



THE INDEPENDENT
FOOTBALL OMBUDSMAN

IFO COMPLAINT 12/07

EJECTION OF A MINOR AT BLACKPOOL

28 JANUARY 2012

The Role of the Independent Football Ombudsman (IFO)

1. The office of the IFO has been established by the three English football authorities (The Football Association (FA), The Premier League and The Football League) with the agreement of Government. The IFO has been designated as the final stage for the adjudication of complaints which have not been resolved within football's complaints procedure. The IFO operates a system of non-binding arbitration. In exercising its jurisdiction, the IFO does not seek to question the merits of judgements made by properly constituted Regulatory Commissions and Appeal Boards, unless there were shortcomings in the administrative processes which led to those judgements. It is not the role of the IFO to retry cases, but it is its role to explore and review the procedures under which complaints have been decided and whether the outcomes were reasonable for all parties concerned. Under the procedure agreed by the Football Governing Bodies, the adjudication of the IFO is final and there is no right of appeal against IFO findings.
2. In investigating this complaint, the IFO has received the cooperation of Blackpool FC and the Football Association.

The complaint

3. A long standing Sheffield Wednesday supporter complained that his 15 year old son had been unfairly ejected at the Blackpool v Sheffield Wednesday cup tie in January 2012. The complainant asserts that it was quite wrong for the stewards to have ejected a minor, without seeking to identify a responsible parent. He further complains about the physical and verbal aggression displayed by stewards towards both himself and his son. He is dissatisfied with the handling of his complaint by both Blackpool and the Football Association and has requested the IFO to investigate the matter in order to clear his son's good name.

The facts of the matter

4. The complainant, who travels regularly to away games, was accompanied by his 15 year old son to the Blackpool v Sheffield Wednesday match held on 28 January 2012. As was often the case, their party also included the complainant's friend and his son, aged 13. The two boys had become friends through the friendship of their fathers. The friend and his son became involved in the incidents complained about and have submitted oral and video evidence which the IFO has considered. However, the friend is not a party to this specific complaint. As elsewhere, the entry of the away supporters was adversely affected by late arrivals and 1377 (65%) of the 2125 away supporters were admitted during the period of 20 minutes before and 20 minutes after the 3.00pm kick-off time. The access to the away section of the ground (which was fully sold out for this match) is via a walkway adjacent to the pitch from which supporters gain access to the gangways leading upwards to the four blocks of seats. With large numbers arriving soon after kick-off there was an understandable tendency for supporters to remain in the walkway to watch the match. The Club maintains that many supporters were non-compliant with requests to move to their seats, while the complainant argues that it was impossible to find their seats because stewards instructed late arrivals to sit anywhere. Whatever the reason, there were significant numbers standing in the walkway or in the separated concourse reserved for disabled supporters and their carers.

5. After about 25 minutes the Safety Officer and the Match Commander decided that in the interests of stadium safety, the walkway needed to be cleared (in any emergency this would be the main means of egress) and stewards and police began moving through the walkway to clear it of spectators and to encourage them to occupy the blocks of seats.

At this time video evidence shows the complainant's son in the middle of the walkway and in the path of the advancing stewards. Soon after, the son became separated from his father and became involved in an altercation with stewards, along with the friend and his son. The three of them were then ejected on the grounds that they had used foul and abusive language and for refusing the stewards' instructions to move (accusations disputed by those ejected and by the complainant). Once outside, the son telephoned his father who by this time had contacted a senior steward, who reunited father and son by readmitting the son to the ground (the friend and his son were not readmitted and were spoken to by the police). The complainant contacted the Club to demand an apology and an admission that the stewards had behaved aggressively and used foul language to a child. He spoke with the Safety Officer and received a written response, which he deemed to be unsatisfactory. As this was an FA Cup match, the relevant governing body was the Football Association and on 12 April the complainant referred his case to the FA, on the advice of the Football Supporters Federation (FSF). On 30 April the FA's Senior Safety Manager delivered a 10 page report to the complainant, who was disappointed not to have been interviewed and who found the report one-sided. The FSF had warned the IFO that this complaint might not be resolved and it was indeed referred to the IFO for adjudication on 8 June. On 11 June the FA confirmed that its stage had been completed, at which time the IFO investigation was begun.

