

Peer Review of Huddersfield v Hull City



Northumbria Police

**Steve Ashman
Deputy Chief Constable**

Background

On Saturday 30th March 2013 Huddersfield Town Football Club (HTFC) hosted Hull City in a Football League Fixture. This game was scheduled to kick off at 12.30pm and was changed at the request of Sky TV to 5.20pm.

The process that led to the change of kick off time and the arrangements for the management of spectators attending the fixture have been the subject of widespread concern and complaint.

The event itself passed off without significant incident however the decision making of West Yorkshire Police has become the focal point of concern amongst those people who remain dissatisfied with the handling of the event.

West Yorkshire Police Chief Constable approached the Chief Constable of Northumbria and asked for a Peer review of the policing of the event to be undertaken.

The terms of reference for this review are attached.

Terms of Reference

Huddersfield were due to play Hull in Huddersfield on Saturday 30 March 2013. The match was scheduled to kick off at lunch time but due to Sky's decision to televise it live West Yorkshire Police were approached to agree a kick off time at 17:20. This was agreeable to West Yorkshire Police provided certain conditions were agreed to mitigate the associated risks due to the change in kick off time. Two of these conditions were: limiting the number of tickets available to Hull City fans and that they travel on official coaches to the match.

This approach by West Yorkshire Police was criticised by the fans, Hull City officials, local MP and the Police and Crime Commissioner. Representations were made to the West Yorkshire Police and Crime Commissioner and the Force by various parties and following further consultation the Gold Commander varied the conditions but not to the satisfaction of the concerned parties.

As a result of the concerns raised and representations made the West Yorkshire Police Chief Constable Mr Mark Gilmore has requested that Northumbria Police (Deputy Chief Constable Ashman) reviews various aspects of the match with the following terms of reference:

1. Review the decisions made, the decision making process and their appropriateness in respect of the policing arrangements for the match;
2. Review the provision of information to the West Yorkshire Police and Crime Commissioner leading up to the match to assess its accuracy and completeness; and
3. Make recommendations as to what lessons need to be learned from this episode and how similar issues can be avoided in the future.

Part A. Decisions made

In relation to the management of this event by West Yorkshire Police a series of key decisions were taken that directly impacted upon the outcome that was delivered. This review has focussed on the most critical decisions taken.

1. West Yorkshire Police reject change to kick off.

This fixture was originally scheduled to kick off at 12.30pm on Saturday 30th March 2013. A request was received by West Yorkshire Police to consider their response to a proposal that the game be moved to a 5.20pm start at the request of Sky TV.

At this stage the matter was discussed between the Gold Commander, ACC Guildford and the Silver Commander, Chief Superintendent Kingsman. They reached the decision that such a move in the kick off time was not acceptable to West Yorkshire Police and duly communicated this decision back to Huddersfield Town Association Football Club (HTAFC).

In reaching this decision both Commanders considered a range of factors including: the history of fixtures between the two clubs, the intelligence available to them from a variety of sources, the timing (i.e. Easter weekend), the impact upon force resilience, the night time economy of Huddersfield and the impact upon local residents.

Comment

Assessing the intelligence picture in terms of threat and risk is a vital part of the planning process for any event. Whilst it is not an exact science the gathering and processing of intelligence surrounding football matches has developed considerably in recent years and should act as a strong indicator of the type of event each match will be.

In this case the intelligence that existed at the time indicated a strong likelihood that disorder would occur. This was supported by the view of the away force football intelligence officer and by evidence during the current season at more than one fixture involving Hull City at away venues.

Having looked at all of this it is clear that there existed a credible and evidenced intelligence base for the decision West Yorkshire Police took.

Put bluntly had they not objected they would have failed in their duty to adequately assess the risk. This was an appropriate decision made in the context of the informed intelligence picture, it was absolutely the right decision.

2. West Yorkshire Police attend meeting at HTAFC.

Having taken the decision to 'object' to the proposed change in kick off, West Yorkshire Police were invited to a meeting by the Club to discuss 'risk mitigation factors'.

Prior to attending this meeting the Silver Commander and his deputy, Superintendent McMannus, met with the Gold Commander and discussed parameters that could be used to negotiate an acceptable position with HTAFC.

