



RESEARCH PAPER 01/73  
11 OCTOBER 2001

# ***The Football (Disorder)(Amendment) Bill***

**Bill 26 2001-02**

The *Football (Disorder) Act 2000* assured that all football banning orders would prevent the individuals subject to them attending both domestic and international matches. It also made the norm temporary passport surrender during the period around a relevant overseas match.

Further measures, introduced on a temporary basis, would be retained indefinitely under the provisions of the present Bill: the ability to ban, on police complaint, individuals who may not have been convicted of any offence; summary police powers to prevent individuals leaving the country and requiring them to attend a banning order hearing.

Gavin Berman

SOCIAL AND GENERAL STATISTICS SECTION

Grahame Danby

HOME AFFAIRS SECTION

HOUSE OF COMMONS LIBRARY

**Recent Library Research Papers include:**

<b>01/57</b>	The Irish Referendum on the Treaty of Nice	21.06.01
<b>01/58</b>	The <i>Homelessness Bill</i> [Bill 2 of 2001-02]	26.06.01
<b>01/59</b>	The Monetary Policy Committee: theory & performance	26.06.01
<b>01/60</b>	Economic Indicators	02.07.01
<b>01/61</b>	The <i>European Communities (Amendment) Bill</i> : Implementing the Treaty of Nice [Bill 3 of 2001-02]	28.06.01
<b>01/62</b>	The <i>European Communities (Finance) Bill</i> [Bill 1 of 2001-02]	02.07.01
<b>01/63</b>	The <i>Electoral Fraud (Northern Ireland) Bill</i> [Bill 6 of 2001-02]	05.07.01
<b>01/64</b>	The <i>Export Control Bill</i> [Bill 5 of 2001-02]	05.07.01
<b>01/65</b>	Unemployment by Constituency, June 2001	18.07.01
<b>01/66</b>	The National Lottery	19.07.01
<b>01/67</b>	Farming after Foot and Mouth	20.07.01
<b>01/68</b>	Unemployment by Constituency, July 2001	15.08.01
<b>01/69</b>	Stakeholder Pensions	31.08.01
<b>01/70</b>	Unemployment by Constituency, August 2001	12.09.01
<b>01/71</b>	The Local Elections of 7 June 2001	27.09.01
<b>01/72</b>	11 September 2001 – Response	03.09.01

*Research Papers are available as PDF files:*

- *to members of the general public on the Parliamentary web site,  
URL: <http://www.parliament.uk>*
- *within Parliament to users of the Parliamentary Intranet,  
URL: <http://hcl1.hclibrary.parliament.uk>*

Library Research Papers are compiled for the benefit of Members of Parliament and their personal staff. Authors are available to discuss the contents of these papers with Members and their staff but cannot advise members of the general public. Any comments on Research Papers should be sent to the Research Publications Officer, Room 407, 1 Derby Gate, London, SW1A 2DG or e-mailed to PAPERS@parliament.uk

## Summary of main points

Football related violence and disorder remain a significant social problem, posing an ever-shifting challenge to law enforcement agencies. Successive parliaments have legislated in response to displays of violence by supporters of English football clubs as well as the English national team.

At present, some 468 individuals are banned from following the England football team overseas.

The *Football (Disorder) Act 2000* amended the Football Spectators Act 1989 to make provision for banning orders, replacing and merging international football banning orders and domestic football banning orders. It also had the effect of requiring virtually all people subject to such banning orders to surrender their passports to prevent them attending certain overseas matches.

Two further powers were introduced on a temporary basis: empowering magistrates to impose banning orders on the strength of evidence (rather than conviction) of involvement in disorder; a new power for the police to issue a notice requiring a person to attend a banning order hearing at a magistrates' court.

The purpose of the *Football (Disorder)(Amendment) Bill* is to renew these two powers indefinitely.



## CONTENTS

<b>I</b>	<b>Football associated violence</b>	<b>7</b>
<b>II</b>	<b>Combating football violence</b>	<b>12</b>
	<b>A. Working Group on Football Disorder</b>	<b>12</b>
	<b>B. Legislation</b>	<b>14</b>
<b>III</b>	<b>Banning orders and travel restrictions</b>	<b>15</b>
<b>IV</b>	<b>Football (Disorder) Act 2000</b>	<b>20</b>
<b>V</b>	<b>Football (Disorder) (Amendment) Bill</b>	<b>22</b>
<b>VI</b>	<b>Further reading</b>	<b>26</b>
	<b>Appendix 1: Working Group on Football Disorder</b>	<b>27</b>
	<b>Appendix 2: Football-related offences</b>	<b>32</b>



## I Football associated violence

England have qualified for the 2002 finals of the FIFA World Cup in Japan and South Korea. While a cause for celebration among English football fans, there will also be concerns over the possibility of violent behaviour. Concerns that the track record of English hooligans and the relative propensity of innocent supporters to get caught up in disruptive behaviour will do little to allay.

The scale of the problem in recent years can be gauged, to an extent, by reference to arrests inside or just outside football stadia (table 1). Figure 1 brings out the trend in the number of arrests per 100,000 attendances. A notable feature of the latter is the long term decline in the rate of arrests: taking the Football Premiership and Football League (all three divisions) combined, the 1999-00 season saw 12 arrests per 100,000 attendances. This compares with around 30 per 100,000 at the end of the 1980s and 40 per 100,000 in the year of the Heysel tragedy.<sup>1</sup>

---

<sup>1</sup> "The Heysel disaster of 29 May, 1985, led to the deaths of 39 fans and a five-year blanket ban on English clubs in European football." - BBC News Online  
[http://news.bbc.co.uk/1/hi/english/uk/newsid\\_768000/768380.stm](http://news.bbc.co.uk/1/hi/english/uk/newsid_768000/768380.stm)

