



BRIEFING PAPER

Number 03937, 6 July 2018

Standing at football

By John Woodhouse

Contents:

1. The current position
2. Time for change?



Contents

Summary	3
1. The current position	4
1.1 The Football Spectators Act 1989	4
2. Time for change?	4
2.1 What do fans think?	5
Football Supporters' Federation campaign	5
Supporter surveys	5
"Stand Up for Choice" survey	5
2.2 What do clubs think?	7
English Football League	7
Premier League	8
2.3 Scotland - Celtic's safe standing section	9
2.4 The Government's view	9

Summary

Current position

From August 1994, under the *Football Spectators Act 1989* (as amended), clubs in the English Premier League and Championship have been required to provide all-seated accommodation. This followed Lord Justice Taylor's [report](#) (Cm 962, January 1990) into the Hillsborough disaster of April 1989. The report observed:

There is no panacea which will achieve total safety and cure all problems of behaviour and crowd control. But I am satisfied that seating does more to achieve those objectives than any other single measure. (Paragraph 61)

(...)

Apart from comfort and safety, seating has distinct advantages in achieving crowd control. It is possible to have disturbances in a seated area and they have occurred, but with the assistance of CCTV the police can immediately zoom in with a camera and pinpoint the seats occupied by the trouble-makers as well as the trouble-makers themselves... (Paragraph 64)

The 1989 Act applies in England and Wales.

In July 2011, the Scottish Premier League [relaxed](#) its requirement that clubs had to provide all-seated accommodation. Celtic opened a safe standing section in July 2016. This accommodates nearly 3,000 supporters.

Calls for change

The [Football Supporters' Federation](#) (FSF) has been [campaigning](#) for the introduction of safe standing areas.

The English Football League (EFL) and FSF ran a ["Stand Up for Choice"](#) survey between 27 April and 10 May 2018. The results were [announced](#) on 1 June 2018 and showed that 94% of fans believed they should be able to choose whether to sit or stand at EFL matches.

A [petition](#) calling for safe standing at Premiership and Championship grounds has been signed by over 110,000 people. It was [debated](#) in the House of Commons on 25 June 2018.

The Government's view

In November 2017, in [response](#) to a parliamentary question, the Government said that it was "not, at present, persuaded by the case put forward to re-introduce standing accommodation in grounds covered by the all-seater requirement".

On 25 June 2018, during the [debate](#) on the safe standing petition, sports Minister Tracey Crouch acknowledged the increasing support for a change to the current policy. She announced that the Government was commissioning an external analysis of the relevant evidence to inform any decision on changes to the all-seater requirement.

1. The current position

1.1 The Football Spectators Act 1989

From 1 August 1994, under the *Football Spectators Act 1989* (as amended), all football clubs in the English Premier League and Championship have been required to provide all-seated accommodation. Clubs promoted to the Championship for the first time have up to three years to convert any standing areas to seats. Once converted, grounds must remain all-seated, even if a club is relegated from the Championship.

The 1989 Act set up the Football Licensing Authority (FLA) to operate a licensing system for grounds used for designated football matches¹ and to monitor local authorities' oversight of spectator safety. From November 2011, the FLA's responsibilities passed to the [Sports Grounds Safety Authority](#) (SGSA).²

It is an offence to admit spectators to a designated football match without a licence - issued by the SGSA³ - being in force.⁴ Specific licence conditions are prescribed in secondary legislation, subject to negative procedure, made under section 11 of the 1989 Act.⁵ At present, these require all-seated accommodation at Premier League and Championship grounds.

The 1989 Act only applies in England and Wales.

There are 72 all-seated international, Premier League and Football League grounds in England and Wales.⁶

2. Time for change?

Improvements in stadium design and technology, the wishes of some fans to stand, and the success of "safe standing" in European countries, have led to calls for the introduction of standing areas at Premier League and Championship grounds.

