April 1923. The Committee reported on 13 March 1924. The Report was presented to Parliament and published as Command Paper 2088 at the princely sum of 6d.

2.3 About responsibility for control inside grounds the Report had this to say:

**“As regards the general question of the apportionment of responsibility inside the ground as between the police and the ground authority, the principle to be followed should, in our judgment, be that the police should be responsible for all matters appertaining to the preservation of law and order and that for arrangements for the convenience of the public the ground authority should be responsible. It is, however, most important not only that the police arrangements should be under the control of a single officer, but also that the duties for which the ground authority is responsible should be assigned to a definite individual, who should be competent to give instructions and to deal with any incident which arises. If responsibility is definitely allocated in this manner it appears to us that, in ordinary circumstances, there need be no difficulty in this division of duties and that no disadvantage need result from the existence of dual control so long as the closest co-operation is maintained between the two authorities at all times. We are of the opinion, however, that if any emergency arises or there appears to be the slightest probability of a disturbance, it is essential that control should pass into the hands of one individual, and we recommend that, in the case of grounds providing accommodation for more than 10,000 persons, on all occasions when specially large attendances are anticipated or for other reasons unusual excitement is to be expected, arrangements should be concerted beforehand by which one individual can at any moment take control of the situation.”**

2.4 That paragraph of the report continued:

**“The question in such circumstances would have become one of the preservation of law and order and we therefore have no doubt that the control should then pass into the hands of the senior police officer present, and we consider that such officer would be justified in any circumstances, whether in accordance with a pre-arranged scheme or not, in assuming control if he considered it necessary for the purpose of the restoration of order. As part of the arrangements for this purpose we think that, in the very large grounds, there should be a central control box in telephonic communication with all parts of the ground and that the principal police and ground officials should be stationed there so that they may be in constant touch with the situation.”. . . (Paragraph 22).**

2.5 About stewards the Report said:

**“We understand that there is no uniform practice with regard to the employment of stewards at sports grounds, that in some cases they are only used to show spectators into the seating accommodation, and that, in cases where stewards are employed for packing of the standing room, they are only employed when there are specially large crowds. We consider it desirable in the interests of safety that, for the purpose of handling a crowd, stewards should be employed in any case where the crowd is likely to approach the capacity of the ground. For seating accommodation stewards should always be employed. It is in the highest degree important that any such stewards should be properly trained in their work and intimately acquainted with the part of the ground placed under their charge. We doubt whether it is practicable to secure suitable men for this purpose unless they are given continual experience in the**

work, and we therefore recommend that every ground with a capacity exceeding 10,000 which provides terraced accommodation for its spectators should maintain, or have a call upon, an adequate staff of efficient stewards, and should ensure that they keep proficient by requiring them to perform duty at frequent intervals. Stewards should be organised as a disciplined body and should act under the control and supervision of their own officers. They should wear a distinctive badge of authority, which they should not be able easily to discard.” (Paragraph 27).

2.6 The Report had this to say about precautions against fire:

“We have been somewhat surprised to find that in many cases little or no precaution is taken against the risk of fire in stands. We do not suppose that either the risk or the consequences of fire would be so serious in an open stand as in a closed building, but we consider it most important that adequate arrangements should be made to deal with any outbreak which might occur.” (Paragraph 40),

but concluded generally:

“We are assured that these governing bodies are only too anxious to secure that their sport is carried on under conditions which will promote the public safety, and we feel that at this stage it is safe to leave the matter to them.” (Paragraph 47).

### **The Moelwyn Hughes Report**

2.7 The next report (published as Cmnd 6846) arose out of the disaster at Bolton Wanderers’ Football Ground on 9 March 1946. Mr R Moelwyn Hughes KC was appointed by the then Home Secretary to conduct an enquiry into the circumstances of the disaster which arose by the presence of some 85,000 spectators. 50,000 had been expected. Because of the press of people in an enclosure two barriers collapsed and 33 people were killed.

2.8 It is interesting to observe that the previous best attendance at Bolton in the 1945–46 season had been 43,000 and it was amply policed by a force of 60. On this occasion there were 103 police to control 85,000 spectators, which is about 1/10th of the present ratio of police to spectators at football grounds, both inside and outside the ground.

2.9 Mr Hughes made a number of recommendations. He said:

“Burnden Park is typical of most home grounds of the leading football teams in the country. They have grown stage by stage from humble beginnings on sites acquired when the large gates of these days were not anticipated, or when the clubs had not achieved eminence. It would be idle to suggest that the grounds, or large sections of them, should be rebuilt, but if they are to be made reasonably safe and if the risk of repeating the tragedy of Burnden Park is to be avoided, then, I have formed the clear view that the following steps must be taken . . .” (Page 10).

2.10 The recommendations included inspections of the enclosures, scientific calculation of the maximum number to be allowed entry, counting those entering the ground by mechanical means and central co-ordination of the system, all to ensure the admission of a safe number of spectators.

2.11 So far as future regulation was concerned the Report said:

“The preceding safety measures cannot be secured without legislation. A Departmental Committee reporting on Crowds to a previous Home Secretary in 1924 (Cd 2088) anaemically recommended that adequate provision for safety be left to the pressure of the governing bodies in sport. The most important of these was, of course, the Football Association, which had not deigned to appear before the Committee . . .

The legislation should empower the Home Secretary to issue general regulations for different kinds of grounds and the broad conditions necessary for safety.

No ground of any considerable size should be opened to the public until it has been licenced by, I suggest as an appropriate licensing authority, the local authority. The issue of the licence would depend upon satisfying the authority as to the construction and equipment of the ground, its compliance with regulations and the proposed maximum figures of admission to the different parts.”

2.12 Mr Hughes went on to say:



**“Compliance with the recommendations of this Report will cost money. They will involve grounds in a loss of gate money on popular days . . . The insurance for greater safety for the public demands a premium.”**

Mr Hughes ended his report by saying:

**“I earnestly hope that, if the proposals I have made in this Report, or similar suggestions, commend themselves to you, Parliament will not be slow in granting you the necessary powers.”** (Pages 11–12).

### **The Chester Report**

2.13 Mr Hughes’ words fell on deaf ears. It was another 22 years before there was a further report commissioned by the Government on the problems of football. In June 1966, the then Secretary of State for Education and Science appointed Mr Norman Chester CBE, as he then was (Warden of Nuffield College, Oxford), to chair an Enquiry. His terms of reference were:

**“To enquire into the state of Association Football at all levels, including the organisation, management, finance and administration, and the means by which the game may be developed for the public good; and to make recommendations.”**

2.14 Mr Chester made this observation about crowd behaviour:

**“In recent years there has been an increase in disorderly behaviour by spectators. During the period 1946–1960 there were 195 cases brought to the attention of the FA, an average of 13 per season. In the following six seasons 148 cases were reported, an average of 25 per season. The matter was discussed some time ago at a meeting between representatives of a number of police forces (including the British Transport Police), the Football Association and the Football League. Both these governing bodies have been very concerned at this development.”**

2.15 The Report continued:

**“We have not been able to devote the time and resources to the study of this problem which its complexity deserves. We very much welcome the initiative of the Birmingham Research Group, of which Dr J A Harrington is Research Director and have been fortunate enough to see the Group’s preliminary report. We are sure that its findings will be of value to all concerned.”** (Page 97).

### **The Harrington Report**

2.16 This was made to the then Minister of Sport.<sup>1</sup> It observed:

**“Some spectators carry knives, hammers, sticks and spikes, choppers, and other offensive weapons like powdered pepper which are not necessarily used for violent purposes but may be used in threatening displays. There is also the problem of singing or chanting bawdy or obscene songs and phrases some of which are also threatening and provocative.”** (Page 8).

2.17 About riots the Report said:

**“While such riots must be regarded as almost unknown accompaniments of football in this country, their potential seriousness and danger were exemplified recently by football riots in Turkey, where many people were reported killed. While comparable riots seem unlikely here, it would be foolish to rule out the possibility of much more serious crowd disturbances at football matches than we have yet experienced.”** (Page 9).

2.18 The Report regretted inactivity thus far:

**“The question of public safety and crowd control at football matches was dealt with by a departmental committee report published in 1924 (Cmd. 2088) and the inquiry into the disaster at the Bolton Wanderers Football Ground in 1946 (Cmd. 6946) . . . Unfortunately the most helpful suggestions in these reports have often been ignored, though the committee’s recommendations do carry some weight with boards of football clubs.”**

2.19 The Report went on:

**“The absence of national legislation outlining minimum standards of safety and amenity at football grounds means that some club managements do not feel obliged to put their grounds into a state considered by the police to be necessary for crowd control.”** (Page 33).

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<sup>1</sup>“Soccer Hooliganism: A Preliminary Report.” Bristol: John Wright and Sons Ltd 1968.

2.20 And continued:

**“We feel that improved ground facilities would not only help to deal with the hooligan problem but do something towards its prevention. Clubs often seem keener to spend money on the purchase of players than to undertake any major spending on ground improvement which would increase safety and make hooligan control easier. The loss of revenue which a club may suffer from alterations may be the determining factor. There is of course no obligation on a club to convert a ground which can accommodate 50,000 to one which takes a smaller number in conditions of greater safety and comfort. Letters from members of the public suggest that already some are staying away because of their dislike of poor facilities, overcrowding, and disturbances, so that the neglect of ground improvement may ultimately be self defeating.” (Page 34).**

2.21 So far as responsibility is concerned, the Report said:

**“We think that those responsible for club management and the governing bodies of football should accept far more responsibility for keeping their crowds in order. This applies not only within the stadium itself but to club supporters travelling in groups to and from matches. One gets the impression that some clubs disclaim any responsibility for the behaviour of their supporters and if the atmosphere of a Roman holiday is not deliberately fostered it is looked on with considerable tolerance. Football matches are commercial enterprises conducted for profit on private premises and clubs have therefore a heavy responsibility for keeping order and safety for the public on their premises.” (Pages 35–36).**

2.22 In its summary the Report concluded:

**“The solution of the problem of hooliganism in the football stadium is ultimately the responsibility of individual clubs who must each deal with it in the light of local circumstances. While a few clubs are exemplary in their attitude to the problem others are *laissez-faire* and need persuasion to take a more active role in trying to control hooliganism in their own grounds. This *laissez-faire* attitude does not help the police in their attempts to deal with the matter.” (Page 56).**

### **The Lang Report**

2.23 Shortly thereafter, a Working Party under the chairmanship of Sir John Lang GCB and including a number of distinguished members, was appointed by the then Minister with special responsibility for Sport to examine the problems involved in football crowd behaviour to which attention had been called a few months previously by the Harrington Report. Sir John's Report was presented on 21 November 1969.

2.24 By way of introduction it said:

**“The Working Party was dealing with a subject which has been discussed almost *ad nauseam* during recent years. Not unexpectedly the Working Party has not found a single simple solution for a problem which is often due to a combination of factors . . .” (Page 3).**

2.25 The members of the Inquiry witnessed the demonstration of CCTV equipment and reported:

**“ . . . the view was formed that closed circuit television could be of value in the general subject of crowd control and . . . would be an important factor in preventing misbehaviour by spectators at grounds. It was a refinement which most of the top class clubs could be expected eventually to have as a matter of course.” (Page 9).**

2.26 About alcohol the Report said:

**“There can be no doubt that consumption of alcohol is an important factor in crowd misbehaviour, both because it stimulates quarrelsomeness and because empty bottles are dangerous missiles. There would be no advantage in refusing licence facilities to football club grounds—this would merely stimulate spectators to bring their supplies from outside.” (Page 14).**

### **The Wheatley Report**

2.27 On 4 February 1971 the Rt Hon Lord Wheatley was asked by the then Secretary of State for the Home Department and the then Secretary of State for Scotland to make an independent appraisal of the effectiveness of existing arrangements for crowd safety at sports grounds in Great Britain, and of the improvements which could be brought about within the present framework of the law, and to consider the nature of any alterations in the law which appeared to be needed. This arose from the disaster at Ibrox Park where 66 spectators died.

2.28 On 16 March 1972 Lord Wheatley completed his Report and it was presented to Parliament and published by HMSO as Cmnd. 4952.

2.29 The Report contained a technical Appendix. Following the Report, the Safety of Sports Grounds Act 1975 was passed. A licensing system involving the issue of a safety certificate for designated grounds was introduced and supporting guidance (the Green Guide) was published. In his Report Lord Wheatley said:

**“I recognise that a decision to introduce a licensing system for grounds along the lines I have recommended may cause anxiety to some football clubs and football administrators. As I see it, their misgivings are associated with a fear that such stringent conditions might be attached to the granting of a licence that many clubs may not be able to afford the cost and some may have to go out of business.”** (Paragraph 66).

2.30 **“My answer to that is this. My task was to consider the problem of crowd safety at the grounds. Clubs which charge the public for admission have a duty to see that their grounds are reasonably safe for spectators. That is a primary consideration. It is accordingly necessary that some standards should be imposed and observed. This has been recognised by the football authorities themselves . . . I have canvassed all the alternatives that have been proposed or which I personally thought were reasonable to consider, and the one which I decided was best to meet the situation in the interest of the public is the licensing system by a local authority. There is nothing new in this proposal. It has been mooted for almost fifty years. It can come as no surprise to the football world, and in the light of happenings over the years the demand for an independent appraisal and determination of the safety of grounds becomes almost irresistible. I certainly cannot resist it.”** (Paragraph 67).

2.31 Lord Wheatley ended his Report by saying:

**“I trust that this Report may be of assistance to you in deciding what should be done to solve this important question of crowd safety in football grounds. One thing is certain. The public demand for something to be done has been growing over the years. I am sure I am reflecting public opinion when I say that something must be done now. The evidence certainly supports that view.”**

### **The McElhone Report**

2.32 In October 1976 the then Secretary of State for Scotland asked Mr Frank McElhone MP to chair a Working Group on Football Crowd Behaviour

**“to consider the problems caused by some Scottish football supporters and to make recommendations to the Scottish Football Association and other organisations concerned.”**

Among the membership of the Working Group were representatives from the football authorities, from the football clubs and the Strathclyde Police.

2.33 In the introduction to the Report<sup>1</sup>, Mr McElhone said:

**“There is no simple solution to the problem; it is but one of the manifestations of anti-social behaviour besetting society in general today. We have however in our findings arrived at a number of conclusions and recommendations which we hope, given a commitment to implement them on the part of all those most closely concerned, will go some way towards reducing the problem of hooliganism at football matches and by so doing turn football grounds once again into places of entertainment where parents can take their children to enjoy, in relative comfort and safety, the pleasures of our national game.”**

2.34 The Report observed that:

**“A hooligan is a hooligan no matter where he operates and the fact that his behaviour is conspicuous at a football match has very often nothing to do with the game itself.”** (Paragraph 4).

Mr McElhone saw the problem as one of trying to reduce, or at least contain, the incidence of hooliganism at football matches without restricting the pleasure of the majority of supporters.

2.35 So far as drink was concerned, the Report recommended that it should be an offence for a spectator to carry or attempt to carry alcohol into a football ground; that it should be an offence to be in possession of alcohol within the ground or to attempt to gain admission while drunk. The Report recommended that

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<sup>1</sup> Report of the Working Group On Football Crowd Behaviour: Scottish Education Department/HMSO 1977.

more people who were physically capable of carrying out the duties of enforcement would have to be recruited and suggested that, in their recruitment of stewards, clubs should look to their supporters' clubs to assist in providing the kind of men required for the job. So far as transport was concerned, the Report recommended that it should be an offence for anyone to be in possession of alcoholic liquor on a vehicle hired specifically for the purpose of carrying passengers bound for a football match; or to allow any alcoholic liquor to be carried on a public service vehicle being used for the purpose of carrying passengers to football matches; or to allow the carriage of any drunken person on such a vehicle bound for a football match.

2.36 So far as the separation of supporters was concerned the Report recommended:

**"That in the interests of crowd control and safety, separation of rival supporters at turnstiles should be carried out if the police, in consultation with the club, consider such a step to be necessary; that for matches where larger than average attendances are expected, sufficient turnstiles should be opened timeously in order to achieve speedy admission:"** (Recommendation 13).

**In order to protect the players, match officials and the pitch, access to the playing area should be made as difficult as possible. To prevent an invasion of the playing area by spectators . . . the erection of a physical barrier in the form of a fence not less than 1.8 metres in height with access points to allow the pitch to be used if necessary for the evacuation of spectators in an emergency."** (Paragraph 53).

2.37 A further recommendation was that:

**"the Courts should make full use of the higher fining powers under the Criminal Law Act 1977 in respect of common law offences which include malicious mischief, breach of the peace and assault, these being the most common offences associated with football hooliganism, and in respect of persistent offenders, should normally impose imprisonment without option."** (Recommendation 19).

2.38 The Report recommended that:

**"The police should have statutory powers to search for any containers . . . in the possession of any person entering or attempting to enter football grounds."** (Recommendation 24).

but went on to point out that the clubs must bear their share of the responsibility for the behaviour and conduct of their staff at all levels:

2.39 Among other observations the Report says this:

**"We recognise that many football grounds in Scotland are very old; some could even be described as primitive in that not only do they lack any kind of comfort for spectators but they also lack basic amenities including adequate toilet accommodation. This primitive environment encourages some people to react in a primitive manner. Moreover there is a strong case for more seating accommodation. In our view it would go a considerable way towards reducing hooliganism; potential trouble spots could be more quickly recognised and identification of troublemakers by police would be made that much easier."**

The Report therefore recommended:

**"that clubs should consider the provision of additional seating accommodation. In addition clubs must provide adequate toilet facilities for men *and* women and generally improve amenities for spectators."** (Paragraph 88).

2.40 This Report also recommended that:

**"players should be encouraged by the clubs to extend their voluntary public relations work in the community including personal appearances at youth clubs etc and coaching sessions in schools with the objects of promoting the game and the concept of good sportsmanship."** (Recommendation 37).

CCTV was recommended and supporters' clubs encouraged. The Scottish Football Association was recommended to take appropriately firm action against clubs.

#### **Department of the Environment Working Group**

2.41 The most recent Government publication on the subject of football is the Report of an Official Working Group on Football Spectator Violence set up by the Department of the Environment, which was published by HMSO in 1984. The Working Group was set up following serious incidents of violence

involving British supporters at England's soccer matches in Luxembourg and France in November 1983 and February 1984 respectively. It dealt partly with problems arising out of international football.

2.42 However, as regards domestic football the Report said:

**“the Group reaffirmed the importance of consistent planning, preparation and co-ordination; of building on experience; and of the need to consider afresh all possible measures, including those previously thought to be impractical or unnecessary.” (Paragraph 5.1).**

**“We recommend therefore that the FA reviews and better defines its powers and procedures and the responsibilities of the clubs. If their powers prove to be inadequate, the Association should consider enhancing them.”**

The Report went on:

**“This would better equip the FA to implement some of the recommendations.” (Paragraph 5.5).**

2.43 The Football Association had issued a “blueprint” detailing the precautions which league clubs should take against violence, which was circulated to clubs at the beginning of the 1983–84 season. The Working Party Report said that it:

**“... has not been rigorously adopted by all clubs. Since it represents the collective wisdom of football clubs, many of whom have successfully countered serious threats of violence, its implementation should have prevented some of the violence in grounds last season.” (Paragraph 5.7).**

2.44 The Report observed that the enforcement by the Football Association of its “blueprint” occurs after the event when the deficiencies in a club's planning has become apparent. The Report recommended that:

**“improved means should be found for ensuring that clubs adopt the provisions of the “blueprint” in a way appropriate to their own grounds and matches.” (Paragraph 5.7).**

The Report went on to recommend that each club should produce a detailed set of plans to be submitted to the football authorities for endorsement. This would prevent some clubs from avoiding their responsibilities and might ensure also a more co-operative and committed response.

2.45 The Report recommended that matches between high risk clubs should be programmed so that the risk or threat of violence could be reduced. The Report said:

**“It is more likely to take place at the beginning and end of the season and at holiday periods, particularly at seaside fixtures when other groups of young people sometimes also clash with football supporters.” (Paragraph 5.13).**

2.46 The Report went on to recommend the introduction of club membership, the introduction of CCTV and closer links with the community. It did not recommend that alcohol should be banned in grounds and concluded that in the absence of clear evidence that the introduction of legislation along the lines of the Criminal Justice (Scotland) Act 1980 would reduce violence at English soccer matches, it could not recommend such action. Furthermore, said the Report:

**“legislation of this kind would be unwelcome to many; the majority of football clubs are untroubled by violence and would unnecessarily be penalised financially and the vast majority of non-violent spectators would suffer for the actions of the few.” (Paragraph 5.34):**

The Working Group did not recommend additional measures for banning alcohol on trains or on football coaches.

## **Conclusion**

2.47 A study of all these reports (and there are numerous reports and discussion papers by other bodies) shows that the following are measures which have been frequently recommended:

1. Closed Circuit Television
2. Membership Cards
3. Segregation

4. More seating at football grounds
5. Encouragement of supporters' clubs
6. A ban on alcohol
7. Involvement of the clubs with the community
8. Heavier penalties.

I too shall argue for these and related measures. It is to be hoped they will be more vigorously pursued by the appropriate bodies than in the past.

## CHAPTER 3

### *Future safety at sports grounds*

#### **Safety of Sports Grounds Act 1975**

3.1 The terms of reference of my Inquiry require me to comment upon the working of the Safety of Sports Grounds Act 1975. The Act was introduced in 1975 to give effect to the recommendations of an Inquiry into Crowd Safety at Sports Grounds. This Inquiry, under the chairmanship of Lord Wheatley, was set up in February 1971 following the tragedy at Ibrox Park in January 1971 when 66 people died as a result of pressure from massive crowd surges on a gangway towards the end of the match.

3.2 The main concern of the Wheatley Report was, understandably, with crowd safety in the context of the hazards of uncontrolled crowd movement, with the measures appropriate for mitigating such risks and with the provisions of a regulatory system to ensure that necessary safety measures were taken.

3.3 The statutory framework of the Safety of Sports Grounds Act 1975, providing for local authority certification of designated stadia, follows broadly the pattern outlined in the Wheatley Report.

3.4 My enquiries into the working of the Act have shown that in the designated stadia it has proved effective in securing improvements in safety. Until August 1985, however, the only stadia designated were those with accommodation for over 10,000 in Divisions One and Two of the Football League, the Premier League in Scotland and certain international football and Rugby League stadia. In August of this year, following the tragedies at Bradford, Birmingham and Brussels, designation was extended to Divisions Three and Four of the Football League and to Divisions One and Two of the Rugby League.

3.5 The provisions of the Act have not been applied to the remainder of stadia and grounds in England and Wales and Scotland. I find that neither it, nor the Home Office/Scottish Home and Health Department Guide associated with it (the Green Guide) have been successful in raising the levels of safety at the non-designated grounds. I have the clear impression from my various enquiries that until the tragic events at Bradford, Birmingham and Brussels, the Green Guide was disregarded by the non-designated clubs. There has, however, been an upsurge of interest since these events took place and there have, of course, been the further designations referred to above. These developments do not themselves, in my view, yet assure a proper standard of safety for the public at sports stadia and grounds. They do, however, provide a climate in which, if prompt action is taken, a proper standard can be set and maintained. It is to be hoped that this opportunity will not be missed.

3.6 In his Report Lord Wheatley identified the various problems in the grounds relating to crowd pressures and gradients in covered stands as well as the more acute risks that such factors presented on the standing terraces. He also drew attention to the dangers peculiar to stands, such as the risk of fire, which normally do not arise on open terraces. Lord Wheatley went on to say: **"Many of the stands used at present were built years ago. The materials of which they are built, their design and the use to which the accommodation underneath is put, may constitute fire risks. Thus while events in recent times have highlighted the dangers in the terracing and its exits, the potential dangers in stands are self-evident."**

3.7 The level of spectator accommodation currently required before a stadium can be designated is not an indicator of all the risks identified by Lord Wheatley as being present in sports grounds and stadia. Whilst it is acknowledged that a designated ground will have all safety matters attended to, there are present, on many non-designated grounds, stands capable of accommodating large numbers of spectators. If these grounds do not qualify for designation, the risks, in particular those associated with fire, will not receive the systematic attention that they should.

3.8 There is, therefore, a need to reconsider the application of the safety controls at sports grounds. To ensure the safety of persons attending it will be necessary to provide a wider measure of control in future over sports grounds, sports stadia and indoor sports arena than currently.

3.9 There is no wish on my part to add unnecessarily to the burdens which those who organise and manage the various sporting activities carry. There is, however, a real responsibility to ensure that those people who attend sporting events can feel confident that all reasonable steps have been taken to ensure their safety in case of emergency.

## **Future designation and certification policy of grounds with accommodation of over 10,000**

### *(i) “Stadia”/“Grounds” distinction*

3.10 The power under Section 1 of the 1975 Act to designate stadia as requiring safety certificates has been applied only to the grounds of the four Divisions of the Football League in England and Wales, to the two Divisions of Rugby League, to the Premier League in Scotland, and to a small number of major international grounds where football is played. Three of the major grounds where Rugby Union is played are also covered, Twickenham, Murrayfield and the National Stadium at Cardiff Arms Park.

3.11 In my Interim Report, I provisionally recommended that there should be designation of those grounds capable of holding over 5,000 spectators<sup>1</sup> and that indoor sports premises should also be designated<sup>2</sup>. I have now had an opportunity of reconsidering the position on further designation after hearing extensive evidence on the matter. I have had to take into account, for example, the financial position of the smaller clubs and balance that against the general safety of the public.

3.12 By Section 1(1) of the Safety of Sports Grounds Act 1975, the Secretary of State may by order designate as a stadium requiring a safety certificate any sports stadium which, in his opinion, has accommodation for more than 10,000 spectators. By Section 17, sports stadium is given a particular meaning, namely **“a sports ground where the accommodation provided for spectators wholly or substantially surrounds the area used for activities taking place on the ground.”**

3.13 According to Section 17 of the Act, sports ground means **“any place where sports or other competitive activities take place in the open air and where accommodation has been provided for spectators consisting of artificial structures or of natural structures artificially modified for the purpose.”**

3.14 There is, in my view, no logic in making a distinction for safety purposes between a sports ground and a sports stadium, simply according to whether the accommodation surrounds, say, three or two sides of the ground. For instance, a Bradford-type stand is just as dangerous to the occupants in a **stadium** as in a **ground**. In my view, the limitation on the interpretation of **sports stadium**, namely that the structure has **wholly or substantially to surround the area used for activities**, is a limitation which should now be removed and the Safety of Sports Grounds Act 1975 should apply to any sports ground as defined in Section 17 of the Act. *I recommend that the distinction between sports grounds and sports stadia be abolished.*

### *(ii) Extension of designation under Section 1 of the 1975 Act*

3.15 Given the present structure of the Act, I first have to consider those grounds and stadia with a capacity for accommodation in excess of 10,000 spectators but which are presently undesignated. Should they all be designated? Or should the full procedure under the Safety of Sports Grounds Act 1975 be limited to those sports where in addition to a fire hazard there is a general problem of crowd control?

3.16 It has to be recognised that at any sports grounds or stadia there may be three potential hazards—the fire risk, structural failure and problems of crowd control. But it does not follow that all grounds with accommodation for over 10,000 spectators have all three problems. There are sports stadia and grounds where by reason of the activity and the atmosphere there is no crowd control problem. For them I see no purpose in imposing the full certification process under the Safety of Sports Grounds Act 1975.

3.17 Lord Wheatley, in his Report, recommended (paragraph 56) that the licensing system should be phased as follows:

Category 1 (a) All International Grounds, ie Hampden Park, Ninian Park, Wembley Stadium, Cardiff Arms Park, Murrayfield and Twickenham.

(b) All English 1st and 2nd Division Football League grounds and all Scottish 1st Division Football League grounds.

Category 2 (a) All English 3rd and 4th Division Football League grounds and all Scottish 2nd Division Football League grounds (unless in Category 1).

(b) Rugby League grounds.

Category 3 Grounds of other Soccer Clubs and Rugby Clubs of either code with a capacity of more than 10,000 spectators.

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<sup>1</sup>Interim Report: Provisional Recommendation 6.

<sup>2</sup>Interim Report: Provisional Recommendation 5.



Category 4 Grounds with a capacity of not more than 10,000 spectators, having structural accommodation such as stands for spectators.

3.18 Apart from some clubs who were then in the Scottish 1st and 2nd Division (as they then were called) all grounds in Categories 1 and 2 have now been designated. Rugby League grounds which have already been designated present a similar picture to Rugby Union grounds both in size and shape and in the number and behaviour of their spectators. Currently, they have little or no hooligan problem. But safety in the stands and on the terraces needs to be considered, having regard to the movement of large crowds which some Rugby Union games attract. Accordingly, it seems to me right that Rugby Union grounds with accommodation for over 10,000 spectators should now be considered for designation.

