

Report of the Independent Panel of Inquiry

into the Crowd Disturbances at
the Sydney United Sports Centre
on Sunday 13 March 2005

Chairman: Stepan Kerkyasharian AM

Member: Irene Moss AO

Member: Kevin Waller AM

Executive Officer: Sophia Platthy

APRIL 2005





INDEPENDENT SOCCER INQUIRY

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Panel of Inquiry
Stepan Kerkyasharian AM (Chair)
Irene Moss AO (Member)
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21 April 2005

Mr Tom A. Doumanis
President and Chair of the Council of Clubs
Soccer NSW
PO Box 6146
Baulkham Hills BC NSW 2153

Dear Mr Doumanis

On 17 March 2005 you announced the Terms of Reference for a Panel of Inquiry to investigate the crowd disturbances at the Sydney United Sports Centre on Sunday 13 March. It is my pleasure to forward the report of the Inquiry appointed to undertake this investigation.

The Inquiry considered considerable evidence submitted by officials involved in soccer administration in NSW and Australia, academics and members of the public, in making its findings and recommendations.

The recommendations reflect the Inquiry's view that the incident is of a serious nature and that strong measures should be applied to minimise the occurrence of spectator misdemeanours at soccer competitions under the jurisdiction of Soccer NSW. Indeed the Inquiry considers legislative reform a valuable pathway both for its educative and punitive functions in reducing offensive and dangerous spectator activities. The Inquiry also values non-legislative approaches such as the development of a code of conduct for spectators.

Yours sincerely

Stepan Kerkyasharian AM
Chairperson

Acknowledgements

The Inquiry would like to express its thanks and appreciation to the people who provided information, ideas and evidence to the Inquiry. For reasons of confidentiality the Inquiry will not publish the names of persons who made submissions.

Thirty two written submissions were received by the Inquiry. The Inquiry appreciates the careful consideration of the issues and well constructed suggestions for reform proposed in the submissions.

The Inquiry acknowledges the contribution of those who gave evidence, those who provided expert advice, and each submission that contributed to the Inquiry's understanding of the nature of the incident, the causal factors, and the types of actions required, to assist the development of the Inquiry's findings and recommendations.

The Inquiry acknowledges the valuable support provided by the Community Relations Commission For a multicultural NSW and particularly senior staff of the Commission for their time and effort. The Inquiry thanks Soccer NSW staff for their contribution and support, and the Board of Soccer NSW for deciding to establish the Independent Panel of Inquiry with the clear intention of preventing future incidents of mob violence at soccer matches within its jurisdiction.

Acronyms

- BWESC – Bonnyrigg White Eagles Sports Club Ltd
- FARE - Football Against Racism in Europe
- FIFA - Federation Internationale Football Association
- SUFC – Sydney United Football Club

Table of Contents:

CHAPTER 1 – BACKGROUND TO THE INQUIRY	6
Terms of Reference	7
CHAPTER 2 – PROCEDURES	8
CHAPTER 3 – THE INCIDENTS	9
CHAPTER 4 – FINDINGS AND RECOMMENDATIONS.....	9
Planning for the 13 March.....	9
Outline of incidents on the 13 March 2005 relating to the inquiry.....	10
Investigate and establish the cause of the crowd disturbance, with reference to any contributing political, cultural or social factors.....	12
Review of Legislation	15
Investigate and establish the responsibilities of the two participating clubs in the safe conduct of matches.....	16
Sydney United Football Club	16
Soccer Players	19
Spectators	19
Bonnyrigg White Eagles Sports Club.....	20
Soccer NSW	20
Security Firm.....	21
Recommend safety and security measures for future matches between the two participating clubs..	21
Recommend measures to ensure the future safe conduct of matches under the jurisdiction of Soccer NSW.....	23
That Soccer NSW:.....	23
That all soccer clubs under the jurisdiction of Soccer NSW:	25
That the hosting soccer clubs:	25
That Soccer Spectators:	27
Recommend punitive sanctions as appropriate.....	27
LIST OF RECOMMENDATIONS	29
APPENDICES	
Appendix A – Bulldogs Rugby League Club – Fan Code of Conduct	37
Appendix B – Federation Internationale Football Association Code of Conduct.....	38
Appendix C – Football Against Racism in Europe (FARE) – UEFA Ten Point Plan.....	41
Appendix D – Media article, 24 March 2005, Rangers Implement Plan of Action.....	42
Appendix E – NSW Ministry of Police Recommendations for Legislative Amendments	44
Appendix F - Letter from SUFC solicitors Dibbs, Barker, Gosling to the Soccer Inquiry.....	46
Appendix G - Letter from Soccer NSW to SUFC, 8 March 2005	51

Chapter 1 – Background to the Inquiry

Soccer NSW

Soccer NSW is New South Wales's governing body for soccer. Key constitutional objectives of Soccer NSW include the following:

- To foster and control the game of football in NSW.
- To co-operate and join with or independently of other organisations controlling football in other states of Australia, in the fostering, control and conduct of the game and competitions.
- To regulate and control the operation of all member bodies and affiliates, excepting referee members with regard to their activities concerning the laws of the game, the interpretation and application of those laws and the training, classification, appointment, administration and disciplining of referees.
- To regulate and control the relationship between member bodies and affiliates and the members thereof and to provide facilities for settlement of disputes, punishment of misconduct and for breaches of any Constitution of the Company or any rules, regulations and by-laws made by the Company. To inflict fines or penalties by way of suspension, expulsion or otherwise for any breach of the Constitution or the rules, regulations and by-laws of the Company or the law relating to football.
(Constitution of Soccer NSW pages 25-26).

The Incident

The NSW Premier League competition falls under the auspices of Soccer NSW. Violent crowd behaviour erupted at the NSW Premier League Round 14 fixture between Sydney United Football Club and the Bonnyrigg White Eagles Sports Club at the Sydney United Sports Centre on Sunday 13 March 2005. The clubs were at the top of the competition table for the 2004-2005 season.

Two further acts of violence followed in the early hours of 15 March 2005 when shots were fired into the Serbian National Centre in Bonnyrigg and a car was firebombed in the car park of the King Tomislav Croatian Club in Edensor Park. These matters are outside the scope of the Inquiry and are subject to Police investigation.

On 16 March the Board of Directors, Soccer NSW, ratified the Independent Investigation Panel appointments, the Terms of Reference to investigate the spectator violence (the incident) and the deadline of 21 April 2005 for the Panel to report on its findings to Soccer NSW. The investigation is chaired by Stepan Kerkyasharian, the Chief Executive of the NSW Community Relations Commission For a multicultural NSW (CRC), a statutory body that reports directly to the NSW Premier, Bob Carr.

Irene Moss, the former Commissioner of the Independent Commission Against Corruption, and Kevin Waller, the former NSW Magistrate and State Coroner, are members of the Independent Investigation Panel.

As an interim measure the Board of Soccer NSW decided that all matches between SUFC

and BWESC for the remainder of the 2004-2005 season would be played at a neutral venue under conditions to be determined by Soccer NSW.

Terms of Reference

On 16 March the Board of Directors, Soccer NSW, ratified the Independent Investigation Panel (Panel of Inquiry) appointments and the following Terms of Reference.

INDEPENDENT INVESTIGATION INTO THE CROWD DISTURBANCES AT SYDNEY UNITED SPORTS CENTRE, SUNDAY 13 MARCH

1. Investigate and establish the cause of the crowd disturbance, with reference to any contributing political, cultural or social factors.
2. Review the adequacy of existing legislation to ensure the maintenance of public order at sporting events and the adequacy of sanctions against individuals involved in disrupting the quiet enjoyment of those attending soccer matches.
3. Investigate and establish the responsibilities of the two participating clubs in the safe conduct of matches.
4. Recommend safety and security measures for future matches between the two participating clubs.
5. Recommend measures to ensure the future safe conduct of matches under the jurisdiction of Soccer NSW.
6. Recommend punitive sanctions as appropriate.
7. Report by 21 April 2005.

Investigation panel

Chairman: Stepan Kerkyasharian, AM

- Chair and Chief Executive Officer of NSW Community Relations Commission 1989- current
- President Anti Discrimination Board 2003 - current

Member: Irene Moss, AO

- ICAC Commissioner 1999-2004
- NSW Ombudsman 1995-1999
- Federal Race Discrimination Commissioner for the Human Rights and Equal Opportunity Commission from 1986-1994

Member: Kevin Waller, AM

- NSW Magistrate 1966-1992
- NSW State Coroner 1988-92

Chapter 2 - Procedures

The Panel of Inquiry obtained evidence and suggestions concerning the terms of reference from a wide range of sources including:

- Public submissions.
- Interviews and written submissions from a number of people including:
 - Staff and Directors of Soccer NSW
 - Officials from Bonnyrigg White Eagles Sports Club (BWESC)
 - Officials from Sydney United Football Club (SUFC)
 - Superintendent Marcon, former Local Area Commander, Fairfield Police
 - E-group Security
 - Match officials
 - John O'Neill, CEO, Football Federation Australia
 - Rale Rasic, former coach, Socceroos
 - The Panel of Inquiry invited David Hill, former Chairman of Soccer Australia to make a submission
- Photographic and video evidence
- Police reports
- Ministry of Police
- Research on crowd misbehaviour and recommendations from UK sources, Federation Internationale Football Association (FIFA), UEFA
- Bulldogs Rugby League Club – Fan Code of Conduct
- Media articles

The Inquiry wrote to the President, SUFC, setting out some of the information received by the Inquiry which would have a strong bearing on its findings. The Inquiry invited SUFC to comment by 19 April 2005.

On the evening of 19 April 2005 a response to that letter was received from Dibbs, Barker, Gosling Solicitors for SUFC. It mainly contained statements denying allegations put to the club. The arguments outlined in the letter were not in consonance with evidence received by the Inquiry. The Inquiry had invited submissions on the basis of direct evidence from witnesses, and the letter from SUFC's lawyers has not detracted from the weight of that evidence and accordingly the Inquiry proceeds with its findings.

The Inquiry accepts evidence presented to it that the security firm was not given responsibility for a lock down of the venue for the twenty-four hours prior to match kick-off. The security firm was employed to work on the day from approximately 1pm till the time spectators left the venue at 5pm.

Chapter 3 – The Incidents

Violent crowd behaviour erupted at the NSW Premier League Round 14 fixture between Sydney United Football Club and the Bonnyrigg White Eagles Sports Club at the Sydney United Sports Centre, Edensor Park, on Sunday 13 March 2005. The competing teams were at the top of the competition table in the 2004-2005 season.

Chapter 4 – Findings and Recommendations

Planning for the 13 March

At pre-match planning meetings both clubs and Soccer NSW agreed to the following:

- Metal detectors, bag searches, and searches of male and female supporters by security at entry gates.
- 24-hour security at the venue prior to match kick-off to prevent vandalism and the hiding of objects at the grounds.
- No nationalistic flags or political banners are to be allowed at the game.

