



10 DOWNING STREET

From the Private Secretary

10 June 1985

FOOTBALL VIOLENCE: LEGISLATION ON ALCOHOL

The Prime Minister has seen the Home Secretary's letter of 6 June to the Lord President, and is content with the revised proposals, although she is still inclined to believe that a total ban on the sale of alcohol might be the best way forward.

I am copying this letter to the Private Secretaries to members of H Committee and L Committee and also to Colin Budd (Foreign and Commonwealth Office), Rachel Lomax (H.M. Treasury), Murdo Maclean (Chief Whip's Office), Brian Shillito (Parliamentary Counsel Office) and to Richard Hatfield (Cabinet Office).

Mark Addison

Hugh Taylor, Esq.,
Home Office.

KRB

CC BT

PRIME MINISTER

FOOTBALL VIOLENCE: LEGISLATION ON ALCOHOL

You will recall that you thought the Home Secretary's earlier proposal to introduce legislation for England and Wales along the lines of - but not as strict as - the Scottish model did not go far enough. The Home Secretary has now come up with revised proposals as set out in the attached letter to the Lord President.

The letter has been drafted in a hurry, I think, and is not perhaps as clear as it should be. But the gist of it is as follows:

i) There would be a ban on the sale (and supply) of alcohol anywhere in sports grounds except in those private areas out of sight of the pitch (eg boardrooms which do not overlook the pitch). This reproduces the Scottish position. There would, however, in England and Wales, be the possibility of the clubs applying to local magistrates for an exemption order.

ii) Possession of alcohol anywhere in direct sight of the pitch would be an offence (eg on the terraces and in the stands). There would be no exemptions from this provision, which would not prohibit possession of alcohol in eg enclosed restaurants etc., where the pitch could be seen through glass.

The upshot of this is that alcohol could be sold and drunk only in bars which were out of direct sight of the pitch, even if the local magistrates were prepared to make exemption orders. In this way the Home Secretary's latest proposals begin with a blanket ban, to which limited exceptions can be made if the magistrates agree to grant exemptions; his earlier proposal was the other way round, permitting the police to close bars when they thought it necessary.

Content with the Home Secretary's proposals?

Yes - although I think the

total ban on sale

would be better

not

Mark Addison

Mark Addison

6 June 1985



CC H.B.
QUEEN ANNE'S GATE LONDON SW1H 9AT

6 June 1985

R Williams,

FOOTBALL VIOLENCE: LEGISLATION ON ALCOHOL

In my minute of 31 May I set out my proposals for England and Wales legislation this session to control the sale of alcohol at, or on the way to, grounds, along lines similar to that enacted in Scotland. I proposed two variations of substance in the Scottish legislation, of which the first was that there should not be a blanket ban on the sale of alcohol inside grounds, which is the practical effect of the Scottish legislation; instead, first, it should be made an offence to be in possession of alcohol on the stands or on the terraces and, second, the police should be given a power to close bars whenever they consider it necessary on public order grounds.

I have concluded, on further reflection, that this variation does not go far enough. In other circumstances it would provide the courts and the police with adequate powers to deal with the problem of alcohol inside grounds but, in the wake of the Brussels disaster, we need to give a firmer lead in controlling alcohol within grounds. There is a public expectation, to which we need to respond, that there will be a ban on alcohol within grounds, although the police do not actually consider such a ban necessary.

Accordingly I propose to include in the legislation a provision to ban the sale or supply of alcohol in designated sports grounds. When the legislation comes into effect I propose to designate all Football League grounds for this purpose.

However, I want to build some flexibility into these arrangements. The position in England and Wales now is not the same as it was in Scotland before the 1980 Act. In Scotland there were no public bars at football grounds, but only some bars with restricted access, for example for members of supporters' clubs. Where these were out of sight of the pitch they continued to be lawful. The main impact of the 1980 Act was in preventing alcohol being brought into the ground rather than in prohibiting its sale inside. Clubs in Scotland did not, therefore, suffer a loss of revenue of the kind which a ban in England and Wales would impose. In England there are a very large number of public bars, as well as the private bars for Directors and others.

We do, therefore, have a substantially different position in England. I think it necessary in the first place to impose a ban on public bars but I think it is desirable to provide a mechanism for that ban to be lifted, when it is safe to do so, and in particular when doing so can provide a positive incentive to good behaviour. Accordingly, I propose to give the local magistrates a power to issue an exemption order from the general ban, on the application of the club concerned. The main criteria to be applied would be the public order record and risk at the club and the police would, of course, be able to oppose such an order being granted. Provision would be included for the cancellation or variation of the exemption order in the event of actual

or anticipated trouble. The magistrates would clearly specify the places within grounds where alcohol may be served and the legislation would encourage magistrates to look with particular favour on grounds, or areas within grounds, to which access is restricted (e.g. to those who have membership cards) and where such restriction is effectively enforced.

These measures would be in addition to the proposals in my earlier minute. It will, of course, still be an offence to be in possession of alcohol in the stands or on the terraces, even where an exemption order has been made in respect of a particular bar. And I propose that the police should also have power to close bars (even where an exemption order has been granted) if trouble develops on the day of the match. Where there are special reasons, foreseeable in advance, for closing bars at particular matches, the police would have to apply to the magistrates for a variation of the exemption order.

I believe that the general ban on alcohol at designated grounds which I am now proposing will respond to the public and Parliamentary mood, while at the same time the possibility of securing exemptions will provide the flexibility needed to reflect the desirability of recognising and encouraging clubs with a good record of crowd behaviour.

I am sorry to have to ask my colleagues on H now to have to consider this amendment to my proposals, but in view of the urgency I have to ask for comments from colleagues on H by next Wednesday, 12 June.

I am copying this to all members of H and simultaneously to all members of L Committee. Copies also go to the Prime Minister, Geoffrey Howe, Nigel Lawson, John Wakeham, Sir George Engle and to Sir Robert Armstrong.

Law,
L

Home Affairs . PT. II . Soccer
Hooliganism

56 JUN 1985

12 1 2 3 4
5 6 7 8 9 10 11