3.19 The other sport which attracts large numbers and has problems of crowd safety similar to Rugby Union or Rugby League is cricket. Also at some grounds an element of "football" hooliganism has started to appear on some occasions particularly at the one-day games. Lord Wheatley concentrated on the problems of crowd safety at soccer grounds and also considered Rugby League and Union. Understandably he did not consider other sports such as cricket.

3.20 Having regard to the large number who attend some cricket matches and to the risk in terms of crowd safety that their attendance presents, it seems to me to be right that those cricket grounds which have accommodation for more than 10,000 spectators should also be considered for designation.

3.21 I have considered other sports where accommodation for spectators exceeds 10,000. At present there appears to be no real problem arising from crowd pressure or hooliganism at these sports. I conclude therefore that it is unnecessary to impose full designation under the Safety of Sports Grounds Act 1975 on any other grounds with accommodation for over 10,000 spectators.

3.22 It has been suggested that the general system of control of sports grounds might best be governed by the Fire Precautions Act 1971. The fire service representatives who gave evidence argued that it would be very much better if all matters relating to fire precautions were dealt with by them under one single Act. At first sight that has much to commend it. But there is also an argument that all matters of safety in sports grounds should come under the umbrella of the Safety of Sports Grounds Act 1975.

3.23 The Safety of Sports Grounds Act 1975 has now been operating satisfactorily for a number of years at designated grounds. It seems to me sensible that large sports grounds requiring a safety certificate should continue to be dealt with under the Act. I am concerned, where possible, that all sports grounds requiring a safety certificate should come under the umbrella of a single Act. It is now not feasible for the designated grounds under the Safety of Sports Grounds Act to be dealt with by any other legislation. *Accordingly, I recommend the further designation of sports grounds or stadia with accommodation for over 10,000 spectators where Association Football, Rugby League, Rugby Union and cricket is played in England and Wales and Scotland, under the Safety of Sports Grounds Act 1975.*

*(iii) Regulation of sports grounds/stadia not designated under Section 1 of the 1975 Act*

3.24 I turn next to consider the question of those numerous grounds where the accommodation provided for spectators is below the 10,000 figure, and those with accommodation over 10,000 which are not recommended for designation. Nevertheless, there exists in many of these grounds stands which may accommodate several thousand people. An outbreak of fire could expose large numbers of people to serious risk of injury unless statutory provision is made for their safety in such an event. What then is to be done about the risk of fire at sports grounds and stadia which fall outside the system of designation, either because their capacity is below 10,000 or where their capacity is over 10,000 and Association Football, Rugby League, Rugby Union or cricket is not played?

3.25 The question then is firstly, what system shall govern those grounds with accommodation below 10,000, and those not recommended for designation with accommodation over 10,000 and secondly, at what level of capacity the line should be drawn. One possibility is that grounds and stadia not designated under the 1975 Act, but having seating capacity in a stand for over 500 spectators, should be designated under the Fire Precautions Act 1971. Another possibility is by the application of the "self compliance" procedure. (See paragraphs 3.29 and 3.30).

3.26 In July 1985, you published a consultative document—"A Review of the Fire Precautions Act 1971." It was arranged that my attention should be drawn to it so that I might consider its relevance to my Inquiry into the operation of the Safety of Sports Grounds Act 1975.

3.27 In paragraphs 3.57 to 3.63 of my Interim Report, I dealt with the position of the fire authority at law under the Fire Precautions Act 1971. Two matters in the Consultative Document, which are of particular relevance to my considerations, are these. Because of the administrative workload of fire certification under the Fire Precautions Act 1971, and the failure of the Act to discriminate between the degrees of risk, it is suggested in the Consultative Document that what is needed is a more flexible and discriminating system of fire precautions control under which premises which pose the greatest risk to the safety of occupants in the event of fire can be identified. Secondly, the system should enable resources to be devoted to improving fire safety in premises which pose unsatisfactory fire risks, without having to devote equivalent attention to premises where standards are acceptable.

3.28 At present, hotels, boarding houses, factories, offices, shops and railway premises are designated under the Fire Precautions Act 1971. Fire authorities inspect these premises and issue a fire certificate with which the owner or occupier must comply. Sports grounds and sports stadia as such are not currently designated under the Act.

3.29 Put shortly, the proposal in the Consultative Document is that the Secretary of State should have power to designate premises by class of use similar to that contained in the Fire Precautions Act 1971. Those which are designated would first have to be registered; then an obligation would be imposed upon the person responsible for the premises to achieve and maintain reasonable standards of fire safety. For this purpose he would be provided with advice in the form of an approved code of guidance. Thus the present fire certification process would be replaced by a system requiring the occupier to comply with the requirements of the Act by a specified date. The fire authority would have a duty to inspect and re-inspect after the said date to ensure that the occupier had in fact complied with the requirements of the Act.

3.30 This type of approach to compliance with the requirements of safety legislation (which for ease of reference I call self compliance) has not received universal approval among those to whom I have talked. However, for the purpose of application of the Safety of Sports Grounds Act 1975 this approach may have some significance.

3.31 The Chief Fire Officers in England and Wales and the Firemasters in Scotland have already carried out a detailed survey of a large number of sports grounds and stadia which were not designated under the Safety of Sports Grounds Act 1975.

3.32 The returns from the Chief Fire Officers in England and Wales about the extent of restrictions or prohibitions they had imposed on the use of outdoor sporting venues of all kinds, show that by 17 August 1985 there were restrictions or prohibitions applying in some 106 grounds. In some cases Section 10 of the Fire Precautions Act 1971 had been used. In others, Section 77 of the Building Act 1984 (which gives district councils certain powers in respect of dangerous buildings) had evidently been used and no doubt Section 10 of the Safety of Sports Grounds Act 1975 had also been invoked.

3.33 A total of 228 non-designated sports grounds were inspected by Firemasters in Scotland. In August 1985 it was found that in about half of the grounds the fire precautions arrangements were unsatisfactory. At none of the clubs in the 1st and 2nd Divisions of the Scottish Football League were the fire precautions found to be satisfactory. Six out of twenty needed significant work done to improve fire safety levels.

3.34 Having regard to the lack of safety precautions at sports grounds disclosed in evidence to me, it would in my view be a mistake to leave to sports grounds' management the discretion of "self compliance." *I therefore recommend that all sports grounds and sports stadia not designated under the Safety of Sports Grounds Act 1975 and having a capacity in a stand of over 500 should be designated under the Fire Precautions Act 1971 as premises requiring a fire certificate.*

3.35 The thresholds of 10,000 or of 500 are bound to be arbitrary and this is no more than an empirical approach. I have to exercise my judgment as best I can. It is an attempt to balance the expense of inspection against a reasonable degree of safety. It has to be remembered that the fire authority already have some control over non-designated sports grounds by virtue of Section 10(1)a of the Fire Precautions Act 1971. Similarly, local authorities have some control under Section 10(1) of the Safety of Sports Grounds Act 1975.

3.36 Some anxiety has been expressed about the additional expense which would be incurred by further designation and questions were raised about resource implications. However, the authorities have already done the inspections necessary to ascertain the problems in many of the grounds and substantially to

remedy them. Although further expense and time will be required if there is to be certification of all sports grounds with accommodation for over 500 spectators in a stand, nevertheless some of the ground work has already been done. The speed and efficiency with which the Fire Authorities have acted in carrying out the inspections is much to be commended and should allow for the early implementation of further designation.

3.37 I have given consideration to the possibility of using the provisions of the Safety of Sports Grounds Act 1975 in relation to non-designated sports grounds and sports stadia. As I have said, it may be argued that it is more appropriate to use, if possible, the 1975 Act and have all sports ground and sports stadia under one Act rather than to apply the provisions of the Fire Precautions Act 1971 or in relation to structural safety, the Building Act 1984 or the Health and Safety at Work etc Act 1974.

3.38 An additional difficulty may arise if the Fire Precautions Act 1971 is amended in the near future as a result of the proposals contained in the Consultative Document. Then the issue of a fire certificate under the Fire Precautions Act 1971 could create an anomalous situation in respect of other sports grounds or stadia which might be inspected after any changes in the legislation. It would, of course, be for consideration, as and when the suggestions in the Consultative Document are implemented, whether the self compliance scheme (as I have called it) would be sufficient to deal with the risk of fire at a sports ground or stadium. I do not comment on that. It is not, of course, possible for me to anticipate when legislation would be introduced or how the Act might emerge after debate. If, however, after debate it appeared that the fire certification process could properly be replaced by the self compliance scheme in relation to sports grounds or stadia, then no doubt you would be advised that that was the proper course to take.

3.39 However, I have to deal with the position in relation to the non-designated grounds and stadia now. I have to take account that at grounds or stadia not designated under the Safety of Sports Grounds Act 1975 there may still be stands of the Bradford type; unless they are subject to adequate statutory control in the immediate future unacceptable risks may remain. Thus it seems to me that, until the legislation governing fire precautions has been amended or consolidated, my recommendation about designation under the Fire Precautions Act 1971 of sports grounds and stadia should be implemented.

3.40 However, if it were possible under the provisions of the Safety of Sports Grounds Act 1975 to introduce some form of certification for those grounds and stadia not designated, it would be logical that all sports grounds and stadia should be under the umbrella of that Act.

3.41 By Section 15 of the 1975 Act, you **“may by order direct that any of the provisions of this Act which are not expressed to apply to sports grounds other than sports stadia, shall, subject to such exceptions, adaptations and modifications as may be specified in the Order, extend to classes of such sports grounds”**. The effect of that is that you may apply to sports grounds, the provisions of the Safety of Sports Grounds Act 1975. In particular, you may apply those provisions relating to a safety certificate subject to such exceptions, adaptations and modifications as you may specify in the Order. Thus, so far as non-designated sports grounds are concerned, it would be possible for you, by Order, to introduce a modified safety procedure for those grounds relating to structural safety, crowd control and fire risk. This would have the advantage of covering the risks inherent at a sports ground.

3.42 However, there is a difficulty in that Section 15 may not govern non-designated sports stadia. So that, if you were to proceed by an Order under Section 15, it might still leave the problem of sports stadia which are not designated, because Section 15 only applies to sports grounds which are not sports stadia.

3.43 It may, of course, be possible for the Safety of Sports Grounds Act 1975 to be so amended so as to have all sports grounds and stadia under the umbrella of the Safety of Sports Grounds Act 1975. That would make some sense.

3.44 Additionally, it may be argued that by amending Section 1 of the Safety of Sports Grounds Act 1975, all stadia which are presently not designated (by reason of having accommodation for fewer than 10,000 spectators) could be subject to a certification process under the Act. However, this certification process would have to be the full safety certification under the Act. There is no provision for a modified certification procedure for stadia under the Act as appears possible for sports grounds under Section 15. I have to consider the immediate problem, until the Act is amended, if it is. If it is thought that in the long term an amendment is the most sensible method of approach, I have to say however that a designation order under the Fire Precautions Act 1971 seems the only *immediate* step which can be taken to deal with the fire risk now.

3.45 Thus, while there are alternatives to the recommendations which I made in paragraph 3.34, they require amendment to Acts of Parliament, and until those amendments have been made, I am firmly of the view that my recommendation should obtain.

3.46 Much the same point may be made about indoor sports facilities, as I shall explain below (see paragraphs 3.53—3.59).

#### **Structural safety of undesignated sports grounds and stadia**

3.47 I return to the question how best to ensure the structural safety of those grounds and stadia not designated under the Safety of Sports Grounds Act 1975. It might be done by amending Section 15 of the Safety of Sports Grounds Act 1975 as I have already indicated. Unless and until that is done, what are the alternatives? It appears that there are three authorities who have the power to deal with breaches of structural safety at undesignated sports grounds: the Health and Safety Executive (under Section 3 of the Health and Safety at Work etc Act 1974); a county council (under section 10 of the Safety of Sports Grounds Act 1975); and a district council (under Section 77 of the Building Act 1984).

3.48 It is also clear that while these authorities have the power to enforce provisions of their respective Acts, they have no duty to inspect the premises to ascertain whether there have been any breaches. This difficulty was highlighted by the events at Bradford referred to in my Interim Report.

3.49 It is in my view essential that one authority, and only one authority, should have the responsibility for the structural safety of undesignated sports grounds and stadia. If not, there will not only be a duplication of effort and waste of resources, but also a risk that no-one will in fact inspect these grounds and stadia.

3.50 The necessary inspection must depend on the perception of risk, particularly having regard to other buildings within the jurisdiction of the particular authority. But a duty to inspect and ensure compliance with reasonable standards of safety is necessary.

3.51 The next question is on whom this duty is to be imposed. The Health and Safety Executive are reluctant to intervene where there is already specific legislation (in this case the Safety of Sports Grounds Act 1975). They do not have the resources. Nor may they have quite the same expertise such as is readily available to a county council.

3.52 Alternatively, the duty could be imposed on a county council or district council. This is a matter upon which I do not have the evidence to judge, except to observe only that the county council already have a team who are expert in structural safety at sports grounds. On the other hand, I note that many of the powers of the Metropolitan Counties will shortly be transferred to Metropolitan District Councils. Additionally, it is suggested in a Consultative Document published by the Health and Safety Commission – “Draft proposals for revising the Health and Safety (Enforcing Authority) Regulations 1977,” that some of the powers of the Health and Safety Executive should be transferred to the district council. In the result, this must be a matter for Ministerial decision but *I recommend that one authority must be given the responsibility for securing structural safety at undesignated sports grounds and stadia*. The potential consequences of long term neglect in this area do not need to be highlighted by me.

#### **(iv) Indoor facilities in England and Wales**

3.53 In my Interim Report I was minded to recommend that designation should be extended to cover indoor facilities in England and Wales.<sup>1</sup> A survey has been undertaken by Chief Fire Officers of 289 such premises (in Scotland 26 premises were surveyed) with an overall spectator capacity over 1,000. Most of the premises are used for more than one sporting activity, of which the following are some examples: boxing, wrestling, judo, karate, gymnastics, athletics, football, tennis, basketball, netball, volleyball, badminton, hockey, squash, weightlifting, billiards, snooker, darts, table tennis, golf, archery, fencing and bowls as well as water, ice and equestrian sports.

3.54 In England and Wales over 80% of the premises are licensed under the Local Government (Miscellaneous Provisions) Act 1982 or equivalent GLC legislation because one or more of the activities requires licensing. Numbers of sporting activities within these premises will not, however, be covered by their licence against fire risk.

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<sup>1</sup>Interim Report: Provisional Recommendation 5

3.55 More than half of the remainder are subject to liquor licensing and/or other legislation which includes consideration of the adequacy of fire safety measures, eg the Fire Precautions Act 1971, the Theatres Act 1968, the Cinemas Act 1985 and local legislation in relevant parts of the premises. In only five per cent of these premises does no fire safety legislation apply at any time.

3.56 In 1983 there were around 200 fires in indoor sports premises in the United Kingdom. It appears that at about half of these fires no-one was present at the time. In approximately 40 per cent of the total cases the cause was suspected to have been malicious ignition or children playing with fire.

3.57 These figures reveal that there is a fire risk at indoor stadia. There is no evidence to suggest that there is a crowd problem, nor that there is a problem of structural safety. Accordingly, it seems to me that what is necessary for all indoor sports facilities with accommodation for more than 500 spectators is a fire certificate under the Fire Precautions Act 1971. It may be in many cases that nothing further needs to be done. In others, it may be necessary for the protection of the public that further steps should be taken. That seems to me to balance the risk to the public with the expense to those responsible for the indoor sports facilities and also to bring the control of the fire risk at these premises within a single Act. *Accordingly, I recommend that all indoor sports facilities with accommodation for over 500 spectators should require a fire certificate under the Fire Precautions Act 1971.*

3.58 If, however, the Local Government (Miscellaneous Provisions) Act 1982 or equivalent GLC legislation were amended to include all sporting and recreational activities, then I am satisfied that the necessary control in relation to fire precautions could be assured. Unless and until the Act has been amended in that way, I repeat that these premises should be designated under the Fire Precautions Act 1971 by Order and require a fire certificate.

#### *(v) Indoor facilities in Scotland*

3.59 Fire precautions at indoor facilities in Scotland are governed by a number of different Acts. It is by no means clear to me that all activities at indoor stadia in Scotland are presently covered by fire regulations. *Accordingly, I recommend an urgent review of the existing legislation and if there is such a gap, indoor facilities in Scotland should be designated under the Fire Precautions Act 1971 and require a fire certificate.*

### **Section 10 and prohibition notices**

3.60 As I have indicated, I do not regard the proposals in the Consultative Document for what I call self compliance as appropriate for premises covered by the Safety of Sports Grounds Act 1975. There is, however, an important proposal in the Consultative Document about prohibition notices which is highly relevant to the application of the Safety of Sports Grounds Act 1975.

3.61 I had occasion, in my Interim Report (paragraph 3.60), to make some observations about the effect of Section 10 of the Fire Precautions Act 1971. This section seemed to me to be available only when there was an immediate risk of a fire taking place. The Consultative Document deals with this in this way:

**“32 In circumstances where an inspection revealed the existence of abnormally serious risk it is important that the fire authority should have power to prohibit or restrict the use of the premises until the necessary remedial action has been taken. So far as England and Wales are concerned the power currently available for this purpose under section 10 of the 1971 Act has not been wholly effective. Some of the defects of Section 10 are:**

- (a) because of pressure on Magistrates Courts there are sometimes delays in obtaining the hearing of applications and some Courts insist on prima facie evidence before granting a summons;**
- (b) considerable documentation is involved in cases where there are a number of occupants since they must each be summoned;**
- (c) it must be demonstrated that the dangerous condition exists at the time of the court hearing. Consequently Section 10 procedures are not easily applied to situations which can be manipulated by the occupier to frustrate proceedings. Examples are the storage of inflammable material in exit ways and dangerous overcrowding at night;**
- (d) in the event of failure to comply with the court order the only sanction is to proceed under the law of contempt which does nothing to remove the hazard which gave rise to the original complaint to the court.”**

3.62 I made a provisional recommendation at paragraph 3.61 of my Interim Report that Section 10 of the Fire Precautions Act 1971 should be amended so that the fire authority could go to court, not when the risk was so serious, but when the risk was an ordinary one. I hoped that the power would be exercised in cases other than those which were regarded as exceptional. Additionally, I was minded to recommend that there should be power under Section 10 to apply for an injunction to the High Court or for an interdict to the Court of Session in Scotland.<sup>1</sup>

3.63 The Consultative Document (Paragraph 33) recommends a simpler method of approach and one which seems to me to be sensible. It says:

**“33 It is therefore proposed that provision should be made for authorised officers of the fire authorities to have a power similar to that accorded to Health and Safety inspectors under Section 22 of *The Health and Safety at Work Etc Act 1974* to issue a Prohibition Notice. The 1974 Act procedures have the advantage of being simple to operate and, because no court hearing is involved, of achieving the aim of restricting the use of premises with the least possible delay. Once issued, a prohibition notice has more impact than action under Section 10, and is evidence of the situation, which if continued or repeated, could lead to immediate prosecution for failure to comply with the notice. As in the case of improvement notices, there would need to be suitable appeal provisions. Like Section 10 of the 1971 Act, the power to issue restriction or prohibition orders extend to any premises falling within the general class of use from which a particular use could be designated.”**

3.64 Accordingly, I recommend that provision be made in the Fire Precautions Act 1971 for authorised officers of a fire authority to have power to issue a prohibition notice.

3.65 A similar difficulty also arises in the application of Section 10 of the Safety of Sports Grounds Act 1975. As I explained in my Interim Report, under the terms of this provision a court has to be satisfied that the danger is so great that immediate action has to be taken. There are thus difficulties for the local authorities who are responsible for enforcement in ensuring that some safety precaution is taken by a club where there is no immediate risk of danger. It may be that the threat of Section 10 has, and will continue to persuade clubs to do what is needed. However, it is clear that recently some local authorities have been requiring clubs to carry out certain expensive precautions which the club, on professional advice, do not themselves regard as either being a problem, or as being an immediate problem. Thus there may be a conflict between local authorities and clubs, which may have an adverse effect on the safety of sports grounds. In my Interim Report, at paragraph 3.76, I was minded to make a recommendation in relation to Section 10 similar to my recommendation on Section 10 of the Fire Precautions Act 1971.<sup>2</sup> It seems to me, however, that the introduction of the power to issue a prohibition notice similar to that proposed in the Consultative Document on the 1971 Act would be a sensible provision and I recommend that provision be made in the Safety of Sports Grounds Act 1975 for authorised officers of the local authority to have power to issue a prohibition notice in relation to sports grounds and stadia.

### **Revocation of certificates; reinspections**

3.66 Once a safety certificate under the Safety of Sports Grounds Act 1975 has been issued there is no power for the local authority to revoke it. By Section 4(1) **“the local authority may, in any case in which it appears appropriate to them to do so – (a) amend the safety certificate by notice in writing to its holder; or (b) replace a safety certificate.”** It would be possible for the local authority, if a club did not comply with an instruction, to amend the certificate so that the particular area of the ground would have its numbers limited. I do not believe that this section was intended to act like a prohibition order, though it may have that effect. It seems not, however, to have been used in that way. In addition to a prohibition notice, powers should be given to the local authority to revoke the safety certificate. The ability for a local authority to amend a certificate to reduce the capacity, could have the same effect as the power of revocation. But this is a device. The right to revoke a certificate should be available to the local authority and a right of appeal should be available to the holder of a certificate.

3.67 Another possibility would be to require that the safety certificate shall be re-issued annually; this would have two effects. It would ensure that there is an annual inspection; secondly it would give the local authority added power if a club were dragging its feet in carrying out some work which is required by the local authority. Some local authorities have complained to me that work which they require is often not done as quickly or as efficiently as it should be, and that the effective sanctions are somewhat limited.

<sup>1</sup>Interim Report: Provisional Recommendation 3.

<sup>2</sup>Interim Report: Provisional Recommendation 4.

3.68 Nor is there any duty, under the Act, on the local authority to make a regular inspection. As a matter of practice it appears that some local authorities do make regular inspections. Representations have been made to me that in order to ensure that the provisions of the certificate are being carried out, there should be a statutory obligation to have an annual re-inspection. *I therefore recommend (1) an annual renewal of the certificate (2) a duty on the local authority annually to inspect the premises prior to re-issuing the certificate and (3) the power to revoke.*

### **Composition of local authority team**

3.69 I have been generally impressed with how well the 1975 Act has operated in designated grounds. There have been some criticisms by the various members who make up the certificating team that their particular expertise has not been given the full recognition that it should. In any organisation, let alone several organisations, some difficulties are inevitable due to the personalities of those involved. But the teams for the most part have worked together well.

3.70 The fire service have made representations to me about their position in the “team”. They rightly say that it is the local authority who issue the certificate. When the local authority receives a copy of an application for a safety certificate, it is to the chief officer of police and the building authority for the area in which it is situated that a copy of the application is sent. The local authority are obliged to consult them about the conditions to be included in the certificate. There is no express requirement that the fire service shall be similarly consulted. They also point out that on the hearing of an appeal relative to the terms of the certificate, the local authority can be a party; so too can the chief officer of police and the building authority and any other person who may be concerned in ensuring compliance with the terms and conditions of the safety certificate. But not the fire service as such. If there is an appeal against a court order made under Section 10, under the Safety at Sports Grounds Act 1975, the local authority, the club, the chief officer of police and the building authority may be parties but again not the fire service as such.

3.71 The powers of entry and inspection are given to persons authorised by the local authority, to the chief officer of police and to the building authority. Again the fire service do not have the same power unless it is delegated to them by the local authority.

3.72 The fire service point out that though fire is one of the major risks at a sports ground, the fire service is not identified as having any particular role in the issue of the safety certificate or its enforcement. (I am dealing now with the position before the abolition of the Metropolitan Authorities). They complain that even if changes are made to permit a local authority to issue a prohibition notice under the provisions of the Safety of Sports Grounds Act 1975, they will be unable to do it on the spot. They suggest that it will be necessary for the solicitor to the local authority to be contacted, and that there are times when he may not be readily available to give the necessary authorisation for the prohibition notice to be issued.

3.73 I am unconvinced by this argument, particularly so since the fire officers produced no evidence to me as to any real problem during the years since the introduction of the Safety of Sports Grounds Act 1975. In the event that problems should arise in future because of the non-availability of the authorised local authority official, the matter can be speedily remedied by the local authority giving delegated powers to the chief fire officer.

3.74 It was further pointed out when district councils are given the local authorities’ responsibilities in the Metropolitan County Council areas in 1986 there may be even more difficulties. I hope this is a needless anxiety. The elected local authority is, in the end, the body responsible not only under the Act but to local people. It would be possible for the local authority to delegate to each discipline the power to issue a prohibition notice – that must be a decision of each local authority. At the moment I do not accept that there is any problem in practice.

3.75 The fact that the Chief Fire Officer is not named as a party to the Act is said, albeit by only a minority among fire officers who spoke to me, to give rise to difficulties. It is argued that because of their expertise the fire service should be in charge of issuing the certificate and in enforcing the provisions.

3.76 It has to be pointed out that the fire service, important as it is, is but one arm of the local authority, which includes the surveyor’s, architect’s, engineering and building and legal departments of the local authority. The reason that the Chief Officer of Police gets a special mention, and the Chief Fire Officer does not, is due to the constitutional position of Chief Constables and for no other reason. I find it difficult to believe that simply because the fire service does not get specific mention in the Act it should not be able

to work harmoniously with other sections of the local authority; nor do I believe that if it were mentioned, greater harmony would result. I do not believe that it should be given the leading role in the team. The certification procedure is essentially a team exercise in which all the disciplines have to be consulted and in which all have an equal part to play. I do not in any way underestimate the immense value of the fire service but in my view the present system should continue. It would be a very unwise local authority which did not obtain and take full account of the views of the fire service.

3.77 The Society of Chief Building Regulation Officers also submitted evidence to me that its members should be responsible for the operation of the Act and that they are not, in fact, being consulted, on some occasions, as the Act requires.

3.78 There is no doubt that the chief building regulation officers do have a very important role to play. Their duties include linked statutory controls over existing buildings in relation to the safety of users. They have responsibility for the enforcement of other legislation controlling safety in buildings which are licensed as places of public entertainment or for public exhibitions or certain sporting contests. It is obvious that they, individually and collectively, have a large amount of expertise relevant to safety at sports grounds. They may well have as much expertise, or indeed more, than those who are part of the team at county level. They are physically closer to the actual grounds with which they are dealing.

3.79 For reasons which no doubt appeared valid at the time they were not, however, given the task of leading the team, when the Act was passed. For my purpose it matters not what the reason was. The fact is that the present situation has now obtained for ten years and has been working satisfactorily. It is, therefore, quite impossible now to start again, nor right for me to suggest that the chief building regulation officer of a district council should take over this function of the county council. Of course the district council in the metropolitan areas will, from early 1986, be exercising the powers of the local authorities in respect of this Act previously exercised by county councils.

3.80 The Society of Chief Building Regulation Officers has also suggested to me that the consultation, imposed upon the local authority under Section 3(3) of the Safety of Sports Grounds Act 1975 with the building authority, has not in all circumstances been complied with. One of the difficulties that has been pointed out to me is that because of the geographical distance between the building authority and the local authority, the level of consultation with the building authority may be less good than with the other interested parties. I should be unhappy to think that was so. I have no firm evidence that building authorities are not fully consulted; but if it is necessary to emphasise the necessity for consultation, I am happy so to do.

#### **A model safety certificate**

3.81 I have seen a number of safety certificates. They vary enormously as to their detail. It would be useful if the local authorities could draw up a document which contains the conditions which most generally need to be included. They will have to avoid the danger of their model being treated as containing only minimal conditions or of a local authority treating the model as of universal application; each ground has different problems and a flexible approach is necessary. But guidance is needed, and I hope that the Association of Metropolitan Authorities, Association of County Councils and the Convention of Scottish Local Authorities will be able to draw up a suitable model.

#### **The Green Guide**

3.82 I have been asked to review this document. I have had many representations as to what should go into it. It has to be a document which is sufficiently detailed not to be merely a bland exposition of general precautions and at the same time it has to be flexible. Accordingly, I set up a technical working party with distinguished members under the chairmanship of Mr Killoran, my Fire Assessor, to examine what additions or alterations are needed to be made.

3.83 Their recommendations, which I accept and commend to you, are contained in Appendix E, as are their names. I am grateful to them for giving up so much of their valuable time and for the speed and expertise which they brought to the task. I add below my own comments and emphasis on one or two important matters connected with the Green Guide.



(i) *Status of the Green Guide*

3.84 I am satisfied that the Guide should continue to be voluntary and not form a statutory code; but it is important that all those concerned with sports grounds should read and understand the contents, and apply the lessons relevant to their own sports grounds.

3.85 A number of officials of sports grounds I have visited have pointed out that the Green Guide has in some cases little relevance to their particular sport. For instance, questions of a perimeter fence at a dog or horse race are largely irrelevant. The Guide needs to be applied in a common-sense way.