BWESC and SUFC officials stated to the Inquiry that they agreed at the first pre-match meeting, 23 February 2005, that there would be no away spectators. Both clubs said that they agreed to no away fans as being the safest method of having a match. Any agreement on implementing a 'No Away Fans' policy is not reflected in the meeting minutes, 23 February, prepared by SUFC officials. Soccer NSW's record of a meeting 7 March with representatives of both clubs indicates Soccer NSW's reluctance to support a "No Away Fans" policy.

The Local Area Commander, Fairfield Police, met with the Directors of SUFC in the days preceding the game and on information received had upgraded the risk assessment from low to medium.

The Competition Secretary, Soccer NSW, wrote to both clubs in the week prior to the match, 8 March 2005, requesting compliance by both clubs on the following issues:

- Spectators of the competing clubs will not be segregated, due to lack of facilities in the Northern end of the ground.
- Security supervision of the Sydney United Sports Centre will take place twenty-four hours prior to the match kick-off.
- Security will carry out searches on individuals and bag searches at the main gate prior to spectator entry with the assistance of metal detectors.
- The sale and consumption of alcohol will be confined to the two designated areas. Alcohol is not to be consumed at random all around the ground. SUFC officials are to supervise these alcohol areas.
- No signs, banners or flags will be permitted into the ground. Any found inside the facility are to be removed from the ground.

A copy of this letter from Soccer NSW to SUFC, 8 March 2005, is attached to the Report.

BWESC organized a live feed of the match and encouraged BWESC supporters to view the match at their club-house instead of going to the Sydney United Sports Centre for the match on 13 March.

Outline of incidents on the 13 March 2005 relating to the inquiry

Prior to the gates opening

SUFC officials gave permission to SUFC supporter groups to put up flags and banners around the stadium. The vast majority of these flags and banners were of a nationalistic and political nature. These supporter groups were allowed access to the stadium prior to the arrival of security staff between 12:30pm and 1:00pm.

Soccer NSW officials arrived at approximately 1:00pm and on seeing the banners and flags requested an explanation from SUFC officials as to their presence. A ground inspection occurred with Soccer NSW seeking advice from SUFC officials on the content and political nature of the banners and flags. A number of flags and banners were removed based on the advice provided. The remaining banners were authorised by a director of Soccer NSW to remain on display.

The pre-match disturbance between supporter groups

The Inquiry notes that any reference to spectators and supporters of each club does not necessarily mean that they were club members or regular supporters.

Between 12:30pm and 1:00pm employees of the security company arrived on site for a briefing by SUFC officials. There were two entry gates with the same security set up at each gate.

At 2:00pm the Eastern gates opened and spectators entered the stadium.

Between 2:15pm and 2:30pm several BWESC supporters entered the North East gate and took up position at the Northern end of the ground in the segregated area designated as the BWESC spectator area. This area was fenced off from the rest of the ground with metal fencing. While supporters for each team were segregated at the match a number not wearing BWESC colours sat with the SUFC supporters throughout the match. Besides the metal fencing there was a buffer zone of approximately 40 metres that was to be monitored by security. The BWESC supporter area did not contain any toilet facilities or canteen facilities.

At 2:30pm as teams warmed up for the match SUFC spectators were chanting and singing. During warm up, at about 2:45pm, a group of approximately fifty BWESC supporters entered the ground also chanting and singing. The Inquiry was told that all BWESC supporters were checked by security.

Both spectator groups made offensive remarks and gestures. Almost immediately SUFC spectators ran past security through the 30-40 metre buffer zone towards the fence

separating them from the BWESC supporters. SUFC supporters threw flares, cans, bottles and other projectiles at BWESC supporters. BWESC supporters retaliated and threw missiles back in a violent exchange. In the interests of avoiding further unrest and in view of the smaller numbers of the BWESC away fans it was felt that the BWESC fans be escorted off the premises. Police and security intervened and escorted BWESC supporters out of the grounds. The incident lasted for a few minutes.

As a result of the flares a small fire began in a residential property adjoining the ground.

There were some scuffles as BWESC supporters were evacuated. Players were taken off the pitch as a precaution and the start of the game was delayed by fifteen minutes. It was alleged that BWESC supporters were involved in acts of aggression in the stadium's car park and surrounding streets.

BWESC fans were removed approximately fifteen minutes before the start of the match. During the game no identifiable BWESC supporters were present except for several club officials.

Disturbances during the match

SUFC spectators let off a flare and unfurled a large Croatian flag after their team scored a goal. Fearing crowd hostilities, security and Police decided against removal of the flag.

SUFC supporters yelled out racist, derogatory and offensive comments during the game. For example, one of the players for BWESC was called "monkey" and asked "do you want a banana?" and given his background was subject to ongoing racist abuse throughout the match. It is alleged that SUFC supporters also made verbal death threats to players.

In the second half when the BWESC took a corner in the South Eastern corner of the field, players were pelted with coins, bottles, lighters and other projectiles, and spat at by spectators. The referee stopped the game and requested that additional security be deployed to the South Eastern corner to prevent any repeat of this occurrence. Police and security guards monitored the situation.

Spectators threw a pig carcass with a Serbian emblem drawn onto its body on the pitch. They also spat, threw projectiles and made obscene gestures and cursed at BWESC players from a grassy area on the Eastern side of the stadium. As the Police attempted to remove a trouble maker hundreds of SUFC spectators rushed into the area. Many of those who rushed towards the disturbance were onlookers but a large number of people were involved in physical confrontations with the Police. A Police officer was punched in the face and required stitches.

Approximately forty Police officers formed a cordon on the hill, within the buffer zone, on the Eastern side of the ground. Police remained in the venue to ensure that all spectators left in a safe and orderly manner.

Six people were removed from the stadium and two people were charged. It is understood that Police have identified a number of individuals taking part in the fracas and this is the subject of further investigation.

At the height of the Police response approximately one hundred Police officers attended the soccer ground in response to a Police call for urgent assistance. Police used capsicum spray to stop acts of violence. At least two people were sprayed and they were promptly treated by Police and Ambulance Officers.

Investigate and establish the cause of the crowd disturbance, with reference to any contributing political, cultural or social factors

Despite efforts by officials of both SUFC and BWESC before the match, by means of planning meetings between officials of both clubs and Soccer NSW and risk assessments with the Police, spectator violence erupted on a number of occasions at the match.

The disturbance began when several BWESC supporters were allowed into the fenced-off BWESC supporter section of the arena. Insulting words and gestures began to flow between SUFC supporters and BWESC fans who had been joined by fifty to one hundred BWESC supporters. Some of the BWESC supporters were wearing symbols and military attire that were offensive to Croatians. A few SUFC fans ran past security through the buffer zone to the dividing fence and began throwing bricks, plastic bottles and flares at the BWESC people who threw items back and may have thrown other items in their possession or located within the grounds. Other SUFC fans rushed in to join the melee. Some BWESC fans engaged in offensive chanting and indecent posturing. Police ordered the BWESC supporters to exit the stadium and return to the BWESC club-house. There was some argument, but the BWESC crowd did leave as asked. They caused some trouble outside the stadium by abusing and chasing other SUFC fans and supporters.

Officials delayed the match by fifteen minutes and kickoff was at 3:15pm. The match proceeded without any untoward incident on the field. SUFC scored the first goal, and BWESC equalized shortly before half time, when further trouble erupted. A large Croatian flag was unfurled. The crowd in its vicinity became unruly, possibly affected by alcohol, and officials, security staff and Police were reluctant to intervene to remove the flag for fear of instigating further violence.

In the second half the crowd continued to exhibit unrest, shouting insults at BWESC players, throwing cans and coins at them and issuing death threats and racial abuse. This second demonstration was described as "huge" by several witnesses compared with the first, despite an absence of BWESC supporters. More Police entered the ground to restore order, but this did not calm the crowd who surged towards them in a confrontational and intimidatory style. Six people were arrested and removed from the stadium and released.

This second disturbance has been variously described to the Inquiry as “ugly”, “frightening”, “disgraceful” and “shattering”. One prominent Soccer NSW official was so sickened by the experience that he resigned in disgust.

The former Socceroos coach Rale Rasic, an iconic figure, was personally abused, and left the ground at half time.

Following intervention by around one hundred Police officers the SUFC crowd dispersed without further violence or arrests. One Police officer was punched in the face and required stitches and others sustained slight injuries.

Superintendent Marcon, Fairfield Police, was the senior Police officer in attendance at the game. He had met with club officials in the days preceding the game and on information received had upgraded the risk assessment from low to medium.

As to the actual level of crowd disturbance Superintendent Marcon, Local Area Commander, Fairfield Police, gave evidence that the incidents involved a “very small minority”, lasting 3-4 minutes on the first occasion and 5 minutes for the second, and “when the Police grabbed a few people everyone backed off” and “it calmed right down”. The Police objective was to keep as many people safe and as low key as was possible and Superintendent Marcon thought the incident was not anywhere near as serious as it was portrayed in the media.

The Inquiry noted that while few people were injured the Inquiry believes that the situation was much more serious than described by the Local Area Commander. Some observers described it as ugly and frightening, even to the extent that at the time they feared the situation could lead to deaths. Some said that “hundreds” of people were involved. While the Inquiry accepts that many of these were excited onlookers rather than violent agitators the scene was one of mob turbulence, which has brought the whole sport of soccer into disrepute. The use of capsicum spray and Police helicopters suggest that the Police considered it to be very serious at the time.

Flags and Banners

Many flags and banners were placed around the SUFC Edensor Park stadium before the commencement of the match. Some were national or political in character and designed to insult and provoke visitors of Serbian background. Most were put in place before the game started, either the previous night or on the morning of the game. Some SUFC supporters had erected banners with the knowledge and agreement of SUFC officials. The placing of these flags and banners was a flagrant breach of Soccer NSW Rules and Regulations and specific pre match guidelines issued by the Competition Secretary, Soccer NSW.

When Soccer NSW officials sought to have the flags and banners removed SUFC officials objected as did some fans. There was a compromise reached whereby several banners were taken down although at least one was later restored. It has not been

satisfactorily explained to the Inquiry how banners that were removed prior to the match under the supervision of SUFC officials were later put up during the matches.

The Inquiry views the exhibition of national and political flags and banners to be inflammatory and contributory to the violence and recommends that the bans be strictly enforced. The Inquiry is disappointed by attempts from SUFC to explain away blatant symbols of nationalism including symbols of a previous fascist regime as being of little significance.

In addition to these prohibited items, the Inquiry suspects that flares were also secreted in the grounds and thrown during the first disturbance and during the match, again instigated by SUFC supporters. A dead pig with Serbian insignia written on it was thrown onto the pitch during the game.

