

# Carlisle United Supporter Sanctioning Policy 22/23



## 1 Why fan behaviour matters

### Our identity

Our fans are admired for their support in large numbers up and down the country, on long away days and at home matches. The pride and passion from the thousands of fans that pass through our turnstiles is there to see.

Fans make the game what it is and as a local community club, fans are the heart and soul of CUFC.

The support we get from fans and fan behaviour is a key part of what the club stands for and our values and identity.

### Our objectives

The club has objective to improve and thrive. We will:

- Strive to be **successful on the pitch** – this is our top priority – promotion to League One is the immediate target.
- **Improve the match day experience** - on and off the pitch.
- **Improve our engagement and communication** - with individual fans and supporters' groups.
- **Build a club that people want to be associated with.**
- Be a **place where fans want to come** - to enjoy football and their match day experience.
- Be **open, honest and welcoming** to everyone.
- **Make a difference in our community** - working closely with Carlisle United Community Sports Trust.
- **Behave with highest possible standards** - in a professional manner and with the utmost integrity

Achieving our objectives is affected by fan behaviour at games. Fan support helps make us better and achieve more but incidents of misbehaviour don't. Incidents undermine our standing and reputation in the game and in the community, they harm the match experience and for some people, it can make them think twice about coming to games or being associated with us. This is why supporter behaviour matters to everyone who loves the club.

### Our commitment to our Fans

As detailed in the Club Charter's Fan code of conduct and our Respect Policy, we want everyone to feel welcome when they visit Brunton Park whether they are our own supporters or supporters of other clubs. Likewise, we want to be welcomed when we travel away from home.

We want our supporters to encourage the team but at the same time we want to show respect for our opponents, the match officials, opposition fans and our own staff and stewards.

The club's commitment is to promote Equality, Diversity and Inclusion and to confront and eliminate discrimination whether by reason of age, gender, gender reassignment, sexual orientation, marital status or civil partnership race, nationality, ethnicity (race), religion or belief, ability or disability, pregnancy and maternity and to encourage equal opportunities. These are 'protected characteristics' under the Equality Act 2010.

All fans must adhere to the EFL Ground Regulations which are displayed around the stadium and are also found on the club's website: <https://www.carlisleunited.co.uk/club/ground-regulations/>

Club staff and participants in the game are treated with respect and are free from abuse, threats or violence in conducting their duties.

Carlisle United fans have a right to expect an environment where:

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- Players respect and appreciate every fan
- Fans will be treated in a consistent, professional and courteous manner by all club personnel
- Fans will enjoy the football experience free from disruptive behaviour, including foul, offensive, insulting or abusive language or obscene gestures, racial, religious, homophobic or discriminatory abuse
- Fans will consume alcoholic beverages in a responsible manner
- Interventions with impaired, intoxicated or underage fans will be in a prompt and safe manner
- Fans will sit only in their ticketed seat or stand in the designated terraced areas and show their season card or ticket when requested
- Fans who engage in anti-social behaviour, fighting, throwing objects or causing distress to any other supporter will be sanctioned
- Fans who enter the field of play will be sanctioned
- There will not be any obscene or indecent messages on signs or clothing
- Fans will comply with requests from club personnel regarding stadium operations and emergency evacuation procedures
- Fans are not subject to threatening behaviour
- Fans respect the players and officials
- Coronavirus requirements are followed

This is why supporter behaviour matters all of us who believe fans deserves to be treated well.

## **Our commitments to our community**

We are the premier sporting organisation of Cumbria. We are a local community club that reaches far. We are the club of the regional and its biggest city. Many fans come and go from our region, but they remain as Cumbrian's and Carlisle fans born and bred. In many ways our fans and our club represent our region and community.

CUFC is at the heart of our community and our fans are part of that community and proud of it. We play our part to make our community better and the way our fans behave when they are in the community matters to us and reflects on club and fans alike. We want our community to be proud of our club and our fans too. How we all behave makes a difference to that. No just on a match day or at the ground but as fans are out and about every day, home and away.