**Table 1**  
**Arrests and attendances at<sup>(a)</sup> football matches**

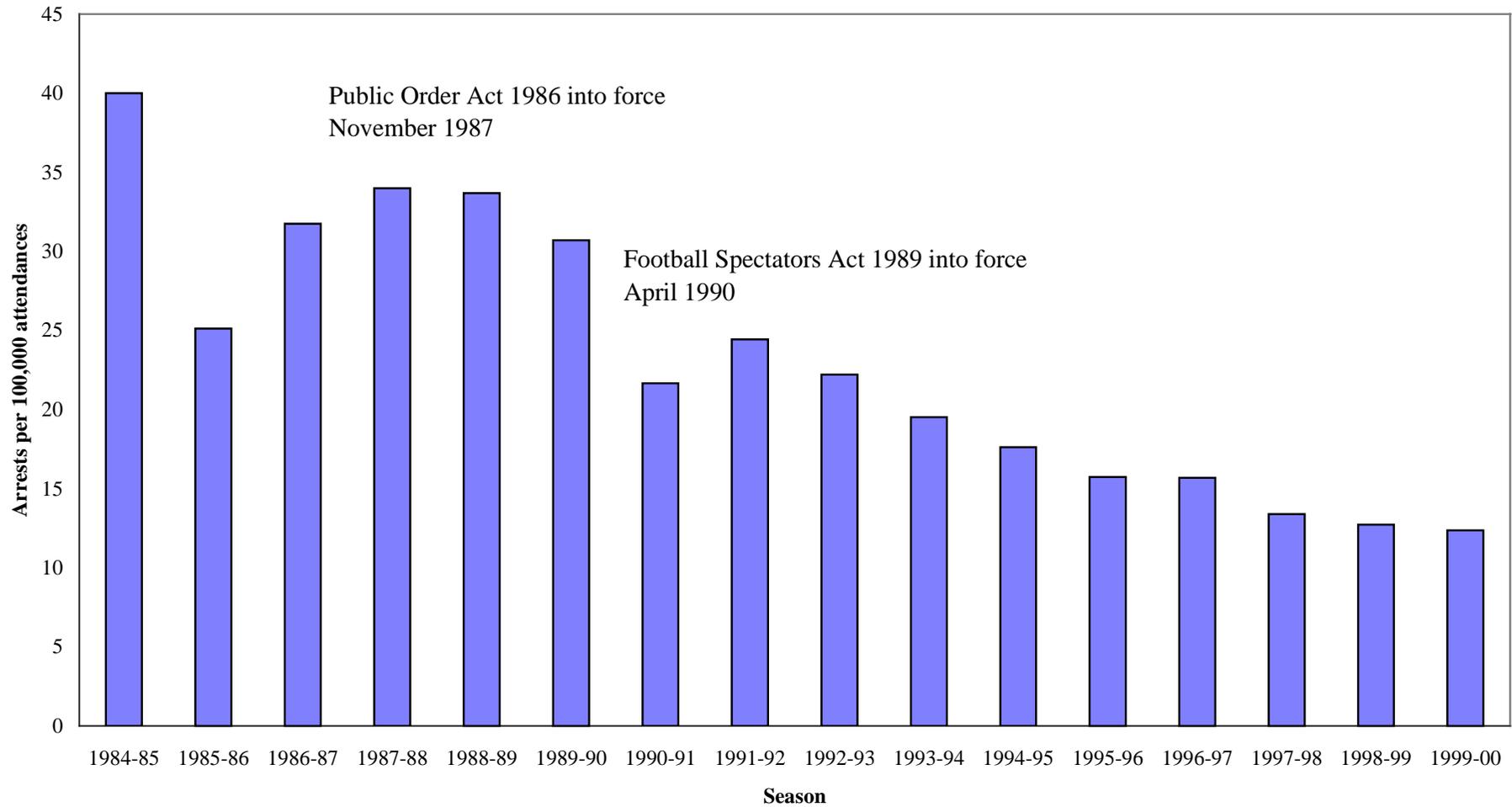
	Football League/Premiership			Domestic Cup Competitions			All Matches		
	Arrests	Attendances	Arrests per 100,000 attendances	Arrests	Attendances	Arrests per 100,000 attendances	Arrests	Attendances	Arrests per 100,000 attendances
1984-85	7,140	17,850,000	40	...	...	...	...	...	...
1985-86	4,143	16,499,000	25	...	...	...	...	...	...
1986-87	5,520	17,383,000	32	...	...	...	...	...	...
1987-88	6,106	17,968,965	34	...	...	...	...	...	...
1988-89	6,185	18,366,143	34	...	...	...	...	...	...
1989-90	5,945	19,360,194	31	...	...	...	...	...	...
1990-91	4,122	19,027,390	22	...	...	...	...	...	...
1991-92	5,006	20,486,892	24	1,372	3,787,373	36	6,378	24,274,265	26
1992-93	4,588	20,657,327	22	1,739	3,878,407	45	6,327	24,535,734	26
1993-94	4,227	21,653,381	20	1,296	3,984,975	33	5,523	25,638,356	22
1994-95	3,850	21,856,020	18	1,265	3,843,152	33	5,115	25,699,172	20
1995-96	3,441	21,844,416	16	897	4,046,669	22	4,338	25,891,085	17
1996-97	3,577	22,783,163	16	823	3,545,065	23	4,400	26,328,228	17
1997-98	3,307	24,692,608	13	n/a	n/a	n/a	n/a	n/a	n/a
1998-99	3,341	26,253,194	13	n/a	n/a	n/a	n/a	n/a	n/a
1999-00	3,138	25,371,634	12	n/a	n/a	n/a	n/a	n/a	n/a

a) Inside and just outside grounds.

n/a not yet available

Sources: National Criminal Intelligence Service *Press Releases, various years*  
Home Office *Deposited papers Dep 7467, 10300*

**Arrests in or near football grounds, League/Premiership matches only**



It is likely that the general fall in arrests is partly indicative of football-associated violence moving away from the matches, both in terms of time and distance.<sup>2</sup> Writing in the National Criminal Intelligence Service publication, *Nexus*, Mark Steels comments:

... the NCIS assessment is that violent hooliganism is virtually unheard of inside Premiership and other (all-seater) stadiums. CCTV, the distribution of season and other easily traceable tickets, and safety features introduced since the Taylor Report [Cm 962, January 1990] have all combined to make top English grounds relatively trouble-free.

These effective measures have, undoubtedly, forced the problem out of the grounds and away from the beady eyes of law enforcement and the video camera, to train stations, to far-flung pubs, to outer-city car parks.<sup>3</sup>

He also notes:

The 2000/2001 figures for football-related arrests, together with the football disorder reports, seem to suggest that the domestic scene is, if anything, getting worse. The figures are up - for league matches - from 3,138 in the 1999/2000 season to 3,391 during the last. What's more, the disorder reports are up threefold, painting a gloomier picture than perhaps many had hoped for.<sup>4</sup>

Examining the available data for arrests by offence for the past five seasons (table 2) reveals a significant proportion of violent crimes; even if the specific offence of violent disorder has fallen off somewhat, affray has risen by over 50% in the last year.

---

<sup>2</sup> "Pubs on guard against rising soccer violence", *Morning Advertiser*, 30 August 2001

<sup>3</sup> "Last orders!", *Nexus*, Autumn 2001

<sup>4</sup> *ibid.*

**Table 2**  
**Football arrests 1996/97 to 2000/01 by offence (League/Premiership, matches only)**

	1996/97	1997/98	1998/99	1999/2000	2000/01
Drink related	1,338	1,168	1,113	831	928
POA s5 - disorderly behaviour	832	523	413	458	549
POA s4 - threatening behaviour	376	312	322	369	352
POA s3 - affray	19	65	69	98	151
POA s2 - violent disorder	23	52	100	71	77
FOA s4 - running on pitch	177	243	198	162	216
FOA s3 - racial/indecent chanting	10	33	25	34	58
FOA s2 - throwing missiles	11	31	42	88	98
Ticket touting	173	173	213	132	117
Assault	19	110	133	103	107
Breach of exclusion order	19	19	15	49	13
Other	580	578	698	743	725
<b>Total</b>	<b>3,577</b>	<b>3,307</b>	<b>3,341</b>	<b>3,138</b>	<b>3,391</b>

Source: NCIS Press Releases 12/98; 20/99, 26/00, 29/01

POA = Public Order Act; FOA = Football Offences Act 1991

Library research paper 00/70, *The draft Football (Disorder) Bill*, catalogues the scale of violence involving England fans at previous international tournaments, specifically the 1998 FIFA World Cup in France and the UEFA European Championships (Euro 2000) in Belgium and the Netherlands. During the latter, 965 British nationals were arrested, with 464 subsequently deported. The then Home Secretary (Jack Straw) judged that events in Euro 2000 illustrated a change in the nature of football hooliganism, with the vast majority of disorder attributable to people with no record of football-related offences.