The Cause of the Violence

It is clear from the unsworn evidence placed before the Panel of Inquiry that the violent incidents were primarily caused by historic hostilities between SUFC supporters, predominantly of Croatian background, and BWESC supporters, largely of Serbian background. These rivalries are due to historical enmities and to some extent tensions dating back to the Second World War and revived by the recent wars and massacres in the Balkans. It is therefore of concern to the Inquiry that such enmity finds expression through soccer in Australia in 2005.

At the same time it is not uncommon throughout world soccer (or football) for violence among spectators to be seen as a significant problem. In England the cause is thought to be hooliganism of young men together with a form of tribalism based on locality. While racism in sport is a serious concern for many countries, violence between supporter groups due to ethnic tensions seems unusual.

The Inquiry is of the view that the major responsibility for the incidents described lies with the SUFC supporters who grossly outnumbered their BWESC rivals. BWESC supporters numbered fifty to one hundred people and there were approximately three to four thousand SUFC fans. We are satisfied that SUFC fans attacked the BWESC group first and turned on the Police and struggled with them long after the identifiable BWESC supporters had left the stadium. They were also guilty of offensive behavior towards the BWESC players on the field.

The BWESC must also accept some of the blame as their group responded with verbal and physical violence when attacked and indulged in provocative actions towards the much larger SUFC crowd. There is also information that they behaved aggressively after leaving the Sydney United Sports Centre ground. However, the BWESC's fault is minor compared with that of SUFC.

Review of Legislation

In this section the Inquiry will:

- Review the adequacy of existing legislation to ensure the maintenance of public order at sporting events and the adequacy of sanctions against individuals involved in disrupting the quiet enjoyment of those attending soccer matches.
- Recommend legislative reform.

While there are a range of provisions in different Acts that may cover offences at sporting venues the Inquiry regards it as desirable that all offences that relate to sporting events are included under a specific piece of legislation to:

- Apply to all sports and not to specifically focus on football.
- Apply where admission is charged to an enclosed area.
- Have an educative value.

The Inquiry recommends that the UK *Football Offences Act 1991* and the *Football Disorder Act 2000* together with related legislation is used as a guide, although the overseas elements of these Acts should be ignored because they are not relevant to the Australian context.

In particular the exclusion of persons guilty of hooligan type behaviour and their subsequent banning from all sporting venues, including lifetime bans, should be included in the legislation. Such exclusion should stipulate minimum and maximum periods, with a mandatory minimum period of not less than 12 months. The following would be offences under the legislation:

- o Drink related offences
- o Disorderly behaviour
- o Threatening behaviour
- o Affray
- o Violent disorder
- o Assault
- o Throwing missiles
- o Breach of the peace
- o Running on the pitch
- o Racial/indecent chanting
- o Drugs offences
- o Possession of weapon
- o Criminal damage
- o Indecent behaviour

That provisions should be made imposing penalties for breaches of exclusion orders.

There should also be legislation dealing with the searching of individuals and items in their possession within and in the vicinity of grounds where sporting events are held.

Investigate and establish the responsibilities of the two participating clubs in the safe conduct of matches.

Both SUFC and BWESC engaged in amicable pre-match planning for the event. Both clubs stated that they would work cooperatively with the investigation and distanced themselves from the spectators who engaged in violent behaviour.

The responsibilities of the two clubs for the events of 13 March have already been touched upon in our response to the Section above *Investigate and establish the cause of the crowd disturbance, with reference to any contributing political, cultural or social factors.*

Clubs are made aware of Soccer NSW Rules and Regulations on a regular basis. Under Soccer NSW Rules and Regulations Section 10.11.1 Prohibited Items (i) At any fixture under the jurisdiction of Soccer NSW the following items are prohibited: -

- Flares
- Fireworks
- National Flags other than the Australian Flag
- National or Political Emblems other than the Australian Emblem
- Loudhailers
- Banners or placards displaying political messages or slogans
- Instruments prohibited by law.

Failure to comply with Regulation 10.11.1 may result in such action as determined by the Board of Directors or the General Purposes Tribunal.

Sydney United Football Club

SUFC as host club for the event is responsible for implementing agreed security measures and other arrangements. Under Section 10.7 B, Home Club Officials shall be solely responsible for b) Provision of adequate security for the protection of Players and the public (Soccer NSW Rules and Regulations).

BWESC and SUFC officials stated to the Inquiry that they agreed at the first pre-match meeting, 23 February 2005, that there would be no away spectators. Both clubs said that they agreed to no away fans as being the safest method of having a match. Any agreement on implementing a 'No Away Fans' policy is not reflected in the meeting minutes, 23 February, prepared by SUFC officials. Soccer NSW's record of a meeting 7 March with representatives of both clubs indicates Soccer NSW's reluctance to support a "No Away Fans" policy.

The Competition Secretary, Soccer NSW, wrote to both clubs in the week prior to the match, 8 March 2005, requesting compliance by both clubs on the following issues:

- Spectators of the competing clubs will not be segregated, due to lack of facilities in the Northern end of the ground.
- Security supervision of the Sydney United Sports Centre will take place twenty-four hours prior to the match kick-off.

- Security will carry out searches on individuals and bag searches at the main gate prior to spectator entry with the assistance of metal detectors.
- The sale and consumption of alcohol will be confined to the two designated areas. Alcohol is not to be consumed at random all around the ground. SUFC officials are to supervise these alcohol areas.
- No signs, banners or flags will be permitted into the ground. Any found inside the facility are to be removed from the ground.

A copy of this letter from Soccer NSW to SUFC, 8 March 2005, is attached to the Report.

Security breaches

SUFC is found to be largely culpable for breaches of Soccer NSW regulations. It was the SUFC's home ground and SUFC did not demonstrate commitment to Soccer NSW regulations. Security breaches were particularly inappropriate because both clubs agreed that the match presented a security risk. This view is corroborated by plans to secure the venue for 24-hours prior to the match, suggestions that no away fans be present, the use of segregated areas for supporters of either club, the involvement of Police and the increase in security personnel.

SUFC failed to secure the venue for 24 hours prior to the match kick-off. SUFC officials risked the safety of players and spectators through allowing supporters to enter the stadium prior to match officials or security arriving.

Although clubs and Soccer NSW had agreed that all spectators would be security checked SUFC officials allowed supporter groups to enter the stadium prior to the arrival of security to hang banners around the stadium. Prohibited items may have been brought into the stadium at this time. On evidence presented the Panel of Inquiry is satisfied that SUFC supporters brought in the flares, banners, and the carcass of a small pig with Serbian insignia graffitied on its body. This all indicates a level of planning rather than a reaction in the heat of the moment to what was happening on the field. A reasonable person would assume that a pig carcass would have been intercepted during security checks and the presence of the pig carcass indicates that not all persons and possessions brought into the grounds were subject to thorough searching.

National and political emblems

Under Soccer NSW Rules and Regulations the following are prohibited:

- National flags other than the Australian flag.
- National or political emblems other than the Australian emblem.
- Banners or placards displaying political messages or slogans.

Prior to the match the Competition Secretary, Soccer NSW, wrote to both clubs stating that all signs, banners or flags at the ground would be banned. Despite this instruction from Soccer NSW SUFC officials authorised supporters to hang up banners. SUFC officials were also asked by a Director, Soccer NSW to interpret banners and note which were politically or ethnically sensitive. In doing so they failed to identify Croatian emblems and flags to Soccer NSW that were clearly ethnically offensive, especially to people of Serbian background.

SUFC officials also debated the removal of banners when asked to do so by Soccer NSW. However they complied with the removal of several banners prior to the gates being opened. Soccer NSW approved the remaining banners based on the advice given to them by SUFC officials. It seems likely that when banners were removed the SUFC officials did not lock them away but returned them to supporters who then put them up again during the match.

SUFC officials addressed the Panel of Inquiry and were shown photographic evidence of banners present around the stadium on 13 March. The SUFC officials did not know or did not reveal to the Inquiry that some of the flags they dismissed as of little significance were flags of past Croatian nationalist regimes and included political and national emblems that were likely to be politically offensive to others.

Identification of troublemakers

SUFC officials have not identified SUFC fans who were troublemakers at the 13 March match. Contrary to claims made by SUFC officials the Inquiry heard from many other witnesses who presented evidence to the Inquiry to indicate that these troublemakers would be well known to club officials. Many of the troublemakers were said to be recognizable as they wore club colours and have been regular attendees at past matches and have caused disturbances. No action appears to have been taken by the club to deal with the fans involved in past incidents.

Flares

Flares are prohibited items. Flares give off immense heat and can maim and cause severe damage. At least two flares were let off by SUFC supporters at the match. SUFC's record does not demonstrate a strong commitment to implementing sanctions on spectators involved in throwing flares.

Alcohol

Soccer NSW Rules and Regulations outline requirements for sale and consumption of alcohol:

- Section 10.10 C. Consumption of alcohol must be restricted to an enclosed area, to which minors do not have access.
- Section 10.10 D. Such area must not be adjacent to, or in the vicinity of the players/ officials race.
- Section 10.10 I. Clubs that provide facilities for the sale and supply of alcohol in line with these Regulations must provide a separate and clearly identified 'alcohol-free zone'.
- Failure to comply with Regulation 10.10 will render the following penalty: 1st Offence – maximum fine of \$1000. 2nd & 3rd Offence in same season as 1st Offence – minimum fine of \$500 and Maximum fine of \$3000.

SUFC club has stated that in keeping with the Responsible Service of Alcohol (RSA) regulations no alcohol was sold to intoxicated persons and each person could only buy maximum of two drinks at a time. However, individuals were seen by NSW Soccer

officials holding up to four cans, including spirits. There were boxes of beer stacked up and down the aisles in an area of the stadium. Alcohol was consumed up to fifty metres outside the restricted area and in areas where minors were sitting. The SUFC club had a clearly defined responsibility to ensure that this aspect of the Regulations was controlled.

Lack of intervention by club officials

Of concern was the absence of any action taken by the SUFC jacketed officials who were positioned among the SUFC fans in the area in front of the main canteen. Specifically the Inquiry refers to several occasions when SUFC supporters threw beer cans and other objects onto the field of play and directly at BWESC players. Police intervened and restored some order.

The caution given in the SUFC Match Guide was somewhat muted and the warnings given by the ground announcer were inadequate.

Soccer Players

The players of both clubs and match officials are to be commended for their professional behaviour at the match. They did not contribute to the disturbances off the field. BWESC players were verbally harassed, spat at, subject to racist abuse and their physical safety was endangered by projectiles such as a flare, bottles, coins, lighters and cans.

Spectators

Both clubs made statements distancing themselves from the thugs who were involved in the mob violence at the match.

Sydney United Football Club Media Release 14 March 2005

“The events of Sunday March 13 are by no way a reflection of our true supporter base and the social misfits involved should be dealt with under the full force of the law. We at Sydney United, do not in any way condone or endorse such anti-social behaviour and ask that the NSW Police charge the individuals in question. Persons involved in Sunday’s incident are not welcome to our Club and are not true fans of Football.