Rail seating is one method of implementing 'safe standing'. Several German football clubs use it, including Borussia Dortmund and Wolfsburg. Each ticket holder is designated a seat in the stadium. The design allows for the seat to be 'locked' upright, allowing supporters to stand. Each row has a safety barrier to improve crowd control. For games with all-seater requirements (such as UEFA or FIFA tournaments), the seats can be unlocked and the rail seating becomes a seated section.

¹ A designated match is defined under the *Football Spectators (Designation of Football Matches in England and Wales) Order 2000* as "any association football match which is played at Wembley Stadium, at the Millennium Stadium in Cardiff or at a sports ground in England and Wales which is registered with the Football League or the Football Association Premier League as the home ground of a club which is a member of the Football League or the Football Association Premier League at the time the match is played".

² [Sports Grounds Safety Authority Act 2011](#), section 1

³ Section 10 of the 1989 Act

⁴ Section 9 of the 1989 Act; See also SGSA website, [Regulation - licensing](#) [accessed 6 July 2018]

⁵ Section 11 of the 1989 Act

⁶ SGSA website, [All seated football stadia](#) [accessed 6 July 2018]

A change to the current position would require the Secretary of State to direct the SGSA, through the secondary legislation, to allow safe standing in specified areas of grounds.

2.1 What do fans think?

Football Supporters' Federation campaign

The [Football Supporters' Federation](#) (FSF) describes itself as an organisation “representing the rights of fans and arguing the views of football supporters in England and Wales”.⁷ An FSF safe standing campaign aims to “persuade the Government, football authorities and football clubs to accept the case for introducing, on a trial basis, limited sections of standing areas at selected grounds in the stadiums of Premier League and Championship football clubs”.⁸

The FSF [website](#) includes further details of the campaign, including examples of what safe standing areas might look like.⁹ There is also a safe standing [roadshow](#).

Supporter surveys

A number of surveys in recent years have found strong support for the introduction of safe standing areas. These include:

- 99% of 3,398 Middlesbrough fans surveyed agreed with the principle that fans should be given the chance to choose whether to sit or stand;¹⁰
- 96% of 7,239 fans surveyed by the Arsenal Supporters' Trust were in favour of safe standing;¹¹
- 96% of 2,354 fans surveyed by the Welsh Conservatives supported the introduction of standing areas.¹²

“Stand Up for Choice” survey

The FSF and English Football League (EFL) ran a [“Stand Up for Choice”](#) survey between 27 April and 10 May 2018:

The ‘Stand up for Choice’ campaign has been designed to provoke a progressive and informed debate whilst seeking to highlight the significant support that exists amongst football fans who want the ability to have a choice between standing and being seated at EFL Championship matches.

“Our clubs and their fans should be part of the solution,” said EFL chief executive Shaun Harvey. “We recognise that to effect change we will need a partnership approach and this will commence with our survey to demonstrate that those who attend fixtures want to see

⁷ FSF website, [About Us](#) [accessed 6 July 2018]

⁸ FSF website, [Safe standing campaign](#) [accessed 6 July 2018]

⁹ FSF website, [What does standing look like?](#) [accessed 6 July 2018]

¹⁰ Middlesbrough Supporters Forum website, [Middlesbrough Supporters Forum research shows overwhelming support for safe standing at football matches](#), July 2017 [accessed 6 July 2018]

¹¹ Arsenal Supporters' Trust, [Safe standing survey of Arsenal Supporters](#), March 2017

¹² [“Safe standing pilot backed by 96% of fans”](#), *Welsh Conservatives News*, 16 February 2015

6 Standing at football

the change and be offered a choice, even if they still choose to be seated.”

(...) Peter Daykin, standing co-ordinator at the Football Supporters' Federation, said: "The FSF campaign has always been about providing fans with the choice to sit or stand at football.

“Those who prefer to stand should be able to do so and help generate the fantastic atmosphere that our game is famous for, while those who prefer to sit should be allowed to without having to worry about their views being blocked...”

