

IFO

THE INDEPENDENT
FOOTBALL OMBUDSMAN



Chartered Trading
Standards Institute
ADR Competent Authority

The Independent Football Ombudsman is approved by Government under the Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015

IFO COMPLAINT REF: 20/05

AN INDEFINITE SUSPENSION AT MANCHESTER UNITED

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 English Football League [EFL]) 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 is an Approved Alternative Dispute Resolution Body and its findings are non-binding. IFO Adjudications will normally comprise two parts: an impartial assessment of the substantive complaint and a review of the procedure by which the complaint was handled. The IFO's role is to investigate the complaint and judge whether it was dealt with properly 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. The IFO must make clear that in investigating this complaint he has received full cooperation from Manchester United.

The complaint

3. A Manchester United supporter complained that the Club had unjustly imposed a suspension on him.

The facts of the case

4. On 4 November the Club wrote to the complainant saying that it had come to their attention that he had been advertising tickets for re-sale on social media, in breach of the terms and conditions. As a result, they had applied an indefinite suspension to his season ticket. They explained his right of appeal. On 19 November the complainant replied saying that he had attended every game with his season ticket, together with his 12 years old son, and he refuted the allegation absolutely. Having attended matches since 1976, he would not do anything to harm the Club's name. He said that he has two girls and a boy who have had season tickets since they were four years old and had never sold match tickets to anyone. He asked to see proof of the allegation. The Club sent him examples taken from social media. Under the headings "[The complainant's name] posted an item for sale", were advertisements for "Two tickets for Manchester United versus Cardiff City ... £170 Sir Alex Ferguson stand block n2411 cracking seats pick up only Denton Manchester", and "I have two seats together in the Sir Alex Ferguson stand row 27 lower for United v Chelsea Sunday not face value inbox me." The Club asked for an explanation as to why he was advertising match tickets.

5. On 21 November the complainant replied saying that he and his son had gone to those games. He did not have access to any other tickets so someone must be using his name. The Club replied saying that the social media account advertising the tickets had been active for many years and included his conversations with other members of his family. Other information on the account included personal photos, and his personal information on the account matched the information which the Club had on their ticketing system. The complainant replied explaining why he puts photos on his account and again denying the sale of tickets. On 22 November the Club replied saying that, as he had been unable to give a valid explanation for the adverts, they had escalated the matter to their Appeals Panel. On 19 December the Appeals Panel told the complainant that it had been brought to their attention that he had been attending matches despite his suspension. They confirmed that he was suspended from attending matches, home and away, until further notice. On 28 December the complainant told the Club that he believed that an individual, whom he named, had stolen his profile to advertise tickets. The Club undertook to investigate claims he had made about that individual selling tickets, but said that the appeals process was complete in his case. On 27 January the complainant asked the IFO to intervene.

Investigation

6. The IFO carefully reviewed the documentation submitted by the complainant and the Club. The Deputy IFO visited the Club on 27 February and met with the Head of Ticketing and Membership and the Customer Services Manager. The officials said that as the complainant and his son had been attending matches

themselves, he had obviously obtained tickets from other sources in order to advertise them. They outlined the information given to the complainant on 21 November (paragraph 5) and why both they and the Appeals Panel were convinced that he had placed the adverts, rather than someone having used his account. They also shared with the Deputy certain confidential information regarding the complainant which had been considered by the Appeals Panel, and the fact that the Club had followed up his allegations about another person selling tickets. That had not necessitated referring his sanction back to the Appeals Panel.

Findings

7. It is important at the outset to stress that the IFO strongly supports the Club's efforts to combat ticket touting and the unauthorised use of tickets. The question for the IFO to consider is whether it was the complainant who advertised tickets on his social media account. The evidence strongly suggests that it was the complainant and the IFO has seen no evidence to the contrary, and the complainant has been unable to supply compelling evidence to counter the Club's case. In the circumstances the IFO is satisfied that the Club followed their correct process and that the complaint is not justified.

Conclusion

8. Although the complainant maintains that he has never advertised tickets and that someone else was maliciously using his social media account, the IFO is satisfied that, on the evidence available to the Club, the sanction imposed was justified. The IFO is, therefore, unable to uphold the complaint.

Professor Derek Fraser, Ombudsman
Alan Watson CBE, Deputy Ombudsman

11 March 2020