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PRIME MINISTER

27 March 1985

FOOTBALL HOOLIGANS: MINISTERIAL MEETING, 28 MARCH 1985

Department of the Environment and the Home Office have modified their proposals. The outstanding options have been clarified. The international problem has been analysed and the FA's current position has been probed.

The background this week

- (a) Your large mailbag reflects the perceptions that alcohol is blamed, that the identity card scheme is popular, and that this issue is a good test of our tough law and order Manifesto pledge. These are not all covered by the options below. Identity cards are not mentioned, but could be taken up next week with the FA.
- (b) Some Backbenchers and the media feel that Government might be tempted to act too quickly!! Any announcements could touch on the fact that this is a chronic and continuing problem (your Private Office file starts in 1981).
- (c) Teachers: a number have written displeased that they are thought by you to be responsible. Comment could tone down and correct your misreported statement that "teachers were to blame".

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Remaining Options

1. Alcohol abuse: Home Office have changed to support enacting provisions similar to those in the Criminal Justice (Scotland) Act, 1984. This could be included in the Public Order Bill next Session (Home Office note, page 9). This is welcome. Home Office suggest talking about licensing (suggestion (v)) which may be useful one day. However, to announce "discussions" alongside the powerful Scottish law only weakens the sound of the strong proposal. If licensing is to be mentioned, it should be at least that Magistrates will be urged to make strict use of their powers under Section 188(i) of the Licensing Act, 1964 (Annex A). [The fine in section 188(2) is devisory and should be updated.]

2. Safety of Sports Ground Act 1975: Home Office suggest that all 3rd and 4th Division clubs should be designated. They give reasons on pages 3-4. Millwall was 3rd Division, Luton was 1st Division and had been designated. You might ask what the public will feel about extending a system which has been known to be inadequate for the 1st and 2nd Divisions to the poor 3rd and 4th Divisions. Particular designation might be better coupled, in any event, with tighter standards for safety regulations.

3. Travel away to matches: The question again exposes differences between the Transport Police and the Police.

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Co-operation is likely, but the matter must be kept under review. Leon Brittan has acknowledged this. The Police can also intercept and turn back 'supporters' where there is likely to be a breach of the peace, but here, as in option 4, the clubs should be under a duty to provide information to the police which might alert them to trouble. Omniscience in the Police cannot always be assumed.

4. Police Powers:

- (a) Home Office recommend the Public Order Review suggestion that "conditions could be imposed" on football clubs. The Police will have the discretion if they reasonably anticipate trouble, but the clubs must assist the Police with the fullest information.
- (b) These conditions would not extend to the power to cancel matches (Home Office note, page 7). This option might be necessary if the club refused to fully carry out the requirements of the police.
- (c) The Police power to charge under section 15 of the Police Act has been considered by the Home Office. They reject any amendment (page 11 of Home Office note) for the weak reason that some clubs might not be able to afford to pay for the Police.

*This might be a useful lever with the FA
AFB.*

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5. New power for Magistrates

Germany and some South American countries have a sensible power used by Magistrates (or more senior Judges) to ban hooligans from football matches for a period of years.

FA like this idea. The threat is that if found at a football ground, a custodial sentence might be imposed.

6. Overseas matches

(a) We have no extra-territorial jurisdiction covering serious crimes involving violence (except Murder, Piracy and some Terrorist offences). We could either declare such jurisdiction and be powerless to compel the attendance of witnesses, or we could go through the lengthy exercise to negotiate a European Convention with an international duty to order the attendance of witnesses in a UK Court. Both courses pose difficult problems, though not impossible.

(b) The Department of the Environment mention passports (letter C of their note) but fail to mention the options that Magistrates can confiscate passports pending trial. And if option 5 was enacted, they could confiscate passports as a punishment.

We recommend options 1, 3, 4(a) (b) and (c), 5, and 6(b).

HARTLEY BOOTH

H. Booth

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*St. Johns Report Attached
H.B.*

PART XIII

(5) A constable may arrest without warrant any person whom he suspects of having committed an offence under subsection (4) of this section.

Closing of licensed premises in case of riot.

188.—(1) Where a riot or tumult happens or is expected to happen in any county or borough, any two justices of the peace for the county or borough may order every holder of a justices' licence for premises in or near the place where the riot or tumult happens or is expected to happen to close his premises for such time as the justices may order.

(2) If any person keeps premises open for the sale of intoxicating liquor during the time that justices have ordered them to be closed under this section he shall be liable to a fine not exceeding fifty pounds.

(3) Any person acting by the order of a justice of the peace may use such force as may be necessary for the purpose of closing premises ordered to be closed under this section.

Temporary licence pending appeal against conviction.

189. Where on conviction of an offence a justices' licence or a canteen licence is forfeited, either by the court or by virtue of the conviction, and the person convicted appeals against the conviction, the convicting court may, on such conditions as it thinks just, grant a temporary licence to be in force until the appeal is determined or ceases to be prosecuted.

Magistrates' courts, etc. not to sit in licensed premises.

190.—(1) Licensed premises shall not be used as a petty-sessional court house or an occasional court house.

(2) No licensing sessions shall be held in licensed premises.

(3) A coroner's inquest shall not be held in licensed premises or in a room in a building part of which is licensed premises, if any other suitable place is provided.

Procedure for amending certain rules of clubs established before 3rd August 1961.

191.—(1) Subject to subsection (2) of this section, where in the case of a club established before 3rd August 1961 there is no power, except with the agreement of all the members, to amend the rules of the club with respect to any matter mentioned in subsection (3) of this section, a resolution passed at a general meeting of the club by a majority of not less than two-thirds of the votes cast and (if the members have unequal voting rights) not less than two-thirds of the members voting shall be as effective to amend the rules with respect to that matter as if unanimously agreed to by all the members.

(2) A resolution shall not have effect under this section unless—

(a) notice of the intention to propose a resolution for the purpose under this section was given to all members entitled to receive notice of the meeting, and the

(b) the

(3) The may be an intoxicating (hours), the admission the privilege entrusted the affairs provision than for t property of club.

192.—(justices of be exercis assembled

(2) Wit Act 1952 boundary the purp areas.

193.— in any e commissi being a r who is, c malt for in that co

(2) No which is aforesaid separate