The survey received over 33,000 responses. The results, [announced](#) on 1 June 2018, showed that 94% of fans want to be able to choose whether to sit or stand at EFL matches. The survey also found:

- 69% of fans indicated that they would prefer to stand, compared to 22% who claimed a preference for seating
- Standing is more popular with younger fans with the highest supporting demographic coming in the 18-34 age groups
- There is a high demand for the choice to stand across all three divisions, with 94% of Championship supporters and 92% of League One and League Two supporters all in support
- 47% of all fans said they would attend more games if licensed standing was available
- There is no material difference between the responses compiled from supporters of the 21 EFL clubs who currently offer standing accommodation compared to supporters of clubs who don't.

The full results are available from the [EFL website](#).

EFL Chief Executive, Shaun Harvey, commented on the findings:

(...) Football supporters clearly want the option to stand at football matches and we see absolutely no reason why they should not be allowed the choice to have the matchday experience they want.

With nearly half of all fans claiming they would attend more games if licensed standing was available, this campaign demonstrates how standing could play a significant role in boosting attendances, particularly with the under 35s demographic, a group of supporters that have a significant number of other options to consider when determining whether they will or will not attend a match. With stadium occupancy at 61 per cent in 2017/18, a change in legislation would provide an opportunity to increase revenue from gate receipts.

The safety of all fans attending football matches is the number one priority and we very much understand why the issue of standing at football matches is sensitive and the concerns that the Government may have in terms of changing the legislation.

However, it is the view of the EFL that the current legislation is not appropriate, with some League One and League Two clubs allowed standing areas in their stadiums but others not. When you consider the position in the Championship, it is equally unfair as clubs are required after three years to only offer seated accommodation.

The standard of football on the pitch can have no bearing on whether standing accommodation should be available. If standing is permitted

at a football match in League One, then why not a game from the division above if they are designed to the same standards?

Alongside the FSF, the EFL is committed to working with Government in order to provide clubs with a choice on this matter, so that fans can choose the matchday experience they want - whether that be seated or standing in safe, licensed areas of grounds.

The FSF's Peter Daykin said:

(...) Once again, football supporters have made it abundantly clear that they want the choice between sitting and standing at a match – genuine choice that is provided at horse racing, rugby, music festivals and beyond. We urge the Government to listen to those supporters who, along with clubs and safety experts, want to see reform of the currently unworkable all-seater legislation.¹³

2.2 What do clubs think?

English Football League

In June 2013, at the EFL's annual general meeting, over two thirds of clubs voted in favour of a motion to explore safe standing trials.¹⁴

The findings of a consultation on the use of standing accommodation at Football League grounds were presented at a meeting of clubs on 6 February 2014.¹⁵ A majority of the clubs wanted the EFL to:

- Ask the Minister for Sport to review the 'all-seater' stadia requirement for Championship clubs;
- Approach the SGSA to request rail seating to be licensed in Football League grounds;
- Permit clubs to accommodate supporters standing in rail seating in the Championship; and
- Permit clubs to revert from seating to standing in League 1 and 2 following relegation from the Championship.

The EFL said that it would "engage with the relevant authorities and stakeholder organisations".

The FSF welcomed the EFL's position and called for "a small number of controlled trials of safe standing areas" to facilitate further debate.¹⁶

As noted above, the EFL joined the FSF to conduct a "Stand Up for Choice" survey.

¹³ ["Stand Up For Choice: Biggest ever fan response shows overwhelming support in standing debate"](#), EFL News, 1 June 2018

¹⁴ ["Football League clubs vote to "explore" safe standing trials"](#), FSF News, 11 June 2013

¹⁵ ["League clubs consider results of standing consultation"](#), Football League News, 7 February 2014

¹⁶ ["Football League to lobby Government in major move for safe standing areas"](#), Telegraph, 6 February 2014

Shrewsbury Town FC

League 1 team Shrewsbury Town are introducing a safe standing section from next season after a crowdfunding campaign raised £65,000 to pay for alterations at their stadium.¹⁷ The section will hold over 500 spectators.

