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**European Convention on Spectator Violence and Misbehaviour at Sports Events
and in particular at Football Matches (T-RV)**

**Project on Compliance with Commitments
Italy's compliance with the Convention**

Reports by:

**Italy
The Evaluation Team**

A. REPORT OF THE HOSTING COUNTRY

Italian situation does not present particular risky elements as regards public order and security. Italy experienced and lived various moments of tension as a result of specific international events in an atmosphere of significant democratic participation by public opinion.

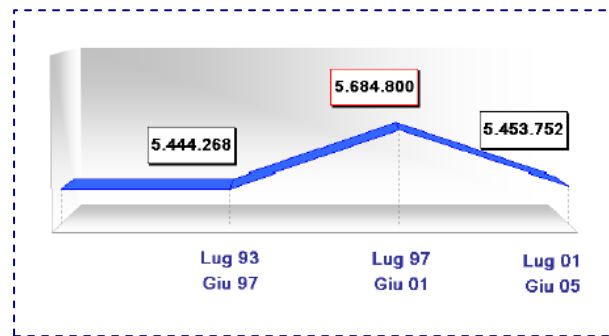
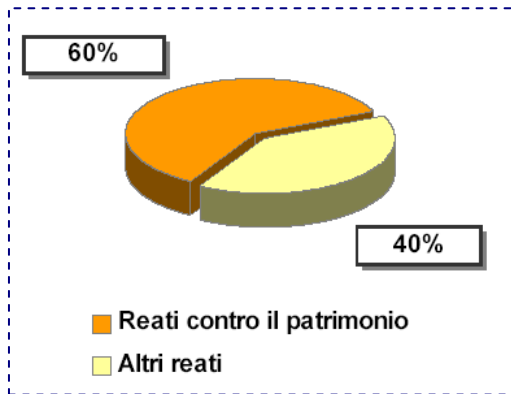
Security situation

The following pages report useful data and information relating to the trend in criminal phenomena in Italy in the last four years compared to those of the previous four years.

Particular attention is given to the analysis of the trend in criminal phenomena belonging to the category of “common crimes”, i.e. to less serious crimes that, due to their being widespread, have a strong impact on citizens’ feelings as well as on their security perception.

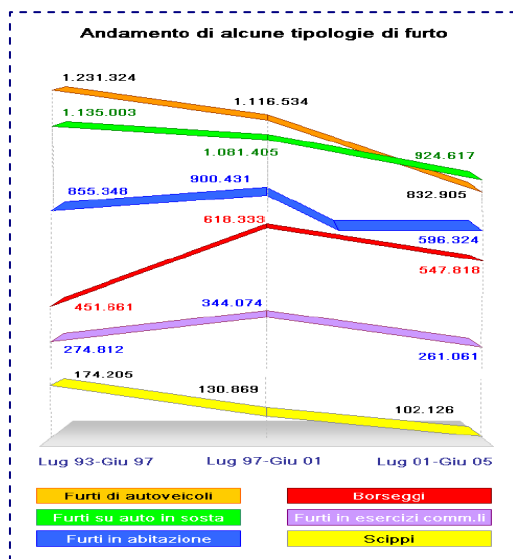
In the period July 2001-June 2005 there was a total decrease by 13,138 in crimes in comparison with the previous four-year term (9,301,499 as against 9,314,637).

Common criminality consists mostly in crimes against property, in particular the so-called “predatory crimes” (thefts and robberies) that in the four-year terms concerned represent on the average almost more than 60% of the total amount of crimes.



As far as the most widespread predatory crime, i.e. theft, is concerned, in the period July 2001-June 2005 there was a decrease by almost 4% compared to the previous four-year term (5,453,752 as against 5,684,800) with a reversal in trend compared to the increase registered in the last period (+4.4%) as against the previous forty eight months (5,444,268 in the term July 1993-June 1997).