The Investigation

6. The IFO carefully reviewed the correspondence submitted by the complainant and by the FSF. He was provided with a copy of the FA's report and was able to consult matchday documentation at the Club. Unusually, there was video evidence available, both that filmed by the friend of the complainant and that routinely provided in the control room at the Club. Both sources have been viewed, analysed and evaluated by both the IFO and Deputy. In cases, as here, where the parties disagree about what actually occurred, it is useful to meet both sides personally. Hence on 19 June the IFO met with the complainant and his son, together with the friend who had been at the match. Two days later on 21 June, the IFO visited Blackpool FC and met with the Safety Officer and the matchday CCTV operator.

Meeting with the Complainant

7. The IFO visited the complainant and his son and the meeting was also attended by the friend who had been ejected and who had supplied the video evidence. The IFO discussed the case with the son, who maintained that he had done nothing wrong, had not sworn at the stewards and had merely been trying to find his father at the time of the altercation which led to his ejection. The IFO concluded that the son was giving a truthful account and had probably become inadvertently involved in a dispute with stewards as he sought to become reunited with his father. Both the complainant and his friend vehemently denied that they had sworn at stewards and argued that it had been the stewards who had provoked the confrontation by their aggressive behaviour. It had been the stewards who had sworn at them not the other way round. The complainant believed he was entitled to an apology for the way his son had been treated and a statement exonerating him from any wrongdoing. He was most dissatisfied with the way the Club had handled the complaint and, while recognising the thoroughness of the FA report, he believed it to have been one-sided. He welcomed the opportunity to meet with the IFO, especially as he had been disappointed not to have been interviewed by the FA.

Visit to Blackpool FC

8. The IFO met the Safety Officer and the CCTV Operator in the Control Room, which had a clear view of the whole ground and permitted a review of the location of the incidents. The IFO was provided with a copy of the Safety Officer's briefing, together with the matchday log, which recorded all incidents of note on the day of the match. He was also given copies of the statements of the two stewards involved and of the post-match summary which the Safety Officer routinely sends to the Safety Officers Association, which monitors issues of safety and security across all football clubs. The Safety Officer maintained that a significant proportion of Sheffield Wednesday's fans had been non-compliant with stewards' instructions to vacate the walkway and a more proactive operation had been necessary. He felt that the problems had been exacerbated by several hundred fans arriving at or after kick-off time. He believed that the senior steward should be commended for the prompt action to reunite the son with his father. He pointed out that he had phoned the complainant once the written submission was received and denied that he had been hostile to the complainant. He had cooperated fully with the FA enquiry. The IFO was able to view the CCTV footage in

the company of the CCTV operator, who explained the logistical issues involved. This evidence showed clearly the late arrivals, the developing crowd management problems, the clearing of the walkway and the actual ejections (though not the specific incidents giving rise to the ejections).

The Findings

9. The incidents giving rise to this complaint were closely associated with the physical structure of the away section and the means of access. Away fans are required to go through a two stage process to enter the ground, first in a queue in the street where search and security procedures are completed and then in managed groups through an alley leading to the four turnstiles. Once in the ground fans need to walk along a pitch-side perimeter track to gain access to the gangways leading up to the four blocks of seats. The Club maintains that the access arrangements work perfectly well, but the smooth running of the operation can be adversely affected by large numbers arriving late, as in this case. The refusal of fans to move into their seats and to remain in the walkway, caused by non-compliance (according to the Club) or by the inability to occupy the allotted seats (according to the complainant) led to a legitimate safety concern which needed to be promptly addressed. The IFO finds that the operation to clear the gangways was fully justified in the light of the blockages in the away section. In the light of this complaint and of the physical context of this ground, the IFO **recommends** that Blackpool FC liaises closely with visiting clubs, who should issue a special warning to their fans to arrive early and occupy their booked seats. The IFO believes that clubs could do more to advise their fans of what to expect when travelling to other grounds and Blackpool's access arrangements would be facilitated by fans being made aware of the particular circumstances at the ground.

