

# 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: 19/22**

### **AN EJECTION 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 FC.

### **The complaint**

3. A supporter who attended the Manchester United Treble Memorial game complained that she and her family had been unfairly ejected from the Stadium and refused reimbursement of the cost of the tickets.

### **The facts of the case**

4. On Sunday 26 May 2019 Old Trafford hosted the Treble Reunion match for charity. It was an event attended by many who do not normally visit the stadium, including families with young children. The complainant arrived with her boyfriend to find one of their seats occupied by a small child. According to her account she had simply asked the child to move up, though the father of the child claimed that she had been aggressive, which had upset the child. During the first half there was a further hostile exchange between the father and the complainant, who deemed the behaviour sufficiently threatening to approach stewards at half time in the concourse. There appears to have been a further altercation which led the stewards to summon security staff. By this time three other members of the complainant's family (who had been seated elsewhere) had become involved and were engaged in animated conversation with the father, stewards and security. The two parties were separated and interviewed. The Senior Security Officer reported that he had been unable to glean a clear picture of what had transpired, but noted that both parties continued to use foul language in a hostile manner. Given the nature of the game and the presence of children nearby he decided to eject the complainant and her family (5 in all). The complainant claimed that a steward stated that they had done nothing wrong and sought to intervene to exempt the three family members who had not been seated in the row where the problem began. She reported that his protests were brusquely dismissed. In her submission to the IFO she asserted that it was unfair that her family were ejected while the father (in her view the aggressor) had been allowed to remain. In fact, the father was also ejected some time after the initial ejection, the supervisor judging that there was no need to include the mother and the three children who had not been involved in the arguments. When the complainant first approached the IFO she was advised that she would have to go through the Club's complaints procedure. Some weeks later on 5 August she reported that she was "not getting anywhere" and the IFO investigation began.

### **The investigation**

5. The IFO carefully considered the complainant's submission and the correspondence between the Club and the complainant. On 13 August the IFO visited Manchester United to discuss the complaint with the Head of Customer Service and the Customer Services Manager. The IFO was provided with access to contemporaneous relevant CCTV evidence. *[The complainant was aggrieved that she was not given access to this visual evidence, the Club citing Data Protection Regulations. Such Regulations do permit an independent officer to view CCTV evidence in fulfilment of his remit.]*

## **The findings**

6. The IFO regrets that a seemingly minor problem over a seat somehow escalated into a major confrontation which the Security Supervisor felt merited the ejection of both parties. It is not clear what precisely caused the conflict to continue in the concourse nor why the complainant's family felt the need to become so vigorously involved. There is no audio record, but the CCTV footage does show much arm waving and finger pointing, suggesting that the tension was increasing, not reducing. In the context of this particular match, with families and children nearby, the Supervisor made the assessment that the continuing dispute and its foul language justified ejection. He was authorised to make this judgement; it was his responsibility to make, not the stewards who have no authority to eject supporters. On the basis of the evidence which confronted the Supervisor, the IFO finds that he was justified in ejecting both parties.

7. The complainant reported that the family had incurred considerable costs to attend the game, both tickets and travel, and felt that financial recompense should be made. The Club judged that since the ejection had been justified, there was no case for reimbursement or compensation. Again, the IFO finds that the Club's decision was justified and that the complainant is not entitled to compensation.

## **Conclusion**

8. The IFO sympathises with the complainant and her family in that what should have been an enjoyable day out was terminated by the unfortunate incidents which led to their ejection. Sadly, neither party seemed able to calm the argument down, which escalated to such an extent that the Supervisor felt that he had no option but to eject all of those involved in the dispute. The IFO finds that the Club's actions, both the ejection and the refusal of compensation, were justified in the circumstances. The IFO is therefore unable to uphold the complaint.

**Professor Derek Fraser, Ombudsman**

**20 August 2019**

**Alan Watson CBE, Deputy Ombudsman**