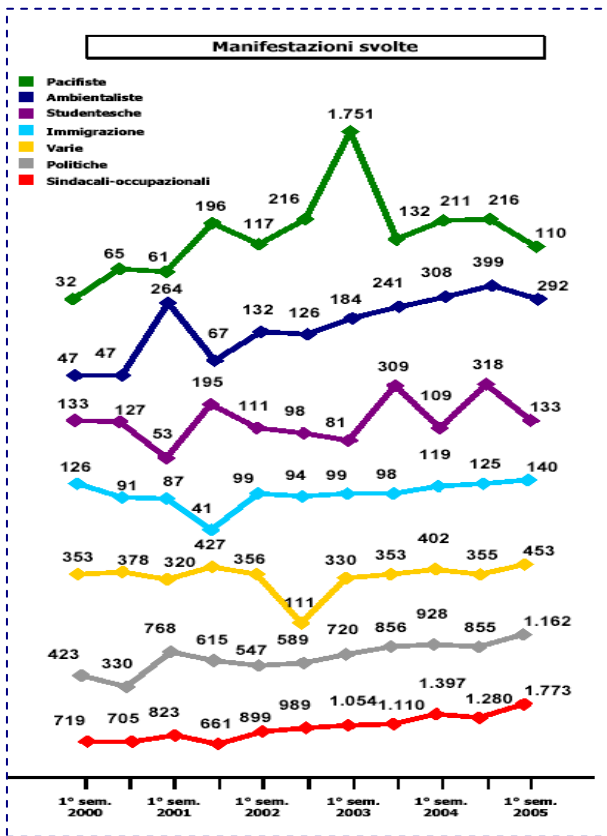
The last forty eight months show a sharp decrease in thefts in parked cars (by 14.5% as against the period July 1997-June 2001 and by 18.5% in comparison with the four-year term July 1993-June



1997) as well as a significant decrease in the number of thefts in houses (- 33.8%, 596,324 as against 900,431) and in thefts in shops (- 24.1%) and a considerable decrease in the number of pick-pocketing (-11.4%) and bag snatchings (-22%).

The four-year term concerned highlights a decrease in the main types of robberies: - 12.7% in robberies in banks (10,373 as against 11,886); -16.5% in post offices (2,898 as against 3,470); - 26.5% in bank security vans (155 as against 211); and - 21% in postal security vans (109 as against 138).

Following the 11 September 2001 attacks in New York and Washington the feeling of an impending international terrorist threat coming from religious fundamentalist cells has grown.



The Madrid attacks of 11 March 2004 and the London attacks of 7 July 2005 confirmed the great organizational capacity of terrorists who simultaneously attacked urban communication systems. The events of 21 July in London and of 23 in Sharm el Sheikh - though lacking evidence of interconnection - confirm said threat level.

Prevention and intelligence mechanisms set up after the 11 September 2001 and updated as a result of the attacks in Nassiriya and Madrid were further strengthened. Their aim was mainly protecting the more sensitive targets, controlling environments where terrorist threat might develop, monitoring non EU nationals already under investigation and promoting other investigations. The new measures to combat international terrorism are to be seen in this context. Thanks to them and the extension of the legislative tools of reference through the introduction of other conducts to be considered as “terrorist” it was possible to enhance the already available investigation and control instruments.

In particular, reference is made to the stay permit for foreign nationals who cooperate with justice, to the interviews for investigative purposes, the streamlined expulsion procedure for those suspected of facilitating terrorist cells as well as to the new arrest and custody rules also in relation to the identification of identity and the use of forged documents.

Public order: “major events”

Public order maintenance requires an extraordinary attention considering that national situation is characterized by social and job-related problems and various tensions as well as by important events of international dimension.



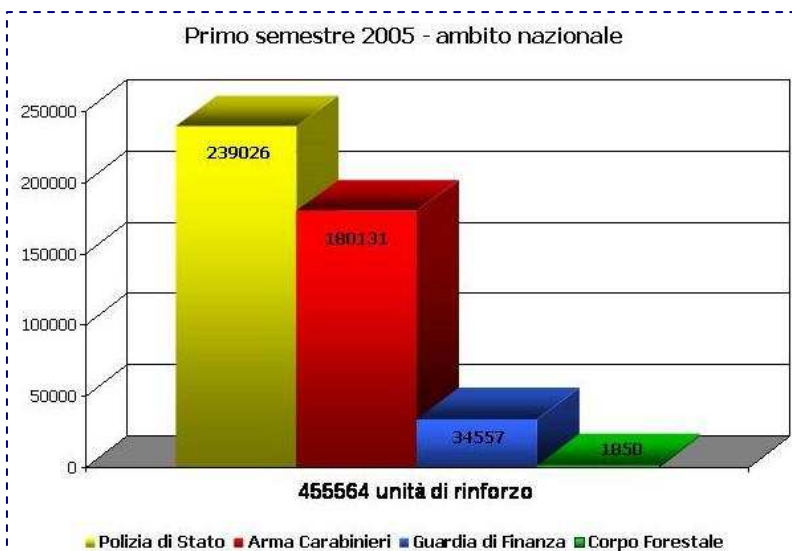
As an example, it should be taken into account the paramount commitment on the occasion of the death and funeral of the Pope John Paul II: from 3 to 8 April 2005 a total of 28,415 back up and special units (12,079 of the State Police, 11,031 of the Carabinieri Corps, 4,540 of the Guardia di Finanza and 765 of the Corps of Foresters) were used in order to face the needs relating to the arrival in Rome of numerous believers and more than 170 Heads of State, Heads of Government and members of the Royal Families.