## **Our commitments to the wider game**

We are committed to uphold the EFL "Club Charter". We will ensure that our club:

- Behaves with the utmost good faith and honesty to other clubs, do not unjustly criticise or disparage one another, and maintain confidences.
- Will comply with the laws of the game and take all necessary steps to ensure that the Manager, staff and Players accept and observe the authority and decisions of Match Officials at all times.
- Will take all necessary steps to ensure that all officials at our club comply with the decisions of the EFL and its various decision-making bodies at all times.
- Follow EFL and FA Rules and Regulations not only to the letter, but also to their spirit, and will ensure that our club and officials are fully aware of such rules and that we have effective procedures to implement the same.
- Will respect the contractual obligations and responsibilities of each other's employees and not seek to breach these or to make illegal approaches.
- Will discharge their financial responsibilities and obligations to each other promptly and fully and not seek to avoid them.
- Will seek to resolve differences between each other without recourse to law.

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In meeting our obligations to the wider game, fan behaviour plays a key role. If fan behaviour falls below the level required by EFL and FA Regulation, the club can be sanctioned. This can affect us reputationally, financially and operationally. That then can affect fans widely if we need to take action to address behaviour.

This is why supporter behaviour matters to everyone who loves the game.

## Approach to sanctions

While the vast majority of fans display their devotion to their team in the right way, the behaviour of a tiny minority presents a challenge for the club. It can affect fellow fans, the whole club, its reputation the team and players.

Since the return of games in front of crowds following the Covid pandemic, tackling supporter misbehaviour has been under the microscope with questions being asked regarding how clubs deal with incidents.

Every club is different, at CUFC we face a range of issues. In 2022, at our games we experienced incidents of fans running onto the pitch, use of pyrotechnics, anti-social behaviour, criminal damage, coin and object throwing, drinks thrown at opposition players and racist chanting. Other clubs have issues with drugs, ticket touting, hate crimes and more.

We must face up to this and take steps to address this.

Taking action and imposing sanctions on fans is something we do not want to do but there are circumstances where we need to. Standing by is not acceptable. In those cases, where sanctions are necessary, it is important we retain fans support and that requires trust to be maintained. This requires, clarity of process, transparency and fairness and proportionality.

### **Across the EFL's 72 clubs, the approach to dealing with negative spectator behaviour was lacking in structure and uniformity, with evidence of**

- Incidents being dealt with in very different ways from one club to the next and the threshold for referring incidents to the police, and the sanctions relied on, differ too
- An over-reliance on heavily punitive measures
- cases often not being fully investigated or dealt with proportionately having considered all circumstances
- Lack of clear guidance and structure in place around processes

As a result, some of these challenges had a negative effect on the relationship with fans.

In response, working together the EFL, Northumbria University and the Football Supporters' Association (FSA) have produced sanctioning guidance for all EFL clubs. The broad aims are to:

- move towards a fair, just and transparent standardised process that is consistent with other EFL clubs
- provide clarity at every step of the process for fans and CUFC
- encourage a change in culture; introducing new sanctions and solutions away from the traditional focus on banning fans
- include education and restorative justice
- increase trust with supporters for when we are dealing with incidents

We have taken the EFL Sanctioning Guide and used it as a basis for introducing our own approach to fan sanctions.

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## CUFC Supporter Sanctioning Policy

In February 2023, after considering the EFL Sanctioning Guide and after consulting with the club's Safety Officer and Police Designated Football Officer, fans within the Carlisle United Support Groups and listening to their thoughts and suggestions we have implemented our first CUFC Supporter Sanctioning Policy. It is published on the club's website.

### Potential Breaches

Some of the potential breaches noted below are criminal offences. It is likely that those involved are either arrested at the time or subsequently invited to an interview by the police. As a result, criminal charges may or may not follow. Whether or not criminal charges are brought, the appropriateness of a club ban, along with any other possible sanction should be considered on a case-by-case basis.

If the circumstances dictate and we consider it proportionate to do so, then a temporary sanction can be applied whilst awaiting the conclusion of police investigations and proceedings.

Breaches involving Hate crime/ discrimination, protected characteristics, Participants (as defined by the FA) and repeat offenses all represent aggravating factors.

### Hate Crime/Discrimination

Section 14A Football Banning Orders has now been extended to those convicted of online hate crimes that are football-related.