(ii) *The Use of Timber in Stands*

3.86 In my Interim Report, paragraph 3.132, I said I would like totally to prohibit permanent wooden stands, including those made from combustible material. I recommended that the building of new permanent stands of combustible material should be prohibited as a general rule<sup>1</sup> and I pointed out that treatment with fire retardant materials may not be effective. That recommendation was made on the advice of the fire authorities to whom I had then spoken. I had not then consulted the timber trades. Not unnaturally, such a recommendation caused a certain degree of consternation in the timber trades, and representations have been made to me that this sweeping recommendation should be reconsidered. In particular my recommendation was taken to mean that no wood should be used in new stands.

3.87 I have now had the opportunity to have a full discussion with the trade. I had, and have, no intention of banning *all* combustible materials from a stand. I was, however, anxious to reduce the fire risk as far as possible and it seemed evident that, the less combustible material in a stand, the less the fire hazard.

3.88 It was urged on me that if proper exits were provided then the danger from combustible cladding could be ignored. I believe it is important to deal with the risk of an outbreak of fire occurring by the provision of proper structural fire precautions, as well as providing an adequate number of exits for use in an emergency.

3.89 On 11 November 1985 new Building Regulations came into force which covered, *inter alia*, stands at sports grounds. It was suggested that if a new stand were to be built in accordance with the Regulations, there could be no criticism.

3.90 Unhappily, I have been advised that under the guidance issued in support of the new Building Regulations it would be possible, in certain circumstances, legally to build a Bradford-type stand. The Department of the Environment recognise the problem and are to give urgent consideration to altering the guidance on how to comply with the requirements. *I recommend that they do so without delay.*

3.91 What then is to be done in the meanwhile? It is obviously possible to build a stand in combustible material which, because of its construction, will have a fire retarding effect, thus providing sufficient length of time to allow spectators to escape. Having regard to the general level of safety at sports grounds which has been revealed since the Bradford fire I am not optimistic that anything more than minimum standards will be adopted by some clubs because of financial problems.

3.92 I am anxious, therefore, about the possibility that some new single-storey stands lacking adequate structural fire precautions might be built prior to any necessary amendments to the Building Regulations Guidance Codes. When they have been so revised conforming with them should be sufficient. Until then, I have to say that construction of a new stand with inadequate structural fire precautions constitutes a fire risk to which members of the public should not be exposed.

(iii) *Artificial Pitches*

3.93 Some concern has been expressed to me, in the light of greater use of artificial pitches, that there may be, in the circumstances of a fire such as occurred at Bradford, danger to the public from toxic fumes if the artificial pitch is exposed to too great a heat. I have not sufficient evidence upon which to pass any judgement. It is, however, a matter, which those who are concerned, namely the fire and football authorities, need to examine in close co-operation, to see whether there is, in fact, a problem, and if so to devise means by which such problem can be avoided. The Sports Council, I understand, have set up a Working Party

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<sup>1</sup>Interim Report: Recommendation 13.

with the assistance of the Fire Research Station to investigate the problem and hope to be able to report in 1986.

*(iv) Temporary Stands and Marquees*

3.94 In England and Wales and in Scotland there appears to be no general legislation governing the use of temporary stands and marquees if they are only in existence for less than 28 days. Fears have been expressed to me that the increasing use of these stands at golf matches and elsewhere gives some cause for concern, both from the safety of the structure in the case of stands and the fire hazard in the case of marquees and stands.

3.95 Hospitality tents which involve cooking facilities are now commonplace at sports grounds. Control of their use needs, in my view, to be considerably stricter. Fire authorities to whom I have spoken are concerned that, even when they are notified, it is sometimes not possible to be sure that a temporary stand is safe because it may be erected in the morning for use in the afternoon. It is not then possible for them physically to check their condition before the public are admitted.

3.96 I therefore repeat the Recommendation in my Interim Report that consideration should be urgently given to how best the question of temporary stands and marquees can be dealt with;<sup>1</sup> at present they undoubtedly constitute a risk to the public. I understand that there are plans for you to publish national guidance for fire precautions in places of public entertainment including temporary structures and marquees. I hope that this can be done quickly.

**Variety of legislation**

3.97 It has already been noted that there is a variety of laws governing sports grounds and indoor sports facilities and therefore there are different bodies with legal responsibilities. This is not likely to lead to efficiency of enforcement. One anomaly appeared during the course of my Inquiry. If Wembley arena is used for boxing it needs to be licensed because it is "entertainment" under the London Government Act 1963 but the same stadium used for the "Horse of the Year Show" does not. The result is that two quite different standards of safety can be applied to the events in the same building.

3.98 It is not possible always to eliminate anomalies in legislation which have grown up through a piecemeal approach to a particular problem. The anomalies apply to both outdoor and indoor sports grounds and stadia. In the long term they need consideration by the appropriate Government departments.

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<sup>1</sup>Interim Report: Recommendation 18.

## CHAPTER 4

### *Crowd control*

#### **Who is to deal with the problem?**

4.1 Everyone is agreed that there is no single answer to the problem of hooliganism at football grounds; there are, however, a number of steps which can be taken by various bodies interested in football which together may result in better control of the problem.

4.2 Thus Parliament needs to ensure that the police have the necessary powers. The police need to ensure that they identify and apprehend the law breaker and provide the proper evidence to secure a conviction. Courts need to pass the appropriate sentences and without undue delay. Clubs need to ensure that their grounds are physically safe, with reasonable facilities and staff properly trained to control those who are invited into the grounds and to deal with any emergency. They should involve themselves in community affairs. Managers need to ensure their players, by their behaviour on the field, do not incite the spectators. Parents too are involved. They have a general responsibility for where their children go and what they do.

4.3 The genuine law-abiding supporters, who are the vast majority, have an interest in ensuring the peaceful result of a football game by helping to support those enforcing law and order. The football authorities need to take a positive approach to football problems.

4.4 Persons in authority cannot stop violence by condemning it: but one thing is certain, that failure to condemn violence undoubtedly encourages it. Those who hold responsible positions, who encourage others to commit violence by failing to condemn or worse by praising violence, have much to answer for.

4.5 There is no typical football club. Among the league clubs in England, Wales and Scotland there are wide differences in quality of management and in attitudes. They range from the very good to the indifferent.

4.6 Every club has different problems. Each problem may need a different approach. Some clubs are virtually trouble-free, both in relation to their own supporters and supporters from other clubs. Some clubs may be trouble-free when they play at home but their supporters may cause trouble elsewhere. Some, a very small minority, have troublesome supporters generally. No one method to combat hooliganism will be successful on its own. What is needed is a recognition by all concerned, and particularly by football clubs and the football authorities, that nothing less than a determined and imaginative attack on the problem will save football.

4.7 While football is the national game and enjoyed by millions, it has no natural entitlement to survival. It is but one form of entertainment in a highly competitive world of entertainment. The public are voting with their feet. Gates in the English League were down from 28 million ten years ago to 17 million last year. This year, except in the Fourth Division, figures are again down. Those clubs who are currently at the top of the League do not need reminding of other great names who once were regarded as the "greatest" and who now languish in lower Divisions with large grounds, small crowds, large debts and faded memories.

4.8 With 92 League clubs in England and Wales, it is not surprising that agreement on almost any proposal for action is difficult to reach, or that the football authorities are regarded by some clubs as quite ineffective. I do not see my role as laying down a blueprint for the survival of football. I am concerned with safety only. But if football falters then safety will suffer. Like others before me I can only point a way. I can guarantee no success. But one thing is clear—those clubs which are unimaginative, weakly led or determined to live in the past will certainly go the way of the Dodo and the Brontosaurus.

4.9 Finally, it may be of interest to note the attitude of some football clubs in England and Wales. After the fire at Bradford and the riot at Birmingham a general invitation was issued by me to all those interested in football to give me the benefit of their advice. This many did, and I was able to write my Interim Report with the advantage of their views. I was also able to visit a number of clubs myself and I had useful discussions with them.

4.10 In the Interim Report I again invited those interested in the very difficult problems in football to let me have their views. To make sure that I did, indeed, have the considered views of those most closely affected by the problems and most experienced in the game, I wrote a personal letter in the following terms to all 92 football clubs in the English League:

**“I am anxious to have the views of the Clubs about what steps can be taken or recommended to prevent the repetition of the events at Birmingham. I shall, of course, be getting the collective views of the Clubs from the FA and Football League when I meet them again.**

**I would also welcome any views of your Club about other aspects of my Inquiry. In addition, if you would like to come and have a discussion with me I shall be happy to see you or any of your Board at your convenience.”**

*Oliver Popplewell (sgd)*

4.11 I am glad to say that a number of clubs helped me by giving me the benefit of their experience, either in writing or by taking the time and trouble to come and talk to me—in some cases clubs have done both. I also managed myself, together with my Assessors, to visit a number of clubs. I am very grateful to them. Their views have been of immense value. I have, however, rather sadly to record that over 50 out of the 92 League Clubs did not even take the trouble to acknowledge receipt of my personal letter.

#### **How can the problem be controlled?**

4.12 I turn to deal with the elements which *combined* are necessary for coping with the problem of hooliganism.

##### **A. The Police**

4.13 I made it clear in my Interim Report that the state of the premises and the conduct of the event therein is not the responsibility of the police. A club is a commercial organisation, which is run for profit, and its legal status is little different from that of the person who organises a pop concert a garden party, or many other private events. Because, as a matter of practice, police officers have regularly attended in large numbers at football grounds, it has somehow been assumed by the clubs that the responsibility for control of what goes on inside the ground has passed from them to the police. A police presence is there to assist in the enforcement of law and order. Those responsible for organising a private function, however, have the primary and continuing obligation and responsibility to ensure reasonable safety for those who are invited onto their premises.

4.14 This responsibility, which is a legal responsibility, continues throughout the time that those whom they have invited onto their ground remain there. It does not, for instance, cease when an emergency arises.

4.15 The police's responsibility is to preserve law and order. When an emergency arises they are likely to be the only body there capable of dealing with it. They have the facilities. They have the training. They have the authority. As I said in my Interim Report, the police have to take the *de facto* responsibility of organising the crowd with all that entails.

4.16 This has given rise to a certain apprehension amongst police officers. What are the resource implications? Does it require a police presence at a ground which hitherto has not had one? Does it require the presence at a ground, which presently has three or four constables, of a senior officer or more men in case an emergency arises?

4.17 It was never intended that my Recommendation that: **“Evacuation procedure should be a matter of police training and form part of the briefing by police officers before a football match”**<sup>1</sup> should result in an increase of resources or of a greater presence by police officers at a ground. Their purpose at a ground is to assist in the preservation of law and order.

4.18 It is agreed generally that evacuation procedures, at major grounds at any rate, should be the subject of pre-planning, involving the club and its stewards, the local fire service (whose experience in evacuation is second to none) and the police. The nature and extent of police manning will vary from club to club. Thus at a ground where there are only two or three police officers there will undoubtedly be a different system from that which exists at a ground where there are present 300 officers in the charge of a very senior officer.

4.19 Thus, whilst it is important that the police should treat evacuation procedure as a matter for training and briefing, they do that in order more readily to assist the owners of the private club to carry out their responsibilities, as they would any other private organisation in an emergency, and not as a result of any

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<sup>1</sup>Interim Report: Recommendation 1.

legal responsibility resting upon the police. It cannot be too strongly emphasised that it is upon the club, or the occupier of the ground who is putting on the function, that the primary and continuing obligation rests.

#### (i) *Stewards and Policing*

4.20 A number of clubs have been impressed by the presence of stewards from visiting clubs who look after their own supporters. This is a practice which has much to commend it. One witness reported that at Ostend a serious confrontation between the Belgian police and Liverpool supporters was defused by the presence of Liverpool stewards.

4.21 In some police forces it has been possible for one or two officers to travel with fans when they go away and thus assist the "home police" in identifying trouble-makers. In other cases home stewards have been able, at away matches, to stand at the home turnstile and ensure that their own supporters do not infiltrate the opposition terraces.

4.22 A number of clubs have shown me the handbooks which have been issued to their stewards. I have seen also cards issued to police officers with instructions as to their duties in the ground. The handbook for Bristol Rovers, for instance, was written pursuant to the conditions of their Safety Certificate and was approved by the police. It is a thoroughly comprehensive and sensible document dealing both with general matters of stewarding and with the question of evacuation in the event of an emergency. It is to be hoped that all other clubs will have done the same.

4.23 In my Interim Report I recommended that the Green Guide should be amended to read: "**All exit gates should be manned at all times while the ground is used by the public and be capable of being opened immediately from inside by anyone in an emergency.**"<sup>1</sup> Leicester City Football Club have a system of exit doors worked on a magnet system which are automatically controlled from a central office. Ipswich have a similar sort of system. Understandably there is concern that if my Recommendation were applied to them they would be required to have a steward at each gate and that this would vitiate the whole scheme. It was not my intention that this Recommendation should apply to exits which are automatically controlled, if these types of mechanisms are acceptable to the responsible local authorities.

#### (ii) *Powers of Search*

4.24 In my Interim Report I said that I was minded to recommend that, in England and Wales, the police be given the unfettered right of search before entry into football grounds, by statute.<sup>2</sup> I there set out the problems relating to police powers of search which are contained in the Police and Criminal Evidence Act 1984 which comes into effect on 1 January 1986.

4.25 The disquiet arose because, by Section 1(3) of the Act, a constable only has power to search a person or a vehicle, or anything in or on a vehicle, *if he has reasonable grounds for suspecting that he will find stolen or prohibited articles*. A prohibited article includes an offensive weapon.

4.26 The passage of the Bill through Parliament gave rise to considerable controversy about the extent and nature of police powers. On the one hand there were those who expressed disquiet about what were called colloquially the "sus laws" and those who wanted to give the police a more effective weapon against crime. It is not part of my function to comment on the arguments nor on the result. Nor do I wish to make any observation about the Act, save in relation to sports grounds (and particularly football grounds) with which I am concerned. The wider implications are not for me to consider.

4.27 Football grounds are in their way unique in that they are a regular place for very large numbers of people to meet. Some of those who attend football do so intending to cause trouble. Every Saturday, for about three-quarters of the year, about half a million people go to football matches. Thus football is different in kind, nature and purpose from any other activity of the community.

4.28 The "reasonable ground for suspicion" safeguard in the Act, which is there for the general protection of citizens as they go about their ordinary business, needs to be reconsidered in the light of what actually happens at football grounds.

4.29 The effect of the "reasonable ground for suspicion" clause is that anyone can go into a football ground carrying a weapon without fear of detection or search by simply carrying it in his pocket. There is

<sup>1</sup>Interim Report: Recommendation 11.

<sup>2</sup>Interim Report: Provisional Recommendation 1.

nothing thereby to give a constable reasonable ground for suspecting that he will find an offensive weapon. No one wishes to see a situation in which it is possible for a large number of people to be at a football ground in possession of offensive weapons. If there is, as I believe there is, a determination by all responsible members of the public to seek ways to remove violence at football grounds, any measures which assist in that task need to be considered.

4.30 The difficulty which arises at present is this: 5,000 fans seek to enter a football ground. Experience shows that some will be carrying an offensive weapon. A police officer has no special method of detecting which of those 5,000 is carrying an offensive weapon. He may reasonably suspect that some, or many, will be doing so. He cannot individually identify those persons. Thus he is not empowered by the Act to search that person, either before or after entry.

4.31 I have observed police searching visiting fans on a number of occasions. They were light-hearted affairs to which no one appeared to take objection. They were speedily done. No one was asked for their consent. It has been put to me that if there is a general search there is less likely to be trouble than if a single person is picked out and wants to know why he has been individually selected.

4.32 What then is to be done? I believe a football ground should be treated as a special case. So far as searching people entering the ground is concerned, it has been suggested that it can be made a condition of entry that they agree to be searched. Thus, it is said that anyone who is inside the ground is deemed to consent. Therefore the search by a police officer is not a search under the provisions of the Police and Criminal Evidence Act 1984 but is contractually agreed to by reason of an arrangement made between the football club and the spectator. This is an arrangement which can be properly made. It takes it outside the Police and Criminal Evidence Act 1984. Of course it only applies after the spectator enters the ground, because the contract is made as he enters the ground. But at many grounds there are physical problems about searching within the ground. Thus that solution is not really a practical one.

4.33 What then about searching a spectator before he enters the ground? It is suggested that the limitations of the Police and Criminal Evidence Act 1984 do not apply if a policeman says, in effect, to a spectator: "I propose to search you". If the spectator says nothing, or agrees, then because it is a voluntary search the policeman need not have reasonable grounds for suspicion under the Police and Criminal Evidence Act 1984. If the spectator does object, then the police officer says to him: "I cannot therefore search you, but you will not be allowed into the ground". He then will go and report that fact to the operator of the turnstile, who will decline to admit the spectator.

4.34 This allows a police officer to search by a method outside the provisions of the Police and Criminal Evidence Act 1984.

4.35 Unless a search is made lawfully by agreement or under the provisions of the Police and Criminal Evidence Act 1984 it constitutes an assault. But if a spectator agrees to be searched, a police officer is not guilty of an assault. There are, however, a number of problems. Firstly, the police, on the occasions I have witnessed, invariably search without any sort of discussion. Is silence by the spectator consent? If the consent is obtained by the threat of refusal of entry, is it consent? And finally, at what age can consent be given by a spectator? If it is not until 16 or 18 years of age then the proposed system is of little value.

4.36 It is not my task to give a definitive ruling on these matters; but the disquiet which has been expressed by the police leads me to suggest that if the present practice of searching those who enter a football ground is to be allowed to continue, it should be carried on in circumstances where the practice is clearly legally based.

4.37 It has, I think, to be recognised that a football match is an occasion outside the ordinary run of normal activity of the community. Accordingly, there is no reason why there should not be specific provisions relating to activities at football matches. This is the case with the Sporting Events (Control of Alcohol etc) Act 1985. It has been recognised to be wrong to give the police a general power of search in all circumstances. But I am absolutely satisfied that the control of hooliganism at a football ground could be seriously hampered by the inability of the police lawfully to search at random those entering the ground.

4.38 *I recommend, therefore, that in England and Wales the unfettered right to search those who are either entering or trying to enter a football ground should be conferred by statute.* In Scotland there are divided views. Consideration should be given as to whether this Recommendation should be extended to Scotland. The Scottish police do not as a matter of practice search before entry as the police in England and Wales

do. It may be that because of their “breach of the peace” offence (see Paragraphs 4.68–4.70 below) they have found that fans dump weapons and other undesirable items, including alcohol, outside the stadium before they enter without the necessity for searching. There is no doubt that the knowledge that there is to be a search has proved to be a deterrent to bringing into the ground these undesirable items.

4.39 A similar problem arises out of the Sporting Events (Control of Alcohol etc) Act 1985. That Act was designed, among other things, to prevent those entering sports grounds from taking alcohol in with them. By Section 7(2) “**a constable may search a person he has reasonable grounds to suspect is committing or has committed an offence under this Act and may arrest such a person.**” While the police officer obviously has reasonable suspicion for looking inside a bag which plainly contains bottles, or bears the name of some well known supermarket, those whose ingenuity is greater will not be subject to suspicion if they bring a bottle or cans in an inside pocket of a heavy overcoat. Thus the clear intention of Parliament is flouted.

4.40 An additional problem has been drawn to my attention in relation to the searching of vehicles on suspicion of carrying alcohol. By Section 7(3) the police have power to search vehicles being used for the principal purpose of carrying passengers for the whole or part of a journey to or from a designated sporting event on reasonable suspicion. The Act, however, does not cover *all* vehicles but only public service vehicles or railway passenger vehicles.

4.41 The problem of control, which has arisen, is that a large number of trouble-makers now no longer go by public transport. They do not wish to be organised or disciplined, and choose to go in their own or hired vehicles. Minibuses are favoured but they are by no means the only type of vehicle used. In some cases, the trouble-makers carry with them a large quantity of drink which they consume before they get to the ground. They may even intend to smuggle drink into the ground. There is presently no power to search such vehicles for alcohol, whether or not there is reasonable suspicion. The right to search these vehicles gives rise to a number of very difficult questions, but you should be aware of the problem.

### (iii) *Offences*

4.42 There is general agreement among the police officers to whom I have spoken that their powers to deal with the more serious specific criminal offences are adequate. These include assault, wounding, actual bodily harm, assault on the police, obstructing the police, criminal damage and possessing offensive weapons. In addition, the Law Commission has recently made a number of recommendations about offences relating to public order (Law Commission 123) which appear in your Review of Public Order Law (Cmd 9510).

4.43 The recommendations of the Law Commission do not, however, deal specifically with other unacceptable forms of behaviour at sports grounds which have come to my notice, namely the throwing of missiles, running onto the pitch and obscene and racist chanting. They are less serious in the sense that throwing a missile is not as important as an offence of riot. On the other hand, it is quite obvious that throwing a missile at a football match often triggers disorder. It is the inability to prevent or check that trigger which leads to greater disorder. Just as a bucket of water might extinguish a fire, if detected in time, so the ability to deal with the first sign of trouble on the terraces is likely to have a beneficial effect. It is no comfort to be able eventually to punish those who engage in a full-scale riot, if the riot could be prevented at a much earlier stage, by stopping those guilty of missile throwing or other disorderly conduct just as soon as they begin. Should they be specific offences or can they be dealt with by an offence of breach of the peace or disorderly conduct?

4.44 It is acknowledged that the mood of a football crowd can be very volatile because of the nature of the game, the excitement the game engenders and the behaviour of the spectators. The margin between order and disorder at a football match is very narrow and it does not require very much to turn an exciting but peaceful afternoon into a scene of grave disorder. The balance is a fine one and can be upset by what would be regarded elsewhere as a trivial incident. Thus disorderly conduct which would pass as unremarkable in everyday life takes on a new significance in the context of a football match.

### (a) *Throwing of Missiles and Running on to the Pitch*

4.45 The first question to be asked is whether either should be an offence at all. Nearly everyone is agreed that throwing a missile at a football ground should constitute an offence. So far as running onto the pitch is concerned there are divided views. Those who are against it say, quite rightly, that a properly organised stadium will have perimeter fences which will prevent people from running onto the pitch; therefore those who run onto the pitch may only do so because they want to escape from danger on the terraces. They

may also run onto the pitch at the end of play in excitement, but do no harm to anybody. If there is a specific offence and it is not enforced, this brings the law into disrepute. Indeed, it may be very difficult to enforce if a substantial number of people run onto the pitch. There is also the difficulty of drafting an offence so as to exclude the person who legitimately comes onto the pitch.

4.46 The contrary argument is that if there is an offence of running onto the pitch people will not do it. In Scotland, where the breach of the peace offence seems to me to be effective, large football grounds do not have pitch perimeter fences as a general rule. The fact that it may be difficult to arrest all those who come onto the pitch does not mean that those who do and can be arrested should not be arrested. Those who come onto the pitch for a proper reason are unlikely to be arrested. The offence canvassed would give the police power immediately to deal with an offence and thus prevent more serious trouble. Sometimes running on the pitch is done specifically to stop the game, sometimes to make a protest, sometimes to exchange pleasantries with the referee or umpire or to congratulate a player on scoring a hundred runs. In all cases it is likely to lead to further disorder.

4.47 I am clearly of the view that running onto the pitch without good reason and missile throwing should constitute offences. The police should have the power to arrest such offenders. It is often the start of disorder. It should be stopped at the earliest possible moment. I shall need to consider whether these should be specific offences or can be dealt with by an offence of disorderly conduct or breach of the peace.

#### *(b) Chanting Obscene or Racist Abuse at a Sports Ground*

4.48 One of the Provisional Recommendations in my Interim Report was that consideration should be given to creating a specific offence of chanting obscene or racist abuse at a sports ground.<sup>1</sup> Nearly everyone who has given oral evidence or submitted written evidence is equally of the view that this is a very disagreeable feature of crowd behaviour at some football matches and indeed at other sports grounds. I can support that view from my own observations on the terraces. The terraces are certainly no place for the prudish or fainthearted. There are, however, divided views as to the practicability or otherwise of enforcing this as an offence.

4.49 The contrary view is that if a very large crowd chooses to make disagreeable observations about a player such an offence would be difficult for the police to enforce. If it is not enforced the law is brought into disrepute. It upsets those against whom the chants are aimed if it is an offence which is not enforced. There is the further view that bad language has always been part of the football scene. It is a man's game and thus language which would be objectionable in more polite society is the norm on the football terraces. Finally, it is said that it really is not possible to legislate for every disagreeable piece of behaviour.

4.50 Those who favour some legislation, point out that a lot of people who attend sports grounds have what would be a pleasant and agreeable afternoon totally ruined by constant foul language from those around them. But while it may not always be possible to detect all those who behave in this way, if it is occurring, a police officer should have the power to stop it. The very fact that there is legislation may of itself persuade people to refrain from indulging in action which may not only upset other spectators but may also encourage potential hooligans to act in a disorderly way.

4.51 There are, of course, immense difficulties in drafting suitable legislation. Booing a player because of the colour of his skin is disagreeable and distressing; however, it would be quite impossible to make it a criminal offence to boo the referee, or a player on the opposing side simply because he was on the opposing side. That is not to say that it is a habit which contributes anything to the well-being of the game, any more than the booing of the opposition's national anthem at an international match or the kicker of a penalty at a rugby union match. However, it is not possible always to legislate for bad manners. Additionally, there is the very real difficulty of enforcement.

4.52 The fact that there is some legislation governing foul language and racist abuse at football matches may have the effect of reducing the incidence and effect of it. On balance I believe that consideration should be given to drafting some appropriate legislation in order to prevent it, either as a specific offence or included in the offences of disorderly conduct or breach of the peace.

4.53 I note that a number of clubs have as part of their ground regulations provision for precisely this type of offence. For instance, Bristol Rovers' Football Club Regulations read:

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<sup>1</sup>Interim Report: Provisional Recommendation 8



**“The Club reserves the right to prosecute or to eject or cause to be ejected any person who within the Club premises is considered by the Club, its employees or agents (hereinafter called ‘the Club’) to their absolute discretion to be or have been behaving in any of the following ways:**

- (i) entering upon the field of play during the course of a game**
- (ii) using obscene language or swearing**
- (iii) making vulgar gestures**
- (iv) using terms of racial abuse**
- (v) taunting opposing team supporters**
- (vi) entering areas of the terraces designed for use by opposing team supporters.**

**The Club may, in its absolute discretion, bar from entry to the Ground, for any period up to FIVE YEARS, any person prosecuted or ejected in accordance with this Regulation and may take such steps, including informing the parents or guardians of the person concerned, necessary or desirable for the implementation of this bar.”**

4.54 The next question which arises is whether the present legislation or amendments to the legislation proposed by the Law Commission or by the Review of Public Order Law are sufficient to cover either of the three canvassed offences of missile throwing, running onto the pitch or chanting obscene or racist abuse. In 1936 the Public Order Act was enacted. It was introduced following the public disorders involving the Black Shirts in the East End of London. Section 5 of the Act reads as follows: **“Any person who in any public place . . . uses threatening, abusive or insulting words or behaviour with intent to provoke a breach of the peace or whereby a breach of the peace is likely to be occasioned; shall be guilty of an offence.”** Thus it is not enough to use threatening, abusive or insulting words or behaviour—an intent to cause a breach of the peace or the likelihood of a breach of the peace occurring has to be proved.

4.55 So far as missile throwing is concerned, if it can be proved that a missile hit somebody, then the offence of assault is committed. But throwing a missile in a football ground is conduct which ought to be stopped. It is the trigger for disorder. It is difficult to think of a legitimate reason for throwing a missile at a sports ground. It is often impossible to show where the missile landed, particularly when some of the missiles which are commonly used are coins of the realm. Section 5 is often inapplicable because it may not be possible to show that the behaviour was intended to provoke a breach of the peace. It is even more difficult to show that a breach of the peace is likely to be occasioned when it may be impossible to demonstrate where a missile fell. The offence of possessing an offensive weapon may not cover this problem.

4.56 Likewise, running onto the pitch or chanting obscene or racist abuse at a sports ground of itself is unlikely to be covered by the provisions of Section 5. The Law Commission points out that Section 5 may not cover intimidatory conduct if the victim is, for example, a policeman or an old lady because they are not likely to be provoked into violence by the defendant’s behaviour.