10. It was the perfectly reasonable operation to remove fans from the pitch-side walkway which led to the altercation which in turn resulted in the complainant's son being ejected. The complainant has argued strongly at each of the complaint's three stages that it was quite improper for Blackpool to have ejected an unaccompanied minor. What are the facts of the case? CCTV evidence places the son in the middle of the walkway in front of the away section, speaking to stewards. Thereafter, he can be seen standing together with the friend and his son, giving the appearance of being a party together. It may be noted that though this party was standing adjacent to a gangway,

they remained standing at the front and made no attempt to move into the gangway and to the seats. The video evidence suggests that it would have been reasonable for the stewards to have assumed that this was a party of three, known to each other. In fact, the son was not ejected alone, but in the company of the friend and his son, with whom he had come to the game. It was somewhat disingenuous of the complainant, when told that his son was outside with "Uncle John", to have told the supervisor that the boy did not have an "Uncle John" and that he did not know who this man was. John was indeed the name of the friend and "Uncle" is commonly used affectionately for an adult or neighbour known to a child. The complainant disputes this version and claims that he was simply told that his son was outside with a man with a camera. The son admits in his own testimony that he "was ejected from the ground...along with my dad's mate John and his son". The CCTV camera at the exit shows the three being hustled through a single narrow door, while the supporter's video soundtrack records stewards swearing at them. The son is alone for only a few seconds as he was first through the gate, followed by the others. Although there is no image of the son being re-admitted, the clock counter on the CCTV record proves that the son was outside the ground for well under 5 minutes. The IFO accepts that the supervisor did indeed act quickly to reunite father and son. The IFO cannot, therefore, uphold the complainant's assertion that Blackpool ejected an unaccompanied minor.

11. The stewards' behaviour in clearing the walkway was strongly criticised by the complainant. He alleges that both he and his son were pushed violently by stewards, which, he stated, might have led him to report the stewards to the police for assault. Neither the private nor the Club video records such an incident. The private video does record a steward acting quite forcefully, and swearing by stewards, though not by those ejected, can be heard on the soundtrack. The steward reported that the party of three had been ejected for foul and abusive language, having been asked four or five times to move to the seats and clear the walkway. He recorded "the 3 became foul and abusive to myself and my response team" and when this continued the three were ejected. The IFO cannot state with certainty that the ejection was not justified. There was a well communicated request to clear the walkway and the party is captured on CCTV standing together in the walkway and not moving away, having already been spoken to by stewards. Clearly relations became heated and the stewards made the operational judgment to remove these three supporters. It is possible that the adult resented the

stewards' forceful attitude which led to the confrontation. Both stewards report that the father apologised for his son's behaviour, suggesting that some of the fault lay with him. The complainant disputes this and denies that any apology was offered. The stewards did seem to be acting aggressively and it is clear that stewards did indeed swear in front of both boys. The IFO finds and the Club accepts that such language is unacceptable and the staff have been spoken to by the Safety Officer. The IFO endorses the FA's suggestion that stewards undergo further staff training in customer service.

12. The remaining part of the complaint concerns the way it was handled. The Club certainly took the complaint seriously, conducted a full investigation and communicated with the complainant promptly by both telephone and email. There appears to have been what the FA calls "robust comments" on both sides, with each accusing the other of being aggressive and hostile. Notwithstanding this personality clash, the concerns have been addressed by the Club, the staff have been advised that their language has to be moderated and a full investigation was conducted. The Club cooperated fully with both the FA and the IFO enquiries, being fully transparent with the evidence available. The Club trusts the veracity of its stewards and, understandably, backs them up in making the operational judgment to implement the ejections. Since the Club feels the ejections were justified, in fulfilling an operational instruction to clear the walkway, it does not accept that an apology is called for. The supervisor acted quickly to reunite the son with his father and thus rectified the inadvertent separation. The IFO believes on the balance of probability that, although the son appears not to have complied with the stewards' instructions to vacate the walkway and find a seat, there is no substantive evidence of his otherwise being guilty of anything more than seeking to be reunited with his father. Nevertheless, the evidence is not sufficiently clear for the IFO to find that an apology is due. The ejection was for less than five minutes and the almost immediate re-admission implies that some sort of misunderstanding was involved. The IFO finds that the son's reputation was not materially sullied by his treatment.

13. The IFO has found that, despite the fact that the FA chose not to interview the complainant (about which he remains aggrieved), the FA completed a thorough investigation and produced a balanced report on the evidence available.

Conclusion

14. This complaint arose out of the legitimate attempt to clear the walkway and move spectators into the seats. The complainant's son inadvertently became involved in the subsequent altercation and was ejected for a very short period, though not alone, as the complainant asserts. Blackpool FC admits that strong language was used by its stewards and has taken steps to address this. Otherwise, the Club has behaved reasonably in its crowd management procedures, in responding to the complaint and in dealing with both the FA and the IFO.

Professor Derek Fraser**10 August 2012****Mr Alan Watson CBE**