For some years, the widely accepted view has been that football hooliganism abroad is perpetrated by a relatively small minority of known football troublemakers. Measures discussed and approved by the House over a 15-year period have largely been predicated on that assumption. The blunt truth, however, which has become very clear from events last month, is this: football hooliganism abroad is no longer confined to a small minority of known troublemakers. There is now strong evidence of a larger number of England supporters getting involved in violence, drunkenness and disorder; few of them are known in advance to the police nationally as football-related offenders.<sup>5</sup>

While few of those arrested during Euro 2000 were known football-related offenders, 409 or 42% had previous convictions. Jack Straw compared this to the prevalence of convictions (for violent or non-violent offences) among the general population of young men – around one third.<sup>6</sup> The latest available figures are shown in table 3.

<sup>5</sup> *ibid.*

<sup>6</sup> HC Deb 26 June 2000 c397w

**Table 3**  
**Cumulative proportion of males with a conviction**  
**England & Wales**

	Year of birth					
	1953	1958	1963	1968	1973	1978
age 19	19.1%	19.9%	20.8%	18.2%	13.7%	12.2%
age 24	25.3%	26.3%	26.6%	24.1%	21.2%	...
age 29	28.5%	28.9%	29.2%	27.4%	...	...
age 34	30.2%	30.4%	31.2%	...	...	...
age 39	31.3%	31.9%	...	...	...	...

Source: Home Office Statistical Bulletin 4/01 *Criminal careers of those born between 1953 and 1978*

While this paper will focus on legislation designed to curb and deter football hooligans, it is worth mentioning that a great deal of research has been carried out on the causes of violent behaviour.<sup>7</sup> Social and other environmental factors appear to play the largest role, with a small genetic component (at least the obvious one that most hooligans are male). Some overviews of the subject are available online.<sup>8</sup>

## II Combating football violence

### A. Working Group on Football Disorder

On 4 July 2000, in the wake of disorder during the European Football Championships, Home Secretary Jack Straw announced the Government's intention to legislate further. At the same time he acknowledged the need for other measures:

Legislation is only part of the answer to the wider problem. I strongly welcome the Football Association's commitment to seek life bans from the home grounds for any England fan convicted of hooligan behaviour, or against whom there is hard evidence of such behaviour, at Euro 2000 or in future. I hope very much that all clubs affiliated to the FA will support their national association in its initiative.

There is however much more that can and must be done to confront the culture from which hooliganism grows. Last week, I met representatives of the Football Association. They themselves recognise the need to take a hard look at ticketing, at travel, at stewarding arrangements, at more effective action against displays of racism and xenophobia at matches and outside, and at closer co-operation with

<sup>7</sup> "In Europe, Hooligans Are Prime Subjects for Research", *Science*, 28 July 2000

<sup>8</sup> Social Issues Research Centre, *Football violence in Europe*, <http://www.sirc.org/publik/fvtheory.html>  
 SIRC, *The Human Nature of Violence*, <http://www.sirc.org/publik/foxviolence.html>

supporters' groups--all with the aim of making support for the England team abroad more attractive to families and to decent supporters, who are currently kept away by the threat of hooliganism. I have asked Lord Bassam to chair a working group, which will involve a wide range of partners from the football world who are committed to make changes for the better in these important areas.

The Working Group on Football Disorder, chaired by Lord Bassam, published an interim report in December 2000,<sup>9</sup> the final report and recommendations following three months later.<sup>10</sup> Its terms of reference were:

To reduce, by means other than new legislation, the level of football disorder associated with the supporters of the England team and English national and club sides playing overseas; and to that end, to consider measures both to prevent misbehaviour by existing supporters and to encourage the presence at such matches of a larger proportion of decent supporters who are opposed to football disorder and the attitudes which prompt it.

Membership of the Working Group was drawn predominantly from the football world, with player, supporter and governing body representation. Law enforcement agencies and government were also represented; a full list appears in the report which is also available online.<sup>11</sup> Lord Bassam's report acknowledged that "since Euro 2000 the record of English club supporters overseas has been generally very good." Even so, he was surely right to warn of the potential for serious incidents, "particularly at high risk matches". The report's headline findings are reproduced in Appendix 1; the Home Office Minister John Denham has stated that the Government is committed to implementing the 55 recommendations.<sup>12</sup> A passage in the main body of the report asserted a role for legislation:

Of course, some England followers are violent. Others possess racist and xenophobic tendencies and take pleasure in deriding anything that is not stereotypically English. This is unacceptable. Tough measures are justified and necessary. The onus is on Government, the police and the courts to remove all known troublemakers from the England football scene.

That is why the Football (Disorder) Act introduced measures designed to prevent individuals with a recent track record of violence or public order offences, not necessarily committed in a football context, from travelling to England matches abroad.

---

<sup>9</sup> Working Group on Football Disorder (chaired by Lord Bassam), *Interim Report*, December 2000 (deposited paper 00/182)

<sup>10</sup> Working Group on Football Disorder (chaired by Lord Bassam), *Report and Recommendations*, March 2001 (deposited paper 01/430)

<sup>11</sup> <http://www.homeoffice.gov.uk/pcrg/ftblwgrp.pdf>

<sup>12</sup> House of Commons, Sixth Standing Committee on Delegated Legislation, 10 July 2001 c 6

The new legislative powers must be used to protect host populations and the national interest. But they must also be used to help provide England supporters with the opportunity to demonstrate their commitment and passion for English football in an atmosphere free from the expectation of violence and disorder.

## B. Legislation

Home Office Circular 34/2000<sup>13</sup> provides a comprehensive overview of football-related legislation and the associated procedures. The most important statutes are the following:

- *Sporting Events (Control of Alcohol etc) Act 1985*

Prohibited the carriage of alcohol on a public service vehicle or a train which is being used for the principal purpose of carrying passengers to or from a designated sporting event, and empowers magistrates to impose conditions on licensed premises within sports grounds to ensure that alcohol should not be sold within sports grounds during the period of a match.

- *Public Order Act 1986* (section 30)

Enabled **exclusion orders** to be made in respect of persons convicted of certain football-related offences in England and Wales, prohibiting them from attending prescribed football matches in England and Wales. These powers have now been superseded by provisions of the *Football Spectators Act 1989* (as amended)

- *Football Spectators Act 1989*

Introduced **restriction orders** designed to prevent fans convicted either here, or abroad,<sup>14</sup> of football-related offences from travelling to foreign matches by requiring them to report to a police station on the occasion of designated football matches outside England and Wales; and created the - unimplemented - national scheme for football membership cards to restrict entry to certain matches.

