

Sports Policing Tools in a Changing World

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Based on the research into the relationship between sport and policing we can say that sports policing is a specific part of sports administration. The paper seeks answers to the following questions: What are the reasons for football hooliganism? What previous events, stadium disasters have happened in the last few decades that focussed the attention of those concerned with securing events on the fact that the established practice needed to be changed and new legal norms had to be established? Lord Justice Peter Taylor was the first to point out all these issues, after, in co-operation with a committee, he had conducted a detailed analysis of the problems. His proposals radically changed the image of both modern British and European soccer, as well as the related Hungarian rules and regulations.

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After examining the relationship between sport and law enforcement, I came to the conclusion that sports policing is a specific part of sports administration. It can be interpreted in narrow terms and clearly defined as a special field of policing. A range of laws provides for everything related to sports policing, supplemented by regulations issued by the specific associations, which serve as directions concerning both keeping sports policing records and securing sports events.²

In the second half of the 20th century hostilities became more and more intensive between various sports clubs and sports fans in sports grounds, especially in stadiums. The self-regulation of sport is not enough when we have to deal with rowdy groups; when they filled the empty stadiums, as time passed, the internal standards often mentioned as “lex sportiva” were insufficient and the introduction of new legal instruments became necessary. Thus, safety at sports events today is guaranteed by 18 acts, 14 decrees and, for example in the case of football, five internal regulations issued by the association of this particular sport. Issues related to securing sports events concern problems of the whole society, law, law enforcement and morals.³

When it restores public safety after an attack against it and when it guards public safety under threat, law enforcement in fact manages emergency situations. Sports

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² Tóth (2016) 292.

³ Tóth (s. a.) 20.

policing can also be interpreted as a kind of peripheral area. The examination of the peripheral areas of law enforcement is essential when we conduct research into this topic, as the actors of private security during sports events provide safety when safeguarding sports events.

In this paper, I seek answers to the following questions: What are the reasons for football hooliganism? What preliminaries, disasters in various stadiums have happened in the last few decades that focussed the attention of those involved in securing events on the fact that the existing practices had to be changed and that the creation of new legal instruments was necessary?

“Complacency is the enemy of safety”, Taylor wrote in his report on his experience gained about securing sports events, which radically changed the regulations in Europe.⁴ I wish to present Taylor’s ideas, which he formulated for the sake of a better future for football.

Crowd Behaviour at Sports Events

Stadiums are often considered mystical places. It was here that the ancient Greeks offered their victories to their gods and it was also here that so-called irregular events happened before, during and after matches, triggered by flaring tempers, whereas feelings running high were induced by the match itself.⁵

First of all, it is important to point out that a football stadium is the scene of symbolised violence. It is called into being by the football fans, without whom it is merely an architectural work, a structured space. The role of the stadium changes depending on the composition of the fans and their value systems. Based on the research findings of József Végh we know that the fans become part of some kind of a role system, which influences their behaviour as a compelling force. They are issued this role, based on the internal governing principles and communication rules issued to them in a pen in the stadium selected deliberately or at random.⁶

The individual is dissolved in the crowd and is released from social control. The fans feel that they are anonymous. In his work published in 1895, entitled *The Crowd: A Study of the Popular Mind* (literally: Psychology of Crowds), Gustave Le Bon laid down the classic theory of crowd behaviour. Le Bon himself, too, looked upon the crowd with consternation and fear and pronounced his contempt of it. György Csepeli made it clear in his book entitled *Social Psychology* that Le Bon’s aim was to help the leaders of contemporary society to understand the behaviour of the crowd, so that, equipped with this knowledge, they would be able to manage and avert risks and threats posed by the gathering of a large number of people. Le Bon goes as far as to establish that the crowd will at all times and in every case obey external stimuli, therefore it is fairly easy to induce it to behave in a destructive and deviant way, because it completely lacks the

⁴ Final Report (1990) 5.

⁵ Tóth (2017) 13.

