**Sunderland AFC**

**Supporter Sanctioning**

**Policy**

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**Section 1: Supporter Sanctioning**

Sunderland AFC supporters are the foundation of the Club and have always been famous for producing an intense atmosphere. SAFC wants to continue to create this positive, vibrant and exciting atmosphere, one that is safe and welcoming for supporters of all ages and backgrounds. In turn, we expect supporters to behave and conduct themselves in a manner that shows respect for other spectators, staff, players, officials, and SAFC property.

For the small minority of supporters who do not conduct themselves in an appropriate manner, the Club retains the right to manage such behaviour in several ways. SAFC’s rights are set out in the contractual terms and conditions concerning the purchase of a ticket, including the acceptance of specific ground regulations.

Behaviour that breaches ticketing terms and conditions and/or ground regulations, and/or there is a form of illegality on the part of the individual, may invoke the Club’s right in the case of any misconduct, serious, or persistent breach of the contractual terms and conditions and/or ground regulations to accept or deny entry onto Club premises.

This policy supports the information outlined in the English Football League Supporter Sanctioning Guidance. It provides SAFC with a consistent approach to dealing with all incidents that occur on a matchday which may require a sanction imposed due to an individual’s behaviour.

The Club retains full discretion to impose a sanction as they deem appropriate based on the merits of each case. Any supporter who has breached ticketing terms and conditions, and ground regulations or who exhibits illegal behaviour will be afforded a transparent and meaningful process, and any decision reached will be fair and proportionate.

**Section 2:** [**Potential Breaches of Ground Regulations and/**](#_bookmark4)**or** [**Ticketing Terms & Conditions**](#_bookmark4)

**2.1 Breaches**

Potential breaches are broken down by seriousness and categorised into levels. The breaches are explicitly linked to the ticketing terms and conditions, the ground regulations and/or criminal behaviour. Therefore, this applies to matches taking place at both the Stadium of Light and matches taking place away from the Stadium of Light. The Policy extends to all men’s and women’s games across all official competitions and pre-season friendlies.

Criminal behaviour at football matches will primarily be dealt with by the criminal justice system. However, on occasion, it is deemed more appropriate for it to be left to the discretion of the Club to take appropriate action.

If individual conduct/actions or misbehaviour is not listed below, it is SAFC’s discretion to decide whether to issue a ban or any other sanction, but this will be carefully considered and proportionate.

|  |  |
| --- | --- |
| **Level One Breaches** | **Level Two Breaches** |
| * Smoking/vaping.
* Alcohol-related offences.(not involving police).
* Persistent standing/standing on seats.
* Seat migration.
* Anti-social behaviour.
* Conduct that compromises the safety of the spectator and/or others.
* Non-cooperation with stewards.
* Ejection from home or away stadium (not leading to police involvement).
* Refused entry to home or away stadium (not leading to police involvement).
* Reckless/intentional damage to Club property under the value of £100.
 | * Deliberate damage to property.
* Missile throwing.
* Pitch encroachment.
* Reckless/intentional damage to Club property over £100.
* Aggressive language and/or behaviour.
* Assault on the Club’s premises.
* Use or possession of pyrotechnics.
* Use or possession of illegal drugs.
* Use of any other prohibited items as per the ground regulations.
* Serious public disorder/anti-social behaviour.
* Hate.crime/discrimination/tragedy chanting/language that is inconsistent with Club values (including online)
* Breach of existing Club ban.
 |

**2.2 Data Sharing**

Details of incidents will not automatically be shared with the police, other football authorities and clubs. However, due to the seriousness and nature of some of the breaches of the ground regulations and/or the ticketing terms and conditions, it may be necessary for the Club to pass information to the police, other football authorities and clubs to prevent and detect serious crime and prevent future incidents of such behaviour. Personal data will only be kept for as long as it is deemed necessary by the Club and this Policy complements and runs in conjunction with the Club’s current Information Sharing Agreements (ISA’s) that are held between the Club, the police and other football authorities and clubs.

**Section 3: Sanction Procedure**

**3.1 Initial Stages**

When the Club suspects an individual has breached the ground regulations, the terms and conditions of the ticketing arrangements and/or committed an offence, the initial stages of the supporter sanctioning procedure will be initiated. The Club’s investigation will demonstrate that based on the evidence, the occurrence of a particular event was more likely than not.

SAFC have the discretion and the flexibility to decide the course of action to be taken at this stage. In some circumstances, a Club Ban may not be an appropriate solution and a generic safety letter, a written warning, a restorative justice meeting, an Acceptable Behaviour Contract or a Suspended Club Ban could be a better solution.