- *Football Offences Act 1991*

Created three criminal offences covering the following behaviour at designated football matches: throwing of missiles; indecent or racist chanting; and going onto the playing area.

- *Sporting Events (Control of Alcohol etc.) (Amendment) Act 1992*

Extended the maximum period for which an order under section 3 of the Sporting Events (Control of Alcohol etc.) Act 1985 can be made from five months to twelve months.

- *Criminal Justice and Public Order Act 1994* (section 166)

---

<sup>13</sup> Home Office Circular 34/2000, *Home Office guidance on football-related legislation*, October 2000  
<http://www.homeoffice.gov.uk/circulars/2000/hoc3400.htm>

<sup>14</sup> this includes Scotland as well as Ireland, Italy, Norway, Sweden, France, Belgium and the Netherlands

Created a criminal offence of touting tickets for football matches. It is an offence to tout tickets in public places even if this is done on a day other than that on which the match is being played. It is also an offence to resell tickets in any way if this is done in the course of a trade or business - this seeks to catch mail order resale of tickets.

- *Crime and Disorder Act 1998* (section 84)

Makes the breach (or apprehended breach) of a restriction order imposed under the Football Spectators Act 1989 an arrestable offence, and increases the maximum term of imprisonment for such a breach to six months.

- *Football (Offences and Disorder) Act 1999*

Renamed restriction orders '**international football banning orders**' (IFBOs), and renamed exclusion orders '**domestic football banning orders**' (DFBOs); widened the circumstances in which they could be imposed; allowed conditions (including surrender of passports) to be added to IFBOs; and broadened the offences of ticket touting and racist or indecent chanting.

- *Football (Disorder) Act 2000*

Amended the Football Spectators Act 1989 to make provision for **banning orders**, replacing and merging international football banning orders and domestic football banning orders. It also had the effect of requiring virtually all people subject to such banning orders to surrender their passports to prevent them attending certain overseas matches. Two further powers were introduced on a temporary basis: empowering magistrates to impose banning orders on the strength of evidence (rather than conviction) of involvement in disorder; a new power for the police to issue a notice requiring a person to attend a banning order hearing at a magistrates' court. The purpose of the *Football (Disorder)(Amendment) Bill* is to renew these two powers indefinitely.

More information on the 2000 Act and the present Bill is given in sections IV and V respectively.

### **III Banning orders and travel restrictions**

As noted above, the term banning order now covers international and domestic football banning orders. The data in table 4 relates solely to the former: known initially as restriction orders, then as international banning orders. As of May 2000, 106 people were still subject to such orders.

**Table 4**  
**Restriction Orders and International Banning Orders**  
**England & Wales, 1990 to 2000**

<b>Orders made -</b>	<b>Restriction</b>	<b>International Banning</b>	<b>Total</b>
1990	19	...	19
1991	4	...	4
1992	2	...	2
1993	nil	...	0
1994	1	...	1
1995	1	...	1
1996	1	...	1
1997	10	...	10
1998	100	...	100
1999	18	3	21
2000 (to end-June)	...	28	28

<b>People subject to orders as of-</b>	<b>Restriction</b>	<b>International Banning</b>	<b>Total</b>
May 1995	2	...	2
December 1997	10	...	10
January 1998	9	...	9
March 1998	30	...	30
June 1998	71	...	71
April 1999	113	...	113
May 2000	87	19	106

Sources: HC Deb 27 February 1995 c408w  
 HC Deb 18 June 1998 c300w  
 HC Deb 18 May 1995 c461  
 HC Deb 16 March 1998 c517w  
 HC Deb 5 July 2000  
 NCIS

Part II of the *Football Spectators Act 1989* (as amended by the *Football (Offences and Disorder) Act 1999*) allowed courts in England or Wales to impose International Football Banning Orders following convictions for football-related offences, or notification of convictions in a foreign court for corresponding offences. The orders are issued and administered by the Football Banning Orders Authority at the National Criminal Intelligence Service (NCIS).<sup>15</sup>

The relevant ‘football-related offences’ that can trigger a football banning order are specified in Schedule 1 of the *1989 Act* (as amended). The current list is reproduced in Appendix 2 and includes a variety of offences committed within a 24-hour period either

<sup>15</sup> formerly the Restriction Orders Authority, established under the *Football Spectators (Designation of Enforcing Authority) Order 1990*, SI 1990/730 - see now the *Football Spectators (Designation of Enforcing Authority) Order 1999*, SI 1999/2459

side of a regulated football match. Offences covered include public order and racial hatred offences, drunkenness, ticket touting, possession of offensive weapons, indecent or racist chanting, going onto the playing field and threatening behaviour. Any attempt, conspiracy or incitement to commit any of the offences are also included.

Convictions for equivalent offences in Italy, Scotland, Sweden, Norway, the Republic of Ireland, France, Belgium or the Netherlands will also allow the courts here to impose banning orders.<sup>16</sup> That offences in more countries have yet to be covered reflects, at least in part, some concern over double jeopardy: that an overseas conviction could lead to punishment twice-over; the Home Office view has been that banning orders are an administrative procedure rather than a punishment.<sup>17</sup>

Until the *Football (Disorder) Act 2000*, a separate system of domestic football banning orders (previously exclusion orders) applied. Following conviction of one of the football-related offences, a court could make a DFBO prohibiting the subject from attending any prescribed football match.<sup>18</sup> These domestic football bans were more common than international ones; for example, as at May 2000 (cf table 4 above) there were 218 people subject to exclusion orders and 170 subject to DFBOs. In response to a parliamentary question by Jim Murphy, Jack Straw placed in the House of Commons Library a comprehensive list naming individuals subject to any category of football banning order, giving their date of birth and team supported.<sup>19</sup>

As already mentioned, the *Football (Disorder) Act 2000* brought in a single banning order which has the effect of banning the subject from both domestic and international matches. As a result, passport withdrawal during periods coinciding with overseas matches by the English and Welsh national teams is now the norm. As at June 2001, 468 individuals were banned from following England (and Wales) overseas, see table 5 below. This figure includes section 14B<sup>20</sup> "orders on complaint" - banning orders imposed following a complaint by the police provided they can satisfy the court that the individual concerned has been involved in violence *or* disorder. This is one of the measures the present Bill seeks to perpetuate.