⁶ Végh (2001) 36.

ability to foresee and consider things. As a direct consequence, it is almost impossible to control or “govern” a crowd or to predict how it is going to behave. Even its leaders are incapable of that, therefore even they may lose control at times.⁷

In his PhD dissertation Ferenc Less mentions that Le Bon’s contemporary, Cesare Lombroso also agreed that an individual’s deviant behaviour is not directed by his own will. Contrary to Le Bon’s statements, however, Lombroso ascribed this phenomenon to the biological, psychological and social inclinations of the individual. Less points out that among the scientists questioning Le Bon’s and Lombroso’s statements Floyd Allport denies the existence of collective psyche or group consciousness. In his opinion only individual consciousness exists and the individual is not transformed in a crowd, the only difference is that there are more people there. While the classical theory claims that individuality fades in the crowd, Allport thinks that it does remain awake, only at a given time and place the personality of the individual unites with that of the other people in the crowd. He also states that social behaviour occurs in places where the individuals who meet have congruity manifested in the basic rules and qualifications as well as similar characters, appropriate for the situation. Therefore, those in a disorderly crowd have common characteristic features; criminal, violent and antisocial personality traits in particular. According to Stott et al., this theory is decisive even today and continues to exist in the Leicester school, which argues that football matches are frequented mainly by fans who consider “toughness” a working class value and who become disposed to violence as they socialise.⁸

The Classification of Football Supporters

In the mid-1990s Miklós Hadas identified the various groups of fans. Spectators are interested in the game and they seek entertainment in football. If they cannot find it, the only thing they do is look for some other pastime. Fans, however, are more concerned with the sport and the particular teams and they are committed to their club. A passive fan will mostly root for his team sitting in front of the television, and the same applies to a minor, who is not allowed to go to matches on his own yet. The active supporters can be divided into various groups. Fans visit matches regularly, they convert the stadium into a theatre, they paint their faces and wear various clothes related to their clubs.⁹ Real football fans will not fight but they may get involved in some kind of a disturbance. Many of them will wear the jersey of their adored team even when going out, by which they will provoke the rage of the opponent’s fans.

Another group of active supporters is that of the hooligans, most of whom are past the “fan phase”. Their behaviour is typically aggressive and it is further increased by the atmosphere in the stadium. Typically, they want to demonstrate the power of their team outside the football pitch, too. The ultras, however, are members of a group that

⁷ Csepeli (2001) 157.

⁸ Less (2016) 90, 91.

⁹ Freyer (2003) 76.

can certainly be considered extremist. The literature also mentions a third group, made up of rowdy, hard drinking, declassed people. At times even groups representing extreme political motivation appear in the arenas. Interestingly, Miklós Hadas drew the conclusion from his research of 1995 that hooligans came from the lower classes of society, whereas most of the ultras of those times had higher qualification.¹⁰

In his report of 1989, Taylor refers to an earlier report written by Mr Justice Popplewell, which also defines the concept of hooliganism and its main features.

Football Hooligans

Firstly, it explodes three popular myths about hooliganism, saying that it is not new, it can be found not only in soccer matches, and it is not a specifically British phenomenon. Discussing what Mr Justice Popplewell wrote about the nature of football hooliganism, Taylor agrees that there is no simple explanation for all the misbehaviour related to football and there is no one ultimate solution for it. However, he points out that it is very important to make a clear distinction between the various groups of hooligans.

He differentiates between those whose spontaneous misbehaviour is a response to some grievance (they think they have suffered, such as a goal against their team, a doubtful decision of a referee) and other groups called “new hooligans” who are determined to cause trouble for its own sake. Interestingly, those who belong to this latter group often have good jobs, dress stylishly and keep a distance from the “real” fans, who wear club scarves and travel on official coaches or trains. For them violence is a pastime in itself to which football only serves as a background. It is these groups that animate other fans who would not otherwise misbehave and this way the influence of the “new hooligans” can be larger and disproportionate to their numbers.¹¹

In his summary of the nature and motivation of hooligan groups Mr Justice Popplewell states that there has always been a small group who simply like violence and they often exhibit it in pubs, the city centre or elsewhere. The football ground and the football match, however, serve as an ideal “theatre” and occasion for them to display their aggressive tendencies. They have a clear target: the opposing fans, whose nature they know very well. Their presence and that of the police is certain and so is that of their own support. The date and place are fixed and the battle lines can be drawn. Plans can be made well in advance for the particular acts of violence.

Mr Justice Popplewell, too, establishes that it is no longer the so-called “rough” working class alone that is involved in this form of violence. Although the majority of today’s hooligans do fit into that category, others come from a variety of backgrounds; many have reasonable jobs and earn a proper living.

Referring back to the first group who are basically not particularly bent on violence, Mr Justice Popplewell expresses his opinion that they are affected by the “new hooli-

¹⁰ Hadas–Karády (1995) 25.