4.57 The limit of Section 5 is further shown by the case of *Cozens against Brutus* 1973 AC 854: during an international tennis match the appellant went onto the court and disrupted the game. He was charged under Section 5. It was held that his conduct did not come within the terms of the Section. Lord Reed said: **“Parliament had to solve the difficult question of how far freedom of speech or behaviour must be limited in the general public interest. It would be going much too far to prohibit all speech or conduct likely to occasion a breach of the peace because determined opponents may not shrink from at least threatening a breach of the peace in order to silence a speaker whose views they detest. Therefore vigorous and it may be distasteful or unmannerly speech or behaviour is permitted so long as it does not go beyond any one of the three limits. It must not be threatening, it must not be abusive, it must not be insulting. I see no reason why any of these should be construed as having a specially wide or specially narrow meaning. They are all limits easily recognisable by the ordinary man. Free speech is not impaired by ruling them out. Before a man can be convicted it must be clearly shown that one or more of them have been disregarded.”**

4.58 It is also clear that on occasions magistrates have taken the view that, having regard to the background of the Public Order Act, Section 5 is inappropriate for minor acts of hooliganism. In your Review of Public Order Law, at paragraph 3.24, there appears: **“The police have sometimes been reluctant to use section 5 of the 1936 Act to deal with minor acts of hooliganism. They do not wish to over-react to such incidents by charging too serious an offence with a disproportionately high maximum penalty and the courts have on occasion deprecated the use of section 5 in cases where it was doubtful whether the conduct in question amounted to “threatening, abusive or insulting words or behaviour”.”**

4.59 Accordingly, your Review of Public Order Law proposes an amendment to Section 5 of the Public Order Act 1936 so that it reads: **“Any person who whether in a public or private place, uses threatening, abusive or insulting words or behaviour which is intended or likely—(a) to cause another person to fear unlawful violence or (b) to provoke the use of unlawful violence by another shall be guilty of an offence.”** (paragraph 3.7).

4.60 This revised offence clearly will not cover running onto the pitch nor chanting obscene or racist abuse. It was, however, hoped that it would cover missile throwing. Your Review says, at paragraph 3.12: **“Missile throwing: Under the Law Commission’s proposals, unlawful violence will include violent conduct towards property as well as towards persons, and will not be restricted to conduct causing or intending to cause injury or damage”**. . . In one respect the Law Commission’s definition of unlawful violence may prove particularly useful: the police have suggested that at football matches and on similar occasions, it can sometimes be difficult to find appropriate offences with which to charge those picking up and throwing missiles in circumstances where the injury or damage caused by particular missiles cannot be identified. The Law Commission gives as an example of unlawful violence: **“throwing at or towards a person a missile of a kind capable of causing injury which does not hit or fall short”**.

4.61 This, says the Review, should remove evidential difficulties related to intent or recklessness; and in cases of group violence the police should be able to charge missile throwers with violent disorder, thus exposing them to a maximum penalty on indictment of five years imprisonment.

4.62 This proposed amendment in my view may still leave a gap in the legislation. Somebody who throws a missile may not intend to cause another person to fear unlawful violence; he may be seen simply to be throwing a missile and it may not be possible to say where it went or what it was aimed at. It will often not be possible to show that it is likely to cause another person to fear unlawful violence because it is not known where it lands. It may also require the evidence of another person to say that he feared unlawful violence. It seems to me that there is very real difficulty in applying Section 5 of the Public Order Act 1936, even as amended, to a missile thrower at a football ground where the evidence is merely of a fan throwing something.

4.63 If, as I believe, there is a gap in the legislation and missile throwing, running onto the pitch and chanting obscene or racist abuse at sports grounds are not covered by the present or by the proposed legislation, what then is to be done?

4.64 The Review of Public Order Law, paragraph 3.25, recognizes the problem of dealing with those who create a disturbance. It reads as follows: **“Even if it amounts to threatening, abusive or insulting behaviour, disorderly conduct of this sort may not be caught by section 5 at present because it may not be intended or likely to occasion a breach of the peace; or when the section is amended, because it may not be likely to cause fear of violence to people or property. This may be because the fear engendered is not directed to any specific result likely to follow from the conduct but instead consists of a more general state of anxiety or alarm. Alternatively the apprehension may be directed at a consequence of this behaviour, such as a stampede by a crowd or an accident being caused by the articles used to blockade an entrance, which is not in itself unlawful violence. But behaviour of this kind does constitute a real nuisance to the public which would seem to justify invoking the protection of the criminal law.”** In order to deal with it the Review suggests a new offence. At paragraph 3.26 it says: **“The main elements of a new offence intended to cover disorderly conduct which falls outside the scope of section 5 as amended might be as follows: (a) threatening, abusive, insulting or disorderly words or behaviour in or within view of a public place; (b) which causes substantial alarm, harassment or distress.**

4.65 The addition of the clause **“which causes substantial alarm, harassment or distress”** has apparently been inserted in order to provide a safeguard so that merely to be annoyed or disturbed will not suffice. The legislation is designed, according to the Review, to protect the weak and vulnerable, and therefore the proposed definition requires evidence that the victim suffered substantial alarm, harassment, or distress.

4.66 No one would want to criticise that as a proposal covering the sort of behaviour which your Review had in mind; namely groups of youths persistently shouting abuse and obscenities, or pestering people waiting to catch public transport, or to enter a hall or cinema, or rowdy behaviour in the streets late at night which alarms local residents.

4.67 Unfortunately it is insufficient for the unacceptable behaviour with which I am concerned at football matches. Somebody running onto the pitch does not substantially alarm, harass or distress anyone, but it

is often the trigger for disorder. Somebody throwing a missile or chanting obscenities does not necessarily cause substantial alarm, harassment or distress. Spectators on occasions start shaking a perimeter fence in concert as a preliminary to breaking it down. But under the proposals of the White Paper, because this would not cause substantial alarm, harassment or distress it would not amount to an offence.

4.68 The matter is dealt with efficiently in Scotland by the common law offence of “breach of the peace”. This covers a very wide range of circumstances. Originally constituted to cover the situation when one or more persons conducted themselves in riotous or disorderly manner to the alarm and annoyance or disturbance of the lieges, it has now been extended to cover those who provoke a disturbance. The offence may be committed in a public or private place and although evidence of alarm is normally produced such evidence is not essential.

4.69 There is a wide interpretation placed on the type and nature of disorder which may amount to a breach of the peace. It has been common practice for the police in Scotland to use the offence for such behaviour as chanting obscene or abusive slogans, running onto the pitch, throwing objects at spectators or onto the pitch, climbing flood-light pylons and assaulting or attempting to assault spectators or players.

4.70 The list is not exhaustive and police bring a charge of breach of the peace in circumstances of disorder at a football match. The use of this charge has been of great value in Scotland in dealing with a wide range of unacceptable conduct at a football match. Actual violence or disorder does not need to have occurred, nor is it necessary for a complaint to be received about the actions of the individuals before the police can intervene. Power of arrest is without warrant and the offences are normally dealt with within the minor courts although in very serious cases they can become an indictable offence triable in the Sheriff court or the High Court.

4.71 I have paid three visits to Scotland and have spoken to the football and police authorities. I have also observed, for example, how well the crowd behaved at a Celtic/Rangers match where there was no perimeter fencing. The offence of breach of the peace is widely regarded as a very successful preventive measure. It is a common law power. It is not difficult to recognise at a football ground somebody who is disturbing the peace at that football ground.

4.72 At present there is statutory provision in England and Wales for binding over a person for breach of the peace pursuant to the Justice of the Peace Act 1361. He is brought before the court and bound over to keep the peace or to be of good behaviour, but the preventive nature of the bind over means that no immediate penalty can be imposed. Thus in England and Wales binding over for breach of the peace which is appropriate for “peeping tom” cases is wholly inappropriate for football-related offences.

4.73 As an alternative to the introduction of an offence of breach of the peace in England and Wales, similar to the Scottish offence, the offence of disorderly conduct which the Review of Public Order Law proposes should be considered applicable in the context of a football ground, but without the clause “**which causes substantial alarm, harassment or distress.**” It is argued that disorderly conduct ought to be defined. But nobody finds it necessary to define it in the well-known offence of being drunk and disorderly. There is no reason why somebody who is sober but disorderly should not be equally guilty of an offence. In paragraph 3.24 of your Review of Public Order Law there appears “**If a person who causes this type of disturbance is drunk, he may be charged with the offence of being drunk and disorderly; but there is no corresponding offence to cover similar conduct by a person who is not drunk even though the nuisance caused is no less, and may be thought more culpable in someone who is sober.**”

4.74 Quite clearly a new offence in England and Wales of disorderly conduct or breach of the peace on the lines of the Scottish common law offence, would be of substantial assistance in dealing with hooliganism. It would avoid the problem of trying to define all the different types of behaviour which give rise to disorder at football matches and would undoubtedly enable the police to take action much earlier than they can under the present law. This offence should be confined to sports grounds where the disorderly conduct is likely to have such a devastating effect on crowd safety. Disorderly conduct would clearly include throwing a missile, running onto the pitch, seeking to climb over or to pull down a perimeter fence, shining a mirror towards a batsman, throwing bottles or cans onto the field of play, or interfering with a greyhound or horse race. I suggest that it should be triable summarily and there should be a power of arrest. *I recommend, therefore, that consideration should be given to creating an offence of disorderly conduct at a sports ground.*

4.75 I make these suggestions about legislation with some diffidence, because I am conscious that it is for the Legislature to make the laws and for the Judiciary to interpret them. I am naturally anxious not to

trespass on Parliament's function. But as these matters have been fully canvassed in evidence before me I hope I may be forgiven for expressing my own views.

(iv) *Powers of Arrest*

4.76 I made a Provisional Recommendation in my Interim Report that the police should be given the power to arrest a hooligan subsequent to the offence under Section 5 of the Public Order Act 1936.<sup>1</sup> At present he can only arrest when the hooligan is actually committing the offence. If he is subsequently identified on Closed Circuit Television (CCTV) there is no power under the Public Order Act 1936 to arrest him. I do not believe that Section 24(5) and Section 25(1) of the Police and Criminal Evidence Act 1984 cover the matter. With the proposed future use of CCTV it is important that this gap in police power should be closed and the power to arrest be given even in amended legislation. *I recommend that the power to arrest under Section 5 of the Public Order Act 1936 should be widened.*

(v) *Alcohol*

4.77 Alcohol plays a part in some of the outbreaks of violence which occur at sports grounds. Even if it does not give rise to violence, it gives rise to disorderly behaviour; if fans could be prevented from coming into the ground without having drunk excessive quantities of alcohol, there can be no doubt but that the standards of behaviour would improve. To ban a fan from physically bringing drink into the ground, and from obtaining a drink when in the ground, does not unfortunately prevent him from coming into the ground with drink inside him.

4.78 The introduction of the Sporting Events (Control of Alcohol etc) Act 1985 has been generally welcomed, subject to two reservations; firstly, whether drink should be available at all in the ground and secondly, whether there should be an automatic exclusion of alcohol from boxes within view of the ground.

4.79 In my Interim Report I observed (paragraph 6.17) that by reason of the introduction of the Sporting Events (Control of Alcohol etc) Act 1985, the question of spectators being able to obtain drink in the ground was no longer a problem for me to consider. Nevertheless there was, and still is, a considerable divergence of opinion about the question of spectators being able to obtain drink in the ground and of the extent, if any, to which it should be available. Considerable feeling also has been expressed to me about preventing people in private boxes, who have paid substantial sums of money for the privilege (and who contribute nothing to hooliganism) from obtaining drink in those boxes, while drink may be available to those who go onto the terraces, albeit not in the sight of the field of play.

4.80 The effect of the Sporting Events (Control of Alcohol etc) Act 1985 is to allow the Magistrates, on application by a club, and after hearing evidence from any objectors (usually the police) to decide whether any part of the premises shall be licensed to sell drink. By Section 3(3) **"an order under this section shall not apply to any part of the premises from which designated sporting events, at the designated sports ground, may be directly viewed."**

4.81 Thus a bar beneath a terrace, at which a notional hooligan can obtain drink, may be licensed; but the Directors' Box which is so placed that the event may be directly viewed from it, may not.

4.82 Each Licensing Bench is perfectly entitled to adopt whatever view it feels in its judicial wisdom is proper in respect of a particular licence sought. The Act was intended to bestow upon the Licensing Justices a complete discretion. Some criticism has been made that in some way the exercise of that discretion makes a loop-hole through the Act. It does not, because it was always intended that magistrates should have the discretion.

4.83 There is a division of views as to whether drink available in the ground contributes in any way to hooliganism. Those who contend that it does point out that if it is not available, however much has been drunk before the game starts, there will be at least a 1½ hour period of drying out; nor will there have been an opportunity to top up; the peak moment of potential violence is often when the opposing fans meet after the game, by which time it may well be two hours since the potential hooligan last had his drink. Thus there is some measure of protection by forbidding it in the ground altogether.

4.84 Those who favour allowing drink to be sold on the ground, certainly before the game starts, point to the fact that if there is no drink available in the ground, those who want to drink simply go into the

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<sup>1</sup> Interim Report: Provisional Recommendation 7

nearest public house. If that has been closed, they will go to the nearest supermarket and fill themselves as full as they can right until kick-off time. Thus the potential hooligan arrives at the ground, full of considerably more drink than he would otherwise consume; more particularly because he has spent the time up to the kick-off drinking in a bar. He arrives late, and that of itself may cause disorder because once a game starts, fans who are not able to see the game are likely to become agitated. It is further pointed out that at most sports grounds the service is such that, having regard to the number of people present, it is often very difficult to get more than one drink. It is concluded that spectators should be encouraged to come early into the ground, thus avoiding the twin difficulty of consuming quantities of drink and of arriving late.

4.85 No doubt the purposes of the Section which prevents drink being obtained in any part of the premises from which the sporting event may be directly viewed, was to prevent it being too readily available to spectators, and also to prevent containers being used as missiles. Football clubs have, however, pointed out that users of private boxes, who provide a substantial part of their revenue, contribute nothing to the problem of crowd control, and that it is wholly illogical that they should be prevented from having drink while watching the match. But one argument is that if drink is forbidden elsewhere at a ground it may, in some way, be provocative to a crowd standing on the terraces to see other people able to obtain drink in a private box. It is an argument unconnected with the fight against hooliganism and wholly irrelevant to the purpose of the Act. Nor is the difference between an alcoholic and non-alcoholic drink in a box easily discerned from the terraces.

4.86 The effect of the Act in relation to income for a number of clubs has been little short of disastrous. It has been particularly so in some of the most forward looking clubs who have spent a great deal of money in providing better facilities for their spectators, which should be encouraged. It is now clear that a good deal of expensive improvement works at football clubs can only be supported if boxes of one sort or another are operating. It is now too late to suggest that the provision of business and dining facilities has no part in the football world. It is now part of business. And business is needed to support football. Families, too, are using these facilities and their support is essential to a well run club and needs to be encouraged.

4.87 At Manchester United, for instance, there are a number of bars which are used, and from which the football can be viewed. They are behind glass windows. Thus there can be no element of hooliganism involved. To use them it is necessary to be a member of a club and membership is not inexpensive. In addition, there are provided dining facilities from which the diner is able to view the game. It is still possible for the diner to view the game, but he is not able to have an alcoholic drink with his lunch while he is so doing; as a result the dining area has been sadly depleted of diners and it is unlikely that those who have paid substantial amounts of money for the right to have the use of the table for a year will renew their subscription next year. Thus a forward looking club like Manchester United may be deprived of an income of well over £500,000.

4.88 Nor is the loss of revenue confined only to the very big English clubs. The sponsors at Heart of Midlothian are able to watch the game from a box behind which is a bar and eating facilities. There has had to be erected, between the seats which look out onto the pitch and the bar area, an opaque glass panel, so as to prevent those having a drink from watching the game. As a deterrent to hooliganism it has no purpose at all. Its effect may be to deter much needed finance from being injected into the game.

4.89 Bristol Rovers have what it called a President's Club. There were 115 members. Because there was a view of the field from the Club, drink was banned. Membership has already dropped and no doubt will continue to drop. Next year's membership could be in doubt. The loss of revenue to the Club, though modest compared with that of Tottenham Hotspur and Manchester United, is a serious one for this Club.

4.90 Crystal Palace have 25 executive boxes. The absence of alcohol in the boxes has resulted not only in the immediate loss of revenue but also in the loss of sponsorship and programme advertising, which was generated by those using the boxes. These are only a few examples. I have been shown a list of some 30 clubs in the four Divisions in England and Wales who have already suffered financial loss and will continue so to do.

4.91 Now that the Act has been in force for a short time, and its effects can be seen, it must be sensible to have another look at Section 3(3) to see whether it really is a necessary provision. *I therefore recommend that the provisions of Section 3(3) be reviewed in relation to executive boxes.*

(vi) *Closed Circuit Television*

4.92 The introduction of CCTV as a weapon against hooliganism seems to have met with universal approval. It is essential that the equipment which is installed is of a high quality. This is a matter for the individual choice of the police authority and the football management. But nothing could be worse than to waste a considerable amount of money on equipment, if it is of no practical value in identifying hooligans so that they can be prosecuted and convicted. It is important too to recognise that the operator needs to be properly trained and that maintenance of that equipment is vital to the success of its operation.

4.93 Its use at Huddersfield Town Football Club, for instance, has proved its value. During 1984 there was a total of 253 arrests for offences of assault, damage and threatening behaviour committed by supporters attending the Huddersfield Town ground. There were 26 matches played in the season. 113 arrests were at games against one particular team and 75 against another. It was decided that the next visit of one of these teams was a suitable occasion to assess the potential of video-recording incidents of disorder. Following the recording of incidents in the ground, two officers were selected to examine the recording, to effect the arrest of the parties involved in the violent incidents. Identification of offenders was achieved by the officers repeatedly visiting Huddersfield Town's ground and the ground of the visiting club on subsequent home games, and attempting to identify those caught on camera in the crowd. Extensive briefings were also given to other officers and more routine inquiries including the visiting of railway and bus termini were undertaken.

4.94 The results to date, which are by no means final, are that eight persons have appeared before the Courts, where the main evidence has been the video-recording of themselves committing offences of assault on police, threatening behaviour, criminal damage and assault.

4.95 It is clear that the most beneficial factors are firstly, the effect on offenders who have been identified from the video; secondly, the knock-on effect on their similar minded friends and thirdly, there is the opportunity presented to Magistrates to exercise their sentencing powers to the full, in the confident knowledge of having seen the undisputed violence involved in the incident. They have been able to witness the scene which cannot be set in words alone.

4.96 One of the accused charged with an offence at Huddersfield said that he had not been at that particular game, but he was then shown the video and said: "I can't get away from that; you are doing a good job." Another of the accused, who had tried to pull down a safety fence, said that he had been playing a local soccer game on the day of the offence but admitted the offence after having been shown the video-film with him on it.

4.97 At the end of the 1984-85 season another club visited Huddersfield. There were a number of arrests based on video evidence. The fact was given considerable publicity in the area of the other club. When the same club next visited Huddersfield in a fixture in the current season, there was no trouble at all. The football clubs themselves have little doubt but that the publicity given to the arrests of their visiting supporters as a result of the video-film had a very strong and marked deterrent effect on the behaviour of their supporters when they re-visited Huddersfield.

4.98 A further use for CCTV is for crowd control before a game starts or after the match. This was vividly illustrated when I visited Manchester United during their match against Liverpool. Some 4,000 Liverpool supporters arrived; they needed to be brought from their transport to the ground and at the end of the match to be safely removed. It was possible for the Operational Commander in the control room on the ground, with the aid of five television monitors, to have a complete view of the area inside the ground which contained the Liverpool supporters and the area outside the ground which included the route by which it was intended they should leave.

4.99 At the end of the game the Liverpool supporters were asked to remain on their terrace. They were held there for some fifteen minutes. During that time the Manchester United supporters left. The police outside the ground, at the end where the Liverpool supporters were, cleared the concourse of other spectators; and when they were ready to receive the Liverpool supporters and it was clear to the Commanding Officer that this was the right moment, he was able to give the instruction that the Liverpool supporters should leave.

4.100 He was also able to see that along the route which they were intending to take, there were a number of Manchester United supporters still about. Thus he was able to direct police officers from his position inside the stadium control room to advise the Manchester United supporters to move on, so that the Liverpool supporters could be escorted to their transport, which is in fact what happened.

4.101 The Football Trust has made a substantial contribution towards the purchase of this equipment as they and the Football Grounds Improvement Trust have done in respect of other facilities at football grounds. This is much to be commended and they play a very important part in ensuring the welfare of the game.

(vii) *Radios*

4.102 I had occasion in my Interim Report, to make some observations about the way that the police radios had operated at Bradford (paragraphs 3.27–3.33). I recommended that early attention should be given by the Home Office Directorate of Telecommunications to consider the practicality of producing a more suitable personal radio for the police.<sup>1</sup>

4.103 Subsequently, at one ground I went to I was able to observe the relative efficiency of the police radio operated by a police officer and a commercial type of radio of similar construction and appearance, operated by a steward employed by the club. Messages from both were received in the police control room situated in the ground, by an experienced controller. The reception from the steward's commercial radio was markedly better than from the police radio.

4.104 One police force expressed confidence in their equipment. They had been able to purchase their equipment on the commercial market and had found no operational difficulty in its use. However, I observed at one ground a Police Sergeant being asked by a Chief Superintendent to send a message on his police radio. He was unable to do so, to general embarrassment, apparently due to the batteries having worn out. The point has also been made by the Fire Brigades' Union that their radios are not as good as they would like because the batteries, if used for any length of time, tend to wear out. I see no reason, therefore, to alter my view that the quality of both the police and the fire service radios (though each are different) still needs to be reviewed and the importance of regular maintenance emphasised. I am pleased to learn that a detailed study is being commissioned by the Home Office Directorate of Telecommunications into the problem of personal radios.

(viii) *Police Manpower*

4.105 In my Interim Report (paragraphs 6.9 and 6.10) I drew attention to the large number of police officers it is necessary to deploy for the purpose of controlling crowds at a football match. It is a matter of some concern that such a large proportion of police resources should be devoted to the task of controlling a football crowd, when there are so many other aspects of law and order to which they ought to be devoting their time. The police are the first to recognise this.

4.106 At a recent Millwall/Portsmouth match over 500 police officers were required to be deployed in and outside the ground (and properly so required) to control a crowd of under 7,000 spectators. Any steps which can be taken to reduce the necessity for a police presence at a football ground are to be encouraged. A successful membership scheme may well have this effect.

**B. The Clubs**

(i) *Membership Cards and the Football League Scheme*

4.107 I recommended in my Interim Report that urgent consideration be given by football clubs in England and Wales to introducing a membership system.<sup>2</sup> No other Recommendation has given rise to such discussion or indeed criticism. There were three criticisms of the idea of a membership system. Firstly, that I was advocating an identity card system. I was not, nor did I so suggest in my Report. Secondly, that a membership pass was the equivalent of an identity card. It is not any more than a driving licence, work pass, season ticket, credit card, bus pass, library ticket or the many thousands of membership cards of different clubs, both football and others, which presently exist. Thirdly, there was the suggestion that to require a card or pass at a football ground was interfering in some way with the liberty of the subject. This I have to say is simply emotional nonsense.

4.108 There are, however, two much more serious objections which have real validity. Firstly, that any system of membership cards is likely to prove impractical at the turnstiles because there would not be enough time to check the card presented, given the tendency of football spectators to arrive at the very last moment.

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<sup>1</sup>Interim Report: Recommendation 3.

<sup>2</sup>Interim Report: Recommendation 20.

4.109 The figures for Tottenham Hotspur Football Club, for instance, support this objection. On 17 August 1985 when they played Watford, the final attendance figure was 29,884. At 2.45 pm there were 19,217 in the ground, at 3 pm there were 27,785. The figures for Liverpool this season for five games show that on average only 65 per cent of total attendance were in the ground 15 minutes before kick-off and 92 per cent at kick-off. Thus, on average, some 9,000 spectators were still trying to get into the ground 15 minutes before kick-off and 2,500 were still outside when play began.

4.110 The second objection is that it would prevent a casual spectator, who wanted to go and visit his own club on occasions, from so doing; and also that the spectator, who supported a number of clubs would be prevented from attending matches. It was also pointed out that if away supporters were banned some clubs would lose large revenues. In the lower Divisions, except for local derbies, away fans are only a small proportion of the crowd, but in the First and Second Divisions they may be very substantial.

4.111 These were, and still remain, very strong arguments, more particularly as they come from a large number of the more responsible and reputable clubs. They have been repeated many times to me, both orally and in writing, since my Interim Report. On the other hand, the Football Association, the Football League, the Professional Footballers' Association and the Sports Council all favour some form of membership scheme. So too do many supporters' clubs, and a number of clubs who are introducing their own scheme. A partial membership scheme has much to commend it and, in fact, exists at many clubs already.

4.112 A number of matches this season have shown that the casual supporter cannot, in fact, just go to any game as he pleases. One example is what happened in the Watford versus Chelsea game in September. It was played at 12 noon. It was all-ticket. I wanted to go on to the terraces. As a Watford supporter I needed to be in possession of a voucher from a previous programme. As a Chelsea supporter I needed to be a member of the Supporters' Club and to go and get a ticket from Chelsea during the week. Watford, in fact, held 1,000 tickets for Chelsea supporters available at the ground on the day, though this was not made public. Thus, if on the Saturday morning I had as a casual decided I would like to go to the game, I would not have got in and thus I was no better off than I would have been under a membership scheme.

4.113 All-ticket games in England and Wales involve a severe limitation of those who can attend. A number of big games are all-ticket. The usual method of distribution of the tickets to the away team is to channel them to members of their supporters' club or to season ticket holders. In those cases it is clear that the casual supporter will not get a ticket. This year all Leeds United matches, when they play away from home, have been designated by the Football Association to be all-ticket games; thus the casual supporter of Leeds United is unlikely to be able to get a ticket to see his team when they are playing away.

4.114 The system which Leeds United has adopted is to allocate their away tickets first to season ticket holders and shareholders: the remainder are distributed to the Supporters' Club. I was told that to be a member of Leeds United Supporters' Club you need to be proposed, interviewed and approved by a particular branch. Unless you are so approved you cannot join the Club; at some branches unless you are personally known you will not be approved; if you cannot join the Club you cannot get into an away match. It appears to be a membership scheme with very strict membership control. However, the alleged misbehaviour of Leeds United fans at a recent match has caused the FA temporarily to ban *all* Leeds United supporters at away games.

4.115 The Football League have set up a working party to consider the whole question of membership cards. This reported on 9 September 1985. Because of its importance, it is worth setting out some of the details of that Report.

**"14. Many football clubs have in recent years carefully considered how to attract desirable groups of spectators, such as families and children, to attend their matches . . .**

**15. To this end accommodation has been set aside for these groups, and often admission to them is controlled by the use of membership cards . . .**

**16. In addition numerous clubs have established supporters' membership schemes, open to individuals of good character who are not eligible for membership of family or children's schemes and for season ticket holders.**

**17. Safety of Sports Grounds Act regulations lay down strict guidelines for segregation of rival supporters, and these structures greatly facilitate the creation of reserved areas for members of particular schemes.**



At many clubs, facilities have been specially improved to cater for these groups particularly refreshment kiosks, lavatories, additional seating and so on.

18. A particular benefit of schemes of this sort is that the club and its supporters can be confident that in those areas of the ground where admission is controlled by membership, the likelihood of disorder is minimal. If offences do occur, membership is withdrawn and the individual banned from the ground.

23. It is thus necessary to consider how a membership system could help solve the away travel problem. The answer clearly lies in building on the success of the individual club schemes and extending the privileges, which membership confers at home matches to away games. To achieve this will require a high degree of compatibility between one club's scheme and another's.

24. The first step, therefore will be for all clubs to have a membership scheme the basic principles of which will be common to all. In our view these should cover:

(a) the categories of membership (eg the season ticket holders, families, young people and/or children, accredited supporters, etc).

(b) The specification of the membership card.

(c) A photograph on the card and a duplicate held by the club (except for season ticket holders for whom this may not be necessary).

(d) The length of time for which a card is valid. We recommend that they should be renewed each season.

(e) The information about the applicant to be supplied on the form requesting membership (eg, full name, address, date of birth).

(f) Agreement with the clubs on the proportion of ground capacity to be covered by membership arrangements. We recommend that this should normally be not less than 50 per cent.

(g) In view of the fact that some clubs are contemplating the introduction of electronic readers at turnstiles, it will be important to see that the electronic data on cards (presumably in the form of a magnetic strip) also conforms to a common standard.

25. To ensure that these criteria are complied with, we recommend that the Football League issue guidelines to all clubs to be included in the arrangements, thus establishing the concept of a "Football League approved membership scheme." Clubs should be encouraged to provide reserved and safe accommodation at their ground for away supporters who are members of approved schemes.

26. Whilst we do not recommend that every match should be 'members only' for reasons we explain below, we believe it would be possible through the use of reciprocal membership arrangements to reduce the likelihood of crowd disorder at difficult games by insisting that not only are these 'all ticket' but also that tickets are to be sold to members only. We envisage that in due course, as membership schemes gain increasing acceptance, more and more areas in football grounds become reserved enclosures, to which only 'home' members or 'away' members are admitted.

28. . . . We hope, however, that it will never be necessary to refuse admission to persons of good character, who for whatever reason, are not members of the home or away team's scheme (the so called 'casual' supporter, who perhaps only attends a handful of games in a season, or likes to visit a number of clubs or who has a conscientious objection to being in a membership scheme).

37. The Working Party concludes that it is possible to establish a national membership card scheme for Football League clubs which does not require extremely expensive computer-based electronic equipment at each ground, or which totally excludes away supporters or decent football fans who are not members of schemes from the great majority of matches which are expected to be trouble free.