Information/data may be required by police/Crown Prosecution Service to aid in passing the charging threshold. We will be proactive in our approach to any discriminatory language used within the stadium as well as continue to assist police with club social media accounts. This language can also extend to the protected characteristics held in the Equality Act 2010.

### Incidents Away from the Home Football Stadium

If incidents take place away from Brunton Park, including on public transport and trains, this may be treated with additional seriousness due to the impact on the club's reputation, away allocations, kick-off days/ times and policing/stewarding.

Away clubs also have discretion to impose their own sanctions for a breach of their ticketing terms and conditions and/or the ground regulations.

### Criminal Damage /Accidental Damage

Incidents of criminal damage can be dealt with by a Level One or Level Two breach.

For damage that is accidental, this will be dealt with on a case-by-case basis. Solutions can include, but are not limited to, compensation for the damage, restorative justice, a safety standard letter and/or a written warning.

### Procedure

We will follow the EFL guidance procedures covering:

- Tactics for investigating incidents and collating evidence
- Effective Communication; including advice on language, tone and terms to be used
- Acceptable time for investigation and action (EFL Guidance Section 4)
- Sanction Panels; including advice on when a panel is necessary, make-up of panels and location and format of meetings (EFL Guidance Section 5)

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- Appeals process; how to both conduct and communicate the stages of any appeals process, who should attend and the relevant framework for meetings (EFL Guidance Section 6)
- Sanctions (EFL Guidance Section 7)

On exceptional occasions, we do reserve the right to adapt this guidance where it is reasonable to do so in the circumstances.

## Sanction options

We have introduced sanctioning guidelines which we will follow. They must be flexible as no incident is the same but they are intended to be clear and transparent and in-line with the EFL guidance but tailored to our own specific circumstances.

This process will be fair, transparent and free from bias.

Our sanctions cover:

- Temporary sanctions
- Issuing a safety standards letter
- Issuing a written warning
- Issuing an acceptable behaviour contract
- Issuing bans and suspended bans
- Cases when a Football Banning Order has been imposed.

We will consider restorative justice and educational programmes as an alternative to traditional sanctions.

The club retains full discretion to impose a differing sanction as they deem appropriate based on the merits of each case. However, it is the expectation that any action taken should be within the spirit of this document. If any action is taken outside of the remit of this document, then a rationale may need to be provided in the event of an appeal, or a complaint to the Independent Football Ombudsman (IFO). In circumstances where it is practicable, the individual will be offered the right to be heard and to rebut the decision reached by the club.

We will adopt a 'Sanction Panel' of at least three people comprising Safety Officer, and 1921 club director as Chair, CUOSC 1921 director.

If an individual is not satisfied with the outcome of the panel, an appeal will be allowed in all circumstances.

The appeal grounds should be made in writing, directly to the CEO.

The appeal will be assessed by a new panel chaired by the CEO, with the Holdings CUOSC director and another Holdings director. These will not have been involved in the sanctions or investigation.