---

<sup>16</sup> see SI 1990/992 (Italy), SI 1990/993 (Scotland), SI 1992/708 (Sweden), SI 1992/1724 (amending the previous three SIs), SI 1996/1634 (Norway), SI 1996/1635 (Republic of Ireland), SI 1998/1266 (France), SI 200/1108 (Belgium) and SI 2000/1109 (Netherlands)

<sup>17</sup> House of Commons Library Research Paper 00/70, *The draft Football (Disorder) Bill*, 13 July 2000 p 16

<sup>18</sup> FA Premier, Football League and international matches

<sup>19</sup> HC Deb 7 July 2000 c 350-1W (available in the House of Commons Home Affairs Section and House of Lords Library at HINF 2000/1170)

<sup>20</sup> *Football Spectators Act 1989*, as amended by the *Football (Disorder) Act 2000*, schedule 1

**Table 5**  
**Type of Order Preventing Travel to Matches Overseas**

Restriction orders (made under the Football Spectators Act 1989)	34
International Orders (Football (Offences and Disorder) Act 1999)	51
Combined Orders on Conviction	339
Orders on Complaint	44
Total	468

Source: Home Office, Football (Disorder) Act 2000: Report to Parliament, 20 June 2001

Furthermore, some 30 individuals have been made subject to police "section 21B" notices, introduced by the 2000 Act and which also prevent travel during any "control period"<sup>21</sup> in relation to a regulated match outside England and Wales. This is the other main measure the present Bill seeks to retain.

The effect of the new (combined) banning order is conveniently summarised in a recent Home Office report:

The effect of a banning order is that the person concerned is prevented from attending prescribed football matches in England and Wales and may be required to report to a police station at the time of prescribed matches played abroad when required to do so by the enforcing authority (the Football Banning Orders Authority, or "FBOA"). A court imposing a banning order should also normally impose a requirement that the passport is surrendered on the occasions when the person is required to report unless there are exceptional circumstances.

A requirement to report to a police station and surrender their passport can only be imposed on an individual in connection with a particular match outside England and Wales if the FBOA is of the opinion that requiring that person to report is necessary or expedient to reduce the likelihood of violence or disorder in connection with that match. The normal criterion applied by the FBOA is that all England supporters subject to a banning order are required to report in relation to England matches played abroad. In relation to club matches played abroad, only those who support that club will normally be required to report. If specific intelligence is received in relation to a particular match or individual, this will be taken into account in deciding whether to impose a reporting requirement. The requirement to surrender a passport cannot be imposed more than 5 days in advance of the match. It must be returned as soon as practicable at the end of the control period.

The Enforcing Authority considers all applications for exemptions to conditions and/or reporting requirements on an individual basis (except those which are considered by the police and made within five days). Since the 2000 Act came

---

<sup>21</sup> section 14(6) *Football Spectators Act 1989* (as amended by *Football Disorder Act 2000*)

into force the Enforcing Authority has granted 35 exemptions for a variety of personal reasons (e.g. work commitments, family holidays).<sup>22</sup>

The enforced temporary surrender of passports and the associated restrictions on travel have raised substantial human rights concerns. In addition, Council Directive 73/148 provides for the abolition of restrictions on the movement and residence of nationals of a member state as providers or recipients of services. Liberty have commented on the surrender of passports:

Requiring the surrender of a passport for international matches or tournaments directly conflicts with the UK's international obligations to guarantee freedom of movement under Article 12 of the International Covenant on Civil and Political Rights; and the separate obligation to secure freedom of travel in the EC to receive services such as tourism or being a football spectator (see for example Council Directive of 25 February 1964 (64/221/EEC) and *Luisa and Carbone v Ministero del Tesoro* Cases 286/82 and 26/83 (1984) ECR 377). The proposal would also appear the obligation to ensure peaceful enjoyment of personal possessions (Article 1 of the First Protocol of the ECHR).<sup>23</sup>

A more in-depth discussion of these issues is given in library research paper 00/70, *The draft Football (Disorder) Bill*. One important recent development has been a reserved judgement, on 13 July 2001, by the Queen's Bench Divisional Court in respect of banning orders made against four people. Lord Justice Laws and Mr Justice Poole dismissed appeals in all cases. The cases considered involved both banning orders made on complaint and the imposition of a banning order of six years duration for an offence committed at a time when three years would have been the maximum.<sup>24</sup> In the latter cases, the banning orders had been imposed less than two months after the *Football (Disorder) Act 2000* had come into effect, combining DFBOs (maximum duration 3 years) and IFBOs (maximum duration 10 years).

In his Lordship's judgment it was plain that a football banning order, whether made under section 14A or section 14B, was not a penalty for the purposes of article 7 [of the European Convention on Human Rights].

It was no part at all of the purpose of any such order to inflict punishment. Its purpose was to protect the public, here and abroad, from the evil of football violence and the threat of it...

... In a proper case, a member state might be justified on public policy grounds in preventing a citizen of the Union from leaving its shores.

---

<sup>22</sup> *ibid.*

<sup>23</sup> Liberty, *Briefing for the Football (Offences and Disorder) Bill, 2<sup>nd</sup> Reading* (April 1999)

<sup>24</sup> three years was the maximum duration of a domestic football banning order, which had been combined with the international football banning order by the time the relevant cases were heard.

As to whether the restriction on the citizen's rights was a proportionate response, the state was entitled to conclude that very firm measures were justified to confront the various sickening ills of football violence. The terms of section 14B(4)(b) of the Football Spectators Act 1989 were amply justified.<sup>25</sup>

## **IV Football (Disorder) Act 2000**

The *Football Disorder Act 2000* came into force on 28 August 2000, the presaging Bill having been introduced in the House of Commons on 12 July, completing all stages on 27 July. The reason for the rush related to the "appalling scenes" involving English hooligans during the Euro 2000 tournament and the imminence of a high risk match between France and England in Paris on 2 September 2000.<sup>26</sup> A recognition of the urgency of the situation existed on both sides of the House.

The measures introduced by the Act are well summarised in a Home Office circular:

1.13 The Football (Disorder) Act makes four important changes to this body of legislation, the first two of which are permanent and the second two temporary unless subsequently renewed by Act of Parliament. The Act is drafted for the most part as a set of amendments to the Football Spectators Act 1989.

1.14 The first key change is that the distinction between domestic and international football banning orders is abolished. When a court imposes a football banning order, it will have the effect of the previous domestic and international banning orders.

1.15 The second change is that a court, when making a banning order, must impose a requirement that the recipient's passport shall be surrendered during periods when the international ban is activated, unless the court believes that there are exceptional circumstances. The imposition of such a requirement was previously at the court's discretion.

1.16 The third change is that, in addition to its imposition as a result of a football-related conviction, a banning order may now be imposed by a magistrates' court in accordance with a civil procedure, following a complaint by the police. The court must be satisfied that the person who is the subject of the complaint has at any time caused or contributed to any violence or disorder in the United Kingdom or elsewhere, and that there are reasonable grounds to believe that making a banning order would help to prevent violence or disorder at or in connection with any regulated football matches.