38. We recommend that the Football League urgently draws up guidelines for 'inclusive' membership schemes (following the advice given in paragraph 24 of this report) with a view to ensuring their compatibility with one another and at the same time providing guidance with the help of the Central Computer and Telecommunications Agency to clubs wishing to install electronic equipment to check cards.

39. We recommend that the Football League, in full, introduce regulations requiring clubs to establish areas of their grounds for the use of members, with normally at least 50 per cent of the ground's capacity reserved for this purpose.

**40. We recommend that the Government includes in its proposed Public Order Bill a provision for exclusion orders on football offenders, to back up membership schemes, and for clubs and police to double their efforts to prevent undesirable non-members from entering their grounds, including the circulation by clubs of black lists of banned persons.**

**41. The Working Party believe that if these recommendations are followed the system introduced will comply with the agreement reached between the Government, the Football Association and the Football League at the Downing Street meeting on 30 July. The national membership card scheme should impose little financial burden on clubs, and indeed provide some commercial opportunities for them as a result of their obtaining more information about their customers. The successful operation of the scheme will, in addition, provide a measure of security and reassurance for the decent supporters who continue to be the backbone of English professional football, as well as a demonstration to UEFA and FIFA that English football is determined to put its house in order."**

4.116 Reading propose to introduce a computerised system, with cards, which would exclude non-members. It has not yet been implemented. It is, however, one type of scheme. So too have Brentford. Under their scheme they issue a form which asks for name and address and employer. A person is issued with a card with the type of membership he requires. It costs £1. The cost of producing the card was substantially covered by advertising. Armed with this card, which the member presents at the turnstile, he is admitted to that part of the ground where his ticket allows him to go. Those without tickets go through the non-members' turnstiles thus allowing the casual in, but he pays more for his ticket. Police need only patrol the non-members' areas.

4.117 So far this season Brentford have sold about 5,000 membership cards. They find that the list of members has important commercial potential and are optimistic that there will be considerable spin-offs from the scheme.

4.118 In the 1984-85 season Crystal Palace operated a limited membership card system in which 25 per cent of the ground had been for "members only". In April 1985 they announced that 50 per cent of the ground would be so organised. There was an initial fee of £3, but members paid 50 pence less for standing accommodation and £1 less for a seat. There were some 3,800 members. The membership scheme led to a reduction of one third in the level of police manning at the ground.

4.119 Leicester City have introduced a similar scheme. They have 3,000 members, nearly 5,000 season and family ticket holders and 1,000 members of the Supporters' Club. Because of the success of the scheme, which has led to improved behaviour, they have been able to reduce the amount of perimeter fencing and hope, as membership rises, to reduce the fencing further. Millwall have an away travel club. Applications require the name and address, date of birth and description of the applicant and require the applicant to say whether he has been convicted of any football-related offence. The card contains a photograph of the applicant. A number of other football clubs have supporters' associations or clubs which require a membership card including a photograph.

4.120 An example of a match containing substantially only home spectators was the Millwall versus Portsmouth game on 26 October 1985. Because of previous troubles, it was an all-ticket game. Portsmouth Football Club did not accept any tickets and dissuaded their supporters from going to the game. In the result only about thirty Portsmouth supporters watched the match which was trouble-free.

4.121 Another proposal, which has found favour with some witnesses, is that admission for away supporters should be limited to a person holding membership of the visiting club's supporters' club. Thus it is hoped that a football club would be made responsible for the behaviour of its supporters when they are visiting another ground.

4.122 It has to be remembered that all clubs at present have a structure for membership in the shape of season ticket holders, family membership and so on. There is no reason why these types of membership should not be encouraged at the expense of the potential hooligan. Thus, by improving the facilities for members, by offering discounts on away travel, by offering tickets at preferential prices and by involving members in the general well-being of the club, there will be two particular benefits.

4.123 Firstly, the club will gain from all the commercial benefits of a membership scheme and the reduction in the cost of maintaining law and order in the ground. Secondly, the members will benefit from reduced contact with the hooligan. Thus, gradually, a club with a membership scheme may start to win back the families and children as well as other supporters who now stay away.

4.124 The Football Trust and the Department of the Environment recently commissioned the Sociology Department at the University of Leicester (who are very experienced in investigation of football problems) to examine and report on Leicester City's membership scheme.

4.125 The Leicester sociologists conclude that the most practical strategy would be to encourage the co-ordinated introduction of club-based schemes. **"Such an approach", they say, "would enable each club to become familiar with the operation of its own scheme and, following that, it might be possible to establish and to monitor a pilot project involving reciprocal arrangements."**

4.126 In my Interim Report I set out the various problems of a membership scheme and said that despite the problems, these could be overcome with goodwill and effort. I did not pretend that any membership scheme would necessarily be successful, or that I could guarantee that it would cure football hooliganism. I suggested that clubs could keep away fans away if they were so minded. I did not then recommend this as the only scheme, nor do I do so now. It is to be hoped that a partial membership scheme which still allows casuals to enter the ground will be the first step in trying to secure greater peace and harmony at a football match. In the end, it must be for the football clubs to take whatever steps they think necessary to ensure crowd control at football matches. Membership schemes are one, but certainly not the only step. The Football League have taken an important step in this direction and their efforts are much to be commended.

4.127 Clubs in the Football League have reacted to the Football League's proposal with varying degrees of enthusiasm ranging from downright opposition to warm acceptance. Given the history of the Football League clubs no one should be surprised that there is no agreement on this suggestion anymore than on any other suggestion.

4.128 The fact that this season, as I write, trouble on the terraces has been appreciably less than last season, is no ground for complacency. I recognise that the great majority of football matches are trouble-free, but any practical step which can be taken to lessen the risk is to be applauded. The Working Party's Report is but a first step. So too are the experiments which I have recorded. No doubt there are other promising schemes elsewhere. It will have to be seen how successful they are and adjusted in the light of experience. For my part, *I recommend that consideration should continue to be given to some form of membership scheme for Football League clubs in England and Wales.*

#### (ii) *Stewards*

4.129 I have already expressed my view about the responsibility of the clubs, as private organisations inviting spectators into their grounds for profit, to bear the responsibility for ensuring the reasonable safety of those spectators. To that end, I have already recommended that stewards should be properly selected and properly trained. The days when all they are required to do is to act like an usherette at a cinema to show people to their seats should have gone. They have a very important public responsibility to ensure the safety of the spectators, as do the cabin staff of an aeroplane. I have been impressed at a number of grounds which I have visited, by the steps which have now been taken (albeit belatedly) to ensure that there are competent stewards who are properly briefed. No doubt the presence of a large number of police, which is now the accepted practice on a ground, had led some clubs to be less energetic than they otherwise would be in looking after their own property and the safety of spectators.

#### (iii) *Community Affairs*

4.130 Clubs like Aberdeen and Watford (no doubt there are other shining examples) have involved themselves in community affairs. They have provided a place where families and children can attend. They have encouraged a relationship between the club and the local community which can only result in greater harmony at the ground. The current financial problems affecting a number of clubs will no doubt result in a rethink as to whether a football ground, often used only for football once a fortnight, is being put to its best practical use. Some 40 hours use in a year scarcely seems an economic use of an expensive ground. On the Continent, the sharing of grounds and their facilities, not only for spectators and players, but for members of the public, has much to commend it. This, of course, cannot happen overnight. A number of forward looking clubs already involve the community. Many do not and there can be no doubt that it is to everyone's advantage that they should.

#### (iv) *Behaviour Of Players*

4.131 The behaviour of some players on the field of play undoubtedly contributes on occasion to bad behaviour on the terraces. This is not confined to football. Indeed some of the antics of cricketers and

tennis players are substantially worse than those of football players. The public conduct of professional golfers and snooker players, who are subject to pressures and tension, certainly no less than other sports players, has much to commend it. A number of football clubs take a much firmer view about the behaviour of their players than some of the other sporting authorities. It is a fact, however, that in some cases the play-acting when a player goes down, the childish kicking away of the ball when a free-kick is awarded to the opposition, and the throwing away of the ball when it is the opposition's throw-in, all cause upset on the terraces, and play a part in contributing to disorder. Worse still is the so-called professional foul which in ordinary language is plain cheating. In some games it might call for a ban for life. It seriously increases tension among the crowd.

#### *(v) Supporters' Clubs*

4.132 It might be thought that with falling attendances supporters' clubs would be positively encouraged and welcomed by football clubs. Far from it. Some football clubs have no supporters' clubs. Some who do treat them as if they were a rival organisation. The result is that instead of harnessing the goodwill of those who provide some of the livelihood to the club (and are often their keenest supporters) some clubs take active steps to discourage them. In some football clubs "the customer knows best" has a hollow ring.

#### *(vi) Facilities at Football Grounds*

4.133 I have little doubt but that the provision of good facilities at football grounds is likely to result in better behaviour from the fans. A number of clubs do provide first-class facilities. At others the facilities can at best be described as woeful, at worst non-existent. There is a tradition of standing on the terraces and even a modern ground like Ibrox Park has one side of the stadium which has all standing. But it is possible to provide comfortable facilities. There is a strong view that while better facilities will not necessarily prevent people from behaving like hooligans, they are likely to lessen the chance. There is no reason why clubs should continue to provide facilities no better than were available a hundred years ago. Clubs must be encouraged to improve their facilities.

4.134 Professor Canter of Surrey University was invited to carry out some research for me into the problems of crowd behaviour. He interviewed a selected number of people living near grounds as diverse as Celtic and Millwall; Coventry and Preston North End. They were asked a general open question about the reason why people do not go regularly to football matches and what would encourage people to go more frequently. The largest percentage (29%) said that improved comfort would encourage people to go more frequently. That figure varied from as little as 8% at Coventry to 44% at Southampton.

4.135 This view is not wholly supported by the findings of the Dunfermline College of Physical Education, who carried out a survey of crowd behaviour at football matches in Scotland. In particular they looked at Rangers, Aberdeen and Hibernian Football Clubs. Their conclusion was:

**"Fans rated the quality of the football and the trouble-free crowd as being more important than the quality of facilities. Further, entertaining football was valued more highly than a winning team. However the relative importance placed on the importance of facilities appeared to depend on the experience of the fans. For example at Easter Road (the Hibernian Football Club Ground) a predominantly terraced ground, where there have been few ground improvements, concern was centred on improvements to the stadia such as covering the terracing and more seating. However, at Ibrox (Rangers Football Ground) and Pittodrie (Aberdeen Football Club Ground) where the fans feel there is little room for improvement of the facilities, the concern was focussed on the quality of the football and additional types of entertainment."**

4.136 It would be splendid if perimeter fencing and segregation barriers could be removed. They are in England and Wales, of comparatively recent origin. In the past we looked with superior amusement at countries elsewhere where it was thought necessary to introduce them. It is, however, quite clear that in England and Wales, at any rate, a very great deal of trouble would exist without them, although they are not universal. In Scotland they are almost non-existent. The grounds at Pittodrie and Ibrox are a model. One advantage of introducing successful membership schemes could be to reduce the number of perimeter fences.

4.137 In my Interim Report I recommended<sup>1</sup> that consideration be given to the design of a standard efficient perimeter fence with proper exits. That was understood in some quarters to mean that I had recommended that perimeter fences should be installed as a matter of routine at *all* grounds. That was not

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<sup>1</sup>Interim Report: Recommendation 24

my intention. What I was saying was that if perimeter fencing was to be installed at a particular ground, it would be sensible that the design of it should be standardised. I have seen a number of perimeter fences in various parts of the country. They varied in quality and design enormously and I suspect also in cost. Some were efficient, some not particularly so. At one ground there was a perimeter fence which could not possibly be criticised on grounds of efficiency. However, because of the nature of its construction, those inside the stand had very great difficulty in watching the football. Thus while they were physically controlled, their enjoyment was exceedingly limited. Nor are perimeter fences the only method of preventing spectators from getting on to the pitch. There are very efficient methods adopted at some Continental grounds like double fencing and dry moats.

4.138 It would, in my view, be of immense help to those clubs who are intending to put perimeter fencing in, or are minded to alter their existing fences, to have a standard specification, so that an efficient perimeter fence, if one is required, can be installed. I would like to have persuaded the Football Association to set up a small working party to help the clubs develop a standard design. They declined the invitation pointing out that if their design was unsuccessful and the fence surmounted, this would undermine their disciplinary power. I still think they are the proper organisation to look at this problem.

## CHAPTER 5

### *Hooliganism*

5.1 I do not believe that my Report would be complete without an examination of some of the current theories about hooliganism.

5.2 There are three popular fallacies about hooliganism. Firstly, that it is something comparatively new. Secondly, that it is only found at soccer matches and thirdly, that it is an English disease.

(i) *Hooliganism is not a new phenomenon*

5.3 Seneca (who died in AD. 65) devoted the last three years of his life to philosophy and to writing letters to Lucilius a native of Pompeii. In one of them he wrote (Penguin Classics translation): **"You asked me to say what you should consider it particularly important to avoid. My answer is this: the mass crowd. It is something to which you cannot entrust yourself yet without risk . . . Associating with people in large numbers is actually harmful. There is not one of them that will not make some vice or other attractive to us or leave us carrying the imprint of it or be daubed all unawares with it. And inevitably enough, the larger the size of the crowd we mingle with the greater the danger."**

5.4 . . . **"I happened to go to one of these shows at the time of the lunch hour interlude, expecting there to be some light and witty entertainment then, some respite for the purpose of affording people's eyes a rest from human blood. Far from it. All the earlier contests were charity in comparison . . . What we have now is murder pure and simple . . . In the morning men are thrown to the lions and the bears but it is the spectators they are thrown to in the lunch hour. The spectators insist that each, on killing his man should be thrown against another, to be killed in his turn; and the eventual victor is reserved by them for some other form of butchery; the only exit for the contestants is death. Fire and steel keep the slaughter going. And all this happens whilst the Arena is virtually empty. . . . And when there is an interval in the show there is a cry 'let's have some throats cut in the mean-time so that there is something happening'."**

5.5 Writing in 1788 from Downing Street, Edward Gibbon described in his History of the Decline and Fall of the Roman Empire the factions of the circus in Rome in AD. 548 thus: **"The race in its first institution was a simple contest of two chariots whose drivers were distinguished by white and red liveries; two additional colours, a light green and cerulean blue were afterwards introduced; and as the races were repeated 25 times, 100 chariots contributed in the same day to the pomp of the circus . . . The bloody and tumultuous contest continued to disturb the public festivity till the last age of the spectacles of Rome" . . .**

5.6 **"Constantinople adopted the follies though not the virtues of ancient Rome; and the same factions which had agitated the circus, raged with redoubled fury in the hippodrome. Under the reign of Anastasius, this popular frenzy was inflamed by religious zeal; and the greens who had treacherously concealed stones and daggers under baskets of fruit massacred at a solemn festival 3,000 of their blue adversaries" . . .**

5.7 **"The blues affected to strike terror by a peculiar and barbaric dress, the long hair of the Huns, their close sleeves and ample garments, a lofted step and a sonorous voice. In the day they concealed their two-edged poinards but in the night they boldly assembled in arms and in numerous bands, prepared for every act of violence and rapine. Their adversaries of the green faction or even inoffensive citizens were stripped and often murdered by these nocturnal robbers, and it became dangerous to wear any gold buttons or girdles or to appear at a late hour in the street of the peaceful capital."**

5.8 Gibbon then describes the sedition which occurred and continued: **"It is computed that about 30,000 persons were slain in the merciless and promiscuous carnage of the day . . . the Hippodrome itself was condemned during several years to a mournful silence; with the restoration of the games, the same disorders revived and the blue and green factions continued to afflict the reign of Justinian and to disturb the tranquility of the eastern empire."**

5.9 Antonia Fraser reports in her book *"Cromwell Our Chief of Men"* that in 1655 in the Midlands, in order to preserve the Peace it was considered necessary to ban football matches and race meetings.

5.10 The Leicester Daily Mercury records a disgraceful scene at the match between Burnley and Blackburn in 1890 when: **"the Referee was mobbed at the close, the official had to be protected by the Committee and so demonstrative were the spectators that the Police could not clear the field. He had to take refuge under the**

**grandstand and subsequently in a neighbouring house. The police force was increased and eventually the Referee was hurried into a cab and driven away followed by a howling stone-throwing mob."**

5.11 There are more recent examples of football hooliganism. In 1909 at Hampden Park some 6,000 spectators pulled up goalposts, fences and pay-boxes, set fire to them and danced round them in the middle of the pitch. Police, firemen and ambulancemen were stoned, fire engines damaged and hoses slashed. Police, after throwing the stones back at the rioters, finally cleared the ground at seven o'clock at a cost of fifty-four Constables injured and the destruction of virtually every street round Hampden. Sixty other people were also injured.

5.12 Neither of the New Year's Day matches at Parkhead in 1898 or Ibrox in 1905, between Rangers and Celtic, were finished because of pitch invasions. There were serious outbreaks of disorder in Scottish Football in 1941, 1949, 1953, 1955, 1957, 1958 and on into the 1960s. The disorder consisted of fighting, bottle-throwing and pitch invasions in addition to ritual chanting, obscenities and jeering. The Glasgow Herald wrote in 1952: **"This hooliganism on the sports field cannot be allowed to go on. The sport of football must be cleared up."**

*(ii) Hooliganism is only a football problem*

5.13 This is not wholly true. 1954 saw the MCC in the West Indies playing the third Test Match at Georgetown, British Guyana. The West Indians were about to put on 100 when one of their batsmen was run-out. Scuffling broke out in the stand behind square-leg. Dozens of bottles were hurled towards the square-leg umpire who had given the batsman out and mounted police had to be moved onto the scene of disorder.

5.14 Six years later in the second Test at Queens Park, Port of Spain, there was a similar occurrence. Again a West Indian was run-out. Again bottles were thrown onto the field by the crowd. Beer cans, fruit and anything else which came to hand was also thrown. Then the crowd came onto the field of play; finally the game had to be abandoned for the day.

5.15 In November 1963 there was a riot at a horse race track in the New York area. There were fifteen arrests and fifteen taken to hospital. Booths were set on fire and cars damaged.

5.16 In 1955 at an ice hockey match between Montreal Canadians and Detroit Redskins there was a major riot. A smoke bomb was thrown. Cars were overturned, stores were looted and there were one hundred arrests.

*(iii) Football hooliganism only occurs in this country*

5.17 This is not the case. In Brazil, in September 1950, one person was shot dead and several others injured, four seriously, when an angry crowd tried to drag a football referee from inside a police car at Rio de Janeiro. In Italy, in March 1951, police used tear gas to disperse thousands of angry football spectators who broke into a visiting football team's dressing room at Bari, Southern Italy, injured a player and the trainer and chased the referee four miles to a farm house.

5.18 The official communist newspaper, *Bauber*, described a game near Belgrade in 1955 in this way: **"Fans rushed on to the field carrying knives, knocked down the Referee and put him out of action for at least six months."**

5.19 The St Louis Post Despatch, in December 1976, described a football game in this way: **"At a National Football League game at Foxborough, Massachusetts between the New York Jets and the New England Patriots, rowdy fans continually ran out onto the field, stopping play a dozen times. By the time the game ended two fans had died of heart attacks, 30 were taken to hospital with cuts and bruises, 49 were arrested, a policeman's jaw was broken and a spectator had been stabbed. In the parking lot a policeman was giving mouth-to-mouth resuscitation to a heart-attack victim when a drunken fan urinated on the officer's back."**

**The extent of hooliganism**

5.20 There is then considerable evidence about the age and generality of the problem. It is less easy however to measure its extent and development. One of the problems confronting anyone enquiring into the problems of hooliganism is the total lack of any reliable statistics. It is possible to ascertain from the

police the number of arrests during a season at a particular ground. By comparing these figures with the previous year or years, some sort of conclusion can be drawn, particularly if the number of spectators is also known. Thus arrests as a percentage of spectators can be calculated.

5.21 Unfortunately this is an unreliable approach. Firstly, the data often do not distinguish between those arrested inside and those arrested outside the ground. Secondly the offences are not defined; they may be, for example, pick-pocketing, drunkenness or violence. Thirdly, the number of arrests may not indicate the extent of violence because when a riot takes place police may have to spend more time defending themselves than arresting people; on other occasions which are less violent they may be more able to arrest the trouble-makers.

5.22 It might have been thought that this violence has been a problem for football clubs for many years the first thing the football authorities would have done would have been to seek to establish the extent of it. Far from it.

5.23 Presently at every Football League match in England and Wales there is an observer appointed by the Football League to assess and report on the performance of the referee. In European and International matches there is an assessor who reports on the game, including crowd problems. When I suggested to the Football League that their observers at domestic matches might also observe and report on any crowd problems they were not enthusiastic. Nor it appears are there any official plans for the central collection of statistics on this important subject. The result is that any student of the problem has to make do with inadequate statistics and a good deal of folklore because the authorities are unable to provide the assistance so that the necessary lessons may be learned.

5.24 In July 1976, a panel established jointly by the Sports Council and the Social Science Research Council reported on the problems of anti-social behaviour at sporting events.<sup>1</sup> In its recommendations for research the Report said this: **"During its discussion the Panel was constantly hindered by a lack of basic statistical information about hooligans and hooliganism. As a result it cannot be claimed that it has achieved a thorough understanding of the nature of the problem or of its extent. It appears that much of the data needed might already be available in police records, but not in a readily accessible or systematised form. While this is not a recommendation for research as such, the Panel feels that a routine system of collecting information from police forces in England and Wales about football hooliganism should be established."**

5.25 Although that recommendation was made in 1977 no serious attention appears to have been paid to it. Recently, however, the Football Association wrote to all Football League Clubs in England and Wales: **"We at The Football Association are monitoring the problems of various Clubs and trying to ensure that where potential problems exist a Club is forewarned. Some form of information service is therefore necessary to enable us to provide meaningful help to Clubs and, for this reason, we would ask you to give us a report on your home matches equally with reference to the visiting supporters."** Albeit late in the day, this is a helpful approach and to be encouraged. It is still vitally important that the police and the clubs should get together so that henceforth it is possible for the clubs to obtain statistics on the number of arrests and the nature of the offences which occur on their property.

5.26 The figures of arrest at the twelve London clubs, over the last ten years are interesting. In 1975-76 there were just under three arrests per 10,000 spectators. They went up to four in 1976-77, down to three again in 1978-79, up to five in 1980-81, down to four in 1982-83 and is now on the way up again. Professor Canter, a consultant to my Inquiry says: **"The general trend is clearly upwards. Overall the ratio is increasing but what is also noticeable is that there appears to be a 4 to 5 year cycle, the troughs of which do seem to coincide with World Cup years."**

5.27 Professor Canter has also looked at the casualties at a ground to see whether their number is in proportion to the arrests and ejections; he concludes that there is a direct relationship between the number of incidents and the number of casualties.

5.28 His conclusion is: **"Taken altogether, the figures show an increasing trend towards violence necessitating arrest or ejection. They also show that the violence linked to these arrests appears to be linked to casualties. Those Clubs, especially in the major cities that attract larger followings, appear to have more violent incidents associated with their matches and these appear to be typically, although not solely, at games that attract larger crowds"**.

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<sup>1</sup>Public Disorder and Sporting Events: The Sports Council/Social Science Research Council 1978.



5.29 **"The thesis that some clubs and special matches are the prime focus of acts of violence is supported by these figures. Discussions with police and other researchers argue this too. Our figures do corroborate these generally held views to some extent."**

5.30 **"But there is an important caveat. Few Clubs are without incident during a season, so to 'blame' a few clubs is to ignore the widespread pattern. Further, whatever the threat of 'away' supporters, 'home' supporters are not completely innocent."** Professor Canter says: **"Two other comments follow from these findings. The first is that it is possible to identify patterns to incidents from available data provided that enough data is collated together. Secondly, this being the case, the football authorities (as well as the Police) can tackle the clubs directly whose supporters are frequently associated."**

5.31 The point is made however that differences between clubs are enormous. Professor Canter says: **"It is clear that each club has its own ethos. The question is thus raised whether this might relate to aggressive acts as indicated in arrests."** The arrest levels at the Tottenham Hotspur and Millwall grounds have remained fairly constant over this time, at between three and four arrests per 10,000 spectators while at Chelsea it has fluctuated from two or three per 10,000 from 1975–79 to between seven and eight per 10,000 today.

5.32 A team of sociologists at the University of Leicester who have made a special study of hooliganism, say: **"It is not our contention that, because hooliganism at football matches can be shown to be deeply rooted in the British past, it has therefore been entirely unchanging in its forms, contents and consequences. Among the factors at work shaping the specific character of the 'football hooligan phenomenon' since the late 1950s have been:**

- 1. the structural changes that have occurred in the 'rough' and 'respectable' sections of the working class, and in relationships between them;**
- 2. the rise of a specifically teenage leisure market;**
- 3. the increased ability and desire of young fans to travel to away matches on a regular basis;**
- 4. changes in the structure of the game itself;**
- 5. specific attempts by the Football Authorities to curb hooliganism and, above all, the involvement of central government in this process;**
- 6. changes in the mass media, above all the advent of television and emergence of the 'tabloid' press with its competition-generated and commercially-orientated concept of newsworthiness;**  
**and**
- 7. finally, the recent virtual collapse of the youth labour-market."**

5.33 **In our view, these features, which are all in some sense at least historically specific have made a significant contribution to the form, content and extent of football hooliganism since the 1950s.**

5.34 Almost everyone to whom I have spoken both in the football world, in the press and the media generally, in the police and in the academic world, agrees that the amount of violence which is related to soccer, has increased; the statistics also tend to support this view. A distinction needs to be made, however, between violence which occurs inside the ground and violence which occurs outside the ground. There is a good deal of evidence that as the art of controlling a crowd within the ground increases and the physical constraints are improved, so the problem is simply transported from inside to outside the ground.

5.35 This may be a matter of congratulation and pleasure to the football clubs and to those who have inside the ground but it is not much consolation to spectators when going to or from the ground or to the ordinary citizen going about his lawful business in the streets of the town where the football match is being played.

### **Characteristics of the hooligan**

5.36 Who then are these hooligans and why do they behave as they do? A good deal of work has been done by sociologists and others in an attempt to answer this question. The Sports Council Report<sup>1</sup> says: **"There is a substantial body of literature describing and analysing the sub-culture of violence which is followed by young men in the lower classes of many societies . . . It is a culture which values additional masculine virtues of courage and skill in fighting, of heavy drinking and exploitative sex; of loyalty to other members of**

<sup>1</sup>Ibid

the group and control over local territory. It would appear that the core members of fan groups are drawn from communities where those values still hold and these values are reaffirmed and given a new location in football hooliganism. These values have not only been challenged by alternative values held by other classes in Britain but by the emergence of new youth cultures with which they come into conflict."

5.37 "The sub-cultural violence has found a new location in football. Football has created new heroes who exemplify its values and extend its territories well beyond the local street, cafes and public houses."

5.38 The Report goes on: "Whatever the experts are likely to say about the natural aggressivity of young males and the way this is released in crowd situations, those who have to deal with the problem of football hooliganism, whether the police or the management of the clubs, believe that in some way it reflects on the breakdown of authority in modern Britain, and the ineffectiveness of home, school and churches in bringing up children."

5.39 "They believe it is society's problem and represents the consequences of a permissive society. There is a sense in which it may be society's problem but a different explanation might be offered. We have already drawn attention to the nourishment which football hooliganism draws from certain elements in traditional working class culture; the value it places on masculinity, violence and loyalty. These elements far from being the result of social change are extremely resistant to it. There are however important changes taking place in British society which may bear upon any long term solution to the problems of football hooliganism."

5.40 The Sports Council Report points out that there is nothing new about violence in the young: "Gangs of young adolescents who are alienated or in direct revolt against society are not a new phenomenon. The post-war years have seen the rock and roll riots of the Teddy Boys, the Mods and Rockers, the Skinheads and the Bover Boys. All seem to be seeking a distinct identity for themselves by special clothes, a feeling of solidarity by concerted actions and a sense of being wanted through companionship. Football fans are in a similar mould. They seek 'male bonding' because they are in a critical gap between the stage of detachment from family dependence—if they ever enjoyed this fully—and the stage of marriage. This is a simpler explanation than the claim that they retain vestigial traces of instinctive hunting behaviour from their evolutionary forebears, although the latter is as difficult to falsify as it is to prove."

5.41 "They not only seek each other's company, but are pressed into it by a society whose structure does not offer them much in the way of alternative affiliations. So we see young males 'moving around' together in varying degrees of mutual dependance from the occasional 'meeting up' to the closely knit gang. If masculinity and aggression (let us not forget spontaneous wit and mutual loyalty) are values adopted by these groups, it is the understandable consequence of a socialisation which shapes the need to acquire these qualities as a mark of manhood."