## Sanction guide

LEVEL	BREACH OF REGULATION	POSSIBLE SANCTIONS
1	<ul style="list-style-type: none"> <li>Smoking/vaping (persistent refusal to stop)</li> <li>Alcohol offences (not involving police)</li> <li>Persistent standing/standing on seats</li> <li>Anti-social behaviour (e.g., persistent use of foul and abusive language and chanting, excessive gesturing towards opposition supporters, 'horseplay' impacting others (even away from Brunton Park where the incident is linked to the club)</li> <li>Conduct that compromises the safety of spectators and/or others</li> <li>Non-co-operation with stewards reasonable requests</li> <li>Ejection from home or away stadium (not leading to police involvement)</li> <li>Refused entry to home or away stadium (not leading to police involvement)</li> <li>Reckless but minor damage to club property (under the value of £100)</li> <li>Breach of Other Ticket or Ground Regulations where not otherwise specifically detailed here</li> </ul>	<ul style="list-style-type: none"> <li>Safety standards letter</li> <li>Written warning</li> <li>Club meeting</li> <li>Acceptable behaviour contract.</li> <li>Suspended club ban</li> <li>Educational and restorative justice options may also be available</li> <li>Short term club ban (maximum three home matches)</li> <li>Short term ban (up to Five-match ban for breaches away from home)</li> <li>Sanction doubled if there is a repeat of the breach within one year</li> </ul>
2	<ul style="list-style-type: none"> <li>Repeat Level 1 offence within the same season</li> <li>Level 1 offence leading to police involvement</li> <li>Level 1 offence with <b>any additional aggravating</b> factor involving reference to any one or more of a person or person's ethnic origin, colour, race, nationality, faith, gender, sexual orientation or disability.</li> <li>Level 1 offence in a Family area (A stand, Pirelli stand, Section 8 Pioneer stand, Family Zone)</li> <li>Level 1 offence which effects a Participant*</li> <li>Deliberate damage to club property</li> <li>Theft of club property up to £100 (eg from Shop or bars)</li> <li>Missile/object throwing generally including liquids, plastic bottles, vapes</li> <li>Pitch encroachment generally</li> <li>Serious reckless damage to club property over £100</li> </ul>	<ul style="list-style-type: none"> <li>Club meeting</li> <li>Acceptable behaviour contract</li> <li>Educational and restorative justice options may also be available</li> <li>Ban up to three years</li> </ul> <p><i>*as defined by FA</i></p>



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	<ul style="list-style-type: none"> <li>• Persistent aggressive foul language/ behaviour</li> <li>• Assault on club premises</li> <li>• Use or possession of pyrotechnics, flares, smoke bombs, fireworks</li> <li>• Use or possession of illegal drugs</li> <li>• Use of prohibited items as per ground regulations</li> <li>• Serious public disorder/anti-social behaviour</li> <li>• Hate crime/discrimination (including online)</li> <li>• Missile throwing of an object which is capable of serious harm (e.g. coins, vapes)</li> <li>• Breach of existing club ban</li> </ul> <p>Including incidents away from Brunton Park where the incident is clearly linked to the club (for example community disorder and anti-social behaviour)</p>	
<p><b>3</b></p>	<ul style="list-style-type: none"> <li>• Repeat Level 2 offence within 3 seasons</li> <li>• Level 2 offence with any additional aggravating factor involving reference to any one or more of a person or person's ethnic origin, colour, race, nationality, faith, gender, sexual orientation or disability.</li> <li>• Level 2 offence in a Family area (A stand, Pirelli stand, Section 8 Pioneer stand, Family Zone)</li> <li>• Level 2 offence which effects a Participant*</li> <li>• Missile throwing of an object which is capable of very serious harm</li> <li>• Pitch encroachment of a prolonged nature or involving aggressive behaviour or physical assault of any Participant* (such as players, officials)</li> <li>• Assault on club premises</li> <li>• Assault off club premises relating to CUFC activities or CUFC staff</li> <li>• Criminal offence of a Safeguarding nature</li> </ul>	<ul style="list-style-type: none"> <li>• Lengthy ban over three years</li> <li>• Indefinite club ban subject to two-year review</li> <li>• Educational and restorative justice options may also be available</li> </ul> <p><i>*as defined by FA</i></p> <p><b>Note:</b> <b>Level 3 offence which impacts a Participant will attract the most serious sanction (e.g. Assault on a Player or official)</b></p>


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## Review

The Supporter Sanctioning Policy (“Policy”) will be kept up to date, particularly incidents occur as the Club changes in nature and size. To ensure this, the Policy and the way it is implemented, will be reviewed on an annual basis, as follows:

- The club management will
  - consider Fan behaviour issues as part of:
    - weekly Heads of Departments meetings
    - pre-match operational staff planning meetings
    - pre-match safety plannings by the Safety Officer
    - Carlisle United Support Groups meetings with fan groups
  - continually monitor the effectiveness
  - review annually each season in conjunction fans at CUSG
  
- The 1921 Board will:
  - Review, approve and adopt annually each year
  - include Fan behaviour as an agenda item and will therefore form part of the Board Report
  - conduct an annual review as part of its annual Health & Safety audit and in connection with its annual SAG review and Ground safety licence process
  
- The Holdings Board will ensure the 1921 Board undertakes its role as stated

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