---

<sup>25</sup> "law report: Football banning orders break neither Convention nor EC law", *Times*, 19 July 2001

<sup>26</sup> HC Deb 13 July 2000 c 1181

1.17 The fourth change will apply when, during a control period when international bans are activated, a police officer has reasonable grounds for suspecting that a person before him or her has caused or contributed to any violence or disorder in the United Kingdom or elsewhere, and for believing that imposing a banning order on that person would help to prevent violence or disorder at or in connection with any regulated football matches. In these circumstances, the officer may, with the authorisation of an inspector, give the person a notice in writing requiring him or her to appear before a magistrates' court within 24 hours and in the meantime not to leave England and Wales. The magistrates' court will then treat the notice as an application for a banning order under the new civil procedure. The Act also gives the police the power to detain a person for up to four hours (or six if authorised by an inspector) while deciding whether to issue a notice.<sup>27</sup>

Section 1 of the Act brings into effect Schedule 1, summarising its effect. The latter amends the *Football Spectators Act 1989*, introducing new sections 14, 14A-J, 21A-D, amending others and amending the list of relevant offences (see Appendix 2, this paper). These changes brought in the new combined (domestic and international) banning order,<sup>28</sup> whether on conviction or complaint, providing for appeals against and termination of orders, and setting out their duration and penalties for contravening their requirements.

4.10 A Banning Order must meet the following conditions as to duration:

In the case where a custodial sentence taking immediate effect was imposed for the original offence-

A minimum period of six years and no more than ten years

In all other cases following conviction -

A minimum period of three years and no more than five years

The Football Spectators Act 1989, section 14(F)<sup>29</sup>

Where a banning order is made under section 14B (the new civil complaint procedure) the period is shorter: between 2 and 3 years. Contravention of the conditions of a banning order, or a notice issued by the Football Banning Orders Authority (e.g. to report to a police station), can attract a penalty of six months' imprisonment and/or a level 5 (£5,000) fine.

The summary powers summarised in paragraph 1.17 above are embodied in new sections 21A-D. A person who has been given a section 21B notice to appear before a magistrates' court may be paid compensation if the court subsequently refuses to make a banning order.

---

<sup>27</sup> Home Office Circular 34/2000, *Home Office guidance on football-related legislation*, October 2000

<sup>28</sup> Schedule 2 removes sections 30-34 (domestic banning orders) from the *Public Order Act 1986*

<sup>29</sup> *ibid.*

Section 5(2) of the 2000 Act provides a "sunset" condition: providing that the powers available under section 14B (banning orders on complaint), section 21A (summary detention) and section 21B (summary notice to appear before a court) expire a year after the Act's commencement. This "initial period" ended on 27 August 2001.

Section 5(4) allows the Secretary of State to make an order extending this period by one year only, an affirmative statutory instrument subject to approval by resolution of each House of Parliament. Further extension of these new powers would require an Act of Parliament.

## **V Football (Disorder) (Amendment) Bill**

The *Football (Disorder)(Duration of Powers) Order* SI 2001/2646 came into force on 28 August 2001, extending for one year the provisions of sections 14B, 21A and 21B of the *Football Spectators Act 1989* (as introduced by the *Football Disorder Act 2000*). The draft Order was debated by the Sixth Standing Committee on Delegated Legislation on 10 July 2001; these proceedings are particularly relevant in view of the fact that the function of the present Bill is to renew precisely the same powers, but without time limit rather than just for a year.

Opening the Standing Committee's debate,<sup>30</sup> the Home Office Minister (John Denham) described the measures whose extension was proposed:

Section 14B empowers magistrates to impose banning orders on individuals who have not previously been convicted of a football-related offence, but in relation to whom there is evidence of involvement in violence or disorder. The complaint process requires the police to satisfy the courts that the person before them had caused or contributed to violence and disorder, and that there are reasonable grounds to believe that making an order would help to prevent violence or disorder in connection with football matches.

Sections 21A and 21B provide a different route to seeking an order on complaint during the control period—the five days before an overseas match involving the England or Wales national team or an English or Welsh club side. Section 21A empowers the police to detain an individual for up to four hours—six hours with the authorisation of an inspector—if a police officer has reasonable grounds for suspecting that that person has caused or contributed to any violence or disorder in the United Kingdom or elsewhere, and believes that imposing a banning order on him would help to prevent violence or disorder at or in connection with any regulated football matches.

---

<sup>30</sup> House of Commons, Sixth Standing Committee on Delegated Legislation, 10 July 2001 2001-02

The purpose of the detention under section 21A is to enable the police to decide whether to issue a section 21B notice. A section 21B notice requires the individual to appear before a magistrates court within 24 hours, and in the meantime he is prevented from leaving England and Wales. The magistrates court will then treat the notice as an application for a section 14B banning order on complaint.

Mr Denham alluded to the "early evidence" that attested to the effectiveness of the measures, and signalled the upcoming introduction of a Bill (the present one) to make them permanent. On the need for the summary powers in sections 21A-B, he argued:

The need for the powers under sections 21A and 21B was also based on the experience of Euro 2000, which confirmed that the police would not always have sufficient time to pursue the banning order process before the control period for a regulated match or tournament had commenced. For example, although the local police may be aware that an individual has caused or contributed to violence or disorder, they will not necessarily know that he has an interest in football and intends to follow the national team overseas to a fixture.

He was unable to say at the time how many section 21B notices (what Simon Hughes styled "report within 24 hours and then we shall decide what to do" notices) had given rise to banning orders. Some information on the application of these, and other, measures came in a Lords written answer:

**Earl Russell** asked Her Majesty's Government:

What types of evidence have been held to justify the making of orders under Sections 21A and 21B of the Football (Disorder) Act 2000; and

How many appeals there have been against banning orders under Section 21B of the Football (Disorder) Act 2000, and what have been the results of any such appeals which have progressed to judgment; and

Further to paragraph 20 of the Home Office Report to Parliament on the Football (Disorder) Act 2000; and the statement there that "the majority of banning orders continue to be made on conviction of a football related offence", how many orders were not so made, on what type of evidence they were based, and how many, if any, were not based on a court conviction.

**The Minister of State, Home Office (Lord Rooker):** The Football Banning Orders Authority advises that in addition to the 44 banning orders on complaint cited in the Home Office report, two orders were imposed and subsequently overturned on appeal. Detailed information on the evidence laid before the courts in each case is not held centrally. However, the authority advises that all persons subject to complaint proceedings, including those prompted by Section 21B

notices, have convictions for violence or public order offences, not necessarily connected with football, committed within the time-scale specified in the Act.<sup>31</sup>

Returning to the Commons Standing Committee debate, Nick Hawkins spoke for the Opposition. He had no objection to the order, though sought reassurance that the measure did not represent a "creeping reduction in the rights of the individual." While not opposing the order as such, Simon Hughes developed this theme further:

My colleagues in both Houses, with some Conservative and Labour Members, sought to draw the Government back from the more draconian proposals that were originally on the drawing board. Indeed, we negotiated the sunset clause and the renewal order as part of a package that allowed the legislation to pass last summer. We support the idea of doing a check now and then to reconsider the legislation, because, without doubt, it takes away liberties and we need to be sure that it does so only when that is justified. That is why sections 14B, 21A and 21B are controversial: people's liberty can be taken away without a conviction. Those matters need to be watched most carefully, and we shall certainly continue to watch them during the coming year.

Strong support for extending the provisions came from a former Sports Minister, Tony Banks:

I welcome the order, as I did during the original debate. Those who said that we were seriously attacking civil liberties and the rights of individuals have been proved utterly wrong. We have helped to restore order among those who travel abroad to support our national team. That has brought our country much international credit.