¹¹ Final Report (1990) 8.

gans". When they see violence being exercised, without impediment, after a while it becomes accepted as the norm. People expect the spectators on the terraces to behave in an aggressive way and to use foul language, which would not be tolerated elsewhere. He also points out that the feeling of anonymity in the crowd results in the loss of inhibition and self-discipline. The whole atmosphere caused by the association with those of a similar character, the enthusiasm and the partisan support for the team can certainly create a situation which can easily end in violence.

The third group identified by Mr Justice Popplewell (who are not always separate from the other two groups) also cause violence but it is for a (real or supposed) reason. They may become annoyed if they cannot get into the ground quickly enough or if rival spectators occupy a part of the ground which they consider their own.

In conclusion, Taylor confirms the findings of Mr Justice Popplewell, including the fact that the vast majority of spectators hate violence and only want an afternoon of pleasure at a football match. He notes though that the importance of a further element, namely alcohol should not be neglected.¹²

Managing Football Hooliganism

Further in his report, Taylor elaborates on how football hooliganism should be dealt with. Firstly, he says that he understands the reasons leading to the codification of the Football Spectators Act of 1989. However, he has serious doubts concerning its feasibility in the national membership scheme and whether it will achieve its purposes in terms of safety and its impact on police commitments and the control of spectators, therefore he cannot support the implementation of Part I of the Act.

He further emphasizes that even a package of measures introduced to defeat football hooliganism will not solve problems in a short time. The strategy he suggests involves the combination of several measures, such as:

- “(i) Developing the detection and evidential potential of CCTV and the new National Football Intelligence Unit;
- (ii) Prohibiting, by creating criminal offences, three specific activities in the ground:
 - (a) throwing a missile;
 - (b) chanting obscene or racist abuse;
 - (c) going on the pitch without reasonable excuse;
- (iii) Extending the courts’ power to make attendance centre orders, in conjunction with exclusion orders, for football related offences on occasions of specified matches so as to keep hooligans away from football grounds;
- (iv) Using electronic monitoring (tagging) for the same purpose.”¹³

¹² Ibid.

¹³ Final Report (1990) 75.

Taylor points out that the above four measures are aimed at and will affect only the hooligans. He states that apart from imprisonment, measures (iii) and (iv) are aimed not only at banning hooligans from the ground but also at preventing them from getting into it or near it during matches. Taylor expresses his belief that these measures will provide a good opportunity to eliminate or minimise football hooliganism if combined with all-seating stadiums, better facilities and crowd control and better training of police and stewards.¹⁴

Roles in Football Supporters' Crowds

We can identify various roles football fans assume in the crowd, such as formal leader, informal leader, "Master of Ceremonies", provoker, supporter, instigator, onlooker, observer, victim, peacemaker, liaison, lone wolf and football fan. The formal leader openly acknowledges that he is the leader of the group. He organises the activities of the group and instructs the members. By his behaviour he establishes a pattern that people close to him may follow. The so-called masters of ceremonies come up with terrace chants. They help the myth about the unity of the group to live on and get stronger. Being loud they want to make the impression that they are strong. The task of the provoker is to arrange things so that the group's actions will seem justified and fair, to use aggression to annoy the opponent's fans and to force them to give a response. József Végh thinks it is important to mention those assuming the victims' role, too. There are fans who need to get minor injuries every week. During off-season they clash with others in the street. That is when they calm down, when the unbearable internal nervousness and tension ceases and they feel happy. This is when they feel important. It is obvious that many of the fans find a suitable role for themselves beyond their individual identity, which makes them feel stronger and better, to be worth more than in their drab, everyday life.¹⁵

Questions related to securing sports events give rise to legal, policing and moral problems and issues related to society as a whole. The phenomenon of verbal and physical violence at sports events, commonly known as sports hooliganism involves complicated interrelations. 94% of supporters manifest such activities at soccer matches.

"It is the feast after the victory, the experience of the omnipotence of power that leads to celebration. The hunger for experience drives the supporters to the match, where they project themselves to the chosen team. If their team win they feel it is them who has won, that is, they experience glory. If, however, their team leave the pitch as the defeated party, because of this blending they will feel humiliated. As a consequence, sometimes they will turn their aggression against their team, but more often they will want to get even with the supporters of the opponent. For the defeated team's supporters the stadium is the scene of collective grief. It is important for every team's

¹⁴ Ibid.