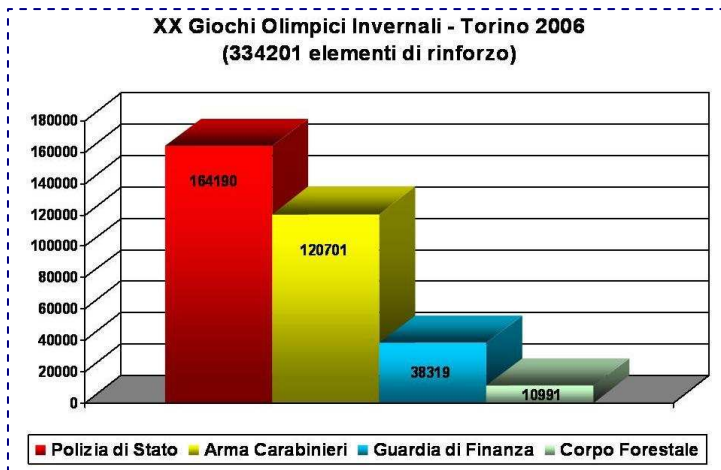
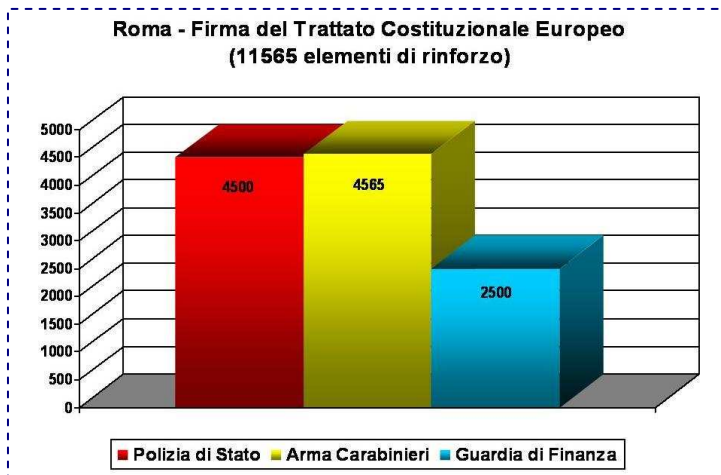
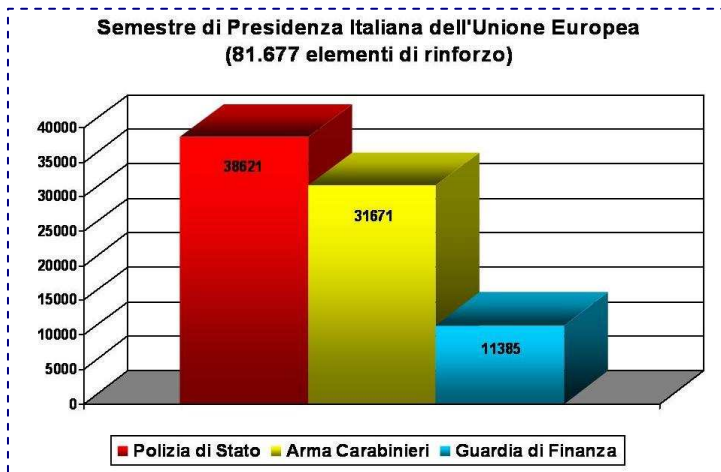
On 24 April exceptional prevention and surveillance measures were adopted during the ceremonies for the beginning of the Pontificate of the Pope Benedetto XVI by employing 4,959 back up and special units (1,760 of the State Police, 1,740 of the Carabinieri Corps, 1,000 of the Guardia di Finanza and 459 of the Corps of Foresters).