The *Football (Disorder)(Amendment) Bill*, Bill 26 2000-01, was introduced in the House of Commons on 19 July 2001.<sup>32</sup> A three clause Bill, it repeals sections 5(2)-5(5) of the *Football Disorder Act 2000*. These subsections are reproduced here for convenience:

(2) Subject to subsection (4)-

(a) no application under section 14B of the Football Spectators Act 1989 (banning orders made on a complaint) may be made, and  
(b) no power conferred on a constable by section 21A or 21B of that Act (summary measures) may be exercised,  
after the end of the initial period.

(3) In this section, "the initial period", means the period of one year beginning with the day on which section 14B or (as the case may be) sections 21A and 21B come into force.

---

<sup>31</sup> HL Deb 10 July 2001 c 69W

<sup>32</sup> Home Office press notice 179/2001, *Government gets tough with football thugs as Bill is published*, 20 July 2001

(4) The Secretary of State may from time to time by order provide that such an application may be made, or such a power may be exercised, during any period prescribed by the order, being a period falling within the period of one year immediately following the initial period.

(5) Before making an order under subsection (4), the Secretary of State must lay a report about the working of this Act before each House of Parliament.

Removing these subsections from the 2000 Act would have the effect of renewing, without time limit, banning orders on complaint and summary measures relating to detention and reference to the court. A set of explanatory notes (Bill 26-EN) has been produced by the Home Office.

## VI Further reading

Library Research Paper 00/70, *The draft Football (Disorder) Bill*, 13 July 2000 (and references therein)

Home Office, *Football (Disorder) Act 2000: Report to Parliament*, 20 June 2001

Home Office Circular 34/2000, *Home Office guidance on football-related legislation*, October 2000 <http://www.homeoffice.gov.uk/circulars/2000/hoc3400.htm>

Liberty, *Briefing on the draft Football (Disorder) Bill*  
<http://www.liberty-human-rights.org.uk/mlobby21.html>

Debates during the passage of the *Football (Disorder) Bill 1999-2000*:

- HC Deb 13 July 2000 cc 1181-264 (second reading)
- HC Deb 17 July 2000 cc 33-189 (guillotine motion and all stages)
- HL Deb 20 July 2000 cc 1182-262 (second reading)
- HL Deb 24 July 2000 cc 146-272 (committee stage)
- HL Deb 25 July 2000 cc 299-352; cc 368-410 (report stage)
- HL Deb 26 July 2000 cc 450-81 (third reading)
- HC Deb 27 July 2000 cc1278-315 (guillotine motion and Lords amendments)

Sir Norman Chester Centre for Football Research, *Factsheet 1: Football and Football Hooliganism*, <http://www.le.ac.uk/snccfr/research/fsheets/fofs1.html>

<http://www.homeoffice.gov.uk/atoz/football.htm> (football pages on the Home Office website, with links to relevant documents)

"Football violence on the rise", *BBC News Online*, 15 August 2001  
[http://news.bbc.co.uk/hi/english/uk/newsid\\_1491000/1491743.stm](http://news.bbc.co.uk/hi/english/uk/newsid_1491000/1491743.stm)

## Appendix 1: Working Group on Football Disorder

### EXECUTIVE SUMMARY: HEADLINE FINDINGS<sup>33</sup>

The working group was set up in the wake of events during Euro 2000 and the introduction of tough new legislative measures. The aim was to examine the dynamics of football disorder; identify the measures necessary at all levels of the game to improve the image of English football; and to help exploit the potential of football as a vehicle for promoting social inclusion.

The group's deliberations encompassed a wide range of inter-related issues. The headline findings include:

#### **Communications**

Effective communications and productive partnerships essential at all levels of the game.

Football disorder overseas cannot be divorced from its wider social context

Multi-agency communications strategy to combat xenophobic, racist and threatening images of English identity

Communications advisory group to consider merits and potential impact of high profile publicity campaign

Advisory group to engage media in dialogue about English football and its role in promoting positive, rather than negative, images of English football and supporters

Football authorities to review how they liaise with supporter groups to show that they recognise fans as stakeholders as well as customers

English football to publicise overseas its work and commitment to tackling social alienation, anti-social, racist and criminal behaviour and to promote social inclusion.

#### **ENGLAND DISORDER OVERSEAS**

Again, cannot be divorced from wider social problems

But Government, police, football authorities and supporters must act in unison to tackle football manifestation

---

<sup>33</sup> Working Group on Football Disorder (chaired by Lord Bassam), *Report and Recommendations*, March 2001 (The report goes on to present 55 recommendations in tabular form, identifying lead agencies, key players and target dates)

Not straightforward – the dynamics of the disorder are complex.

Multifaceted approach required

Troublemakers must be isolated from majority of supporters and tough new measures implemented

Self-fulfilling prophecy element of disorder must be tackled

England support needs to reflect wider social and cultural nature of society generally – no easy solution.

Government, football authorities, police to nurture partnership with fans

Home Office “ask-the-football-fans” website to be expanded

Government to maintain support for ‘Fans Embassies’ and other initiatives designed to improve image of supporters and provide support to fans overseas

### **NEW ENGLAND MEMBERS CLUB**

Active participation of membership required

Membership conditional on sharing of behavioural criteria and acceptance of vetting process

EMC must strive to be more socially and culturally representative of modern society – a range of targeted promotional initiatives required. Success dependent on change of atmosphere at England matches overseas. No place for racists or violent fans.

Ticketing balance required – encouraging diversity and rewarding loyalty

EMC to help combat supporters’ sense of exclusion

### **TOURNAMENT PREPARATIONS**

EMC representatives and other supporter groups to be involved in multi-agency preparations for overseas tournaments

Host police to be encouraged to adopt intelligence-led, high profile, low friction strategy and Dutch “friendly but firm hospitality-orientated approach”.

Further research into impact of policing and other public safety tactics on supporter behaviour

### **ENGLISH STEWARDING OVERSEAS**

Detailed evaluation of feasibility of using English stewards overseas

### **CLUB SIDES OVERSEAS**

No significant English disorder since Euro 2000

Host authorities to be encouraged to make safety of English supporters integral to policing preparations and tactics

Premier League clubs to consider liaising with travelling fans before and after European matches and reflect supporter perspective in UEFA match planning meetings

### **DOMESTIC FOOTBALL**

Disorder in stadia rare – arrests for football-related offences low

Hidden menace of violent clashes between organised groups of rival fans – rarely impacts on ordinary supporters

Clubs with travelling fans who misbehave to consider controlling sale of ticket allocations

### **BROADENING THE APPEAL OF THE DOMESTIC GAME**

Clubs to be encouraged to view number of arrests and ejections for racist behaviour as positive action against small minority not indicative of large scale racist support

ACPO initiative to police racism out of football

Cultural awareness/tackling racism training module for all stewards

Clubs to be reminded to act on third party complaints of racism

Supporter groups to be funded to help deliver a supporter-generated anti-racism initiative within grounds

Closer links and better communication between stewards and supporters

Spectator complaints procedure to be highlighted

Guidance on stewarding to be issued to visiting fans

Clubs to be reminded to treat home and away fans equally

Clubs to explain stewarding strategies, training and achievements

### **GRASSROOTS FOOTBALL**

Football uniquely placed to provide a vehicle for promoting social inclusion and helping to tackle social alienation and anti-social/criminal behaviour

FA to consider how best to equip County FAs to deliver 'national game' strategy

Local football partnerships integral to 'Neighbourhood Renewal' strategy – setting-up of formal, multi-agency partnership structure to be examined.