Hooligans such as these should be identified and ostracized from the wider community. We should not tolerate such behaviour and we’ll assist in any way possible to identify these persons. Ours is a beautiful game and there is no room for this ugly element.”

Bonnyrigg White Eagles Sports Club statement to the Inquiry 6 April 2005

“We state that the majority of our supporters and parents of the players are sensible law abiding Australians who are interested in soccer as a sport. It is a great pity that a few renegade people are bringing soccer into disrepute and make life very difficult for the clubs who spend an enormous amount of energy, funds and time fostering the game of soccer and generally developing soccer in New South Wales. Our

Club, and we assume most other clubs, would seek the help of Soccer New South Wales and the Police taking action against those renegades who put the game into disrepute who breach the law by assaulting abusing and generally breaching the peace. We state renegade behaviour by fringe elements is abhorrent to our Club and in no way is tolerated or endorsed by our Club and we offer our upmost co-operation with Soccer New South Wales and the authorities in general and the Police in particular to assist in any investigations.

Our Club is assisting the Police with all their inquiries and will ban identified troublemakers from the games and club premises. Identified troublemakers will also be banned from the Social Club (Serbian Centre Club) and we have the full support of the directors of the Serbian Centre Club to that effect.”

Bonnyrigg White Eagles Sports Club

As it was an away game for BWESC it is hard to apportion the major responsibility for the disturbance to BWESC. It is understood that club officials made arrangements and paid a considerable sum for a live telecast of the game at their club. The aim was to minimise the number of away supporters at the match with a view to minimising disturbances and to ensure the safety of their supporters.

Bonnyrigg White Eagles Sports Club is found to be responsible to a lesser degree than Sydney United Football Club for the crowd disturbances on 13 March at the Sydney United Football Club grounds.

Soccer NSW

Soccer NSW has responsibility for communicating and monitoring the implementation of its rules and regulations by soccer clubs participating in competitions under its jurisdiction.

Communication between Soccer NSW Competition staff and the Competition Director on the matter of banners and flags within the stadium was inadequate. This led to actions that failed to ensure the full implementation of rules and regulations set for the match. There was a communication breakdown within NSW Soccer in that the Director was not aware of a pre-match written requirement issued by NSW Soccer to the SUFC that no banners, flags or signs be present in the stadium. The banners that were left at the start of the match had the authorisation of the Director, Competitions Committee. However, the SUFC officials did not give adequate advice to the NSW Soccer Competition Director and failed to advise him of the political and controversial nature of some of the banners that were left in the stadium at the start of the match.

Governance issues for Soccer NSW require attention, to prevent the recurrence of similar situations. Specifically the line of responsibility and decision making at the match should be addressed by Soccer NSW. While it was recognised that the Competition Secretary

has final responsibility for decisions the presence of the Director and his involvement in decision making blurred the lines of responsibility. The Competition Secretary was not able to act decisively.

Soccer NSW should develop a clear procedure for the appointment of a match Competition Official. This official is to have the key communications role and have adequate delegation to be responsible for the enforcement of Soccer NSW rules and regulations.

The broader question of micro management by directors in other areas of Soccer NSW is outside the scope of this inquiry. However it is recommended that codes of conduct for directors and governance issues be scrutinized by Soccer NSW with the assistance of an independent body to clarify responsibilities of staff and directors and governance issues.

Soccer NSW needs to take a rigorous approach to implementing its rules and regulations, and specifically to address:

- The use of ethnic symbols and emblems on the logos of a number of clubs.
- The naming of stadiums where competition soccer is played.
- The motto "Local, Vocal, Tribal" is confusing and appears to support vocalization of ethnic differences.
- Marketing by Soccer NSW – drawing on ethnicity of clubs for example the promotion of an event as a "Macedonian derby" can be viewed as politically insensitive or offensive.

Soccer NSW may also consider expanding its educative functions and include consultations with organised supporter groups. Where punitive action is taken by Soccer NSW against clubs or individuals it is suggested that this information be used to support the education of clubs and their supporters.

Security Firm

There was a lack of communication and cohesion between Sydney United Football Club and E-Group security firm about the types of action to be taken in: conducting searches, managing alcohol consumption or crowd misbehaviour, or in relation to the removal and safekeeping of items such as political banners, flares and other prohibited items.

Recommend safety and security measures for future matches between the two participating clubs

These recommendations apply specifically to any future Premier League and Championship matches between the two clubs.

Security Issues

Soccer NSW to seek a risk assessment from the Local Area Commander of Police on the level of security and policing required for a match at a neutral venue. Host clubs would have this responsibility if the match were held at their home ground.

The use of surveillance cameras is highly recommended to assist in the identification of offenders and to discourage crowd misbehaviour.

Clubs to place signs around the grounds and at entry points advising individuals that they may be searched by security prior to entering the grounds and while on the grounds. That security may remove prohibited items and hold it in safekeeping or ask the individual to leave the premises.

Security to be briefed thoroughly and provided with a list of prohibited items prior to the match day. The briefing to be reiterated on match day and include information about the types of action to be taken in regards to conducting searches, banners, prohibited items, flares, throwing of missiles and other misbehaviour.

Alcohol

Alcohol should only be served and consumed in designated areas and be monitored effectively by club officials and security. Alcohol is to be served in biodegradable cups and not in cans or glass bottles.

Segregation

The Inquiry supports the view that the game of soccer (football) should take place in a safe, family-friendly environment.

Segregation is generally highly undesirable, but in the present climate the Inquiry supports segregation in the event that the Police recommend it for public safety. Segregation arrangements must ensure that the away team supporters have access to toilet and canteen facilities. Two secure fences are recommended to segregate supporters with a buffer zone of approximately forty metres between these two fences. Security should monitor the fence line of each supporter area to minimise the chance of breaches. Entry and exit gates should also be separate for each supporter group and consideration given to the arrival and departure arrangements for each supporter group.

The Inquiry would support future matches being played at a neutral venue if recommended by the Police for reasons of minimising risks to public safety.

The Inquiry feels it is a sad indictment of our society if fears of spectator violence reach a point where one set of supporters are completely barred from attending matches. The Inquiry does not recommend that matches are played without away fans.

Codes of Conduct

That clubs comply with codes of conduct for members, clubs and teams as set out in the next section.

Ticketing and seating regimes

If practicable, tickets to be presold to individuals using credit card and for the ticketing regime to seat avid fans of either team apart. That spectators are contained in seating only areas of the stadium.

Recommend measures to ensure the future safe conduct of matches under the jurisdiction of Soccer NSW

That Soccer NSW:

Implement, monitor and enforce their rules and regulations

Soccer NSW to issue a rules book and Codes of Conduct for clubs, players, officials and spectators to clubs prior to each season. The rules book should include a comprehensive checklist for organising matches. Rules to stipulate clubs' responsibilities in terms of their membership and fan base.

Soccer NSW needs to take a rigorous approach to implementing its rules and regulations, and specifically to address:

- The use of ethnic symbols and emblems on the logos of a number of clubs.
- The naming of stadiums where competition soccer is played.
- The motto "Local, Vocal, Tribal" is confusing and appears to support vocalization of ethnic differences.
- Marketing by Soccer NSW – drawing on ethnicity of clubs for example the promotion of an event as a "Macedonian derby" can be viewed as politically insensitive or offensive.

To enforce punitive sanctions against clubs that do not abide by rules and regulations including those under Section 10.11.1 Prohibited Items. Specifically that action is taken against clubs where they breach the prohibition and allow national or political emblems or flags other than the Australian emblems or flags. For example the SUFC checkerboard may be linked to a former fascist Croatian government and be offensive to spectators of Serbian background. The Inquiry was told that the checkerboard design of the Croatian flag has varied in history to reflect the ideology of the regime in power.

Establish events management support and advice

Soccer NSW to develop a comprehensive checklist for the management of competitions for use by all clubs in organising matches. To provide events management advice and support, whether internally staffed or outsourced, to clubs to assist them with project management and risk assessment of matches.

For Soccer NSW to participate and structure a meeting with representatives from both clubs, security/ steward, Police (if practicable), and match officials, at least 48 hours prior to Premier League and Championship matches to cover:

- Who is playing and whether any problems are anticipated at all based on political or football history.
- Lines of communication/ responsibilities/ reporting on the day.
- Spectator numbers.

- Arrival arrangements for away team supporters and players.
- Security arrangements – positioning of security around the stadium, actions to be taken.
- Purchasing of tickets.
- Use of surveillance and placement of cameras.
- Education of crowds (including signboards and posters relating to spectator code of conduct, match day guide, announcements).
- Crowd management - set entry and exit times.
- The provision of alcohol-free areas.

NSW Soccer to organise a match day briefing with security, club officials, and Police on security issues.

Soccer NSW to undertake or seek further research on people who misbehave at soccer matches in Australia to assist with the development of further safety measures.

Develop, Implement and Promote Codes of Conduct

Soccer NSW to consider the codes of conduct developed by the Bulldogs Rugby League Club and the Federation Internationale Football Association (FIFA). Through consultation Soccer NSW is to develop and implement a Code of Conduct for Spectators for all clubs to use in the ongoing education of spectators. Consultations to concentrate on measures to nurture positive fan behaviour and cultures and plans to sanction individuals engaging in destructive behaviour.

Soccer NSW is to provide advice to clubs on implementing the code of conduct with their fan base and to provide ongoing support in monitoring its implementation. Punitive sanctions to be brought against clubs who fail to follow simple steps to make their supporters aware of the Codes of Conduct for Spectators. Clubs should:

- Include the code of conduct in the match day program.
- Reinforce the message by placing the code of conduct in prominent public places around the grounds, including near the bar, canteen area, and in other places where they will be read such as on the backs of toilet doors, on electronic signboards and screens where they exist.
- Ensure the grounds announcer makes reference to the code of conduct in pre-game information and during intermission and does not make inappropriate comments that might stir spectators to act aggressively towards the opposition spectators and team.

Encourage prominent soccer players to participate in a spectator behaviour education program.

Review management issues

To consider engaging an independent consultant to review Soccer NSW's structure, the roles and responsibilities of directors and staff, clarifying the code of conduct of directors, structure and composition of the board, organisational structure, and minimise

director involvement in the day to day running of the organisation. This would include a review and development of a code of conduct for senior executives and directors.

Seek Legislative Reform

See the section on the Review of Legislation for recommendations on legislative reform.

That all soccer clubs under the jurisdiction of Soccer NSW:

Clubs to abide by the rules book issued by Soccer NSW.

Clubs to supply members and spectators with the current spectator/ member Code of Conduct developed by Soccer NSW. Clubs to endorse the Spectator's Codes of Conduct publicly and to send a clear message to members and spectators about unacceptable behaviour through announcements during matches, the match day guide, display of the code of conduct for members and fans around the stadium.