5.42 "The football match turns out to be a natural arena for the rehearsal of these qualities and for the strengthening of bonds with each other. It offers an acknowledged meeting place, a carnival atmosphere and exciting contrast to the drabness of the workaday week. But principally it offers scope for belonging to a loosely constructed group, a gang or a clique; for assuming a role and taking part in the action. For a fan group has an explicit shared aim although it may not be held with the same degree of conviction by all members. It is that the team should win. The aim is victory. This objective, to support a team and in so doing help it to win, far from being reprehensible in our society is generally regarded as desirable."

5.43 One of the Leeds United supporters to whom I spoke expressed it in this way. He said he would rather see his side win a boring game by 1-0 than see an exciting game which his team lost 5-4. Winning is everything. Losing is nothing.

### **Why football particularly?**

5.44 The report continues:

"We still have to ask, however, why football support to a much greater degree than other sports provides a situation that is so primed that it sometimes erupts into disorder."

5.45 "Some of the differences between football and other sports can be spelt out in greater detail. It is important to emphasise that no single feature but only a combination will suffice to portray the football match as a situation with a potential for extreme behaviour."

5.46 "1. There is a very strong belief that the presence of large numbers of supporters spurs a team to greater effort. It is also widely felt that if this presence can be made explicit by shouting and chanting the

effect will be that much greater. It is partly for this reason that organised supporters and fan clubs are strongly encouraged by management and why teams are expected to perform better on their home territory. . . . The belief in clamorous support does not obtain in all games and the differences are not merely accidental. Football is a continuous *physical* activity that proceeds so rapidly that each action seems almost a reflex. It does not require the concentration or 'cerebration' of a chess match or a golf tournament, where the players' moves are invariably accompanied by a hush on the part of the spectators and not by shouting. It is in general accord with research on social facilitation and 'audiences' that support can induce 'arousal' and hence more physical effort but that for tasks requiring careful thought at the time when the action is carried out, audiences are distracting and counterproductive."

"2. There are only two parties to a football match, for the entire event. The competition is completely polarised; if one team wins, the other loses and there is no fine gradation of awards. The same applies to the supporters. They are in direct and simple opposition and this implies also that each side is united within itself into a huge collectivity for the purposes of direct competition with the other side. This competition does not end with the match - there are traditional enemies, old scores to settle and reputations to attack or defend and the frequency of the meetings reinforces the partisanship."

"3. The game itself includes a fast moving series of direct physical confrontations as well as cooperative movements between team members. The spectators can readily identify with these movements, both individually and collectively because all the action can be seen by the whole of the audience at the same time. They can follow and respond to the shifting fortunes and experience vicariously the often aggressive encounters. Quite often the outcome is unpredictable up till the closing minutes."

"4. A strong sense of 'involvement' or identification with what is happening on the field of play, whether it is a clash of individuals or a team movement, arises from the fact (relatively unique to football) that a high proportion of the spectators have played the game themselves through the early years of their lives or are still playing." I have to say that I question this view. I am by no means sure that such a high proportion of football supporters have in fact played the game to the extent suggested and I am equally doubtful that in other games like rugby union and cricket the proportion of spectators who themselves have played or are playing is necessarily less than at football.

"5. An additional factor to combine with the preceding ones to further delineate football is its strong basis in working class culture. Football is still an institution that is distinctly working class. The terraces at big matches have become obvious and prominent places for proudly displaying and emphasising class values and this process is of course mutually re-inforcing. It is readily observed not only at the cultural but also at the individual levels. Some social scientists say that aggression is more encouraged in the social upbringing of working class children but more heavily punished when it is employed and that punishment further reinforces its use because it is itself aggression and administered by a revered model ie the parent. In middle class upbringing, physical forms of aggression are less encouraged as acceptable social behaviour and they also receive less punishment when they are deployed."

"6. The alignment of football teams is territorial . . . the large majority of supporters are drawn from a fairly localised territory. Unlike middle class people, whose attachment is more likely to be temporary and whose lives are more mobile, working class youths and adults have a very strong attachment to place" . . .

5.47 The report continues: "It may be noted that we have not so far referred to the possibility of frustration which in one of the main theories of aggression is regarded as a main instigator. In football hooliganism, it is doubtful if it adds much strength to the explanation. If some young people are frustrated by unemployment and the many social deprivations to which they are exposed, this is a chronic condition and not something that is acutely experienced at football matches. Indeed, the reverse is more likely. It may, however, be argued that the fan groups' major aim is frustrated if its team is defeated or one of its members unfairly treated, and that this frustration intensifies if the fans are prevented by the police and by the layout of the Ends from correcting the injustice of humiliation."

5.48 Finally the Report says: "It must be re-emphasised that none of the conditions we have outlined are enough by themselves to distinguish football from similar spectator sports such as rugby union and league, American baseball and football and ice hockey and so on. However, when taken in combination they amount to a formidable set of predisposing characteristics. It must follow that if action is to be taken to minimise the undesirable consequences of football, it must be taken at many points. There cannot be a single panacea."

5.49 The reference to Rugby League points a contrast between the atmosphere at that sport and at association football. I was able to watch a Rugby League club game attended by 12,500 spectators. There

were no perimeter fences. There was no form of segregation. There were no incidents. Only some 20 police officers were on hand. There were large numbers of women and children present; the afternoon was an enjoyable day out for everyone. On the previous day when England played New Zealand, however, policemen had had to go onto the pitch to sort out players who were fighting among themselves.

5.50 Professor Canter in his Report to me said: **"The general concern with violence, at and around football matches, has been the reason for a great many official and technical reports and a number of studies. From these examinations some general explanations of violence at football matches have been put forward. These explanations do carry implications for crowd safety and control."**

5.51 **"The following hypotheses have been put forward to explain violence at and around football matches. As will be apparent the different hypotheses are not necessarily competitive or mutually exclusive, although they do carry differing implications for control."**

5.52 The various explanations identified by Professor Canter are these:

- "1. Violence is a conscious deliberate activity sought after by particular organised groups.**
- 2. Particular football clubs have attracted a membership that contains small numbers of supporters groups that are especially prone to violent behaviour.**
- 3. Watching football can be an intensely rowdy activity. Under given physical or emotional circumstances notably on the terraces and at important major matches, this rowdiness will burst into violence.**
- 4. Violence is a direct product of uncontrolled confrontation between rival groups of fans.**
- 5. Football hooliganism is a quasi-political reaction by unemployed disaffected youth against an uncaring society and against Clubs more interested in their players than in their supporters.**
- 6. Most aggressive behaviour among football supporters is essentially ritual not intended to lead to actual acts of violence. It only evolves into violence when the ritual breaks down say due to misunderstanding by the supporters or the police."**

#### **The "new" hooligan**

5.53 Many responsible organisations and individuals I have spoken to in the course of my Inquiry expressed serious concern about the rise of what they saw as a new breed of football hooligan. The Leicester sociologists say:<sup>1</sup>

**"In our research we have been particularly interested in what the football hooligans themselves and other young fans call 'fighting crews' specially those of the 'super hooligan groups' which have evolved in recent years at some of the larger clubs. . . . One of their main distinguishing marks is the fact that they do not travel to matches on 'football specials' and official coaches but tend instead to use regular coach or rail services or cars and hired vans. They also eschew the forms of dress, the scarves and favours (also the club banners) that still tend to be widely associated with football hooligans in popular opinion. One of their main objectives in attending matches is to confront and fight opposing fans and to 'take their end'. Fans of this kind travel without identifying colours in order to avoid advertising themselves too soon to rival fans and the police."**

5.54 The way they operate was graphically described in a recent trial at the Old Bailey before Judge Hilliard.

5.55 On the day of the offence Chelsea were due to play Cambridge United Football Club at Cambridge. A large police operation had been mounted involving over 400 officers. Chelsea supporters had, apparently, on a previous visit to Cambridge caused damage to property and possibly to other persons. A number of Cambridge supporters, about 60-80 young men, gathered at a public house. There was no trouble in the public house because police officers visited from time to time. It is clear, however, that look-outs had been posted so that they could give warning not only of the approach of Chelsea supporters but also of the police.

5.56 The leader of the group was known as the "General". He had been subject to a life ban from Cambridge United Football Club from November 1983.

5.57 Some time about midday, a group of about 50 youths were seen running from the direction of the public house. They were carrying weapons in the forms of bottles or stones. A local resident realised they

<sup>1</sup>Dunning, Murphy and Williams: "Spectator Violence at Football Matches: towards a sociological explanation". British Journal of Sociology, forthcoming 1986.

were hunting or hounding Chelsea supporters. He could hear the sound of bottles being broken and glasses being trampled into the ground. The Cambridge supporters proceeded to ambush and then attack the Chelsea supporters.

5.58 One of the accused was asked what he had against Chelsea supporters. He said: "They're animals." And when asked what he got out of it he said: "It's a bit of excitement. What is there in Cambridge for young people. . . . The bastards give you a good hiding up there anyway. What Cambridge needs is something like a Mecca." One of the other youths said: "I have been depressed for some time now and I formed the opinion that if I was going to take my aggression out on anybody I may as well have one with football supporters. I knew the people in there—[the public house]—would be looking for trouble."

5.59 One of the accused said: "I knew there would be trouble because other years when that many people meet, it always leads to trouble, and it was obvious from the talk in the pub that some people were intent on getting Chelsea fans on their way to the ground." And another said: "It was obvious what was going to happen . . . when those teams are in town a lot of kids go out looking for trouble."

5.60 The Judge said this: "Now in this case a group of youths and young adults at different times and varying, according to estimates, between 30 and 150 took part in attacks on Chelsea supporters between noon and 2 pm . . . The final exit from [the public house], about 2 pm was a determined and cunning attack by about 80 people. At a nearby road junction the mob split into two parts and each part then approached the main Newmarket Road by separate side roads, thus trapping Chelsea supporters and ordinary members of the public going to the football ground. The site for this was carefully chosen to permit of no escape, the main road at that point having iron railings upon the entire length of the centre reservation. Sticks, pool cues, bottles and glasses were carried as weapons by some of those in both groups, and were used on those caught in the pincer movement. Some Chelsea fans escaped by jumping over the railings. One who failed to make it was hit over the head with a bottle and jabbed in the neck with a broken end, severing an artery, and might well have died but for skillful first-aid by a police officer and good medical attention. Another young man had his jaw broken in three places, merely for being in the way, and was kicked and beaten to the ground in front of ordinary men and women who were helpless to intervene."

5.61 "This was organised, pre-planned violence which endangered life. An experienced policeman said it was the worst series of incidents he had seen in ten years, and there were a number of other incidents involving groups of youths attacking single youths with feet and fists and weapons—too many to mention."

5.62 Of the leader, who was sentenced to five years imprisonment, the Judge said: "An intelligent and reasoned letter which I have read shows that you have some insight . . . It also shows that you are articulate, fluent and persuasive in a high degree."

5.63 Many of the accused did not fall into the so-called "rough" working class category. One, who was sentenced to ten months imprisonment, was described by the Judge as having a good work record and attractive references. Another who had no previous convictions was described by a probation officer as being a very decent young man. Of another it was said by his employers, that he had worked well for them and that his behaviour was out of character. Yet another, was a computer engineer; he was buying his own home and he was engaged to be married. Another had previous exemplary character and had glowing and unsolicited testimonials from neighbours. Another was a hard-working apprentice from a secure home background. Others were described as being well-employed with good references, coming from good homes; yet another was described as having an exemplary lifestyle, a committed Christian.

5.64 An example of the ingenuity of the modern hooligan was given to me by one police force. One group of hooligans in order to avoid detection by the police on a visit to an away-match, hired morning suits and travelled by British Rail having persuaded the authorities that they were going to a wedding.

5.65 The evidence given to me also shows that one characteristic of today's hooligan is that often he quite deliberately does not take alcohol in order better to carry out his part in the planned operation and to keep his mind clear.

### **The Scottish experience**

5.66 A study, sponsored by the Football Trust on crowd behaviour at football matches, was carried out by a research team from the Centre for Leisure Research, Dunfermline College of Physical Education (then part of Edinburgh University) between 1982 and 1984, and was published in January 1984.

5.67 It is clear from that Report, from my discussions with Mr Coalter (who was a leader of the research team) and from evidence which I received, both from the Scottish police and the football authorities, that there are a number of significant differences between what happens in Scotland and in England.

5.68 The Dunfermline study investigated three football clubs, namely, Glasgow Rangers, Glasgow Celtic and Aberdeen Football Club. Overall they drew a number of conclusions. They found: **“Scottish Clubs and their supporters [were] distinct from those south of the border and as such [merited] study in their own right.”** They concluded that both Aberdeen and Rangers retained more traditional community links and further, that: **“The relatively low level of commercialism and the rather more traditional, even populist, links between the Clubs and their supporters mean that the various theories developed largely on the basis of English evidence to explain the meaning and significance of the game to supporters (and in particular the roots of football hooliganism) appear less applicable in Scotland.”** The study continues: **“In addition, soccer related violence in Scotland is also distinct from that in England in that it tends to be fuelled by sectarian antagonism. Some of the forces which tend to promote and encourage violence therefore are well outside professional football and have long historical roots”.**

5.69 One of the significant developments in Scottish football has been the emergence of the so-called “Casuals”. They were originally so named because of their clothing. They originated in Aberdeen probably from copying the style of some English supporters and have now spread to a large number of clubs. They attach themselves to a club and adopt its name. They are bent on fighting the opposition fans in order to enhance their own prestige.

5.70 When I talked to Mr Coalter he was somewhat sceptical about the significance of the “Casuals”. Mr Coalter’s view was that they were comparatively unimportant, that the label was simply attached to them by the media and that they represented no more than a very small minority of football supporters. The Casuals are however, in the view of the police, a very real problem. They are well organised, appear to have money and cause a great deal of trouble, particularly outside the football grounds.

5.71 Other evidence I have received from responsible people tends to suggest that under whatever name they use, the Casuals are a greater problem than hitherto. They travel more widely, are very much better organised and tend to seek out their opponents in areas away from football grounds like city centres where the police are less prepared for them.

5.72 The Dunfermline report goes on: **“Surveys at the three Clubs demonstrate that the popular stereotype of football supporters as male working class adults is only partly true. Although still predominantly male the survey has revealed that the supporters at three Stadiums were predominantly in the younger age group (under 30) in the skilled occupational groups, whether white-collar or blue-collar but with a significant proportion from the professional and intermediate white-collar occupations.”** The Report points out a difference between Rangers, which attracts a high proportion of the traditional or working class supporters, while at Aberdeen there is a significantly larger proportion of white-collar workers.

5.73 The Report continues: **“The analysis of the data on arrests for football related offences confirms the conclusions of the McElhone Report that the number of arrested per thousand spectators is extremely low. Moreover a small number of matches account for a large proportion of the total arrests and a large number of the arrests occur at games in which tensions are heightened by sectarian rivalries. The majority of offenders are arrested for forms of vocal aggression and the types of offences commonly associated in the public mind with hooliganism - physical violence, damage to property, pitch invasions - form a relative small proportion of the total. As such it is argued that much of the disorder which does occur might more aptly be labelled rowdyism than hooliganism.”** The Report continues: **“Seating and segregation have in combination contributed to the reduction in level of crowd disorder within stadiums. The segregation of opposing fans within the ground is regarded by the police as perhaps the biggest single contribution in the reduction in crowd disorder.”**

5.74 The Dunfermline Study goes on to say that while the problem of crowd disorder within stadia is largely contained, **“if crowd disorder occurs it is more likely to occur outside the stadium after the game. Furthermore the offences committed outside the stadiums are more likely to be violent in nature than those inside. Ironically while solving crowd problems within stadiums, an unintended consequence of the segregation of large crowds may be to provide the potential conditions for disorder outside the grounds. Segregated and coherent groups may provide the basis for the continuation of forms of behaviour which while tolerated inside the ground, quickly become defined as unacceptable outside. Many of the officers interviewed saw the major issue of football related crowd disorder as being the inconvenience to local residents and damage to property outside stadiums; however there was a recognition that given the random nature and geographical spread of many of these incidents they pose a difficult problem to combat”.**

## Experience elsewhere

5.75 The experience in America and elsewhere is not substantially different. Dr Goldstein, of the Department of Psychology of Temple University, Philadelphia, reviews (in "Sports Violence"<sup>1</sup>), a series of articles by distinguished international experts, indicating that aggressive sports tend to increase not only the aggression of those who participate but of also some of those who watch. The argument is that fans who get caught up in outright violence do not seem to be psychologically different from most other fans, but the one difference is that they are almost universally young men, some of whom come to sports events in the hope of a battle.

5.76 On the question of the relationship between aggression on the field and aggression off the field, the emerging view was that the particularly brutal and angry aggression that is virtually an integral part of some forms of competitive sport increases the likelihood of imitative violence among crowds dominated by young adult males. One of the articles suggests, for example, that anonymity and excitement allows fans to put aside more readily the inhibitions that would keep them from being openly aggressive in other situations. Violence on the playing field then holds out to them an example they are more likely to follow. Drinking adds to that likelihood.

5.77 In the articles there is also a good deal of support for the view that "perceived injustice" is an important cause of much violence among spectators. Put another way a spectator who thinks his team has been unjustly treated will react violently and aggressively. Certainly, anyone who has been present at a football match is well aware that the referee's decision can give rise to considerable controversy, not only among players on the field, but among spectators in the stands and on the terraces. Bad refereeing has always led to problems on the field because players are only too ready to take advantage of any weakness they perceive, or alternatively to redress the balance of what they perceive was an injustice by taking the law into their own hands.

5.78 There are, of course, a great number of well-documented outbreaks of violence at sports grounds which have resulted from a disputed decision by an official. For example on 24 May 1964 there was a soccer match between Peru and Argentina. With two minutes left in the contest, Argentina was leading 1-0. Peru then scored. However, the goal was disallowed by the referee because of rough play. Fans broke onto the field, the match was suspended, more fans crashed onto the field, the police fired revolvers and tear gas and the crowd panicked. As a result of the riot, some 300 spectators were killed.

5.79 The various types of disorders are classified in "Sports Violence" into five major categories. They are:

1. **Frustration disorders** They occur when spectators' expectations of access to the game and the way it will be played or adjudicated are thwarted. Included in this is "perceived injustice" when a source of frustration occurs as when fans believe that an incompetent or biased official has cost their team victory.
2. **Outlawry disorders** They occur when groups of violence-prone spectators use sports events to act out their anti-social activities by attacking officials, fighting with rival fans and destroying property. Such crowd violence is seen as the work of a delinquent or criminal element.
3. **Remonstrance disorders** They occur when a section of a crowd uses a sports event as an arena for the expression of political grievances.
4. **Confrontation disorders** They break out when spectators from rival religious, geographic, ethnic or national groups come into conflict. Given the appropriate circumstances, smouldering resentment can easily spark into open hostility, so that local Derby games where regional supremacy is at stake are an ideal setting for confrontation riots.
5. Finally, there is what is called an *expressive riot*, which is the intense emotional arousal which accompanies victory or defeat, particularly if it is exciting or unexpected and uninhibited behaviour is then triggered.

What is apparent from the above categorisation, it is said, is that no single control measure could cope with all the triggers of disorder and that action which might be suitable for one situation could be inappropriate in another.

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<sup>1</sup>"Sports Violence" Jeffrey H Goldstein (ed): Springer-Verlag, New York 1983.

## Extreme Political Activity

5.80 There is a substantial body of evidence that political activists are present at football grounds in England although it seems not to be a problem in Scotland. Football grounds are used in order to recruit new members and leaflets are passed out. There is no doubt that at football grounds there are a number of people who belong to extreme political parties and they are there often in a group. Equally it is evident that some of them take part in the disorders which occur.

5.81 There is also widespread evidence of the presence of small groups of National Front and similar supporters at football matches, of the giving of Nazi salutes, of the distribution of literature and of the chanting of racist slogans. They boast in their publications of these activities. Further, a number of their supporters have been convicted of criminal offences arising from the use of violence at football grounds. But that does not prove the assertion that it is they who are responsible for violence on the terraces. The evidence which is available to me, from football clubs generally and from the police in all parts of the country, is that while they constitute a presence at a number of football grounds where they recruit and cause trouble by racist chanting, there is little to connect them with organised violence. The considered view of the police who spoke to me seems to be that their importance at football grounds is a self importance and that they are not a significant factor in the problems with which I am dealing.

5.82 That is not to say that anyone, particularly those with memories of events since 1936, should take a complacent attitude towards their activities. Nor is it necessary to approve of the contents of their magazines. However in the search for answers to trouble at football grounds, it is right that too much importance should not be attached to their activities.

5.83 This view is confirmed by the statistics in the report to my Inquiry prepared by Professor Canter. He said: **"Where terracing is seen as the physical basis of violence, political activities are seen as the social cause. As with terraces, removing political activity would not solve the problem of football hooliganism. However it is important to identify the extent of any conscious involvement by such groups as the National Front in crowd violence. We therefore asked a question carefully phrased to see if there were any direct evidence for the involvement of political groups as seen by our respondents and if there was any difference between the clubs in this. After a general question on people's thoughts we asked for any concrete evidence that they might have 'in their own experience.'** In effect we were asking almost one thousand witnesses throughout the country whether they could give any first hand evidence to support the view that political groups are involved in crowd trouble." The question was: **"Do you think that organised political groups such as the National Front are involved in crowd trouble?"** The answers were:

	<i>Yes</i>	<i>No</i>
Celtic	39	61
Manchester United	44	56
Tottenham Hotspur	43	57
Chelsea	65	35
Sunderland	11	89
Millwall	43	57
Fulham	48	52
Southampton	55	45
Preston	49	51
Coventry	38	62

5.84 Professor Canter continues: **"When it comes to actual evidence the picture becomes more hazy. Although 162 of our respondents said they had direct evidence of National Front involvement, closer examination reveals that a number of those based that on media reports. All in all, about 10% of our respondents appear to have first hand knowledge of National Front activities."**

5.85 It is interesting to see what this "political" group was actually doing. Professor Canter's figures show that 194 respondents had witnessed involvement and that 34 incidents involved either starting a fight or fighting. However, Professor Canter reports that most of those who said they saw fights were in fact quoting media reports. The evidence of these respondent makes it clear that the majority of those involved were distributing literature, chanting or making gestures or displaying or wearing signs or symbols.

5.86 This sample accords with the other evidence which has been presented to me.



## **Unemployment**

5.87 There have been a number of suggestions that unemployment is the cause of people being violent at football matches. One might certainly expect it to be so. Those who have nothing to do to absorb their time and interest are those most likely to get up to mischief; they have not the dignity of labour and the discipline of the workplace. Historically, however, there is little evidence to support that view, nor is the statistical evidence clear. Surprisingly, such evidence as there is, is to the contrary—viz the absence of any obvious increase of violence in the 1930s when there was widespread unemployment; the increase of football violence in the 1960s when there was little unemployment; the ability of large numbers of troublemakers to travel long distances at considerable expense; the recent use of £1 coins as weapons; the wearing of fashionable and expensive clothing; and the evidence relating to the employment of those convicted. Nor do any of the football clubs or authorities, or the police, or the fans to whom I have spoken give support to the theory. That a number of unemployed behave like hooligans is undeniable—that they are hooligans simply because they are unemployed is not by any means clear.

## **My own conclusions**

5.88 I must have read some thirty or forty reports, studies or books, where an attempt has been made to analyse the problem. I am certainly more knowledgeable on the subject of football hooliganism. Whether I am any wiser I doubt.

5.89 I have had the opportunity myself of attending a number of football matches incognito. I have talked to fans on the terraces and observed their behaviour. I have discussed the problem with Professor Canter, with Mr Coalter, with the Leicester sociologists, with groups of football supporters, with the police and football authorities and many other experienced observers.

5.90 I am of the view:

- I (a) That there has always been a group, albeit a small group who find violence attractive; who currently find the football ground a convenient theatre for their violence and the football match the occasion for display of their aggressive tendencies which on other days and at other times they will be exhibiting in public houses, the city centre or elsewhere. Their main target at football grounds is opposing fans. They choose to exercise that violence at a football match for a number of simple reasons. The date and place of a match are fixed; the nature of the opposition is known; its presence is certain, so is that of the police. Their own support is known. Its presence too is certain. The battle lines can be drawn. Thus plans can be made well in advance for the particular acts of violence that they intend to create.
- (b) And while there is a good deal of academic support for the view that violence was at one time the prerogative of the so called “rough” working class that is no longer the complete picture today. A majority of today’s hooligans no doubt do fit into that category, but some do not. They come from a variety of backgrounds, many have reasonable jobs and earn a proper living.
- (c) Whether they are motivated by the same reasons as their predecessors can only be a matter of conjecture; there seems little reason however to believe otherwise.
- II (a) A second group imitates the first element I have identified. Thus those not particularly given to violence witness violence in others and see it being exercised, without let or hinderance. People expect the spectators on the terraces to behave in an aggressive way and to use foul language. It then becomes accepted and the norm and thus becomes a part of the pattern of life which would not be tolerated elsewhere. This knock-on effect can be seen in violence in the streets of our cities, unconnected with football.
- (b) The feeling of anonymity in the crowd gives rise to a loss of inhibition and self-discipline. The association with those of similar disposition, the enthusiasm and the partisan support for the team, which itself causes an atmosphere, all create a situation which can readily give rise to violence.
- III Then there is a third group (not always separate from the other two groups) who cause violence for a reason, either real or supposed. It may be an inability quickly to get into the ground; it may be the presence of rival spectators in a part of the ground to which the fans think they have a claim.
- IV Finally there are those, the vast majority of spectators, who abhor violence and wish only for an afternoon of pleasure at a football match.

5.91 Whether it is ever possible, by altering in some way the structure of society, so that there are not people to whom violence is of itself attractive, has given rise to considerable debate. There are, of course, very many factors which cause a person to have an aggressive disposition. Heredity and environment are such uncertain barometers of interaction that it is too simple to say, improve the environment and violence will disappear. Neither of course should be ignored.

5.92 I have therefore sadly to conclude that there has always been violence in the world and that there always will be violence; and that however close social scientists get to determining the true cause of violence on the football terraces, no complete cure can be prescribed, even for the very long term.

5.93 It is clear however that there are a considerable number of *preventive* measures at sports grounds which can properly and reasonably be taken. These I have set out in Chapter 4 of this Report. By taking proper preventive measures it may be possible to stop violence inside a sports ground. So far as violence generally is concerned, I would like to be able to say there is a simple cure. There is not. It would be doing a grave disservice to suggest otherwise.

#### **Postscript**

5.94 I do not pretend that my Report can be all embracing or provide a simple solution to a complex problem. There is no panacea. There is no one solution to the problem of violence. More particularly it is to be hoped that if violence within the football ground is contained, it will not re-emerge elsewhere. I confess I do not feel sanguine about that.

5.95 I trust that by publicly canvassing the problems which affect the game, both in my Reports and during the course of the Inquiry and also by stimulating discussions, at all levels, both inside and outside the game, it may be possible for solutions to emerge so that the national game can regain some of its former glory. Nor should we ever forget the tragic events which gave rise to my Reports.