¹⁵ Végh (2001) 39.

supporters to maintain their own sense of identity. They indicate very precisely what their being together is about, whether it is peaceful support shown for the team or fights.”¹⁶

There is no other sport that is capable of moving such a huge crowd regularly, from time to time, on the occasion of its more significant events. As we know, the matches of higher importance may often be of interest to many, even several tens of thousands of people, which presents an increased level of risk for the organisers. No other sport sharpens the contrasts between the opposing cheering sectors to such an extent, which is intensified by the separation inside the stadium. The fans of the same team are placed in one pen, which intensifies the feeling of relatedness in them, it makes them feel stronger. At the same time the fans of the opponent are fairly close; they are shut together, confined to a relatively small space.¹⁷

The various events attracted large crowds already in the ancient times. The most famous sports war of history broke out in Constantinople, in January 532 A.D. The arrest of seven members of the parties of the blues and the greens – who were facing each other not only as supporters of various competitors but also as political organisations – suspected of having committed a murder resulted in a riot and a mass murder at the scene of the chariot races, in the Hippodrome.¹⁸

“Football fans constitute a special group of people. Because of them, soccer has been degraded into a business and the matches have become battles between cities and countries. The psychology and whims of fans are examined by psychologists, sociologists and physicians worldwide. Fanatic fans are the most dangerous. It has been proven that they are capable of anything: to fight, or even to murder others. They are willing to kill and to be killed.”¹⁹

Several dozens of stadium disasters have happened in the last one hundred years. A large crowd turning up regularly in football stadiums is a new social phenomenon that emerged in the first years of the 20th century. Only war situations, political mass gatherings, religious festivals, outstanding cultural events and sometimes competitions in some other sports entail the presence of such large masses of people. Crowdedness, the too vehement manifestation of feelings, disturbances, in many cases insufficiencies in the organisation or the inadequate state of the stadiums and on several occasions tragic coincidences have led to grievous accidents in stadiums from time to time.²⁰

As football hooliganism first assumed major proportions in the United Kingdom, the first research projects into the topic also started there. Taylor had been examining the social reasons for and effects of football hooliganism since the late 1960s. Dunning presented the roots of the behavioural patterns on the terraces. He wrote about a boring society where sport was one of the few opportunities for the people through which they

¹⁶ Végh (2001) 39, 40, 42.

¹⁷ Tóth (2017) 13.

¹⁸ Szabó (2003) 5.

¹⁹ Kocsis (1986) 20.

²⁰ Tóth (2017) 14.

can indulge in their positive and negative emotions. Roversi discussed the situation in Italy. He defined the concept of football hooliganism very precisely: “The term *football hooliganism* refers to all the forms of rudeness happening among the spectators. The name comes from England, where it first appeared and where it assumed such large proportions. This phenomenon could be described as the mixture of vandalism and systematic, bloody aggression, typical of certain groups of young people and committed by peer groups inside and outside the stadium.

This type of brutality appeared in Italy at the beginning of the 1970s. It was closely related to groups of fans coming into existence, known as ultras. These groups have a past that goes beyond the limits of physical brutality.”²¹

A few years ago masses of people commemorated the tragedy that happened 25 years before and that changed British soccer forever. After the victims’ families fought for 27 years in courts, the Liverpool fans were acquitted. The court established that the negligence of officers taking measures, the deficiencies of the stadium and the nearby exits not having been opened in time had also contributed to the tragedy. Both police and disaster management units – including ambulance – arrived too late. When the match started, a large number of Liverpool fans were still trying to get to the football ground. The police opened the gates and the fans thronged to the terraces through the tunnels. By that time, however, the terraces had been jam-packed. As more fans forced their way in, those standing at the front were pushed against the iron bars in front of them, which were closed so as to prevent the fans from running onto the ground. Six minutes after the beginning, the referee interrupted the match but the gates were opened too late. The death toll was 96 and more than 200 people were injured.

Lord Justice Peter Taylor worked together with a committee and carried out a detailed analysis of the disaster. His recommendations, for example the establishment of all-seating stadiums without perimeters, radically changed the image of modern British (and later European) soccer.