Clubs to keep a record of troublemakers showing the actions taken to control their behaviour. Evidence was given that the troublemakers are usually known to the clubs which take no action against them out of fear for their personal safety or loss of position within the club. Therefore clubs should proactively cooperate with Police in identifying the culprits so that the Police can take further measures.

Clubs to send a clear message to members and spectators that flares are illegal and dangerous and will not be tolerated. Spectators identified by Police are likely to be charged with a criminal offence and a magistrate may decide to ban the person from sporting venues for a period of time.

Club officials to familiarize themselves with key political and national flags to ban at matches. To develop an album of images of banned emblems, flags and banners and a set of these images to be submitted to Soccer NSW. If a club allows a banned flag or banner to stay up during a match punitive sanctions to be brought against that club by Soccer NSW.

Club website supervisors are to take down potentially inflammatory material and comments from the club website.

Clubs to have prescribed number of jacketed officials at games.

That the hosting soccer clubs:

Abide by the rules book issued by soccer NSW.

Implement required security measures

Consult with the Police Local Area Commander prior to each Premier League competition match to advise on risk level and security required.

Every club to make a risk assessment of the home match and have a policy developed on how to deal with problems that may arise before, during and after the game. Ensure that security measures meet the likely level of risk.

The host club to use the competitions checklist once developed by Soccer NSW prior to each match.

The host club to fully cooperate with the away club, Soccer NSW, Police and security to minimise any danger to the safety of spectators.

Secure and lock down the venue, preventing entry to all supporters and unauthorised persons, for a minimum of four hours prior to the match. Conduct a thorough search of the stadium and facilities within this period and all weapons, flares, alcohol, banners, offensive or potentially dangerous articles be removed from public areas and be locked away by security and the Police notified if appropriate. That a form specifically related to this search be completed and signed by security and the host club official prior to the start of the match and copies be kept on record at the host club and Soccer NSW.

That security checks are done on all containers/ bags brought into the stadium, as practicable, and metal detector checks on individuals are done where possible.

Clubs to have prescribed number of jacketed officials at games.

Implement a ticketing regime

Where possible to seat avid fans of either club at a distance. For example it is common practice in many countries and sports that each team's group of fans are seated behind the goal area and that family groups sit on the sidelines.

Ensure responsible service of alcohol

Host clubs to implement and monitor the responsible service of alcohol in designated areas or to have no alcohol sold or consumed within the stadium. Host clubs should make arrangements to secure the alcohol zones so that alcohol is not taken out of these zones.

Alcohol and drinks are not to be sold in cans or bottles and are only to be sold in biodegradable cups. The quantity per serving and per person to be restricted to amounts outlined in rules and regulations for sports grounds.

Educate spectators and fan base

The host club to endorse the Spectator's Codes of Conduct publicly and to send a clear message to members and spectators about unacceptable behaviour through announcements during matches, the match day guide, display of the code of conduct for members and fans around the stadium.

The host club to make an effort to identify and keep a record of troublemakers at matches. The club to record actions taken to control their behaviour.

The host club to send a clear message to members and spectators that flares are illegal and dangerous and will not be tolerated.

The host club officials to familiarize themselves with key political and national flags to ban at matches. To use an album of images of banned emblems, flags and banners at the match and ensure that banned flags or banners are removed and locked away for safekeeping for the duration of the match.

That Soccer Spectators:

Abide by the Spectator's Code of Conduct.

Recommend punitive sanctions as appropriate.

The Panel of Inquiry has heard unsworn evidence during this inquiry about the gross misdemeanors of fans:

- Using racist and racially offensive terms and foul language.
- Hurling missiles including flares at other spectators and players.
- Shouting threats at individuals and groups.
- Confronting and assaulting each other and Police.
- Spitting at various persons.
- Exhibiting politically offensive banners and attire.
- Making offensive gestures and indecent posturing.

The Panel of Inquiry regards this behaviour as deplorable and destructive of the good name of soccer in NSW.

The Inquiry believes that the time is now appropriate for firm action to be taken to prevent recurrence of crowd violence at football matches. The Inquiry feels it necessary that sanctions should be imposed that will impact upon the clubs involved with a view to making them take a more responsible attitude towards the identification and exclusion of offenders, the education of their fans, and to comply literally with the rules and regulations of Soccer NSW.

The Inquiry is concerned about the behaviour of both groups of fans involved but more particularly of those supporting the Sydney United Football Club.

The Inquiry finds an incongruence between Sydney United Football Club having serious concerns about violence on the day and allowing fans to come into the stadium prior to the commencement of the match to put up banners which were likely to be offensive to those of Serbian background.

After considering all the evidence and submissions the Inquiry finds it necessary to recommend the following sanctions.

Given that Sydney United Football Club was responsible for the venue on the day and given the shortcomings in security outlined in the report the Inquiry proposes that Soccer NSW suspends Sydney United Football Club from taking part during the current season

for between two and four consecutive matches. Points are to be allocated according to Soccer NSW's formula.

If there are future disturbances of a like kind involving Sydney United Football Club Soccer NSW should seriously consider expelling them from the competition.

In the case of Bonnyrigg White Eagles Sports Club the Inquiry considers their culpability less than that of Sydney United Football Club primarily because they were not responsible for the venue and its security. There is no evidence to suggest that they encouraged the behaviour of their fans. Their case could be dealt with by the imposition of a fine with a clear warning that a repetition of violent behaviour by their supporters could lead also to suspension or expulsion.

List of Recommendations

1. The Inquiry views the exhibition of national and political flags and banners to be inflammatory and contributory to the violence and recommends that the bans be strictly enforced by Soccer NSW.
2. The Inquiry regards it as desirable that all offences that relate to sporting events are included under a specific piece of legislation to:
 - Apply to all sports and not to specifically focus on football.
 - Apply where admission is charged to an enclosed area.
 - Have an educative value.

The Inquiry recommends that the UK *Football Offences Act 1991* and the *Football Disorder Act 2000* together with related legislation is used as a guide, although the overseas elements of these Acts should be ignored because they are not relevant to the Australian context.

In particular the exclusion of persons guilty of hooligan type behaviour and their subsequent banning from all sporting venues, including lifetime bans, should be included in the legislation. Such exclusion should stipulate minimum and maximum periods, with a mandatory minimum period of not less than 12 months. The following would be offences under the legislation:

- Drink related offences
- Disorderly behaviour
- Threatening behaviour
- Affray
- Violent disorder
- Assault
- Throwing missiles
- Breach of the peace
- Running on the pitch
- Racial/indecent chanting
- Drugs offences
- Possession of weapon
- Criminal damage
- Indecent behaviour

That provisions should be made imposing penalties for breaches of exclusion orders.

There should also be legislation dealing with the searching of individuals and items in their possession within and in the vicinity of grounds where sporting events are held.

Investigate and establish the responsibilities of the two participating clubs in the safe conduct of matches.

3. Soccer NSW should develop a clear procedure for the appointment of a match Competition Official. This official is to have the key communications role and have adequate delegation to be responsible for the enforcement of Soccer NSW rules and regulations.
4. The broader question of micro management by directors in other areas of Soccer NSW is outside the scope of this inquiry. However it is recommended that codes of conduct for directors and governance issues be scrutinized by Soccer NSW with the assistance of an independent body to clarify responsibilities of staff and directors and governance issues.
5. Soccer NSW needs to take a rigorous approach to implementing its rules and regulations, and specifically to address:
 - The use of ethnic symbols and emblems on the logos of a number of clubs.
 - The naming of stadiums where competition soccer is played.
 - The motto "Local, Vocal, Tribal" is confusing and appears to support vocalization of ethnic differences.
 - Marketing by Soccer NSW – drawing on ethnicity of clubs for example the promotion of an event as a "Macedonian derby" can be viewed as politically insensitive or offensive.
6. Soccer NSW may also consider expanding its educative functions and include consultations with organised supporter groups. Where punitive action is taken by Soccer NSW against clubs or individuals it is suggested that this information be used to support the education of clubs and their supporters.

Recommend safety and security measures for future matches between the two participating clubs

These recommendations apply specifically to any future Premier League and Championship matches between the two clubs.

7. Soccer NSW to seek a risk assessment from the Local Area Commander of Police on the level of security and policing required for a match at a neutral venue. Host clubs would have this responsibility if the match were held at their home ground.
8. The use of surveillance cameras is highly recommended to assist in the identification of offenders and to discourage crowd misbehaviour.
9. Clubs to place signs around the grounds and at entry points advising individuals that they may be searched by security prior to entering the grounds and while on the grounds. That security may remove prohibited items and hold it in safekeeping or ask the individual to leave the premises.

10. Security to be briefed thoroughly and provided with a list of prohibited items prior to the match day. The briefing to be reiterated on match day and include information about the types of action to be taken in regards to conducting searches, banners, prohibited items, flares, throwing of missiles and other misbehaviour.
11. Alcohol should only be served and consumed in designated areas and be monitored effectively by club officials and security. Alcohol is to be served in biodegradable cups and not in cans or glass bottles.
12. Segregation is generally highly undesirable, but in the present climate the Inquiry supports segregation in the event that the Police recommend it for public safety. Segregation arrangements must ensure that the away team supporters have access to toilet and canteen facilities. Two secure fences are recommended to segregate supporters with a buffer zone of approximately forty metres between these two fences. Security should monitor the fence line of each supporter area to minimise the chance of breaches. Entry and exit gates should also be separate for each supporter group and consideration given to the arrival and departure arrangements for each supporter group.
13. The Inquiry would support future matches being played at a neutral venue if recommended by the Police for reasons of minimising risks to public safety.
14. The Inquiry feels it is a sad indictment of our society if fears of spectator violence reach a point where one set of supporters are completely barred from attending matches. The Inquiry does not recommend that matches are played without away fans.
15. That clubs comply with codes of conduct for members, clubs and teams as set out in the next section.
16. If practicable, tickets to be presold to individuals using credit card and for the ticketing regime to seat avid fans of either team apart. That spectators are contained in seating only areas of the stadium.

Recommend measures to ensure the future safe conduct of matches under the jurisdiction of Soccer NSW

That Soccer NSW implement, monitor and enforce their rules and regulations

17. Soccer NSW to issue a rules book and Codes of Conduct for clubs, players, officials and spectators to clubs prior to each season. The rules book should include a comprehensive checklist for organising matches. Rules to stipulate clubs' responsibilities in terms of their membership and fan base.

18. Soccer NSW needs to take a rigorous approach to implementing its rules and regulations, and specifically to address:
- The use of ethnic symbols and emblems on the logos of a number of clubs.
 - The naming of stadiums where competition soccer is played.
 - The motto "Local, Vocal, Tribal" is confusing and appears to support vocalization of ethnic differences.
 - Marketing by Soccer NSW – drawing on ethnicity of clubs for example the promotion of an event as a "Macedonian derby" can be viewed as politically insensitive or offensive.
19. Soccer NSW to enforce punitive sanctions against clubs that do not abide by rules and regulations including those under Section 10.11.1 Prohibited Items. Specifically that action is taken against clubs where they breach the prohibition and allow national or political emblems or flags other than the Australian emblems or flags. For example the SUFC checkerboard may be linked to a former fascist Croatian government and be offensive to spectators of Serbian background. The Inquiry was told that the checkerboard design of the Croatian flag has varied in history to reflect the ideology of the regime in power.

