Facilitation of Football Fan Groups in the UK

Articles 10 and 11 ECHR are traditionally associated with rights claimed by protest groups or trade unions. (Austin v UK). In Friend v UK the ECtHR determined that it would be “an unacceptably narrow interpretation” to confine these rights to political demonstrations. Other groups in society can also claim these protections provided they are “an assembly of an essentially social character”.

I have conducted observations with a police force, at football match-day operations, from which it is clear that fan groups constitute an assembly of an essentially social character. As such, they formally and informally attract the protections pertaining to the freedom of assembly and expression. The visual, audible, and unifying traits of those crowds should therefore be facilitated by the police within ‘sight’ and ‘sound’ of their particular audience. At midweek European fixtures in particular fans wish to assemble in groups and express themselves in public squares, on the approaches to stadia, and inside the stadia.

The level of facilitation provided by the police force varies and is not necessarily dependent upon the officers’ knowledge and understanding of the positive obligations under human rights law. I will present findings that assess the range of justificatory and explanatory factors relied upon by officers and compare the results achieved to those under an idealistic human rights approach. This will be complemented by a proposed model that will seek to ensure best practice.

I will also link my analysis to, and take further steps to appraise, the growing popularity of liaison-based approaches to football policing (Stott et. al. (2016)). This stands in stark contrast to the militaristic approaches taken by the French police in 2016 (European Championships) and the Russian police in 2017 (Confederations Cup). I will assess the chances of the Politsiya adopting a facilitative approach for the World Cup 2018, and the likelihood of repeating the scenes witnessed in Marseille.