Written correspondence outlining the evidence and initial decision will be sent to the individual and upon receiving the Club’s correspondence, individuals have two options:

**Option One**: The individual can automatically accept the evidence and the sanction/Acceptable Behaviour Contract. The individual will need to respond to this written correspondence and notify the Club that they accept the sanction or the required attendance for an Acceptable Behaviour Contract meeting.

**Option Two**: The individual has the opportunity to rebut the allegation and/or the length of the club ban and attend a Sanction Panel hearing. If the individual has been served a Suspended Club Ban, the individual will also have the right to attend a meeting with the Club. If an Acceptable Behaviour Contract is deemed the best course of action, then the individual must attend a meeting with the Club to discuss the contractual obligations. The individual will need to respond to the first written correspondence and notify the Club that they wish to attend the Sanction Panel hearing or will attend the Acceptable Behaviour Contract meeting within five working days.

If an individual does not respond to the first written correspondence within the specified time above, and there is no subsequent written or verbal acceptance of the sanction posed, the Suspended Club Ban or Club Ban will be upheld. For a Club Ban, the Sanction Panel will not convene on the date noted in the letter.

If an individual states they will attend the Sanction Panel hearing or requests a Suspended Club Ban meeting and does not attend on the date agreed, the sanction will be upheld in their absence.

If an individual does not attend or respond to the request for an Acceptable Behaviour Contract meeting or does not attend the agreed meeting, a Temporary Club Ban may be imposed until the meeting has taken place.

**3.2 Sanction Panel**

A Sanction Panel is part of the Club’s standardised sanctioning procedure, it is of great benefit in providing transparency and a safety net that ensures there are no inconsistencies in the way incidents are handled. Sanction Panels are not necessary for all matters and they will only be adopted where a Ban is being imposed. Individuals do have the right to voluntarily accept the allegation/sanction before or throughout the Panel hearing.

The Panel hearing will take place as soon as reasonably practicable from the date noted in the initial correspondence, and the location of the Sanction Panel can be virtual or in-person, although SAFC has the discretion to decide the location of the hearing. The Club will allow some flexibility if the individual does not have access to technology and/or the internet or cannot attend in person for a valid reason.

Individuals under the age of 18 must be accompanied by their parent/legal guardian in both instances, and they may speak on their behalf. Individuals are also allowed to be accompanied by a nominated individual or individuals who may aid with their contribution to the hearing.

The Sanction Panel will consist of an experienced Club official and the Supporter Liaison Officer if the individual is over 18. If the individual is under 18, the Sanction Panel will consist of an experienced Club official and the Club’s Dedicated Safeguarding Officer.

**3.3 Sanction Panel Outcome**

After the Sanction Panel hearing, the panel members will consider the response and any evidence provided by the individual under investigation to arrive at an appropriate decision. The decision of the Sanction Panel may cancel, reduce, maintain, or increase the original sanction noted in the first written correspondence to the individual.

In all circumstances, the individual will be sent written correspondence as soon as reasonably practicable regarding the outcome of the Sanction Panel. This will be posted to the individual’s home address and/or personal email address if known.

**Section 4: Appeals**

**4.1 Appeal Procedure**

If the Sanction Panel upholds the decision to provide a Club Ban, or if the nature of the Club Ban is subsequently altered due to the Sanction Panel hearing, an appeal will be offered. An appeal will also be offered to those individuals served with a Suspended Club ban as they are not required to attend a Sanction Panel hearing.

Any appeal should be submitted along with supporting evidence as appropriate to the Appeal Panel at SAFC – the Panel will act remotely to consider the appeal and provide a final decision in writing. The Club’s Appeal Panel may uphold, increase, reduce or withdraw the original sanction.

Individuals should submit their full written appeal within 15 working days of receiving the written correspondence from the Club that outlines the outcome of the Sanction Panel or after a meeting with the Club regarding the imposition of a Suspended Club Ban.

The appeal must include the following:

* Name
* Address
* Telephone number/Email address
* Sanction Panel case number/case number for suspended Club bans
* Outline of the investigation
* Sanction imposed (and any amendments to that sanction as a result of the Sanction Panel hearing)
* Details of the individual’s appeal
* Any supporting evidence (as appropriate).

The Club will provide written correspondence as soon as reasonably practicable confirming the outcome of the appeal and any subsequent requirements of the sanction if it is upheld, or any specific details if the sanction is withdrawn.

**4.2 Independent Football Ombudsman (IFO)**

Individuals can submit their case to IFO for review after the avenue of appeal has been exhausted. The IFO acts as a check and balance and is the final stage within football’s regulatory framework and complaints procedure. They are accredited as an Approved Alternative Dispute Resolution (ADR) Body under the 2015 Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations. If the Club has dealt with an appeal in full and has reached a final decision, then the IFO can review whether due process was followed and if the appeal was managed properly.