Premier League

In November 2016, Premier League clubs discussed safe standing. In a statement, the League said these were “initial discussions” and that there was “no overall consensus on the matter”.¹⁸ The *BBC* reported that Sue Roberts, secretary of the [Hillsborough Family Support Group](#), had said that introducing standing would be a “backwards step”.¹⁹ [The Hillsborough Justice Campaign](#) said that it supports a “full and objective debate”.²⁰

West Bromwich Albion’s application for a safe standing section

In April 2018 it was reported that the Government had blocked an application by West Bromwich Albion to install “rail seating” at the Hawthorns.²¹ The application was made to the SGSA who referred it to the DCMS. In a statement, the SGSA said that West Brom’s request was rejected by the sports Minister Tracey Crouch:

“West Bromwich Albion is subject to the government’s all-seater policy and DCMS have said that they have no current plans to change their position and introduce standing accommodation at grounds in the top two divisions covered by the all-seater policy”²²

A DCMS spokesperson said there were “no plans” to change policy but the Government “will continue to monitor the issue of spectator accommodation and the use of safe standing where it is permitted”.²³

West Brom’s Director of Operations, Mark Miles, commented:

...I think the Minister has taken a short-sighted view and is preventing the club from creating a safer environment for supporters. The all-seater policy was developed over 25 years ago and football is a very different place now.

"The system we proposed is well-tested across Europe and has also worked successfully at Celtic, who are governed by different legislation than in England and Wales. We were prepared to run a pilot which would enable the Club to gather data and feedback to further inform us in the issue of crowd safety..."²⁴

The Premier League said that safe standing was “complex and nuanced and clearly requires more research”.²⁵

¹⁷ [“Safe standing launched at Shrewsbury Town ground”](#), *Shropshire Star*, 23 May 2018

¹⁸ [“Premier League statement on safe standing”](#), *Premier League*, 17 November 2016

¹⁹ [“Safe standing: Premier League clubs to have further talks”](#), *BBC Sport*, 17 November 2016

²⁰ Quoted in [“Safe-standing initiative given a lift by Premier League mood swing”](#), *Guardian*, 16 November 2016

²¹ [“West Brom’s plans to introduce safe-standing section blocked by government”](#), *Independent*, 9 April 2018

²² *Ibid*

²³ *Ibid*

²⁴ [“Albion safe-standing plan rejected”](#), *West Bromwich Albion News*, 9 April 2018

²⁵ Quoted in [“Premier League clubs want more evidence on safe standing”](#), *BBC Sport*, 18 April 2018

2.3 Scotland - Celtic's safe standing section

In July 2011, the Scottish Premier League [relaxed](#) its requirement that clubs had to provide all-seated accommodation.²⁶ Clubs can apply to pilot safe standing areas. This requires the approval of the relevant local authority.

Celtic received permission from Glasgow City Council in June 2015,²⁷ after its first proposal was rejected in 2014 for not offering "enough safety assurances".²⁸ In July 2016, Celtic opened its safe standing section. This accommodates nearly 3,000 supporters.²⁹

2.4 The Government's view

In November 2017, in [response](#) to a parliamentary question, the DCMS said:

(...) All-seater stadiums have helped improve crowd management, crowd behaviour and policing. They provide better and more comfortable facilities to enjoy football matches, which has helped encourage inclusivity and diversity amongst those attending.

While we are committed to monitoring the developments at Celtic and Shrewsbury Town FC, Government is not, at present, persuaded by the case put forward to re-introduce standing accommodation in grounds covered by the all-seater requirement.³⁰

On 25 June 2018, during the [debate](#) on the [petition](#) calling for safe standing, sports Minister Tracey Crouch acknowledged the increasing support for a change to current policy and discussed West Brom's request to install rail seating:

(...) I recognise the increasing support for the Government to change the all-seater policy in the top two tiers of English football, and the interesting innovations in spectator accommodation in recent years... Those developments led the then premier league club West Bromwich Albion to make the request to the Sports Ground Safety Authority to run a rail seating pilot. The request to install rail seating made it clear that the intention was to create a permanent area within the ground where supporters would be freely permitted to stand. That would have been in breach of the licence conditions imposed on all clubs in the top two divisions under the powers set out in the Football Spectators Act 1989, the current legislative framework.