The meeting began with HTAFC proposing a range of measures to secure the support of West Yorkshire Police.

Comment.

The decision to attend such a meeting to negotiate on these matters is in itself worthy of debate. The Police have no legal basis to require a kick off to take place at a particular time. The only body that can rule over such matters is the local authority that issues the Stadium its Safety Certificate. This authority in turn is advised by the Safety Advisory Group (SAG) of which the Police are a member, along with other agencies. It may well be the case that had West Yorkshire Police referred its objection to the SAG and requested (as is their right) that an Emergency SAG be convened, that the outcome in terms of public concern and criticism of West Yorkshire Police would have been different.

In agreeing to measures outside of the SAG, West Yorkshire Police exposed themselves to shouldering any risk that subsequently emerged. It is of course common sense that a police force should have an effective working relationship with football clubs however, how far this extends in terms of a willingness to negotiate terms away from the legal framework is somewhat subjective.

Potentially such a relationship can become more challenging when the senior officers undertaking such negotiations are local to the area and well known to local authority councillors and officials alike. There is a benefit in ensuring that football commanders do not come from the host BCU, it adds transparency, clarity of role and independence to the relationship.

Recommendation: West Yorkshire Police review their policy on policing football and major events. In particular strong consideration should be given to the early referral to the SAG of all issues of dispute between West Yorkshire Police and football clubs/event organisers.

Recommendation: West Yorkshire Police consider the introduction of a cadre system of commanders that precludes senior officers and 'lead' commanders from operating at clubs within their BCU.

3. West Yorkshire Police agree with mitigation factors

Having indicated support for the measures put forward by HTAFC at the earlier meeting, a subsequent meeting was held at which HTAFC attended along with the football league Chief Security Advisor Eddie Walsh and a representative from Hull City FC.

At this meeting the measures proposed initially by HTAFC were discussed and agreed by all parties.

Comment

Unfortunately in both of these meetings, which were crucial to the order of governance of decision making, neither were minuted. There exists no record of either meeting or any correspondence that confirms what was discussed and what was agreed. This was a mistake, in the subsequent outcry from supporters groups, an irrefutable record of what was agreed and by whom would have been invaluable in providing the answers that many fans sought, and continue to seek.

The measures discussed included a reduction in the ticket allocation to away fans; away tickets to be provided to 'known' supporters as part of a 'travel package'; no alcohol sales to away fans at the stadium.

However it is clear that the term 'travel package' was not properly defined and therefore understood by West Yorkshire Police. Consequently many subsequent discussions took place over the 'travel package' at which West Yorkshire Police became increasingly embroiled.

Senior Officers discussed park and ride schemes, arrangements for disabled fans, geographic disposition of season ticket holders across the country and a host of other arrangements. In so doing West Yorkshire Police became an integral part of the plans themselves and, as we have seen, ultimately became responsible in the eyes of the majority for the creation of such a plan and its subsequent delivery.

A clearer audit trail of decisions taken and how they would be communicated was missing and having failed to put this into place West Yorkshire Police were poorly positioned to deal with the public concern as it arose.

Recommendation: All meetings with event organisers or Football Club officials must be properly recorded and minuted.

Recommendation: The creation of a joint communication/ media strategy must be considered at the earliest possible stage whenever negotiations are being entered into.

4. West Yorkshire Police handling of public concern

As the decisions regarding risk mitigation began to become public a number of sources of discontent emerged.

Principally Hull City supporters began to voice their concerns through a range of media outlets including social media. This was added to by local politicians who began to voice their concerns on behalf of constituents. Requests for comments went to both football clubs and West Yorkshire Police and records show a lack of a joined up approach in how these were met.

Inevitably much of the angst became directed at West Yorkshire Police who are clearly perceived as being the decision makers in all matters associated with the travel plans.

Comment

This further underlines the dangers of engaging in negotiations over compromises to sound operational objections. Police forces can negotiate with clubs away from the SAG but this has to be documented, closely defined and controlled. If a travel plan is part of that negotiation then forces have to understand what it looks like. In this case much mention has been made of how unworkable and impractical the plan was in the first place. A grounded common sense view of the plan is essential if the police are to accept it as mitigation against these identified risks.