All-seating Stadiums

Taylor does not think there is one solution that could solve all the problems related to safety, problems of behaviour and crowd control. Still, he argues that seating can achieve more than other single measures. Apart from being more comfortable than standing, its significance lies in providing every spectator with his own small piece of territory in which he can feel secure, not being in close physical contact with others, not being pushed or moved about, thus not feeling the pressure of people behind or around him. It is also more comfortable for women, elderly men and young children, who are not bothered by more robust people. The number of fans in the stadium is much easier to monitor, too. Also, while there is still crowd pressure on stairways when entering and especially when leaving the stadium, it is easier for the authorities to

²¹ Freyer (2003) 74, 75.

eliminate efficiently the involuntary and uncontrolled crowd movements induced by incidents in the game.²²

Taylor also gives examples of “ground redevelopment”, i.e. useful improvements made in existing football stadiums, mainly at major ones where resources can be generated and where there is sufficient space.²³

The Taylor Report was preceded by eight other reports, also written following disasters at sports events. Among them we should highlight the Wheatly Report, following which the first edition of the Green Guide was published in 1973, after which the British Parliament adopted the Safety of Sports Grounds Act in 1975. All the issues that were mentioned by Taylor and the proposed solutions had been subjects of detailed investigations in the previous 60 years.

“Previous Reports Unheeded”

In his report, Taylor expresses his grave disappointment at the fact that the Hillsborough disaster happened after the eight previous reports on crowd safety and control at football grounds and the three editions of the Green Guide. Most of the eight reports were preceded by disasters; the disorder at the Cup Final in 1923 (Report of 1924), the disaster at Bolton Wanderers ground in 1946 (The Hughes Report of 1946), the Lang Report of 1969 (preceded by the Chester Report on “The State of Association Football” commissioned by the Government in 1969, drawing attention to problems of crowd behaviour), the disaster at Ibrox Park in 1971 (Lord Wheatley’s Report on Crowd Safety at Sports Grounds, 1972) and the Bradford Disaster in 1985 (Mr Justice Popplewell’s report of 1986). The McElhone Report of 1977 on Football Crowd Behaviour of Scottish supporters was commissioned by the Secretary of State for Scotland and in 1984 an Official Working Group on Football Spectator Violence set up by the Department of Environment presented a further report. The Green Guide had its second edition in 1976 and a third one 10 years later, which also included Mr Justice Popplewell’s recommendations.²⁴

Taylor examined not only stadiums but also the facilities of many other sports. However, he clearly established that the most important task is to ensure the safety of football stadiums, on the one hand because football can be considered the sport of the nation and, on the other hand, because it moves the largest crowds. He considers overcrowding the greatest threat but his investigations show that disasters also result from outdated stadiums, poor facilities, hooliganism, excessive drinking and poor management, because the proposed and enforced standards in this area strongly influence crowd safety and crowd behaviour. He sadly establishes that despite the fact that it was Britain that gave football to the world, its image is now blemished.²⁵

²² Final Report (1990) 12.

²³ Final Report (1990) 20.

²⁴ Final Report (1990) 4.

²⁵ Final Report (1990) 5.

Segregation

Taylor pays special attention to the segregation of opponent fans, the main feature of the contemporary crowd control policy. He says that separating rival groups of fans will not reduce hostility. On the contrary, it wants only to restrain them, while it creates an *us and them* attitude, channelling aggression, focussing it on a physically distinct group. Because they know that the opponent is physically prevented from retaliating, they are urged to behave in a way in which they would not if they were not separated. Taylor also alludes to the self-fulfilling prophecy that if groups of people are separated and labelled as potential offenders, they will become wrongdoers. Thus, merely controlling the symptoms of hooliganism and maintaining it for the sake of the excitement at football grounds has led to the “disease” intensifying instead of being cured. Taylor argues that, although the composition of the population visiting soccer and rugby matches is similar, due to no segregation, there are no hooliganism issues at the latter.²⁶

He concludes that it is impossible to manage crowd behaviour and provide safety using one single method. From using only law enforcement he shifts to what he calls an integrated approach. He realises that fans should not and cannot be subdued by merely applying criminal measures. He thinks that communication should also be developed both in the direction of fans and the media. The fans drinking too much alcohol poses a great problem. Taylor also directs attention to the outdated nature of infrastructure and the incompetence of the leaders of the national and the soccer organisations.

Taylor also examined experience in Europe, mainly through the model presented in the Netherlands and Italy, as well as the relevant FIFA regulations.

Europe

He concludes that both national and European football authorities have increased support for all-seating stadiums, which is also manifested in regulations.