In these circumstances, the IFO does not offer an alternative interpretation of rulings, but an examination of whether a complaint/appeal has been handled appropriately. The IFO can ask a Club to revisit their decision-making process, but the IFO’s rulings are not legally binding.

**4.3 Individual Complaints**

At any point throughout the Sanctioning Process, if an individual has a complaint – not involving the decision of a Sanction Panel Hearing or the Appeal Panel – the individual has a right to contact the EFL. The EFL attempts to resolve complaints within 28 working days. All details of complaints are recorded, and information may be provided to the IFO as part of the reporting process if the individual wishes to take the complaint to the IFO.

**Section 5: Sanctions**

SAFC has the discretion to decide the seriousness of breaches and often, they are categorised as ‘lower-level breaches’, on most occasions having no police involvement, no criminal proceedings or prosecution. Therefore, the outcome need not always be punitive and can instead focus on being preventative. The Club will consider the full circumstances of an incident and the nature of the breach to consider whether an alternative option to a Club Ban such as written warnings, Suspended Club Bans, restorative justice meetings, Acceptable Behaviour Contracts and/or a requirement to attend an educational course would be a better course of action.

**5.1 Sanction Application**

SAFC reserves the right to decide whether or not any sanction applies to prohibiting entry to the home stadium for the purpose of attending a football match, or if the sanction shall apply to the premises as a whole, i.e., Club shop, ticket office and training ground – this list is not exhaustive.

Further discretion is applied to whether football matches involving other teams representing the Club, i.e. Under-21 and women’s teams will fall within the remit of the sanction served. The football matches covered for the duration of the sanction can, therefore, encompass all competitions, including pre-season friendlies and can be carried over into a subsequent season dependent on timing.

For all Level One and Level Two breaches, if a child under the age of 18 contravenes the ticketing terms and conditions and/or ground regulations or commits a criminal offence and is accompanied by an adult who is deemed responsible for the child, SAFC can consider imposing a sanction on the child as well as the accompanying adult. If an adult receives a sanction and there is a parent/child season ticket in place, it is advisable that the child still be permitted to attend the games with a nominated adult or family member using the sanctioned adult’s season ticket.

**5.2 Temporary Sanctions**

In some circumstances, a ‘temporary sanction’ may be applied. In these circumstances, if SAFC reasonably believes that there is a genuine risk of reoffending and/or any health or safety risk to supporters, staff or members of the police, then the Club reserves the right to impose a temporary sanction before making any further decisions.

**5.2 Level One Sanctions**

The outcome of each case will be decided on merit and most Level One breaches will have no police involvement. However, SAFC may report an incident to the police or seek police support depending on the circumstances.

If incidents take place away from the home stadium, including those 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.

**Sanction 1**: Level One Breach: An individual can receive either a safety standards letter, a written warning or an Acceptable Behaviour Contract. In relation to a Suspended Club Ban or a Club Ban, this is an indicative **three** home-match ban.

**Sanction 2**: Level One Breach (Away from the Home Stadium): An individual can receive an increased exclusion from home matches to a maximum of **five** games.

**Sanction 3**: Repetition of Level One Breach: If any Level One breach is repeated within one year, the initial sanction can be **doubled** with the warning that any future repetition of such breaches will necessitate a Club Ban of up to two seasons.

**5.3 Level Two Sanctions**

There is no set minimum or maximum sanction that can be applied in these circumstances. Instead, careful consideration will be given to each case and any decision reached by SAFC’s Sanction Panel will be proportionate to the breaches listed under Level Two.

SAFC can issue an ‘Indefinite Club Ban’ and this will be subject to review at stated intervals to be no longer than two years apart.

**5.4 Corporate/Hospitality Sanctions**

The lead booker who has purchased Corporate Hospitality or an Executive Box for more than one match in any given season is responsible for ensuring the good and peaceable conduct of their guests. When the Club suspects that a guest or guests of the lead booker’s Corporate Hospitality or Executive Box has breached the ground regulations, the terms and conditions of the ticketing arrangements and/or committed an offence, the initial stages of the supporter sanctioning procedure can be initiated.

In these circumstances, if SAFC reasonably believes that there is a genuine risk of reoffending and/or any health or safety risk to supporters, staff or members of the police, then the Club reserves the right to impose a temporary sanction before making any further decisions. The Club will not refund or compensate any individuals who are temporarily suspended from attending the Stadium of Light.

The Club have the right in the case of any serious or persistent breach of the ticketing terms and conditions and/or the ground regulations of those guests in the lead booker’s Executive Box or Corporate Hospitality, to cancel and withdraw any Executive Box or Corporate Hospitality issued if the behaviour of the guests has not improved after receiving a written warning. In the event of such cancellation, no refund will be paid.