Development of local authority sports strategies to be encouraged

'Tool kit' of social and public order benefits of widespread provision of football and other sporting facilities and opportunities to be produced

Government Departments to be encouraged to fund football initiatives to help promote social inclusion and Neighbourhood Renewal – response to be monitored

Awarding and deducting points scheme to encourage grassroots clubs to act against offensive, intimidatory and racist behaviour under consideration

## **TACKLING RACISM IN FOOTBALL**

IFC Monitoring of implementation of Task Force recommendations on Eliminating racism from Football

Increased funding for Kick it Out

Club equity codes of conduct to be monitored and sanctions for non-delivery introduced

Good practice on tackling racism to be disseminated to clubs

More support for Show Racism the Red Card and other local anti-racism initiatives

## **COMMUNITY INVESTMENT**

A community investment skills programme to be introduced to enhance club support for, and links with, local communities

Clubs urged to develop partnerships with local communities.



## Appendix 2: Football-related offences

### FOOTBALL SPECTATORS ACT 1989<sup>34</sup>

#### Schedule 1 (as amended)

#### Relevant Offences

1. This Schedule applies to the following offences:

- a. any offence under section 2(1), 5(7), 14J(1) or 21C(2) of this Act;
- b. any offence under section 2 or 2A of the Sporting Events (Control of Alcohol etc.) Act 1985 (alcohol, containers and fireworks) committed by the accused at any football match to which this Schedule applies or while entering or trying to enter the ground;
- c. any offence under section 5 of the Public Order Act 1986 (harassment, alarm or distress) or any provision of Part III of that Act (racial hatred) committed during a period relevant to a football match to which this Schedule applies at any premises while the accused was at, or was entering or leaving or trying to enter or leave, the premises;
- d. any offence involving the use or threat of violence by the accused towards another person committed during a period relevant to a football match to which this Schedule applies at any premises while the accused was at, or was entering or leaving or trying to enter or leave, the premises;
- e. any offence involving the use or threat of violence towards property committed during a period relevant to a football match to which this Schedule applies at any premises while the accused was at, or was entering or leaving or trying to enter or leave, the premises;
- f. any offence involving the use, carrying or possession of an offensive weapon or a firearm committed during a period relevant to a football match to which this Schedule applies at any premises while the accused was at, or was entering or leaving or trying to enter or leave the premises.
- g. any offence under section 12 of the Licensing Act 1872 (persons found drunk in public places, etc.) of being found drunk in a highway or other public place committed while the accused was on a journey to or from a football match to which this Schedule applies being an offence as respects which the court makes a declaration that the offence related to football matches;
- h. any offence under section 91(1) of the Criminal Justice Act 1967 (disorderly behaviour while drunk in a public place) committed in a highway or other public place while the accused was on a journey to or from a football match to which this Schedule applies being an offence as respects which the court makes a declaration that the offence related to football matches;

---

<sup>34</sup> taken from Home Office Circular 34/2000, *Home Office guidance on football-related legislation*, October 2000, <http://www.homeoffice.gov.uk/circulars/2000/hoc3400.htm>

- i. any offence under section 1 of the Sporting Events (Control of Alcohol etc.) Act 1985 (alcohol on coaches or trains to or from sporting events) committed while the accused was on a journey to or from a football match to which this Schedule applies being an offence as respects which the court makes a declaration that the offence related to football matches;
- j. any offence under section 5 of the Public Order Act 1986 (harassment, alarm or distress) or any provision of Part III of that Act (racial hatred) committed while the accused was on a journey to or from a football match to which this Schedule applies being an offence as respects which the court makes a declaration that the offence related to football matches;
- k. any offence under section 4 or 5 of the Road Traffic Act 1988 (driving etc. when under the influence of drink or drugs or with an alcohol concentration above the prescribed limit) committed while the accused was on a journey to or from a football match to which this Schedule applies being an offence as respects which the court makes a declaration that the offence related to football matches;
- l. any offence involving the use or threat of violence by the accused towards another person committed while one or each of them was on a journey to or from a football match to which this Schedule applies being an offence as respects which the court makes a declaration that the offence related to football matches;
- m. any offence involving the use or threat of violence towards property committed while the accused was on a journey to or from a designated football match being an offence as respects which the court makes a declaration that the offence related to football matches; .
- n. any offence involving the use, carrying or possession of an offensive weapon or firearm committed while the accused was on a journey to or from a football match to which this Schedule applies being an offence as regards which the court makes a declaration that the offence related to football matches.
- o. any offence under the Football (Offences) Act 1991.
- p. any offence under section 5 of the Public Order Act 1986 (harassment, alarm or distress) or any provision of Part III of the Act (racial hatred) -
  - i. which does not fall within paragraph (c) or (k),
  - ii. which was committed during a period relevant to a football match to which this Schedule applies, and
  - iii. as respects which the court makes a declaration of relevance that the offence related to a match or to that match and any other football match which took place during that period;
- q. any offence involving the use or threat of violence by the accused towards another person -
  - i. which does not fall within paragraph (d) or (m),
  - ii. which was committed during a period relevant to a match to which this Schedule applies, and

- iii. as respects which the court makes a declaration that the offence related to that match or to that match and any other football match which took place during that period;
- r. any offence involving the use or threat of violence towards property -
  - i. which does not fall within paragraph (e) or (n) above,
  - ii. which was committed during a period relevant to a football match to which this Schedule applies, and
  - iii. as respects which the court makes a declaration that the offence related to that match or to that match and any other football match which took place during that period;
- s. any offence involving the use, carrying or possession of an offensive weapon or a firearm -
  - i. which does not fall within paragraph (f) or (o) above,
  - ii. which was committed during a period relevant to a football match to which this Schedule applies and;
  - iii. as respects which the court makes a declaration that the offence related to that match or to that match and any other football matches which took place during that period
- t. any offence under section 166 of the Criminal Justice and Public Order Act 1994 (sale of tickets by unauthorised persons) which relates to tickets for a football match.

2. Any reference to an offence in paragraph 1 above includes -

- a. a reference to any attempt, conspiracy or incitement to commit that offence; and
- b. a reference to aiding and abetting, counselling or procuring the commission of that offence

3. For the purposes of paragraphs 1(g) to (o)

- a. a person may be regarded as having been on a journey to or from a football match to which this Schedule applies whether or not he attended or intended to attend the match; and
- b. a person's journey includes breaks (including overnight breaks).

4. In this Schedule "football match" means a match which is a regulated football match for the purposes of Part II of this Act.