At a fairly crucial stage in the management of the public concern the Gold and Silver commanders undertook periods of previously planned leave. During these absences the deputy BCU commander was the sole source of information on the matter. Few decisions were taken in their absence which raises the effectiveness of any handover that took place at Gold level in particular.

There remain significant concerns over how West Yorkshire Police are perceived to have managed events up to and on 30th March 2013. It is important as a new season begins that urgent steps are made to move on from this. This will only be possible if West Yorkshire Police are seen to have listened to concerns, explained their actions and provided supporters and indeed all stakeholders with a clear picture as to how decisions will be taken on similar matters in the future.

West Yorkshire Police should consider making a very public response to the criticism levied their way. There will undoubtedly be learning for other organisations in this. However the reality at present is that public perception is that it is West Yorkshire Police that are responsible and this has to be overcome. In the short term it would seem both necessary and prudent to accept such criticism, acknowledge it and propose a transparent, clear structure as to how things will change in the future, but this has to be done **now**. The early dialogue with groups such as the Football Supporters Federation may assist in this process.

Given that much of the concern has been highlighted from the Hull City supporters, it would seem appropriate that a formal communication with them would be considered. One option would be to look at an entry to their match programme at the earliest opportunity this season.

Recommendation: West Yorkshire Police urgently address the public concern this event has generated through a transparent explanation of events and a clear outline of changes that will be implemented.

5. Operational Decisions

As concerns peaked requests were made of West Yorkshire Police to facilitate a protest in Huddersfield on match day by a combined group of Huddersfield/Hull supporters.

The decision was taken to place the policing of this protest under the overall match operational command structure.

Whilst this appears entirely appropriate, the strategic intentions drafted for the event and included in Silver's log do not contain any reference to the protest. The Gold commander is clear that he gave such objectives and that it is an oversight in not amending the intentions as part of the Operation Order.

The intelligence assessment for the protest was undertaken by the local BCU intelligence unit. It highlighted an estimated attendance of some 2000 persons. In turn this number was planned for in considering the policing response. Whilst it is never precise, only 70 persons duly attended which is a huge drop which was not foreseen. There may be several factors influencing this but it has to raise the question of the effectiveness of the intelligence assessment.

Recommendation: The force considers the effectiveness of its intelligence gathering processes around public order events such as protest.

6. Post incident issues

This incident generated a considerable degree of interest in the form of complaints to OPCC, to West Yorkshire Police, FOI requests and media articles.

In seeking to answer the FOI requests it is apparent that the use of email for communication of critical information is less than ideal. In one instance the issue of a possible challenge on consistency of approach is raised in an email between Legal Services and the Gold Commander. It raises a valid point which is then answered in a conversation between the Gold Commander and Legal Services whereby it is clear that a consistent approach has been taken, however this is not captured in e-mail and therefore isn't disclosed. This leaves a one sided picture which raises more questions than it answers. In matters such as the provision of legal advice careful consideration needs to be given not only to the need for transparency, but also completeness.

To compound matters the FOI referring to the legal advice was inadvertently **not** sent to the OPCC. This was a simple mistake but added weight to the perception that West Yorkshire Police were not considering the role of the PCC in their handling of the growing public concern.

Recommendation: The force reviews the existing arrangements for the recording of critical decisions such as legal advice in support of operational commanders.

Part B. Communication with the OPCC

At a fairly early stage the Office of the Police and Crime Commissioner of West Yorkshire became aware of the concerns that had begun to surface. Contact was made with the OPCC by at least one MP and another PCC, as well as numerous members of the public.

In response West Yorkshire Police met with the OPCC to brief them on this matter. In seeking to allay the concerns that the OPCC had, those officers present were unable to satisfy the pressing need for an explanation as to what was being done and why. Indeed West Yorkshire Police presented that the matter was an operational one and therefore not something that would directly seek the support of the PCC over. Certainly if the intention was to reassure the OPCC as to the merit of the West

Yorkshire Police actions then it is fair to say it missed its mark. The dilemma as with many risks is attempting to find the right working relationship in new governance arrangements, which at the time were less than four months old. Perhaps with hindsight there was an opportunity missed to use the OPCC as a means of strengthening the position of the force publicly and certainly politically given the origins of some of the complaints.