Due to the FIFA World Cup held in Italy, since April 1990 Italian open air facilities with a capacity of more than 10,000 spectators at football games and covered ones with a capacity of more than 4,000 spectators have had to be all-seating, with numbered seats, each not less than 0.45 metres wide, according to a decree issued by the Italian Ministry of the Interior.

Similar changes were made in the Netherlands, where the Dutch Football Association provided for the number of standing places to be cut and all the football stadiums to be gradually converted into all-seater by the end of the 1990s.

Taylor also refers to the resolution UEFA is considering at the time of the Final Report being written, which proposes that for the season only 80% of the standing tickets may be sold and until 1999 there should be a 10% decrease on their sales each season.²⁷

²⁶ Final Report (1990) 6.

²⁷ Final Report (1990) 14.

The resolution passed by FIFA in 1989 suggests that from the preliminary competition for the 1994 World Cup (starting in autumn 1992) matches should only be played in all-seater stadiums. The resolution also lays down that from 1993 the Confederations and National Associations should hold high-risk matches in their zones only in all-seater stadiums. UEFA also defined high-risk matches in its regulations:

I. All UEFA final and semi-final ties of the UEFA club competitions as well as final tournament matches of the European Football Championship.

II. When as such by UEFA on the basis of previous incidents of supporters of one or both teams or of other exceptional considerations.

III. When it is expected that visiting team supporters will exceed of stadium capacity or will exceed 3,000 persons.

IV. When full capacity stadium is expected or more than 50,000 spectators present.

V. When the match is likely to attract a large number of emigrants/foreign workers originating from the country of the visiting team, who live either in the country where the match is being played or in neighbouring countries.”²⁸

Taylor establishes that world and European football authorities have clearly decided to insist on all the stadiums housing international matches being converted to all-seating. Therefore, although their resolutions are not compulsory for the British League, similarly to the Netherlands and Italy, the British authorities should adopt these good practices for the sake of safety and control.²⁹

As mentioned before, Taylor’s was the ninth report on the subject. By then 306 people had been killed in 27 disorders at British stadiums and more than 3,500 were injured. As I have referred to it earlier, Taylor urges the legal procedures to be speeded up, the amount of punishment to be raised and the creation of new legal institutions to keep those convicted earlier of football-related offences away from the grounds. He also highlights the importance of the issue of admitting people to the stadium and the tools ensuring physical separation within the facility, especially the perimeter fence. In order to protect the pitch, he proposes the gangways as no-go areas for standing to be indicated with red and white tapes, crossing which would automatically entail serious punishment.

Fences

Perimeter fences were installed at many grounds during the 1970s to prevent fans from invading the pitch and after the Hillsborough disaster some clubs took them down. However, as Taylor has already indicated in his Interim Report, due to this, a few weeks after Hillsborough there were incidents of pitch invasions in several stadiums. Taylor therefore made a concession by saying that while keeping the fence, the gates to the pitch should be kept fully open. Later, when he visited football grounds, he saw

²⁸ Final Report (1990) 14–15.

²⁹ Final Report (1990) 14.

a wide range of solutions from high fences with horrible spikes suitable even for a prison, through ones with vertical spikes, to lower fences without any spikes. The material of the fences also varied, as did the number and position of gates and the system of closing/locking and opening them. He also saw some good practices, such as stewards demonstrating the escape routes to the gates leading to the pitch, similarly to flight attendants on an airplane.³⁰

Events like football matches and their location also provide an opportunity for those who need a crowd to cause disturbances or commit disorderly acts by using the faceless character of these crowds. Physical proximity and the separation of opponent camps of fans stimulate such behaviour. The smaller the area is where the fans are crushed together, the larger the internal pressure becomes and the more aggressive these people within the crowd are.³¹ That is what Taylor, too, observed at the matches mentioned in his report.

Taylor also defines what he calls “minimum standards of safety” at sports facilities and looks into existing regulations concerning it. One of the main elements of these is the Home Office Guide to Safety at Sports Grounds (Green Guide), which formulated guidelines in order to provide safety for the spectators at the stadiums.