5.96 Although this is my Final Report, the problems of football will continue long after I have returned to the more familiar and less turbulent routine of my judicial duties. I therefore leave my task adopting the words of Matthew Arnold:

**“Peace, Peace is what I seek and public calm;  
Endless extinction of unhappy hates.”**

## CHAPTER 6

### *Summary of all Recommendations*

#### **A Recommendations in the Interim Report**

1. *Evacuation procedures should be a matter of police training and form part of the briefing by police officers before a football match. (Now see paragraphs 4.17 to 4.19)*
2. *The local authority team responsible for issuing safety certificates in respect of designated grounds should, as heretofore, include police officers.*
3. *Early attention should be given by the Home Office Directorate of Telecommunications to consider the practicality of producing a more suitable personal radio for the police. (Now see paragraphs 4.102 to 4.104)*
4. *The Green Guide should be amended to include in Paragraph 11 a provision that, wherever practicable, roads within a quarter of a mile of a sports ground should be kept entirely free of parked vehicles. (Now see Appendix E, paragraph E35)*
5. *Consideration should be given to making it a criminal offence in England and Wales to have a smoke bomb or similar device at sports grounds.*
6. *Those managing sports grounds not governed by safety certificates should give serious consideration, with the assistance of fire authorities, to the presence in a ground of suitable fire fighting equipment. (Now see Appendix E, paragraph E33)*
7. *Stewards at all sports grounds should be trained in fire fighting.*
8. *In designated grounds it should be a term of the safety certificate that an adequate first-aid room should be provided.*
9. *There should be urgent consultation between the Health & Safety Executive and the fire authorities and local authorities as to how best to co-ordinate and communicate their inspections and reports.*
10. *Stewards in all grounds should not only be trained in fire precautions and fire fighting (see Recommendation 7 above) but should also be trained in how best to help the police in evacuation. (Now see Appendix E, paragraph E49)*
11. *Paragraphs 6.14.6 of the Green Guide should be amended to read: "All exit gates should be manned at all times while the ground is used by the public and be capable of being opened immediately from inside by anyone in an emergency." (Now see paragraph 4.23 and Appendix E, paragraph E21)*
12. *The Green Guide should be amended to contain a specific provision, in relation to stewards,*
  - (i) *that they should be trained and instructed to deal with any emergency relating to fire or evacuation (see also Recommendations 7 and 10);*
  - (ii) *that they should be given written instructions about the action to be taken in cases of emergency;*
  - (iii) *that they should receive practical instruction and training appropriate to their responsibility;*
  - (iv) *that no one should be employed as a steward unless they have been so instructed and trained; and*
  - (v) *that they should be adequate in number, physically and mentally capable of performing their duties, effectively deployed, effectively supervised and readily identifiable. (Now see paragraph 4.129 and Appendix E, paragraph E49)*
13. *Building of new permanent stands of combustible materials should be prohibited as a general rule. (Now see paragraphs 3.86 to 3.92)*
14. *Suitable and adequate exits should be provided in all sports grounds.*
15. *No smoking should take place in combustible stands, that this should be a condition of entry to the ground and that signs to this effect should be prominently displayed.*

16. *Fire authorities should identify and visit all sports stadia in their areas and should prohibit or restrict the use of any stands which, in their view, constitute a risk to spectators because of the inadequacy of the fire precautions.*

17. *In order to ensure a complete record of sports grounds a local registration system should be set up. (Now see paragraph 3.34 and Final Report Recommendation 3)*

18. *Consideration should be given as how best to deal with temporary stands and marquees. (Now see paragraphs 3.94 to 3.96)*

19. *The next edition of the Green Guide should make it clear that it applies to all sports grounds. (Now see Appendix E, paragraph E8)*

20. *Urgent consideration should be given to introducing a membership system in England and Wales so as to exclude visiting fans. (Now amended. See paragraphs 4.107 to 4.128 and Final Report Recommendation 15)*

21. *Closed circuit television should be introduced at League football grounds in England and Wales and in the Premier Division in Scotland. (Now see paragraphs 4.92 to 4.101)*

22. *There should be a specific offence in England and Wales of throwing a missile at sports grounds. (Now see paragraphs 4.45 to 4.47, 4.54–4.55, 4.58–4.74 and Final Report Recommendation 12)*

23. *Football clubs should review their arrangements for entry and the organisation of their turnstiles. (Now see Appendix E, paragraphs E18–20)*

24. *Consideration should be given to the design of a standard, efficient perimeter fence, with proper exits. (Now see paragraphs 4.136 to 4.138 and also Appendix E, paragraph E29)*

## **B Provisional Recommendations in the Interim Report**

1. *I am minded to recommend that in England and Wales the police should be given the unfettered right of search before entry to football grounds by statute. (Now see paragraphs 4.24 to 4.38 and Final Report Recommendation 11)*

2. *I am minded to recommend that Section 10 of the Fire Precautions Act 1971 should be amended with a view to giving the Fire Authority power in cases other than those which are regarded as wholly exceptional. (Now amended. See paragraphs 3.62 to 3.64 and Final Report Recommendation 7)*

3. *Linked with the above, I am minded to recommend that consideration be given to introducing legislation giving powers for the Fire Authority to apply to the High Court for an injunction (or to the Court of Session for an interdict in Scotland) under Section 10 of the Fire Precautions Act 1971. (Now amended. See paragraphs 3.62 to 3.64 and Final Report Recommendation 7)*

4. *I am minded to recommend that Section 10 of the Safety of Sports Grounds Act 1975 should be amended in like manner to Section 10 of the Fire Precautions Act 1971 (see Provisional Recommendations 2 and 3) and an application to the High Court for an injunction (or the Court of Session for an interdict in Scotland) should be an alternative remedy. (Now amended. See paragraph 3.65 and Final Report Recommendation 8)*

5. *I am minded to recommend that the Secretary of State should exercise his powers to designate all sports grounds, whatever their size, to include indoor as well as outdoor activities. (Now amended. See paragraphs 3.53 to 3.59 and Final Report Recommendations 5 and 6)*

6. *I am minded to recommend immediate designation of any ground capable of holding over 5,000 spectators, to cover all sports grounds, not merely football grounds. (Now amended. See paragraph 3.23 and Final Report Recommendation 2)*

7. *I am minded to recommend that consideration should be given to providing the police with additional powers of arrest under the Public Order Act 1936. (Now see paragraph 4.76 and Final Report Recommendation 13)*

8. I am minded to recommend that *consideration should be given to creating a specific offence of chanting obscene or racist abuse at a sports ground. (Now see paragraphs 4.48 to 4.54, 4.56–4.74 Final Report Recommendation 12)*

### **C Recommendations in the Final Report**

1. *The distinction made between sports grounds and sport stadia should be abolished. (Paragraph 3.14)*
2. *Further designation under the Safety of Sports Grounds Act 1975 of sports grounds and sports stadia with accommodation for over 10,000 spectators where Association Football, Rugby League, Rugby Union and cricket is played in England, Wales and Scotland. (Paragraph 3.23)*
3. *All sports grounds and sports stadia not already designated under the Safety of Sports Grounds Act 1975 and having a capacity in a stand of over 500 spectators should be designated under the Fire Precautions Act 1971 as premises requiring a fire certificate. (Paragraph 3.34)*
4. *One authority should be given the responsibility for securing structural safety at sports grounds and stadia not designated under the 1975 Act. (Paragraph 3.52)*
5. *In England and Wales indoor sports facilities with accommodation for over 500 spectators should require a fire certificate under the Fire Precautions Act 1971. (Paragraph 3.57)*
6. *An urgent review of the existing legislation on indoor sports facilities in Scotland should be undertaken and if they are not currently covered by fire regulations such facilities should be designated under the Fire Precautions Act 1971. (Paragraph 3.59)*
7. *Provision should be made in the Fire Precautions Act 1971 for authorised officers of a fire authority to have power to issue a prohibition notice. (Paragraph 3.64)*
8. *Provision should be made for authorised officers of the local authority to have power to issue a prohibition notice under the Safety of Sports Grounds Act 1975. (Paragraph 3.65)*
9. *There should be (1) annual renewal of safety certificates issued under the Safety of Sports Grounds Act 1975; (2) a duty on the local authority annually to inspect the premises prior to re-issuing the certificate and (3) power for the local authority to revoke the certificate. (Paragraph 3.68)*
10. *The Department of the Environment should urgently amend the Building Regulations Guidance Codes in relation to structural fire precautions in new stands. (Paragraph 3.90)*
11. *In England and Wales the unfettered right of the police to search those who are either entering or trying to enter a football ground should be conferred by statute. (Paragraph 4.38)*
12. *In England and Wales consideration should be given to creating an offence of disorderly conduct at a sports ground. (Paragraph 4.74)*
13. *The power to arrest under Section 5 of the Public Order Act 1936 should be widened. (Paragraph 4.76)*
14. *The provisions of Section 3(3) of the Sporting Events (Control of Alcohol etc) Act 1985 should be reviewed in relation to executive boxes. (Paragraph 4.91)*
15. *Consideration should continue to be given to some form of membership scheme for Football League clubs in England and Wales. (Paragraph 4.128)*

*List of those who gave evidence to the Inquiry*

Those who gave oral evidence are marked with an asterisk.

\*Aberdeen FC  
 Amateur Boxing Association of England  
 Amateur Swimming Association  
 \*Association of Chief Police Officers (England, Wales and Northern Ireland)  
 \*Association of Chief Police Officers (Scotland)  
 \*Association of County Councils  
 \*Association of Metropolitan Authorities  
 \*Association of Scottish Police Superintendents  
 Association of Show and Agricultural Organisations  
 Aston Villa FC  
 Rt Hon Sir Humphrey Atkins MP

Mr Tony Baldry MP  
 \*Birmingham City FC  
 \*Bradford City AFC  
 \*Brentford FC  
 Brighton and Hove Albion FC  
 \*Bristol Rovers FC  
 British Amateur Athletic Board  
 British Automatic Sprinkler Association  
 British Cycling Federation  
 British Safety Council  
 British Transport Police  
 British Wood Preserving Association  
 \*Mr Peter Bruinvels MP

\*Mr John Carlisle MP  
 Central Council of Physical Recreation  
 Centre for Contemporary Studies  
 \*Centre for Leisure Research, Dunfermline College of Physical Education  
 \*Chelsea FC  
 \*Sir Norman Chester  
 \*Chief and Assistant Chief Fire Officers' Association  
 \*M Collignon  
 Commission for Racial Equality  
 Community Rights Project  
 \*Convention of Scottish Local Authorities  
 \*Mme Coppieters t'Wallant  
 Cricket Council  
 \*Crystal Palace FC

\*Mr Tam Dalyell MP  
 \*Darlington FC  
 \*Lord Dean of Beswick  
 \*Lt Col Deridder, Belgian Gendarmerie

\*Department of the Environment  
 Everton FC

Mr Tony Favell MP  
 \*Fire Brigades Union  
 Fire Protection Association  
 \*Fire Research Station (Department of the Environment)  
 \*Football Association

- \*Football Association of Wales
- \*Football Grounds Improvement Trust
- \*Football League
- \*Football League Executive Staffs Association
- \*Football Trust
- \*Mr Clement Freud MP

- \*Glasgow Celtic, FC
- \*Glasgow Rangers, FC
- \*Grampian Police
- \*Mr Edward Grayson, Barrister at Law
- Greater London Council
- Greater Manchester Police
- Mr Harry Greenway MP
- \*Sir Eldon Griffiths MP

- \*Halifax Town FC
- \*Lord Harris of Greenwich
- \*Health & Safety Executive
- \*Heart of Midlothian FC
- Mr Eric Heffer MP
- \*Hibernian FC
- Mr Robert Hicks MP
- \*Hockey Association
- \*Mr Richard Holt MP
- \*Home Office
- \*Rt Hon Denis Howell MP
- \*Huddersfield Town AFC
- Mr Roy Hughes MP

Institute of Leisure and Amenity Management  
Institution of Building Control Officers  
Institution of Fire Engineers

- \*Jockey Club

Kennedy Street Enterprises

- \*Judge Kingham
- \*Judge King-Hamilton QC

Mr Geoff Lawler MP

Lawn Tennis Association

- \*Leeds United AFC
- \*Leeds United Supporters' Club
- \*Leicester City FC
- \*Leicester University, Department of Sociology
- \*Mr Jim Lester MP (Parliamentary All Party Football Committee)
- Liverpool City Council
- \*Liverpool FC
- London Fire Brigade
- \*Lothian and Borders Fire Brigade
- \*Lothian and Borders Police
- \*Lothian Regional Council
- \*Luton Town FC

Mr Allen McKay MP

Mr Kevin McNamara MP

Mr Max Madden MP

- \*Manchester United FC

Marylebone Cricket Club  
 \*Merseyside Police  
 \*Metropolitan Police  
 Mid Glamorgan County Council  
 \*Millwall FC  
 Lord Mishcon  
 Mr Michael Morris MP  
 Lord Mulley PC  
 Rt Hon Sir Hector Munro MP

\*National Association of Fire Officers  
 National Council for Civil Liberties  
 \*National Federation of Football Supporters' Clubs  
 National Front  
 National Greyhound Racing Club Limited  
 Newcastle Ergonomics  
 Northampton Town FC  
 Northern Ireland Department of Education (Community Service Division)  
 \*Norwich City FC  
 Nottinghamshire County Council

\*Oxford United FC

Sir John Page MP  
 \*Mr Tom Pendry MP (Parliamentary All Party Football Committee)  
 Rt Hon Sir Ian Percival QC MP  
 \*Mr Peter Pike MP  
 \*Police Federation of England and Wales  
 \*Police Superintendents Association of England and Wales  
 Portsmouth FC  
 Mr Harvey Proctor MP  
 \*Professional Footballers' Association

\*Reading FC  
 \*Rt Hon Merlyn Rees MP  
 Royal Agricultural Society of England  
 Royal and Ancient Golf Club of St Andrews  
 RAC Motor Sports Association  
 Royal Scottish Automobile Club  
 \*Rugby Football Union

\*Scottish Football Association  
 \*Scottish Football League  
 Scottish Lawn Tennis Association  
 \*Scottish Office  
 \*Scottish Police Federation  
 \*Scottish Rugby Union  
 Scottish Women's Amateur Athletic Association  
 Searchlight Publishing  
 \*Sheffield United FC  
 Shropshire County Council  
 \*Society of Chief Building Regulation Officers  
 Judge Peter Solomon  
 \*Southend United FC  
 Speedway Control Board  
 \*Sports Council  
 Sports Council for Wales  
 \*Sports writers  
 St Andrew's Ambulance Association  
 St John Ambulance and Brigade



- \*Strathclyde Firemaster
- \*Strathclyde Police
- \*Strathclyde Regional Council
- \*Mr Ian Studdard, Producer of the Thames Television film "Hooligan"
- Swedish/Finnish Timber Council

- Thames Valley Police
- \*Timber Research and Development Association
- \*Timber Trade Federation
- \*Tottenham Hotspur FC
- \*Mr Cyril Townsend, member of the Chester Committee

- \*Lt. Col Van Gompel and other officers of the Brussels Fire Brigade.
- \*M Van Reusel, Deputy Police Commissioner, and other officers, Brussels Police Force

- \*Mr Gary Waller MP
- John Ward MP
- \*Watford FC
- Welsh Counties Committee
- Welsh Office
- Welsh Rugby Union
- Welsh Sports Association
- West Glamorgan County Council
- West Ham United FC
- \*West Ham supporters (several)
- \*West Midlands County Council
- \*West Midlands Police
- \*West Yorkshire Fire Service
- \*West Yorkshire Metropolitan County Council
- \*West Yorkshire Police
- \*Lord Wigoder

Over 300 letters were received from members of the public and individual commercial undertakings.

A project from the pupils of Curzon Church of England Combined School, Penn Street Village, Bucks was received.

*[List of soccer grounds visited]*

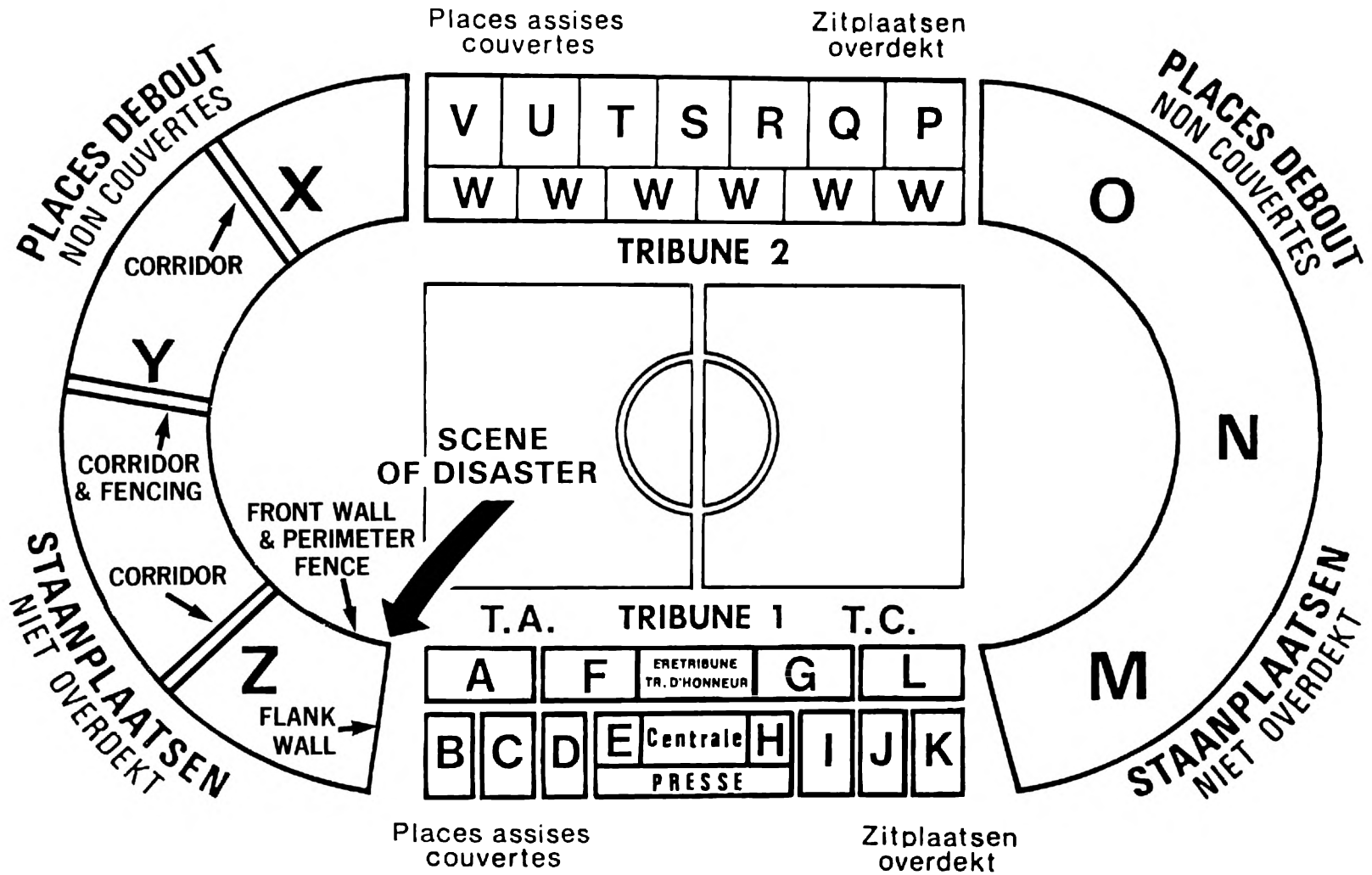
Birmingham City  
Bolton Wanderers  
Bradford City  
Bury  
Chelsea  
Derby County  
Fulham  
Halifax Town  
Ipswich Town  
Leeds United  
Leicester City  
Liverpool  
Luton Town  
Manchester United  
Millwall  
Nottingham Forest  
Norwich City  
Oxford United  
Reading  
Tottenham Hotspur  
Watford  
West Ham United

Aberdeen  
Glasgow Celtic  
Glasgow Rangers  
Heart of Midlothian  
Hibernian  
Meadowbank Thistle

**International Grounds**

Hampden Park  
Ninian Park  
Wembley

Heysel Stadium  
Parc des Princes, Paris



*Belgian House of Representatives Parliamentary Commission of Inquiry*

*(Extracts from Part V (Conclusions) of the Report of the Parliamentary Commission of Inquiry to the Belgian House of Representatives of 9 July 1985 (translated from the House of Representatives document))*

*Terms of reference:*

**The causes, circumstances and lessons to be drawn from the tragic events occurring during the Liverpool/Juventus match on Wednesday 29 May 1985.**

# AGREEMENTS BETWEEN THE TWO FOOTBALL ASSOCIATIONS (UEFA-BELGIAN FOOTBALL UNION (RBFA))

page 73\* It should be emphasised from the outset that it was the British supporters who mounted the disastrous charge into Section Z. They bear the main responsibility for the terrible events that followed and this must remain the case whatever blame might be attributed to others for having aggravated the matter.

There is absolutely no doubt but that the organisers, the RBFA and UEFA were familiar with the usual behaviour of the English supporters. This is all the more clear from the fact that people were sufficiently concerned for the Brussels Police to send a representative to Liverpool to assess the situation. The gendarmerie, who were also invited, did not consider it necessary to send a representative.

The Board of Liverpool FC has made known that it took a number of precautions . . . The Club made reassuring statements confirming that its supporters were amongst the most placid in Great Britain and that, moreover, the Club could identify all the ticket holders.

The British Transport Police representatives gave the same kind of reassurance . . . Moreover, the RBFA the evening before the match made statements to the same effect and confirmed that the match had been perfectly well organised.

It is nevertheless true that despite the reassuring statements made by UEFA, who should have been and perhaps were better informed of the realities of the matter and despite the precautions taken . . . some English supporters or so called supporters (a limited number, it is true) became a murderous rabble.

## THE ORGANISERS OF THE MATCH

### *(a) Organisation of the match*

It is important to recall that the duty placed on the RBFA and, beyond them UEFA, was to guarantee the safety of spectators and in this context it was their responsibility to take the necessary precautions and in particular apply the UEFA rules. However, both the RBFA and UEFA seemed more concerned with financial and commercial considerations than safety precautions.

page 74 The ticket sales . . . got completely out of hand. It has been established that a large number of tickets for Section Z (a neutral zone where there should under no circumstances have been any Italian supporters) were sold to Italians . . . large quantities of tickets were sold to travel agents, football clubs and others without their having been asked to give any written guarantee whatever that they would not sell tickets to Italians. The sale of tickets at Heysel Stadium (theoretically restricted to five tickets per person) was organised in such a way that anyone, including Italians, could get tickets for Section Z without any problems at all. This is in contravention not only of UEFA directives but also contrary to the arrangements agreed before the match. Such a procedure

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\*References to pages are to pages in the House of Representative document 1232 (1984-5)/1-2

was bound to create a black market.

The next point is the requirement to separate opposing supporters within the stadium. There is a specific UEFA ruling on this.

It is clear that natural animosity developed into altercations, fights and charges; the third of these had tragic consequences and could no doubt have been avoided had there not been so many Italian supporters in Section Z. It is clear that the ticket sales organised by the RBFA were a decisive element in this and they are to blame in that respect.

This, together with the absence of an adequate buffer zone . . . as well as the weakness of the fencing separating Sections Z and X-Y, meant that the safety precautions were even less effective.

It is amazing that knowing about the significance of the black market, the organisers did not warn the forces of law and order of the potential danger.

. . . It was decided to create an enclosed area around the outside of the stadium using Heras fencing. The idea was in fact to operate a kind of filtering procedure which would allow spectators to be searched as soon as they went through into the enclosures. In fact the fencing proved totally inadequate and in so far as it could be considered as much a psychological as a physical barrier, the fact was that it could not fulfill this function. It would have been more helpful to have passageways or gangways which could have allowed spectators to be shepherded.

The way in which the match was organised testifies to routine and a lack of seriousness. A number of ambiguous decisions were taken . . . the RFBA preparations for the match were too informal: no prior agenda for meetings; no regular membership; no minutes. Even if it was only some of the decisions which were ambiguous, it remains the case that, for example, failure to decide clearly how the gangways between the sections should have been set up and manned was one of the causes of the tragedy.

#### *(b) Lessors and owners of the stadium*

page 75

. . . The condition of the stadium appeared dilapidated on the occasion of our visit . . . structures were deteriorating, columns, crash-barriers and steps. It is also clear that the terracing itself had been neglected and had not been the subject of the kind of normal maintenance work which is required in a stadium of this size. This made it easy for the supporters to obtain missiles. Moreover, the narrowness of the gangways and of the few entrances at the top of the stadium, as well as the fact that there were only three exits at the bottom, caused problems when it came to evacuation.

These problems were exacerbated by the fact that the lower gates could only be opened from the pitch side. According to the organisers and the forces of law and order, the intention was to make it possible for evacuation to take place in the event of trouble while allowing the forces of law and order to intervene as necessary. . . .

It seems surprising that the general regulations relating to safety at work should not be applicable in this instance. If this is the case, then they should be applied . . . certain basic facilities were lacking. There were only a few fixed telephones, which is inexcusable. It is essential that if gatherings on this scale are to be organised there should be an on-the-spot command post where the organisers and forces of law and order can meet. . . .

It is reasonable to emphasise the responsibilities of UEFA in this respect. In February 1985, the organisation was content to devote less than an hour to the inspection of the stadium and did not comment on its condition.

### **The Authorities**

#### **A. The local police**

##### *Precautions made*

It is part of the duty of the police to implement the provisions of the document "Crowd Violence

at Sports Grounds” . . . . This document, drawn up at the suggestion of the RBFA, in consultation with the police was issued by the Ministry of the Interior in the form of guidance on the 17th February 1974. It would not appear that the police took any measures to implement the provisions of this document. . . .

page 77 *Specific preparations*

The police took part in preparatory meetings. . . . On the occasion of these meetings, those involved apparently discussed all the measures to be taken at the ground as well as transport, the arrival of the supporters, the sale of tickets, liaison and co-ordination of the activities of the police and the gendarmerie, all organisation of parking facilities, organisation of emergency services and sale of alcoholic drinks.

. . . the emergency services were not specifically invited to these meetings, nothing was said about the condition of the stadium and again no minutes were taken setting out the decisions which had been reached during the meetings.

. . . the reports on these meetings were drawn up in retrospect: there is no way to be sure of the number of participants, their rank, their precise identity or what they said . . .

*The day of the 29th May 1985*

page 78 . . . There was fighting in the streets from the morning onwards. This fighting was caused by persons under the influence of alcohol. The police decided to limit their interventions in order to avoid more serious trouble. . . . Nothing was done to curb the consumption of alcoholic drinks on the public highway or the sale of the same.

One is entitled to question whether everything necessary was done to prevent the troubles which occurred later.

Heras fencing had been erected around the stadium but this perimeter fence was not sufficiently well supervised . . .

The police arrived at the stadium in good time, they were nonetheless unable to carry out a complete search of the spectators because of a shortage of men (only forty available). Confiscated items could not be kept away from the supporters because of a lack of containers. Efforts were made to compensate for this by collecting confiscated items by van.

Fifty men were placed between Sections M, N–O but they were forced to retreat at about 6.30 pm because of the aggression of the Italian supporters. The gangways were so structured that it was not possible to keep officers on the steps.

The police could not prevent supporters from invading the pitch. Lumps of concrete torn from the structure of the stadium and missiles caused enormous problems. (27 police were injured).

The police communications system worked well. The police did what was necessary to maintain adequate liaison with the gendarmerie.

**B. The Burghermaster**

The Burghermaster has a general responsibility to maintain law and order in his area and he is also chief of the local police . . . This applied as much in the city on the 28 and 29 May as in the stadium when the events took place.

As to the condition of the stadium, this being the property of Brussels City Council, it was for the City Council to deal with its maintenance and also to ensure that all the fencing provided was strong enough to serve the required purpose.

**C. The Gendarmerie**

*1. The so-called advance measures*

page 79 . . . So far as the document entitled “Crowd Violence at Sports Grounds” which the gendarmerie adapted as a General Order, it appears that three points were not dealt with:  
Examination of the ground,

Structural liaison with the organisers,  
Need for information teams to be set up at the stadium.

Nonetheless, in certain respects the General Order issued by the gendarmerie was more stringent than the original document . . . The gendarmerie took part in six preparatory meetings. It has been emphasised in this respect that aside from errors in the way in which these meetings were conducted, the fact that the interested organisations were not always represented by the same people undoubtedly led to decisions being taken which were not clear and in some cases positively ambiguous. Nonetheless, the representative of the gendarmerie did make a written record of the meetings for submission to his superior.

Despite the absence of minutes recording decisions made at these meetings, it can be seen that such agreements that were reached were not always implemented.

If just before the match all those concerned (ie the organisers and those responsible for law and order on the day) had met at the ground, this would have been the first meeting they had together (actually on site). This is an important point and to avoid any difficulties the organisers as well as the forces of law and order should have ensured that such a meeting took place.

In organisational terms, the Commission finds that the gendarmerie had drawn up a plan which took account of possible incidents outside the stadium before the match, in the stadium during the match and outside the stadium while the supporters were leaving.

. . . Both the football authorities and the English police had given assurances to the effect that the Liverpool supporters did not have a bad reputation in England.

. . . the opening of the ground at 5 pm and the number of spectators involved did make it more likely that trouble would occur. The immediate cause of the tragedy was also due to the fact that there were English and Italian supporters in Sections X, Y–Z which was impossible to predict given that Section Z was to have been reserved for Belgians.

The provisions made were based on information which proved to be inaccurate. The error lay in the fact that the arrangements were not adapted quickly enough when they needed to be, and this is attributable to four factors: the command structure of the gendarmerie; lack of precision in the orders given; lack of messengers for the dissemination of information within the stadium and the element of “unpredictability”.

Reference should also be made to the fact that a less than peaceful atmosphere prevailed in the city the previous evening and this should, of itself, have caused the arrangements to be reviewed.

## *2. Numbers of men deployed*

page 80 The numbers of men originally to have been deployed were greater than usual for an international football match.

. . . sufficient men were provided but the way they were deployed, both inside and outside the stadium, was ineffective.

. . . it appears that the Adjutant commanding the squadron assigned to Sections X–Z had too few men to enable him to undertake the onerous task placed upon him.

## *3. Orders issued by Major Kensier, Commander of the Brussels District*

The generally imprecise nature of the orders is most regrettable. Moreover, it would have been helpful to have barred entry to the stadium to supporters whose state of drunkenness presented a risk. In these circumstances, he should have deployed more men in the stadium to allow proper control of the safety zone.

By 5.30 to 6.30 pm it was already clear that Section Z was occupied by Italian supporters and that their proximity to their English counterparts posed an immediate threat.

The preparatory meetings had been understood in such a way that Captain Mahieu thought his orders were to keep the gangway between Section X and Y–Z clear.