In the course of dialogue with the OPCC, West Yorkshire Police gave the clear impression that a Community Impact Assessment (CIA) was in existence and would be provided to them. This was not the case as was corrected by the Gold Commander with the OPCC Chief Executive. Unfortunately the Gold Commander referred to it as being force policy **not** to undertake such assessments. This is not the case, West Yorkshire Police policy on major and sporting events states: 'A community impact assessment **must** be completed in respect of each policing operation in relation to a football match'.

Any subsequent reviews of policing of football might wish to consider the necessity to complete a CIA for every match but certainly it is sound practice in relation to Category 'C' (high risk) and above.

The wider consideration and concern for the OPCC is the apparent failure to identify the issues as one of RISK. Where an incident attracts concern and publicity to an extended level then the potential for reputational damage can emerge. Given the link between risk management and the trust and confidence that the public have in a police force then it is understandable that the OPCC sought assurances and with some detail, over what was beginning to be alleged.

A process has begun between the OPCC and West Yorkshire Police called Community Outcomes in which operational matters of interest are shared and discussed and this would seem an appropriate forum to resolve similar matters going forward.

Of course this is reliant upon the accurate and timely identification of risk within West Yorkshire Police to ensure that the right issues are brought to this meeting. Furthermore it is important that Chief Officers have effective handovers of live incidents to allow for critical decisions to be taken promptly in the absence of any one of them.

Recommendation: The Chief Officer Team should revisit the procedure for the identification, sharing (in particular at leave periods) the management of risk internally.

Recommendation: Such operational risks that are identified should be presented to the Community Outcomes forum.

Part C. Summary of Recommendations

Recommendation 1: West Yorkshire Police review their policy on policing football and major events. In particular strong consideration should be given to the early referral to the SAG of all issues of dispute between West Yorkshire Police and football clubs/event organisers.

Recommendation 2: West Yorkshire Police consider the introduction of a cadre system of commanders that precludes senior officers and 'lead' commanders from operating at clubs within their BCU.

Recommendation 3: All meetings with event organisers or Football Club officials must be properly recorded and minuted.

Recommendation 4: The creation of a joint communication/ media strategy must be considered at the earliest possible stage whenever negotiations are being entered into.

Recommendation 5: West Yorkshire Police urgently address the public concern this event has generated through a transparent explanation of events and a clear outline of changes that will be implemented.

Recommendation 6: The force considers the effectiveness of its intelligence gathering processes around public order events such as protest.

Recommendation 7: The force reviews the existing arrangements for the recording of critical decisions such as legal advice in support of operational commanders.

Recommendation 8: The Chief Officer Team should revisit the procedure for the identification, sharing (in particular at leave periods) the management of risk internally.

Recommendation 9: Such operational risks that are identified should be presented to the Community Outcomes forum.

Conclusions

At the heart of this lies an operational decision that many commanders face around the country on a frequent basis. In this regard West Yorkshire Police got it right, they objected to the movement of the kick off time for a high risk fixture which is supported by the intelligence picture.

At this point they could have elevated their concerns to an emergency SAG¹. They did not and instead chose to negotiate mitigation measure with HTAFC. This is in itself not a fatally damaging decision; however it carried with it a number of risks that on reflection West Yorkshire Police might wish to have managed differently.

They engaged in dialogue over matters that were arguably outside the scope of the police role such as Park and Ride Schemes and collection arrangements for tickets, and they failed to record such meetings or formalise any collective communication/media strategy in advance of public announcements.

This has led to them playing catch up and reacting to a growing opinion base that had turned on West Yorkshire Police.

One might conclude that it became convenient for all parties to allow West Yorkshire Police to become the villain in this tale although there existed opportunities for West Yorkshire Police to prevent or minimise this, which were missed, or at the least to equip themselves with a robust defensible position which they could rely upon.

This was arguably all foreseeable and there is a sense of inevitability that in trying to be all things to all parties they have become fixed in the eye of the storm.

In their liaison with the OPCC West Yorkshire Police encountered challenges with a new format of governance and in that they are not alone in the policing world. Certainly there is nothing evident to suggest any attempt to mislead or consciously frustrate the OPCC. Moreover there was perhaps a slowness in identifying the reputational risk that this incident was becoming and the very important role that the OPCC can play in managing this risk.