Minimum Safety Standards

Taylor underlines the connection between safety and crowd management. While he admits that safety measures and improvements may be costly and therefore a problem for less well-off clubs, he also highlights that the spectators’ safety should come first, and even the less successful clubs should fulfil the minimum requirements. However, the legislation and other regulations in effect in 1989, even after Hillsborough did not enforce even a basic level of safety. Taylor names the relevant legal instruments such as the Safety of Sports Grounds Act (1975) as amended by the Fire Safety and Safety of Places of Sport Act (1987) and the Green Guide. According to the 1975 Act, local authorities were entitled to issue Safety Certificates, mandatory for operating sports grounds and had discretionary powers to define the requirements necessary for these certificates “to secure reasonable safety” and to demand alterations or additions to be made in the stadiums if needed. Stipulated by Section 2(2) of this Act, these certificates specified the maximum number of people allowed to be admitted to the whole and to certain parts of the stadium. They also included conditions regarding the number, size, position, maintenance of and access to exits and escape routes, and the strength and position of crush barriers.

The 1987 Act, however, extended the effect of the previous Act from stadiums to all sports grounds, changing the sections in it referring to Safety Certificates, delegating the task of defining what they should include to the Secretary of State, who had

³⁰ Final Report (1990) 30.

³¹ Végh (2001) 42.

not done so by the time the final Taylor Report was published. The Home Office only recommended that local authorities should follow the provisions of the previous Act. Thus, in 1990 the local authorities were following the Home Office guidance and also took account of the Green Guide, but were not legally bound to include particular requirements in the above-mentioned certificates.

Discussing the Green Guide, Taylor points out that it allows a flexible approach to be adopted when defining the requirements to be fulfilled by the particular grounds and, without prejudice to overall safety, it also allows certain deviations from individual guidelines. However, in practice such flexibility – when adherence to the standards is not imposed – may lead to disasters. In the case of Hillsborough, they used the Guide and the fact that it expressly provides for flexibility as a justification for deviating from certain Green Guide recommendations, with which the Safety Certificate demanded compliance.

Taylor thinks that the lack of obligatory legislation may lead to negligence and so the Green Guide should be revised and given more weight. He suggests two alternatives, saying that either the terms of the Green Guide should be made mandatory throughout (which might not be feasible) or rather some of its provisions (those specified in Section 2(2) of the 1975 Act) should appear as mandatory annexes in the Safety Certificates. Taylor underlines the importance of formulating legislation in such a way that no stadium or place inside a stadium will become overcrowded. He also suggests that the Secretary of State should exercise his powers to achieve this and once the local authority, following the criteria in the Green Guide, has specified the requirements in the Certificate for a particular ground, there should be no room for flexibility. Yet, if a local authority includes in the Safety Certificate some other requirement from the Green Guide, e.g. how steep the gradient of a ramp used by heavy crowd flows should be, it should specify whether it is obligatory to comply with it or to what extent.

Discussing whether it was a good decision made by the Parliament to put such responsibility on the local authorities, Taylor says that on the one hand, local bodies may have better knowledge of the specific features of their local sports grounds and are more flexible to respond to arising problems. On the other hand, however, certain aspects of the local bodies may cause problems.

One such aspect is that Safety Certificates should be issued, reviewed and implemented in a very efficient, professional way, which, according to Taylor, was not the case regarding the procedure e.g. for Hillsborough or for Bramall Lane, the stadium of Sheffield United. Therefore, Taylor suggests the following: “It is important that there should be a safety team consisting of appropriate members of the local authority’s own staff, representatives of the police, of the fire and ambulance services and of the building authority.”³² Such bodies could be named Advisory Groups, for whom it would be reasonable to also consult representatives of the club and of a recognised supporters’ club from time to time. The Advisory Groups’ tasks should include the supervision of

³² Final Report (1990) 25.

everything related to crowd safety. They should regularly visit the football grounds and attend matches to obtain sufficient information and should summarise their experience in reports on a regular basis, which then would be submitted to the local authority.

The other aspect is connected with the different standards applied by different authorities in similar situations when issuing Safety Certificates, although, as Taylor argues, measures suitable for one stadium should not be rigidly enforced at places where circumstances are completely different. The solution, he thinks, is to give the local authorities the opportunity to consult, compare their procedures and learn from each other from time to time, e.g. in the framework of a National Forum. Also, a national body is needed to monitor and review the certificating activities of the local authorities. As a result of his meetings with English and Scottish local authority representatives and following his recommendations, the Football Spectators Act of 1989 provided for the establishment of the National Inspectorate and Review Body. Also according to this Act, the Football Licensing Authority (FLA) is to monitor how the local authorities carry out their duties under the 1975 Act. The FLA is entitled to consult them and require the Safety Certificates to be supplemented with further terms and conditions if needed. Inspectors appointed by the FLA are empowered to conduct inspections and inquiries and the local authorities must provide them with all the information they need.