Soccer NSW to establish events management support and advice

20. Soccer NSW to develop a comprehensive checklist for the management of competitions for use by all clubs in organising matches. To provide events management advice and support, whether internally staffed or outsourced, to clubs to assist them with project management and risk assessment of matches.
21. For Soccer NSW to participate and structure a meeting with representatives from both clubs, security/ steward, Police (if practicable), and match officials, at least 48 hours prior to Premier League and Championship matches to cover:
- Who is playing and whether any problems are anticipated at all based on political or football history.
 - Lines of communication/ responsibilities/ reporting on the day.
 - Spectator numbers.
 - Arrival arrangements for away team supporters and players.
 - Security arrangements – positioning of security around the stadium, actions to be taken.
 - Purchasing of tickets.
 - Use of surveillance and placement of cameras.
 - Education of crowds (including signboards and posters relating to spectator code of conduct, match day guide, announcements).
 - Crowd management - set entry and exit times.
 - The provision of alcohol-free areas.
22. NSW Soccer to organise a match day briefing with security, club officials, and Police on security issues.

23. Soccer NSW to undertake or seek further research on people who misbehave at soccer matches in Australia to assist with the development of further safety measures.

Soccer NSW to Develop, Implement and Promote Codes of Conduct

24. Soccer NSW to consider the codes of conduct developed by the Bulldogs Rugby League Club and the Federation Internationale Football Association (FIFA). Through consultation Soccer NSW is to develop and implement a Code of Conduct for Spectators for all clubs to use in the ongoing education of spectators. Consultations to concentrate on measures to nurture positive fan behaviour and cultures and plans to sanction individuals engaging in destructive behaviour.
25. Soccer NSW is to provide advice to clubs on implementing the code of conduct with their fan base and to provide ongoing support in monitoring its implementation. Punitive sanctions to be brought against clubs who fail to follow simple steps to make their supporters aware of the Codes of Conduct for Spectators. Clubs should:
- Include the code of conduct in the match day program.
 - Reinforce the message by placing the code of conduct in prominent public places around the grounds, including near the bar, canteen area, and in other places where they will be read such as on the backs of toilet doors, on electronic signboards and screens where they exist.
 - Ensure the grounds announcer makes reference to the code of conduct in pre- game information and during intermission and does not make inappropriate comments that might stir spectators to act aggressively towards the opposition spectators and team.
26. Encourage prominent soccer players to participate in a spectator behaviour education program.

Soccer NSW to review management issues

27. To consider engaging an independent consultant to review Soccer NSW's structure, the roles and responsibilities of directors and staff, clarifying the code of conduct of directors, structure and composition of the board, organisational structure, and minimise director involvement in the day to day running of the organisation. This would include a review and development of a code of conduct for senior executives and directors.

That all soccer clubs under the jurisdiction of Soccer NSW:

28. Clubs to abide by the rules book issued by Soccer NSW.
29. Clubs to supply members and spectators with the current spectator/ member Code of Conduct developed by Soccer NSW. Clubs to endorse the Spectator's Codes of

Conduct publicly and to send a clear message to members and spectators about unacceptable behaviour through announcements during matches, the match day guide, display of the code of conduct for members and fans around the stadium.

30. Clubs to keep a record of troublemakers showing the actions taken to control their behaviour. Evidence was given that the troublemakers are usually known to the clubs which take no action against them out of fear for their personal safety or loss of position within the club. Therefore clubs should proactively cooperate with Police in identifying the culprits so that the Police can take further measures.
31. Clubs to send a clear message to members and spectators that flares are illegal and dangerous and will not be tolerated. Spectators identified by Police are likely to be charged with a criminal offence and a magistrate may decide to ban the person from sporting venues for a period of time.
32. Club officials to familiarize themselves with key political and national flags to ban at matches. To develop an album of images of banned emblems, flags and banners and a set of these images to be submitted to Soccer NSW. If a club allows a banned flag or banner to stay up during a match punitive sanctions to be brought against that club by Soccer NSW.
33. Club website supervisors are to take down potentially inflammatory material and comments from the club website.
34. Clubs to have prescribed number of jacketed officials at games.

That the hosting soccer clubs:

35. Abide by the rules book issued by soccer NSW.

That the hosting soccer clubs implement required security measures

36. Consult with the Police Local Area Commander prior to each Premier League competition match to advise on risk level and security required.
37. Every club to make a risk assessment of the home match and have a policy developed on how to deal with problems that may arise before, during and after the game. Ensure that security measures meet the likely level of risk.
38. The host club to use the competitions checklist once developed by Soccer NSW prior to each match.
39. The host club to fully cooperate with the away club, Soccer NSW, Police and security to minimise any danger to the safety of spectators.

40. Secure and lock down the venue, preventing entry to all supporters and unauthorised persons, for a minimum of four hours prior to the match. Conduct a thorough search of the stadium and facilities within this period and all weapons, flares, alcohol, banners, offensive or potentially dangerous articles be removed from public areas and be locked away by security and the Police notified if appropriate. That a form specifically related to this search by completed and signed by security and the host club official prior to the start of the match and copies be kept on record at the host club and Soccer NSW.
41. That security checks are done on all containers/ bags brought into the stadium, as practicable, and metal detector checks on individuals are done where possible.
42. Clubs to have prescribed number of jacketed officials at games.

That the hosting soccer clubs implement a ticketing regime

43. Where possible to seat avid fans of either club at a distance. For example it is common practice in many countries and sports that each team's group of fans are seated behind the goal area and that family groups sit on the sidelines.

That the hosting soccer clubs ensure responsible service of alcohol

44. Host clubs to implement and monitor the responsible service of alcohol in designated areas or to have no alcohol sold or consumed within the stadium. Host clubs should make arrangements to secure the alcohol zones so that alcohol is not taken out of these zones.
45. Alcohol and drinks are not to be sold in cans or bottles and are only to be sold in biodegradable cups. The quantity per serving and per person to be restricted to amounts outlined in rules and regulations for sports grounds.

That the hosting soccer clubs educate spectators and fan base

46. The host club to endorse the Spectator's Codes of Conduct publicly and to send a clear message to members and spectators about unacceptable behaviour through announcements during matches, the match day guide, display of the code of conduct for members and fans around the stadium.
47. The host club to make an effort to identify and keep a record of troublemakers at matches. The club to record actions taken to control their behaviour.
48. The host club to send a clear message to members and spectators that flares are illegal and dangerous and will not be tolerated.
49. The host club officials to familiarize themselves with key political and national flags to ban at matches. To use an album of images of banned emblems, flags and

banners at the match and ensure that banned flags or banners are removed and locked away for safekeeping for the duration of the match.

That Soccer Spectators:

50. Abide by the Spectator's Code of Conduct.

Recommend punitive sanctions as appropriate.

51. Given that Sydney United Football Club was responsible for the venue on the day and given the shortcomings in security outlined in the report the Inquiry proposes that Soccer NSW suspends Sydney United Football Club from taking part during the current season for between two and four consecutive matches. Points are to be allocated according to Soccer NSW's formula.

If there are future disturbances of a like kind involving Sydney United Football Club Soccer NSW should seriously consider expelling them from the competition.

52. In the case of Bonnyrigg White Eagles Sports Club the Inquiry considers their culpability less than that of Sydney United Football Club primarily because they were not responsible for the venue and its security. There is no evidence to suggest that they encouraged the behaviour of their fans. Their case could be dealt with by the imposition of a fine with a clear warning that a repetition of violent behaviour by their supporters could lead also to suspension or expulsion.

Appendix A – Bulldogs Rugby League Club – Fan Code of Conduct

FAN CODE OF CONDUCT

As a new initiative for 2005, the Bulldogs Rugby League Club has introduced a 'Fan Code of Conduct'. In an effort to create a friendly and safe environment for families and friends, and to help our supporters be an example to the football code in general, we ask you to read through the Code of Conduct below and sign the agreement on the Order Form.

As a member of the Bulldogs Rugby League Club family, we agree to abide by a code of conduct that will help our supporters be regarded as the best in the NRL. The code of conduct is as follows:

WE WILL...	WE WILL NOT...
We will welcome away team fans and assist the Club deliver an enjoyable and non threatening experience at our home games.	We will not engage in activity that embarrasses or inhibits others from enjoying the viewing of a Bulldogs game.
We will exhibit dignity, pride and poise: characteristics of the Club.	We will not taunt opposition fans in victory or exhibit bad sportsmanship in defeat.
We will celebrate in victory and commiserate in defeat.	We will not react in an abusive or violent manner, including verbal, physical and emotional abuse, towards players, officials, media, venue staff, other spectators (home or away) and others.
We will acknowledge and respect opposition fans allegiance to their own Club.	We will not disparage other teams or their fans.
We recognise the efforts of the Bulldogs players as playing to the best of their ability in an effort to win each and every game.	We will not publicly criticise the Bulldogs Club in a demeaning or derogatory manner regarding team selection, coaching, player contracts, and other decisions made by the administration.
We will work with the Club to enforce the Code of Conduct at home and away games throughout the NRL season.	We will not use foul or abusive language towards fellow supporters, away supporters, or match day officials.
We will inform the Club of people who do not abide by the Fan Code of Conduct and will support the Club cancelling the privileges or access to the services provided by the Club of these supporters.	We will not display banners with obscene or inappropriate messages.

Appendix B – Federation Internationale Football Association Code of Conduct

Federation Internationale Football Association (FIFA) Code of conduct - 12 January 2002

FIFA's Code of Conduct for football encapsulates all the sporting, moral and ethical principles for which FIFA has always stood and for which it will continue to fight in the future, regardless of the influences and pressures that may be brought to bear.

The ten golden rules not only serve as a credo for FIFA as the world football body, but they also reinforce the sense of fraternity and cooperation among the members of the worldwide football family.

1. Play to Win

Winning is the object of playing any game. Never set out to lose. If you do not play to win, you are cheating your opponents, deceiving those who are watching, and also fooling yourself. Never give up against stronger opponents but never relent against weaker ones. It is an insult to any opponent to play at less than full strength. Play to win, until the final whistle.

2. Play Fair

Winning is without value if victory has been achieved unfairly or dishonestly. Cheating is easy, but brings no pleasure. Playing fair requires courage and character. It is also more satisfying. Fair Play always has its reward, even when the game is lost. Playing fair earns you respect, while cheats are detested. Remember: It's only a game. And games are pointless unless played fairly.

3. Observe the Laws of the Game

All games need rules to guide them. Without rules, there would be chaos. The rules of football are simple and easy to learn. Make an effort to learn them, so you understand the game better. This makes you a better player. It is just as important to understand the spirit of the rules. They are designed to make the game fun to play and fun to watch. By sticking to the rules, you will enjoy the game more.