It should be pointed out that Captain Mahieu had not been invited to any of the meetings in question.

#### 4. *Action within the stadium*

page 81 . . . no member of the gendarmerie who participated in the preparatory meeting was present at the Heysel Stadium on the day of the match . . . the Commission considered whether it would be appropriate to establish a command post at the stadium or even two, one inside one outside. Although the Commission did not feel qualified to form a judgment on this, it considers that the point should be made.

#### 5. *Divisions of tasks within the squadron*

The Commission regrets that within Alpha Squadron there was no precise division of tasks between the Commander and his deputy. It was obvious that at certain times both officers were together inside the stadium and at other times they were together outside the stadium.

This was all the more unacceptable because of the inadequacy of the radio communications.

The provisions of messengers seems to have made up in some degree for the radio communication problems referred to below but according to the witness, these messengers could not in any event fulfill their purpose because of the density of the crowd.

#### page 82 6. *Communications arrangements and equipment*

. . . numerous means of communicating information were provided.

There were communication links between the Special Branch and the command post, and between the police and the gendarmerie both inside and outside the stadium. In addition to these, radio contact between police and gendarmerie was assured by liaison officers at HQ, the command post and at the ground. In the end, this adds up to an unwieldy system. Perhaps this is the price to be paid for trying to ensure that two separate forces, the police and the gendarmerie, worked together without losing their separate identities.

Communications between the Special Branch and the command post did not operate well . . . the poor condition of the equipment was mainly to blame. But it is also probable that the Special Branch was not properly briefed.

At the gendarmerie headquarters, messages are recorded by a shorthand writer, who typed the messages as they were received. It would appear that the messages were recorded only selectively.

Communications between the platoons and their commanding officer did not take place under ideal conditions; the Captain commanding in the stadium went outside. No communication was possible with him thereafter and this at the very time when the tragedy occurred.

Even when the radios were working, their effectiveness was reduced by the ambient noise level. The gendarmerie must have known this would happen. One must ask why messengers were not used for these communications.

It is clear from witness statements that communications between the command post and the stadium were not operating properly . . . this means that at a time when it would have been useful to call in reserves, the command post was not receiving sufficiently precise information from the stadium.

There are several statements about the state of the equipment. General Bernaert said that the sets were good quality ones but that there was trouble with the cadmium nickel batteries. The batteries were old and, moreover, were not properly used.

. . . insufficient attention was paid to checking whether those using the equipment were doing so in the correct manner.



## *7. Problems with the command structure*

page 83 The command structure within the gendarmerie is open to question.

What is the relationship between HQ and the operational commander?

The theory advanced by the gendarmerie is that the operational commander is expected to know what the situation is and that it is not for headquarters to intervene at this level. This assumes that the operational commander believes he has sufficient forces at his disposal to meet the situation and that, should things get out of hand, he would take the initiative in requesting additional manpower (or resources in the broader sense of the word). This is what should occur.

Asked whether in this case headquarters should have informed the operational commander of the situation since they had more information about it than he did, the gendarmerie replied in the negative. This on the basis that at certain moments of crisis it is necessary to avoid disturbing the commander by making too many telephone calls.

The Commission would question this strict limitation of relative responsibility. The Commission considered that in any event if headquarters is aware that the situation is deteriorating then it has a duty to contact the command post rather than to wait passively for the operational commander to make contact.

The command structure within the gendarmerie is also open to question in terms of the relationship between an officer in command and his deputy on the ground: where serious incidents are imminent, as was the case in this incident, and contact cannot be made with the officer in command on the ground, should not the most senior officer present be permitted to go direct to the senior command?

The Commission wonders whether such a rigidly hierarchial system does not compromise operational effectiveness.

### **D. The emergency services**

It is important to emphasise the effectiveness of the emergency service such as the Red Cross, Fire Service, 999 and medical services etc.

The Commission was nevertheless surprised to learn of the existence of a "Disaster Contingency Plan" of which the Fire Service were aware but was not known to the other authorities, notably the police and gendarmerie.

It would have been useful to invite the Fire Service and the Red Cross to the preparatory meetings officially, whereas in this instance, when they were present, it was on their own initiatives.

Beyond the prime responsibility of the English supporters, the Commission discovered a series of failings, deficiencies and omissions which have contributed to the tragedy.

page 86 The Commission unanimously agree that it is an error to organise a football match (which should be a sporting event and a pleasure for participants and host country alike) if that event subsequently proves to require three thousand men to maintain law and order.

If such an event is organised in future which seems likely to require such a force of police and gendarmerie, then serious consideration should be given as to whether or not it should be allowed to proceed.

Chairman

## WORKING GROUP ON THE GREEN GUIDE

E1. Shortly after publication of your Interim Report you asked me to establish a Working Group of appropriately qualified scientific and technical persons who had practical experience of safety at sports grounds to assist the Inquiry in its task of reviewing the Home Office Guide to Safety at Sports Grounds (the "Green Guide"). As you know, and with the kind cooperation of the Home Office, Scottish Office, Department of Environment, local authority associations and technical consultants to the Inquiry, I was able to form such a group and this met for a full week (23–28 September) under my Chairmanship.

E2. Our terms of reference were: "To review the Home Office Guide to Safety at Sports Grounds (Football) – "the Green Guide" – and to make recommendations to the Committee of Inquiry on Crowd Safety and Control at Sports Grounds as to amendments or additions considered necessary to the Green Guide published in 1976." A record of the membership of the Group appears later in this appendix.

E3. I am pleased to be able to report that the Working Group completed its work satisfactorily and that it was found possible on the final day of the Group's week to reach general agreement on the various recommendations for changes which we wished to see made to the Guide. I have since prepared a self-contained note of these points and have put the Group's deliberations into the form of recommendations for you. This note is set out below for your consideration. I support these recommendations.

E4. As you will see there are, in total, some 63 recommendations. This should not be taken in any way, however, as an adverse judgment upon the current Guide. The substantive advice in the Guide stood up remarkably well to a week of detailed scrutiny by experts and fully justifies the high esteem and confidence in which it is generally – and internationally – held.

E5. It remains only for me to record my gratitude to the members of the Group who gave up so much of their valuable time to assist the Committee in its task; to my fellow Assessor, Mr Alan Goodson, for his encouragement, support and practical advice throughout the week; and to Mr Mark de Pulford for his excellent work as Secretary.

MARTIN KILLORAN  
Fire Assessor to the Inquiry

## REPORT AND RECOMMENDATIONS

### STRUCTURE OF THE GREEN GUIDE

- Rec 1 E6. The Working Group was dissatisfied with the structure of the current Guide and recommends that *the Green Guide should be reorganised so as to reflect more closely the needs of its target audience*. (The Group agreed that the target audience of the Guide comprises: (a) sports ground management in designated and undesignated grounds; (b) engineers, designers and others engaged in the improvement, design appraisal or refurbishment of sports stadia to certifiable standards; and (c) local authorities responsible for enforcing the Safety of Sports Grounds Act 1975.) The Group considered that, following a general introduction which describes the scope of the Guide, sets the scene and briefly discusses the nature and extent of risks to the public at sports grounds, the guidance should be re-arranged so as to deal first with general management responsibilities and major planning and design matters. (Guidance on these matters should, where practicable, include methods for assessing the general safety condition of a ground and the need for detailed drawings and plans.) The succeeding categories of detailed guidance should each be preceded by a statement of the general functional requirement or aim and should include as much appraisal, flow and other diagrams as may conveniently be arranged. The Group considered that a possible scheme for the categories of advice in the Green Guide was: Fire (to include a checklist and appraisal flow diagram and reference to the need for professional advice), Structural Appraisal (to include a method for appraising existing structures and reference to the need for professional advice), Ground Control and Ground Management (to identify responsibilities and duties), and Inspections, Tests and Maintenance.

- Rec 2 E7. The Group also recommends that *consideration should be given to the production by the Home Office, or other appropriate body, of summary documents, training aids and seminars for sports ground management explaining the provisions of the Green Guide and their application.*

## INTRODUCTION

E8. The current Guide is aimed at soccer and rugby grounds (GG (Green Guide, 1976 Edition, paragraph): 1:1).

- Rec 3 The Group decided that many of the recommendations in the Green Guide are relevant to outdoor sports other than football and recommends that the Introduction should say that *the Guide is applicable as a code of good practice for all sports grounds*. The Green Guide should
- Rec 4 make it clear, however, that *it does not cover measures to ensure the safety of spectators from hazards presented by the sport itself*.

E9. The Group noted that the references in the Guide to the Building Regulations for England and Wales would need to be revised and brought up to date. It was further noted that in Scotland, the Building Standards (Scotland) Regulations gave requirements for the construction, alteration, extension and change of use of buildings, and included standards in respect of means of escape from fire including emergency lighting, access for fire-fighters as well as structural fire precautions. The Group recommends that full account should be taken of national Building Regulations in the Green Guide.

## IDENTIFICATION OF PROBLEMS

- E10. The current Guide discerns three particular types of safety problem to be considered within a football ground and its immediate surroundings (GG: 2.1 to 2.4): (a) those physical hazards which may cause individuals to trip, slip or fall; (b) crowd pressures which may be built up in normal circumstances (particularly on terraces and exit routes); and (c) crowd pressures which may be built up under abnormal conditions. The Group considered that this analysis was correct. However, it felt that the need to tackle these problems should be covered in a new self-contained section defining, in general terms, good safety design in sports stadia and enumerating other important needs such as managing and controlling crowds, maintaining effective fire precautions, making proper provision for the disabled and achieving a reasonable standard of comfort and convenience for spectators. Accordingly, the Group recommends the *incorporation of a new self-contained section on good safety design in sports stadia*.
- Rec 5

## GENERAL CONSTRUCTION

E11. The current Guide recommends that all components and installations should be designed, constructed, installed and maintained so as "to perform safely their required functions" and that they should be in accordance with good engineering and building practice, especially as set out in all relevant British Standards and Codes of Practice (GG: 3.1).

- Rec 6 The Group approved this recommendation but felt that the reference to British Standards might be improved so as to identify those parts of British Standards which are wholly applicable in the circumstances of the case. The Group recommends that *references in the Guide to British Standards should be improved* accordingly.

- Rec 7 E12. The current Guide recommends that all electrical installations should comply with the current edition of the regulations of the Institution of Electrical Engineers (GG: 3.2). The Group considered that it would be reasonable in some circumstances for the *enforcing authority to accept a certificate of satisfaction from a chartered electrical engineer in lieu of full compliance with current IEE Regulations* and recommends that the Guide so advises. The Group also recommends a
- Rec 8 *reference to BS 5266: Pt 1 in respect of emergency lighting*.

E13. The current Guide recommends that all parts of the ground used by the general public should have a minimum headroom of 2.4 metres (GG: 3.5).

- Rec 9 The Group could find no clear foundation for this advice and, accordingly, recommends that *in respect of headroom the Guide should simply advise conformity to appropriate building regulations*.

## INSPECTIONS AND TESTS

E14. The current Guide recommends:

- (i) A detailed annual inspection to ensure compliance with the Green Guide (GG: 4.1);
- (ii) A general visual inspection following each event for damage which might create a potential hazard (GG: 4.2); and,
- (iii) Testing of crush barriers in accordance with the Guide on installation and subsequently, normally, at intervals of several years (GG: 4.3).

- Rec 10 The Group recommends that the routine *general visual inspection by management* advised in the Guide *should also cover features which might reduce the degree of fire protection offered* and that
- Rec 11 *there should also be a warning in the Guide against storing hazardous materials under or near stands.*
- Rec 12 The Group also recommends that *consideration should be given to the inclusion of additional guidance to certifying authorities as to the frequency and content of inspections.*

- Rec 13 E15. The Group recommends that *regular emergency evacuation drills for members of staff should be recommended in the Guide.*

- E16. On the testing of crush barriers (GG: 4.3 and Appendix C of the Guide) the Group had before it no evidence that the current guidance had permitted dangerous or defective crush barriers. However, it seemed to a minority of the Group that certain anomalies exist in the current recommendations in the Green Guide as to load factors and testing (for example the table of strengths for new crush barriers permitted a different design strength for the bars and posts than for the foundations); and there was some evidence that enforcing authorities were unclear as to the correct procedures. The Group recommends that *representatives of the local authorities, the Home Office and appropriately qualified advisers should, together, review the Guide's recommendations on the design and testing of crush barriers* in more detail with a view to clarifying the guidance in future editions of the Guide (see also paragraph 28 below).
- Rec 14

- Rec 15 E17. The Group further recommends that the Guide should advise that *any automatic fire protection equipment or emergency lighting system should be tested regularly in accordance with relevant British Standard codes of practice.*

## INGRESS TO THE GROUND

- E18. The Guide currently recommends that the number and location of turnstiles should be planned to achieve the smallest crowd waiting for admission that is consistent with the rate at which spectators can be distributed inside the ground (GG: 5.1). The Group recommends that
- Rec 16 *more detailed guidance to management as to contingency planning in the event of unusual pressures and frustrations (including a reference to the value of centralised computer-based monitoring)*
- Rec 17 *should be given. The Group further recommends that the Guide emphasise that turnstiles are not acceptable as a means of escape from a ground.*

- E19. The Group considered it desirable that the Guide should specify a notional maximum free flow rate past a turnstile. The Group recommends that *further consideration be given to defining a maximum notional flow rate past turnstiles for incorporation in a future edition of the Green Guide.*
- Rec 18

- E20. The Guide currently recommends that fences forming the boundary to a ground should be of "appropriate height and strength" to avoid spectators gatecrashing (GG: 5.2). The Group recommends that *boundary walls and gates and any other structure forming part of the boundary should also be of appropriate height and strength to avoid gatecrashing.*
- Rec 19

## EGRESS FROM THE GROUND

- E21. Currently, Section 6 of the Guide makes a number of general recommendations as to egress from a sports grounds (GG: 6.1 to 6.13). The Group was generally content with these but recommends that the wording in paragraph 6.13 of the Guide should be revised to make it clear that *escape routes are not to be regarded as an alternative provision only for use in emergency.* The
- Rec 20, Group further recommends that guidance should be included to the effect that *doors on exit*
- Rec 21

- Rec 22 *routes should always open outwards; and that, where practicable, exit gates should be sited adjacent to entrances.*
- Rec 23 E22. The Group recommends that *a study should be undertaken of the current use and effectiveness of the exit route signposting and exit marking systems recommended in the Green Guide (GG: 6.6), and that consideration should be given to commissioning further research in this area.*

## **TERRACES AND STANDS**

### **Safe capacity of terraces**

- E23. The Guide currently suggests that the exits from each areas of spectator accommodation should be so designed that the spectator can leave that area in eight minutes or less (GG: 6.5).
- Rec 24 The Group concluded that this so-called "*eight minute rule*" *was concerned solely with the effect of crowd turbulence (arising from delays in evacuating spectator accommodation) on the rate of flow. It was not related to emergency evacuation time criteria (see paragraph 32 below) and the Group recommends that the Guide should make this clear.*

### **Terrace packing densities**

E24. The Guide recommends packing densities between the limits of 27 and 54 persons per 10m<sup>2</sup> depending on the condition of the terrace or slope and on the extent to which crush barriers conform to the Green Guide guidelines on spacing (GG: 15.4). Recommended flow rates from the terraces are given at paragraph 16 of the Guide.

- The Group concluded that the flow rates and permissible spectator densities in the Guide were satisfactory and reasonable when taken as a whole and that they accorded with experience.
- Rec 25 However, the Group recommends that *flow rate and packing criteria and their relationship (if any) with those criteria given in respect of emergency evacuation and crowd turbulences should be set out and explained more clearly in the Guide and that further advice should be given as to how interpolation between the wide limits suggested in respect of terrace packing densities may properly*
- Rec 26 *be carried out. The Group further recommends that consideration be given to the possibility of a separate detailed study of the possible casualties which might be attributable to high packing densities.*

### **Terrace steps and viewing slopes**

- E25. The Group was content with the Guide's recommendations in respect of terrace steps and viewing slopes (GG: 7.4). The Group recommends, however, that *the surfaces of terrace steps and viewing slopes should be even as well as non-slip and that the way in which the maximum desirable gradient is specified in the Guide should be improved.*
- Rec 27
- Rec 28

### **Terrace gangways**

E26. The Guide states that the aim in respect of terrace gangways should be to ensure that every spectator on a terrace is within 12 metres of a gangway or of an exit. (GG: 7.5). The Guide further indicates that gangways should be sunk.

- The Group felt that although these recommendations were generally satisfactory, reasons should be given for the basic aim stated in paragraph 7.5 of the Guide. Furthermore, it would be preferable to state the safety objective behind the current recommendation to sink gangways so that it could be met in other ways. The Group recommends accordingly.
- Rec 29

### **Division of spectator accommodation**

E27. The Guide currently recommends the division of a ground into sections to prevent major migrations by spectators, and into sub-sections to minimise the sway and surge of spectators (GG: 7.6). The Group recommends that the *Guide should limit the application of its guidance on segregation to terraces at football grounds (See recommendation 57 below).*

### **Crush barriers and other physical restraints on movements**

- Rec 30. E28. The Group recommends that the Guide should explain that *brick walls and similar*

Rec 31 structures lacking mass or tensile strength are poorly suited to withstand horizontal pressures and  
Rec 32 that the Guide should strongly recommend regular structural appraisal by appropriately qualified personnel. The Group also recommends that consideration should be given to mounting a more detailed review of current literature on the strength of crush barriers and the effects of the various types of loading that might be applied to them (see also paragraph 16 above).

Rec 33 The Group further recommends that the aim of the guidance on migrations be restated as “to prevent potentially hazardous migrations” rather than mass migrations as currently indicated in the Guide. (See also paragraph 43 below).

#### PITCH PERIMETER FENCES

E29. The advice on pitch perimeter fences in the current Guide deals mainly with the crush barrier aspects (GG: 7.9). Access to playing pitches and the need for “anti-hooligan” or other protective devices is however, referred to in the section on crowd behaviour (GG: 18).

Rec 34 The Group recommends that the Guide should explain more clearly, preferably by reference to standardised specifications, the different functions perimeter fencing may serve and that appropriate cross referencing is incorporated in any future edition of the Guide. The Group further recommends that the importance of allowing full access to the pitch where this is likely to be used as a place of safety in emergency should be made plain. (It was noted that Scottish Building Regulations required that protected zones such as stairways led to a place of safety, ie a unenclosed space in the open air at ground level or an enclosed space in the open air at ground level with access (of defined widths) to an unenclosed space. A pitch could be accepted as a place of safety only if it met that requirement. If, however, it was subsequently fenced off, circumstances could arise, under Scottish Building Regulations, where a change of use would be deemed to have taken place.)

#### STAIRWAYS AND RAMPS

Rec 36 E30. The Group recommends that the current guidance on stairways and ramps (GG: 9) should contain appropriate cross references to advice on egress from the ground (GG: 6). The Group  
Rec 37 further recommends that the Guide should advise that, ideally, the rising and going of steps should be uniform throughout an entire escape system. A minority of the Group felt that the method of calculation for access to stairways (GG: 9.4.5) of the Guide was anomalous and should be reviewed.

#### FIRE PRECAUTIONS

E31. Guidance on fire precautions is currently contained in section 10 of the Green Guide. It covers a variety of important matters including fire resistance, emergency lighting and fire-fighting equipment.

Rec 38, The Group was not wholly satisfied with the general advice on fire precautions offered by the Guide. So far as existing structures were concerned, the Group recommends that detailed advice should be given on means of reducing the rate of fire growth in existing stands. The Group believes that consideration should be given to incorporating appropriate references to recent work in this area commissioned by the Inquiry from the Fire Research Station. In particular, the Group  
Rec 39 recommends that the Guide should emphasise the hazards of developed fires breaking into spectator accommodation and the consequent need for fire separation under stands to be imperforate. In  
Rec 40 addition, the dangers of fire spread across adjoining stands should be emphasised and half-hour fire resistance might need to apply to vertical sections dividing spectator accommodation from other areas.

#### Evacuation times

E32. On notional emergency evacuation times, the Guide currently recommends interpolation between 2½ and 8 minutes, with the higher figure applying where a stand is of non-combustible fire resisting structure and presents generally a low fire risk (GG: 8.3).

The Group was satisfied that there was no case for reducing the 2½ minutes lower evacuation time as recommended in the Guide. The lesson of Bradford was the need for adequate measures to inhibit the rate of fire development and spread and to improve the efficiency of fire procedures

rather than to stipulate more stringent criteria in respect of notional values. However, representatives of the Fire Research Station felt that the 2½ minutes should be regarded as a maximum; they believed that although individual circumstances might conceivably justify increasing the figure, it was not currently possible to assign quantitative values to active or passive fire protection measures with sufficient precision to enable specific relaxations to be advocated in the Guide with any degree of confidence. A majority of the Group believed that the notional 8 minutes upper limit indicated in the Guide, although lacking any very clear or relevant technical rationale, was reasonable and should be retained. Nevertheless, it was the firm view of a minority including Mr Platt that 8 minutes is too long a period to allow for the evacuation of any stand under emergency conditions and that, although relaxation of the 2½ minutes figure might be reasonable in individual circumstances, it would be misleading to specify an upper limit in the Green Guide.

- Rec 41 The consensus was that the enforcing authority should decide on relaxations in the light of professional experience and individual safety circumstances of a particular ground, but that the Green Guide should offer *more guidance as to what latitude was permissible on evacuation times and the circumstances to take into account*. In particular, the Green Guide should emphasise that *escape routes should be designed or chosen so that they provide progressive reduction in difficulty or danger to people using them and regard should be had to the likely accumulation of smoke and combustion products in those routes*. The Group recommends that *consideration should be given to devising a more scientific method for assessing the evacuation of a stand under emergency conditions*.
- Rec 42

### **Fire protection and fire-fighting equipment**

- Rec 43 E33. The Group considered that there was currently *insufficient evidence as to the value for life safety of automatic fire protection equipment for the Green Guide to encourage trade-offs* between such equipment and structural fire protection measures. Any implications that such trade-offs were permissible should be removed from the current Guide (eg GG: 10.2). A majority of the Group rejected also the idea that the Green Guide should suggest similar relaxations where management expertise and vigilance were at a high level.
- Rec 44 On fire detection and fire-fighting equipment, the Group recommends that *reference should be made to relevant British Standards such as BS 5839: Part 1, BS 5306: Parts 1 and 3 and BS 5423*. The Group considered that it was an inefficient and undesirable use of resources for manned fire appliances to attend all matches.

- Rec 45 E34. On roof venting, the Group felt that with some stand roof configurations, appropriate venting and curtaining arrangements might offer a means of reducing the spread of fire. It was agreed however that the science of fire and smoke venting was highly complex and that it was not appropriate for the Guide to offer more than a general reference to the issue. However, the Group felt that *some advice on roof venting should be offered in the Green Guide* along the lines of that proposed by the Fire Research Station in work commissioned by the Inquiry. It was agreed that the priority in the Guide was to recommend effective fire precautions relating to the early stages of a fire.

### **Access for emergency vehicles**

- Rec 46 E35. The Group agreed that the Guide's recommendations as to access for emergency vehicles (GG: 11.30) were soundly based. It was noted that the Interim Report recommendation that vehicular parking be banned within quarter of a mile of a sports ground (when it was in use) had been made on a "where practicable" basis. The Group recommends that *the qualification "where necessary" should be added to the current Guide's recommendations on access for emergency vehicles*.

### **Hazardous materials**

- Rec 47 E36. The consensus was that it was not practicable for the Guide to offer detailed advice on fire spread hazards associated with particular materials. Nevertheless, the Group recommends that *consultation with expert fire advisers should be indicated in the Guide where substantial use of, for example, polymer seating is contemplated or of artificial pitches where forward escape onto the pitch might be necessary*. (See also recommendation 35 above).

## COMMUNICATIONS

E37. The Green Guide currently recommends that precise requirements for communications within a particular ground be determined after consultation with the police (GG: 17). The Guide goes on to give examples of the arrangements likely to be needed at larger grounds. The Group considered that this advice and the way in which it was expressed was generally satisfactory.

- Rec 48, However, the Group recommends that the advice as to *central control points should not be confined*  
Rec 49 *to the largest grounds and that the Guide should emphasise the need for ground management and*  
Rec 50 *responsibility to be centralised accordingly.* The Group also believed that it would be *desirable in larger grounds if public address systems permitted messages to be directed towards specific zones of the ground.* The Group recommends accordingly.

E38. On emergency audible alarms, the use of coded messages found little support in the Group. The need was rather to communicate essential information effectively to the crowd. For that purpose, *a clear system of communications covering all the various conceivable crises, including the facility to stop the event, should be devised in consultation with the emergency services.* The Group recommends that guidance to this effect should be incorporated in the Green Guide. Further study was required before pre-set formulae messages could be recommended in the Guide. However, it was clear that such messages should be in the active mode, that they should be directed towards persons from whom a response is required, and that they should be delivered authoritatively by trained controllers. The Group considered that there was a need for *standard guidance covering the use of public address systems for emergency purposes. The Group recommends that consideration be given to this.*

Rec 51

Rec 52

E39. The Group considered that the development and operational experience of closed circuit television (CCTV) facilities was too little advanced to enable the Guide to be prescriptive as to particular systems. However, it was noted that CCTV appeared to have significant value in crime prevention and detection and that it had a considerable role to play in aiding emergency evacuations, police management information and crowd control. The Group therefore recommends that the *provision of CCTV systems should be encouraged* in the Guide.

Rec 53

## CROWD BEHAVIOUR

E40. Advice on crowd behaviour is currently set out in the Green Guide in the form of recommendations of an earlier working party on crowd behaviour (GG: 18). The Group recommends that the *advice for management* currently presented at paragraph 18 of the Guide *should be re-organised and expanded* so as to explain more fully the major problems and principles of crowd control and then go on to elaborate the various methods available which may be relevant in certain situations at sports grounds and of the circumstances under which these might be appropriate (see also recommendation (1) above).

Rec 54

E41. The Group also recommends that the *Guide should emphasise the value of effective planning before events, debriefing exercises and full liaison with the police,* in order to predict and prevent trouble. In particular, the Guide should stress the desirability of identifying in advance, against the local historical background and known travel arrangements, the likely size and nature of the crowd.

Rec 55

E42. The Group further recommends that the Guide makes it clear that the *responsibility for pre-planning and liaison lies with club management* subject only to the point that the disposition of operational police resources is the sole responsibility of individual chief constables.

Rec 56

E43. There was considerable discussion in the Group of the segregation issue which, it was agreed, had major implications for planning. The consensus was that clear differentiation of opposing fans (with ancillary facilities) remained the only viable and prudent course so long as crowd violence remained at current levels; and that the best way to achieve such differentiation was by spatial separation and physical containment of opposing groups. The Group was anxious, however, that segregation should not be encouraged other than where local circumstances made it absolutely necessary. In particular, at the present time *segregation should not be advocated for sports other than soccer.* The Group recommends accordingly. (See also paragraph 27 above).

Rec 57

E44. The Group agreed that *certain fire precautions measures,* for example plasterboard fire

Rec 58



separation and fire protection equipment, *might be vulnerable to vandalism* and that certifying authorities should be advised to take this into account where appropriate. The Group recommends accordingly.

Rec 59 E45. On ticketing, the Group agreed that this was not an effective means of crowd control unless clubs ensured that their *arrangements for the issue and allocation of tickets were as efficient and effective as possible*. The Group recommends that this latter point be strongly emphasised in the Green Guide.

Rec 60 E46. On alcohol, the Group *recommends that the guidance on alcohol (GG: 18.4) should be reworded* to make clear that an important objective was to reduce potential missiles and also that the police should be consulted over arrangements for the sale of alcohol at grounds. A reference to the Sporting Events (Control of Alcohol etc) Act 1985 was also needed.

Rec 61 E47. The Group were content with the material on police facilities given in the Green Guide (GG: 17.8) but considered that the Guide should advise adequate *vehicular access for the unobtrusive removal of detainees and secure detention rooms at appropriate grounds*. The Group recommends accordingly.

#### OTHER MANAGEMENT RESPONSIBILITIES

Rec 62 E48. The Group was strongly in favour of the creation of a *new section in the Green Guide on management responsibilities* and recommends that consideration should be given to this. The Group considered that it would be helpful if such a section could incorporate a form of checklist of necessary tasks organised under broad headings such as: Pre-planning for Emergency Procedures, Training of Stewards and First-aid Facilities/Other Medical Provisions. A reference to the need for management structure to reflect such responsibilities, preferably including the designation of a named individual to take responsibility for the proper execution of such duties, was also highly desirable.

Rec 63 E49. On the question of the relative responsibilities of the police and stewards, the Group felt that the Guide ought to make it plain that it was the *club's responsibility to control and manage spectators in normal circumstances* and that the police presence (if there was one) was to deal with the law and order problems and provide support and leadership in emergencies. The Group recommends accordingly. It was noted that there now existed considerable material on the training and deployment of stewards and staff likely to be involved in emergency situations.

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