Taylor expresses his hope that the above measures will lead to Safety Certificates being issued and reviewed more efficiently and consistently. He adds that the review body should summarise its experience of the problems and solutions in various places in the form of giving regular advice to all local authorities.

He also discusses the possibilities of extending the present role and powers of the FLA, which, according to the Football Spectators Act of 1989 applies only to football associations. He says that it would be desirable if it encompassed all grounds requiring Safety Certificates or licences under Parts III and IV of the 1987 Act. He emphasizes that if Part I of the Football Spectators Act is not implemented in a short time, another appointed body should exercise the functions of the FLA in all sports grounds.

Taylor agrees that this body could be the Health and Safety Executive, which, according to the 1974 Health and Safety at Work etc. Act could supervise spectator safety, if it had more resources at its disposal and if it were concerned not only with the safety of employees but its monitoring was also extended to spectators at football grounds. Thus, Taylor considers the possibility of applying the wide-ranging Section 3 of the Health and Safety at Work Act, because it stipulates that an employer must “conduct his undertaking in such a way as to ensure, so far as is reasonably practicable, that persons not in his employment who may be affected thereby are not exposed to risks to their health or safety”. However, he comes to the conclusion that it is not feasible because the requirements of the above-mentioned Section overlap with duties imposed by the Safety of Sports Grounds Act of 1975, and, according to the arrangement between the Health and Safety Executive and the Home Office, the former will not enforce Section 3 of the 1974 Act.³³

³³ Final Report (1990) 24–27.

The Taylor Report, which defined all the details of the basic principles of ensuring safety at sports events and unified the principles and the order of measures had a decisive influence in Europe, too. In 2011 the Hungarian Parliament passed Act CIV of 2011 (the so-called “Hooligan Act”) on the modification of certain acts in order to combat the phenomenon of sports hooliganism. Taylor’s principles can certainly be detected in this Act, too, whose declared aim was to address the deficiencies of the related legislation previously in force by tightening the applicable rules and regulations. One of the new features of the sanctioning system of the new Criminal Code, the introduction of the punishment “ban from visiting sports events” may also be considered the last element of the related re-regulation started in 2011. The impact of the Taylor Report on Hungarian practices will be discussed in detail in another paper.

References

- Csepeli György (2001): *Szociálpszichológia*. [Social Psychology.] Budapest, Osiris Kiadó. 157.
- Final Report (1990). The Hillsborough Stadium Disaster, London.
- Freyer Tamás (2003): Nép a stadionban – stadionkatasztrófák. [The People in the Stadium – Stadium Disasters.] *Belügyi Szemle*, Vol. 51, No. 10.
- Hadas Miklós – Karády Viktor (1995): Futball és társadalmi identitás. [Football and Social Identity.] *Replika*.
- Kocsis L. Mihály (1986): *A halál kapujában*. [At Death’s Door.] Budapest, Minerva.
- Less Ferenc (2016): *A politikai demonstrációk demokratikus rendőri tömegkezelésének kérdései*. PhD értekezés. [Democratic Policing of Public Assemblies – An International Review. PhD Dissertation.] Budapest, NKE.
- Szabó János (2003): *Futballhuliganizmus*. [Football Hooliganism.] Budapest, PolgART.
- Tóth Nikolett Ágnes (2016): Sportrendészet a sportigazgatás rendszerében. [Sports Policing in the System of Sports Administration.] In Gaál Gyula, Hautzinger Zoltán eds.: *Pécsi Határőr Tudományos Közlemények*, No. 17.
- Tóth Nikolett Ágnes (2017): A sportrendezvények biztosítása az elmúlt évszázad eseményeinek tükrében. [Securing Sports Events in the Light of the Events of the Last Century.] *Gazdaság és Jog*, Vol. 25, No. 1.
- Tóth Nikolett Ágnes (s. a.): A sportrendészet helye és szerepe a sportigazgatás rendszerében. Kézirat. Megjelenés előtt. [The Place and Role of Sports Policing in the System of Sports Administration. Manuscript.]
- Végh József (2001): A futballhuliganizmus pszichológiai kérdései. [The Psychological Issues of Football Hooliganism.] *Belügyi Szemle*, Vol. 49, No. 12.