4. Respect Opponents, Teammates, Referees, Officials and Spectators

Fair Play means respect. Without opponents there can be no game. They have the same rights as you have, including the right to be respected. Your team mates are your colleagues. You form a team in which all members are equal. Referees are there

to maintain discipline and Fair Play. Always accept their decisions without arguing, and help them to help you enjoy the game more. Officials are also part of the game and must be respected accordingly. Spectators give the game atmosphere. They want to see the game played fairly, but must also behave fairly themselves.

5. Accept Defeat with Dignity

Nobody wins all the time. You win some, you lose some. Learn to lose graciously. Don't seek excuses for defeat. Genuine reasons will always be self-evident. Congratulate the winners with good grace. Don't blame the referee or anyone else. Determine to do better next time. Good losers earn more respect than bad winners.

6. Promote the Interests of Football

Football is the world's greatest game. But it always needs your help to keep it as Number One. Think of football's interests before your own. Think how your actions may affect the image of the game. Talk about the positive things in the game. Encourage other people to watch it or play it fairly. Help others to have as much fun from football as you do. Be an ambassador for the game.

7. Reject Corruption, Drugs, Racism, Violence and other Dangers to our Sport Football's huge popularity sometimes makes it vulnerable to negative outside interests.

Watch out for attempts to tempt you into cheating or using drugs. Drugs have no place in football or any other sport or in our society. Say No to Drugs. Help Kick Racism out of Football. Treat all players and everyone else equally, regardless of their skin colour or origin. Show that football does not want violence, even from your own fans. Football is Sport, and Sport is Peace.

8. Help Others to Resist Corrupting Pressures

You may hear that teammates or other people you know are being tempted to cheat in some way. They need your help. Don't hesitate to stand by them. Give them the strength to resist. Remind them of their commitment to their teammates and to the game itself. Form a block of solidarity, like a solid defence on the field of play.

9. Denounce Those who Attempt to Discredit our Sport

Don't be ashamed to show up anybody who you are sure is trying to make others cheat. It's better to expose them and have them removed before they can do any damage. It often takes more courage to denounce what is wrong, than to go along with a dishonest plan. Your honesty will be admired but your complicity will not. Don't just say No. Denounce the culprits who are trying to spoil our sport before they can persuade somebody else to say Yes.

10. Honour Those who Defend Football's Good Reputation

The good name of football has survived because the vast majority of people who love the game are honest and fair. Sometimes somebody does something exceptional that deserves our special recognition. They should be honoured and their fine example made public. This encourages others to act in the same way. Help promote football's image by publicising its good deeds.

Appendix C – Football Against Racism in Europe (FARE) – UEFA Ten Point Plan

<http://www.farenet.org/>

Football Against Racism in Europe (FARE)

UEFA Ten Point Plan

UEFA is putting its full support behind a ten-point plan of action to fight the evil of racism in football. Originally compiled by FARE, the plan sets down a variety of measures that clubs can take.

10 Point Plan

1. Issue a statement saying the club will not tolerate racism, spelling out the action it will take against those engaged in racist chanting. The statement should be printed in all match programmes and displayed permanently and prominently around the ground.
2. Make public address announcements condemning racist chanting at matches.
3. Make it a condition for season-ticket holders that they do not take part in racist abuse.
4. Take action to prevent the sale of racist literature inside and around the ground.
5. Take disciplinary action against players who engage in racial abuse.
6. Contact other clubs to make sure they understand the club's policy on racism.
7. Encourage a common strategy between stewards and police for dealing with racist abuse.
8. Remove all racist graffiti from the ground as a matter of urgency.
9. Adopt an equal opportunities' policy in relation to employment and service provision.
10. Work with all other groups and agencies, such as the players union, supporters, schools, voluntary organisations, youth clubs, sponsors, local authorities, local businesses and police, to develop pro-active programmes and make progress to raise awareness of campaigning to eliminate racial abuse and discrimination.

Appendix D – Media article, 24 March 2005, Rangers Implement Plan of Action

<http://www.farenet.org/news.asp>

24 March 2005, Rangers implement plan of action

Scottish club, Rangers, have implemented a plan of action to deal with racism and sectarianism at their Ibrox ground. The move follows a documentary shown as part of the BBC's Panorama programme that criticised both Rangers and Celtic for not tackling the problem.

David Murray, Chairman of Rangers, declared war on the abusive fans who sing anti-catholic songs and wave offensive banners, "There is simply no place in Ibrox any longer for [them]."

The rangers' plan of action is split into two parts – one for the fans and one for the club:

For the fans

1. Stop using racist and sectarian language.
2. Don't do or display anything that could remotely be construed as racist, sectarian, fascist, para-military or offensive.
3. Wear only recognised strips and traditional team colours.
4. Carry only legitimate flags – ideally Saltires and Union Jacks.
5. Don't buy dubious items from street traders that then get linked with the club.
6. If you feel comfortable, challenge those around you who behave improperly.
7. Alternatively, tell stewards.
8. Or, anonymously or otherwise, call Laurence Macintyre or Alistair Anderson on 0141-580 8630 with this information.
9. If you are racist, sectarian or can't behave properly, stay at home so you may not damage the reputation of Rangers.
10. Read your Blue Guide and think of the club reputation.

For the club

1. To make public-address announcements at every home game condemning racism and sectarianism.
2. To stipulate in season-ticket terms and conditions holders should not contribute to racist and sectarian behaviour.
3. To take disciplinary action against fans, players and staff whose racist or sectarian behaviour causes offence and brings the club into disrepute.
4. To remove all racist and sectarian graffiti from club property immediately.
5. To monitor retail to ensure nothing reasonably perceived as offensive reaches the public.
6. To work with other interested parties developing programmes that raise awareness of the damage racism and sectarianism can cause.

7. To issue statements on positive and negative incidents.
8. To utilise our Study Support Centre and Community Football Programmes to deliver positive messages to children.
9. To continue an equal-opportunities policy.
10. To support our Sectarian and Racism Monitoring Committee to ensure the club continues to be proactive.

Show Racism the Red Card have been campaigning in Scotland against racism and sectarianism. Their campaign coordinator for Scotland, Roddy McNulty commented, "Rangers FC has shown strong leadership here on the racism issue. The plans set out very clearly what is and is not acceptable behaviour when following Rangers FC, and will meet all of the measures contained in UEFA's 10-point plan against racism. Crucially, they emphasise in no uncertain terms that 'monkey chanting', and 'nazi salutes', perceived or actual, will not be tolerated at or around the club.

The first step to ending racist attitudes and behaviour is to raise awareness on the issue. Rangers FC have gone further than this, setting out these specific measures that assure all Rangers fans that racists will no longer be able to drag their club's name through the gutter."

FARE developed a 10-point-plan of action to combat racism several years ago. UEFA endorsed the plan and sent it out to all clubs and associations asking them to implement the steps outlined. FARE have been campaigning for clubs to take up UEFA's advice.

Appendix E – NSW Ministry of Police Recommendations for Legislative Amendments

1. Options for amendment to existing NSW legislation

A. Pitch Invasions Legislation

• Section 4 of the *Sporting Venues (Pitch Invasions) Act 2003* applies to Telstra Stadium (Sydney Olympic Park), Aussie Stadium (formerly the Sydney Football Stadium), the Sydney Cricket Ground, Central Coast Stadium (Gosford) and Wollongong Stadium.

A person must not enter or remain on the playing field of a designated sporting venue during a match held with the authorisation of the venue director unless the person:

- is a participant of the match, or
- is engaged in the control or management of the match, or
- is an authorised officer, or
- has, or is a member of a class of persons who have, been authorised by the venue director or an authorised officer to enter the playing field.

Max penalty – \$5500

This Act also states that a person who is removed from a designated sporting venue for a contravention of section 4 is banned for 12 months from entering the venue. If a person contravenes the 12-month ban, a further maximum \$5500 penalty and life ban applies.

Option: Apply these offences to all examples of pitch invasions.

2. Inclosed Lands Protection Act 1901

Inclosed lands are defined to mean any land, either public or private, inclosed or surrounded by a fence, wall or other erection, or partly by a fence, wall or other erection and partly by a canal or by some natural feature such as a river or cliff by which its boundaries may be known or recognised, including the whole or part of any building or structure and any land occupied or used in connection with the whole or part of any building or structure.

Section 4 prevents the unlawful entry on inclosed lands:

Any person who, without lawful excuse (proof of which lies on the person), enters into inclosed lands without the consent of the owner, occupier or person apparently in charge of those lands, or who remains on those lands

after being requested by the owner, occupier or person apparently in charge of those lands to leave those lands, is liable to a penalty not exceeding:

- (a) 10 penalty units in the case of prescribed premises (a school, a child care service, a hospital or a nursing home), or
- (b) 5 penalty units in any other case.

Option: The definition of inclosed lands could be used, along with signage to indicate a 'bag inspection power' together with a power to confiscate potential improvised weapons, as a condition of entry. This could be limited to cases where an entry fee is charged. The power would be available to police as well as security guards and ground officials.

3. UK Legislation

The *Football (Offences) Act 1991* created three new offences of disorderly behaviour:

- Throwing missiles (including on the pitch or at spectators);
- Taking part in indecent or racist chanting; and
- Going on the pitch or its surrounds without lawful authority.

These are largely replicated in NSW offences.

The UK has also enacted a string of Acts providing for banning orders. Some of these relate to travel to matches overseas and are not applicable.

The core Act is the *Football (Disorder) Act 2000*. It permits banning orders to be obtained by Police from a magistrate when a person has been convicted of a relevant offence and there are grounds to believe that a banning order would help prevent violence and disorder at regulated football matches.

Option: The concept of banning orders should be further developed to ensure it is workable in NSW.

Appendix F - Letter from SUFC solicitors Dibbs, Barker, Gosling to the Soccer Inquiry

21 April 2005

(*name withheld)

Independent Soccer Inquiry
PO Box A2618
SYDNEY SOUTH NSW 1235

Facsimile: 8255 6868

Dear (*name withheld)

Independent Soccer Inquiry
Sydney United Sports Centre, Sunday 13 March
Our Ref: LPL
Your Ref: SP6783

We advise that we act for Sydney United Football Club Pty Limited.

We have been provided with a copy of your letter dated 14 April 2005 to our client which seeks a response by no later than 19 April.

At the outset, we wish to make the objection that the time required to respond to the issues raised is inadequate.

Be that as it may, we have been instructed, on the limited time available to respond to the issues raised as follows:

Allegation

Sydney United officials authorised Sydney United fans to enter the stadium prior to security measures being put in place. It is understood that Sydney United officials gave permission for the supporter groups to place banners around the stadium. In this matter one could contend that the Club has not taken adequate security measures as the fans could have brought prohibited items into the stadium.