Ministers make decisions based on the evidence put in front of them within the legal framework permitted. Contrary to media reports, I did not receive a recommendation from the SGSA to approve the application. The club's request would have required an immediate change in the law as it stands. As the application was for permission to start this coming season, colleagues will appreciate that the processes required would have taken more than the few months that Albion wanted them completed in. However, more significantly, the current legislative framework means that I cannot allow for any

²⁶ ["SPL Statement: Rule Changes"](#), *Scottish Professional Football League*, 19 December 2011

²⁷ ["Celtic secure green light for rail seating"](#), *Celtic FC News*, 9 June 2015

²⁸ ["Celtic: Safe-standing proposals not met with approval"](#), *BBC Sport*, 13 August 2014

²⁹ ["Celtic open new safe standing section in win over Wolfsburg"](#), *BBC Sport*, 16 July 2016

³⁰ [PQ 115105](#) [on safe standing], Answered 22 November 2017

10 Standing at football

pilots. There is no wriggle room. It is either the status quo or changing the legislation.³¹

The Minister then announced that the Government was commissioning an external analysis of the evidence relating to the all-seater policy:

(...) The one thing we need to do is to collect and analyse the evidence that exists and ensure that all views on this issue can be heard and considered before we make any decision on changes to the all-seater policy...We need proper evidence and solutions about how risks associated with standing would be addressed and what systems might be needed to achieve this. The first step is to gather that data and to conduct further research if necessary.

Today I can announce that we will commission an external analysis of evidence relating to the all-seater policy. My Department will be going out to tender for this piece of work shortly, and my aim is that the initial analysis work will be completed by the end of the year. As well as looking at what evidence already exists and assessing its reliability, that work will look to identify any important gaps in data, including injury data, and recommend the best ways of filling them.

The premier league has already shared some of its injury data with me, collated in the SGSA format from its clubs. What is clear is that not enough information is collected to determine the circumstances, severity or outcome of injuries...it is clear that the data needs further probing, and that is what I am announcing today.

The precise scope of that work will be defined in conjunction with the SGSA and other expert stakeholders. I am grateful to the Premier League and English Football League, with whom we have discussed this approach, and with whom we will work to improve the evidence base from the start of next season.³²

³¹ [HC Deb 25 June 2018 c273WH](#)

³² [HC Deb 25 June 2018 cc273-4WH](#)

About the Library

The House of Commons Library research service provides MPs and their staff with the impartial briefing and evidence base they need to do their work in scrutinising Government, proposing legislation, and supporting constituents.

As well as providing MPs with a confidential service we publish open briefing papers, which are available on the Parliament website.

Every effort is made to ensure that the information contained in these publicly available research briefings is correct at the time of publication. Readers should be aware however that briefings are not necessarily updated or otherwise amended to reflect subsequent changes.

If you have any comments on our briefings please email papers@parliament.uk. Authors are available to discuss the content of this briefing only with Members and their staff.

If you have any general questions about the work of the House of Commons you can email hcenquiries@parliament.uk.

Disclaimer

This information is provided to Members of Parliament in support of their parliamentary duties. It is a general briefing only and should not be relied on as a substitute for specific advice. The House of Commons or the author(s) shall not be liable for any errors or omissions, or for any loss or damage of any kind arising from its use, and may remove, vary or amend any information at any time without prior notice.

The House of Commons accepts no responsibility for any references or links to, or the content of, information maintained by third parties. This information is provided subject to the [conditions of the Open Parliament Licence](#).