Around the periphery are some operational detail that might benefit from a fresh approach. For West Yorkshire Police there is some important learning in the identification and management of risk and how this done collectively with the OPCC which is vital to avoid repeats of such a nature.

What is significant now is how the force responds to the criticism that remains, this will require a timely and telling response if public confidence is to be improved in relation to this matter.

Steve Ashman
Deputy Chief Constable
Northumbria Police

¹ In considering *Huddersfield v Leeds*, the then Gold Commander referred his objections to a change of kick off at Sky's request to an emergency SAG. The outcome of which was a SAG ruling in support of West Yorkshire Police. The game was rescheduled for 12:30

West Yorkshire Police's response to recommendations:

Recommendation 1: West Yorkshire Police review their policy on policing football and major events. In particular strong consideration should be given to the early referral to the SAG of all issues of dispute between West Yorkshire Police and football clubs/event organisers.

We accept the recommendation. West Yorkshire police is a member of the Safety Advisory Groups that oversee our football clubs as well as other public event organisers. This review has highlighted that our referral of issues to the SAG is not as consistent or timely as it should be. We are revising our policy to improve our referral process.

In addition, this review, its recommendations and our responses will be shared with the SAG chairs and in our force commanders meeting to ensure a mutual understanding.

Recommendation 2: West Yorkshire Police consider the introduction of a cadre system of commanders that precludes senior officers and 'lead' commanders from operating at clubs within their BCU.

We accept the recommendation. West Yorkshire Police recognises the importance of the relationship between the club and commander being one that is both objective and seen to be objective – particularly from the perspective of visiting clubs and supporters.

We will introduce a cadre-system of commanders to enable us to ensure that officers in command of matches are not drawn from the District (BCU) in which a club is situated. The cadre-system will be introduced over the course of the present season to enable some additional training of commanders and a period of re-adjustment to complete fixtures where commanders have already been diaried.

Recommendation 3: All meetings with event organisers or Football Club officials must be properly recorded and minuted.

We accept the recommendation. Gaps in the recording/minuting of meetings with event organisers in respect of the Huddersfield/Hull fixture were at variance with our normal practice. The importance of accurate recording/minuting has already been re-emphasised with our commanders and planning teams and will feature in our revised policy.

Recommendation 4: The creation of a joint communication/ media strategy must be considered at the earliest possible stage whenever negotiations are being entered into.

We accept the recommendation. In addition, we have also held a meeting over the summer period with local and national representatives of the Football Supporters Federation to understand their views and we will continue working with them in the future.

Recommendation 5: West Yorkshire Police urgently address the public concern this event has generated through a transparent explanation of events and a clear outline of changes that will be implemented.

We accept the recommendation. A letter is being prepared which is intended to be circulated to both sets of supporters by means of their clubs match programme and we will also be writing to MPs and the Humberside PCC who raised concerns with us at the time. In addition we will be publishing this peer review, its recommendations and our responses on our website to ensure that this information is freely available to the public.

Recommendation 6: The force considers the effectiveness of its intelligence gathering processes around public order events such as protest.

We accept this recommendation. When the potential for a protest arose in the context of this football fixture, the match planning team undertook the intelligence assessment rather than a dedicated intelligence cell. We have therefore decided to deal with similar circumstances in the future, by conducting an independent, intelligence assessment for any protest. This will ensure that the methodology used is appropriate and the operational response is proportionate.

Recommendation 7: The force reviews the existing arrangements for the recording of critical decisions such as legal advice in support of operational commanders.

We accept the recommendation and are reviewing our handling arrangements to ensure that critical decisions are correctly recorded and handled in conjunction with the legal services department.

Recommendation 8: The Chief Officer Team should revisit the procedure for the identification, sharing (in particular at leave periods) the management of risk internally.

We accept the recommendation. In these particular circumstances, our normal arrangements whereby critical business is passed between the chief officers taking over force 24/7 duty responsibility did not work effectively. We have therefore reinforced these arrangements through the introduction of a new Force daily tasking meeting and a business continuity process managed by our Deputy Chief Constable.

Recommendation 9: Such operational risks that are identified should be presented to the Community Outcomes forum.

We accept the recommendation with operational matters being reported by the Chief Constable to the Police and Crime Commissioner through the regular Community Outcomes meeting.