Response

It is denied that Sydney United fans were authorised by Sydney United officials to enter the stadium prior to security measures being put in place. The services of a security company were engaged to secure the ground at least 24 hours prior to the game but it appears **without authority** the security company allowed Sydney United supporters to enter the ground and erect banners. In accordance with evidence given at the Panel of Inquiry on 30 March 2005, security measures were in place to prevent fans from bringing prohibited items to the stadium, which included searching of bags and the use of metal detectors.

Allegation

Why did Sydney United officials argue against the removal of banners when asked to do so by Soccer NSW officials prior to the gates being opened?

Response

At no stage did Sydney United officials argue against the removal of banners. A number of banners had been erected on the stadium by spectators and Sydney United officials, on seeing the banners, conferred with Soccer NSW officials and Bonnyrigg White Eagles officials and discussed whether the banners should stay or be removed. As a result of those discussions a number of banners were removed and a number of banners were allowed to stay. (*name withheld) from Soccer NSW specifically approved the banners which remained.

Allegation

Both you and (*name withheld) were shown photographic evidence of banners present around the stadium at an interview with the panel of inquiry on 30 March. Some of the flags that you said were not Croatian flags were in fact flags of past Croatian regimes and included political and national emblems. Some of the banners put up prior to the match were political and specifically offensive to Serbs.

Response

Without being shown exactly what photos you are referring to, it is not possible to meaningfully respond.

Be that as it may, as indicated above a number of banners were removed prior to the game commencing and those that were not removed were there with the authority of Soccer NSW (*name withheld) and the officials from the Bonnyrigg White Eagles so the allegation that banners were politically offensive to Serbians is denied. In relation to one banner, which was on the perimeter fencing the ground, which consisted of a red and white checkerboard design, we make the following comments:

1. The checkerboard banner is not offensive.
2. Checkerboard is part of the emblem of the club which has been approved by Soccer NSW (and by the former Soccer Australia).

During the course of the game, at one stage a banner was displayed and when attempts were made by a club official (*name withheld) to remove the banner the official was directed by police not to remove the banner.

Allegation

Can you explain why Sydney United officials have not identified Sydney United fans who were troublemakers at the 13 March match? It has been alleged by a number of persons that some of the troublemakers regularly attend Sydney United matches and that while these fans have caused trouble in the past no action appears to have been taken by the Club to deal with the fans involved.

Response

1. It is denied that the individuals who were involved in the incident were Sydney United fans.
2. Sydney United, until being provided last week with the CD the subject of the General Purposes Tribunal convened by Soccer NSW (which incidentally has listed the matter before it on 20 April 2005 prior to the Independent Soccer Inquiry makes its recommendations), was not previously provided with sufficient information to identify the alleged "troublemakers". Sydney United had previously asked Police for evidence but Police refused, due to the fact that they had ongoing investigation. Sydney United also have had not been provided with the tape of the incident. Sydney United have not been provided with sufficient information to identify who the troublemakers are until last week and the board of Sydney United are meeting tonight (the first meeting since receiving the CD) to consider steps to identify the troublemakers.
3. There is no basis for making the allegation that persons "regularly attend Sydney United matches" and it is denied and.
4. There is no basis of making allegations that the fans have caused trouble in the past. The incident is the first time this season that there were any issues with crowd behaviour.
5. There has, however, been 1 Sydney United supporter who has had his membership suspended due to an attempt to bring into a stadium (an away fixture) a prohibited item which was confiscated. The supporter was brought before a board meeting of Sydney United and due to lack of deliberate intent to infringing the rules was warned that another infringement would result in life ban. That supporter did not cause any disturbance at the fixture against Bonnyrigg White Eagles.

Allegation

What steps did Sydney United officials personally take when it became apparent that one group of fans congregated in the corner and threw missiles onto the soccer field endangering players?

Response

Security and police were immediately directed in that area to deal with the problem. All footage shown on television of highlights of the incident shows police and security guards dealing with the individuals. It is denied players were endangered.

Allegation

It was noted that similar crowd problems developed at a match between Sydney United and Perth Glory at the end of last season. What steps did the Club take to prevent a similar occurrence in the future?

Response

Similar crowd problems did not develop as is alleged. At the game between Sydney United and Perth Glory at the end of last season, a number of flares were thrown from outside the ground, believed to be in a public cul-de-sac, by people who have not been identified either by Sydney United or by the police who have investigated the matter. Accordingly, to draw an inference that they were Sydney United or Perth Glory supporters is incorrect and there is no evidence or basis for drawing such a conclusion whatsoever. Following the game Sydney United officials met with the police to discuss ways in which a similar repeat of the incident could be prevented. As a result of that meeting the police agreed in preparation for the game against Bonnyrigg White Eagles to close the cul-de-sac off and place a police car in the vicinity. What actually eventuated was that although the police promised to do that, the police did not take that action. As a result, we are informed by a neighbour, whose garden was trampled in the process of fans from Bonnyrigg White Eagles entering the stadium illegally via that entrance and carrying flares with them. Photos of damage done to the fences were tendered to the Panel of Inquiry on 30 March 2005.

Allegation

Were any measures taken to educate club supporters as to the standard of behaviour expected by a football crowd following the Perth Glory game?

Response

An extraordinary general meeting of Sydney United was held on 28 May 2004 at which the members were advised to ensure that they conduct themselves with upmost decorum and do not participate in any untoward conduct including any action contrary to the rules and regulations of the competition. This was not done specifically as a result of the Perth Glory game but as a general warning. On the entry gates to the stadium are large signs prohibiting the taking in of flares and other inappropriate material into the stadium. Furthermore, in every match day program, distributed free of charge, mention is made of the fact that any spectators found in contravention of the rules and regulations of Soccer NSW would be banned for life from attending games. Examples of some match day programs were presented to the Panel of Inquiry on 30 March 2005.

General Purposes Tribunal

Furthermore, we ask the Panel of Inquiry to consider the actions of Soccer NSW in convening a General Purposes Tribunal to consider whether supporters of Sydney United engaged in conduct which brought or may have brought the game into disrepute prior to the report of the Panel of Inquiry being provided to Soccer NSW. In our view, the convening of the General Purposes Tribunal is inappropriate for the following reasons:

1. Sydney United is being subjected to two investigations arising out of the same incident and which undermines and calls in question the purpose being served by the Independent Soccer Enquiry

2. General Purposes Tribunal hearing listed on 20 April 2005 will purport to make a determination without the benefit of the findings of the Independent Soccer Inquiry which has been set up to investigate the incident.
3. Evidence has been presented to the Independent Soccer Enquiry and that evidence in some cases not readily available to be presented before the General Purposes Committee.

Findings and Recommendations

Finally, we would like the Panel of Inquiry, prior to the making of any final recommendations or findings, should any recommendations or findings be made which are adverse to the interests or affect in any way Sydney United, that Sydney United be given the opportunity of reviewing the findings and the supporting evidence which goes to those findings so it may be given an opportunity, in accordance with the principles of natural justice to be heard before any final recommendations are made.

Yours sincerely

Dibbs Barker Gosling

(*name withheld)

Partner

(*details withheld)

APPENDIX 9

8th March 2005

(* name withheld)

Secretary
Sydney United SC

Dear (* name withheld)

RE: SYDNEY UNITED V BONNYRIGG WHITE EAGLES FIXTURE

Further to the meeting of 7th March 2005, attended by members of Sydney United, Bonnyrigg White Eagles and Soccer NSW the following outlines the procedures for security arrangements for the Premier League fixture between both clubs on Sunday 13th March 2005 at Sydney United Sports Centre.

In reference to the minutes of the meeting of 23rd February 2005, Soccer did not give any guarantee that no action will be taken against either club for incidents at the game. Rather that Soccer NSW would take into consideration the proactive measures taken by both clubs should any incident need to be investigated by a General Purposes Tribunal.

Security arrangements outlined at the meeting of 23rd February and endorsed by the police at the meeting of 1st March 2005 will operate for the above match.

As detailed at the meeting of 7th March 2005 the following procedures will take place (as outlined from the meeting with police on 1st March):

1. Spectators of both competing clubs will not be segregated, due to lack of facilities in northern end of ground, allowing all spectators to enter via the main entry gate from 2.00pm. Police and security will filter entry of supporters from main gate into King Tomislav carpark.
2. Two (2) police officers will be in attendance from 1.30pm, ensuring safe entry of Bonnyrigg White Eagles team bus to back gate and change rooms.
3. Additional police officers will be in attendance from 2.00pm, and remain at the ground until 6.00pm. Police will provide 10-12 police officers, supported by 12 private security officers. Extra police patrols will be on standby if required.

4. Security supervision of the Sydney United Sports Centre will take place 24 hours prior to the match kick-off, on Saturday 12th March 2005.
5. Sydney United will provide 12 jacketed officials to be situated around the ground with their supporters, monitoring crowd behaviour and possible trouble spots.
6. Bonnyrigg White Eagles will provide 6 jacketed officials to be situated with their supporters, monitoring crowd behaviour and possible trouble spots.
7. Security is to remain positioned at back gate during the game and until the Bonnyrigg team bus has left the ground.
8. Security to provide safe escort of players and match officials to and from the playing field at the commencement of the match, at half-time, and at the conclusion of the match.
9. Sydney United and Bonnyrigg White Eagles Directors/Officials to be located at main gate to assist with identification of any trouble makers and scrutinize entry to ground.
10. Security will carry out body and bag searches at main gate prior to spectator entry with the assistance of metal detectors.
11. The sale and consumption of alcohol will be confined to the two (2) designated areas. Alcohol is not to be consumed at random all around the ground. Sydney United officials to supervise these alcohol areas.
12. Ground announcer is to make all announcements in English at all times throughout the afternoon. A script will be provided by *(name withheld)*
13. No signs, banners or flags will be permitted into the ground. Any found inside the facility are to be removed from the ground.

Match Details:

1. Bonnyrigg team arrive at 1.30pm.
2. Match kick-off - 3.00pm
3. There will be no Grade 20 match played on the day. This match will be rescheduled at a later date, to be advised by Soccer NSW.
4. Soccer NSW Rules and Regulations 5.15(a) will apply to the rescheduled Grade 20 match regarding player eligibility. "Players who have played in the 1st Grade match on Sunday 13th March will be ineligible to play in the Grade 20 match for that fixture". 5.15(c) "The goalkeeper will be the exception to this rule".
5. Playing strips for each club are as follows:
Sydney United – Red Shirt, White Shorts Blue Socks.
Bonnyrigg White Eagles – White Shirt, White Shorts, White Socks

Soccer NSW reminds both clubs that non-compliance with any of the above requirements will result in the matter being brought before a General Purposes Tribunal. Each clubs proactive approach to security measures is supported by Soccer NSW, and further reminds both clubs of Soccer NSW Rules and Regulations concerning match day procedures.

Yours sincerely,

(name withheld)*

Competition Secretary