In order to measure police forces' general commitment it is sufficient to consider that in the first six months of 2005 at national level 4,040 demonstrations with an impact on public order were held, 1,162 out of which on political issues, 1,773 on trade-union and job-related issues, 110 organized by students, 140 on immigration, 292 for the protection of environment, 110 against war and for peace and the remaining 453 on various matters.

In order to meet public order and security needs at national level in the first six months of 2005 a total of 455,564 back up units were employed (239,026 of the State Police, 180,131 of the Carabinieri Corps, 34,557 of the Guardia di Finanza and 1,850 of the Corps of Foresters).





The persistency of terrorist threat at international level is still characterizing public security situation and its safeguard required, starting from the 11 September tragic events in the USA, **a progressive increase in the number of targets to be surveilled** by assigning more and more resources to law enforcement for said activity.

In the second semester of 2001, in fact, 1,894 sensitive targets were protected with the employment of 5,572 units whereas currently 13,246 targets are surveilled by 18,061 officers.

At the same time, the so-called operation “Domino” - started in October 2001 - was carried on continuously up to the fourth phase which ended on 31 March 2006 with the employment of 4,000 soldiers distributed in 88 provinces, thus allowing the protection of 182 important sensitive targets falling into the following categories:

- NATO and/or USA bases, installations and barracks
- Telecommunication and transmission centers;
- Facilities for the supply of utilities and the relevant branches;
- Nuclear plants;
- Port, airport and railway facilities.

The experience of the 2006 Turin Winter Olympic Games

The carrying out of the Winter Olympic Games – a typical example of major international event – implied an exceptional commitment for Italian and international government and sports institutions in order to plan adequate responses to the different threats not only of terrorist nature.

The event was held in 37 Olympic venues located in 7 municipalities including Turin. It consisted in 140 competitions with the participation of 80 delegations from all over the world; 10,000,000 visitors in the places of the Olympic events; 40,000 foreign guests, including 5,000 athletes, experts and accompanying persons; 18,000 volunteers and 1,740 operators for the security of the Games Organizing Committee; 2,300 representatives of the Olympic International Committee, the National Olympic Committees and Federations; 6,000 guests of sponsors and 650 judges and referees. Significant was also the presence of 9,400 journalists who watched the games broadcasted in world vision in 50 languages with more than 1,000 live broadcast hours in more than 130 countries.

Within the framework of international police cooperation particular attention was paid to the protection of foreign dignitaries during the Games: 127 foreign VIPs, including 15 Heads of State, 16 Prime Ministers, 9 spouses of Heads of State and 16 members of the Royal Families, 50 Ministers and other 21 high dignitaries.

On the eve of the Olympic Games international observers highlighted the risk of terrorist attacks. For this reason, said event implied a considerable commitment for government institutions in order to plan adequate responses to the different possible threats not only of terrorist nature.

With a view to facing such complex needs it was considered necessary – based on the experience gained in the management of previous major events – to maintain the ordinary chain of command. However, information sharing mechanisms were strengthened both at national and international level.

In particular, in the awareness that international police cooperation and operational synergy between the government and the sports institutions concerned represent the fundamental pillar for security during a major international event, the *National Information Center on the Olympic Games* (C.N.I.O.) was set up as a central body under the direction of the Director of the Public Order and Security Sector within the Department of Public Security.

il Giornale
«ESEMPIO DA SEGUIRE»
Rudolph Giuliani
«Security perfetta»

● «L'Italia e Torino hanno avuto un grande successo per quel che riguarda la sicurezza olimpica che è un esempio perfetto di quello che dobbiamo fare in altre occasioni in cui esistono minacce anche di tipo terroristico». Così l'ex sindaco di New York Rudolph Giuliani ha voluto esprimere il suo apprezzamento per il lavoro compiuto da tutti i rappresentanti delle forze dell'ordine, italiane e straniere. Il capo della delegazione americana ha partecipato ieri mattina alla consueta riunione del Cnio, il Comitato nazionale di informazione per la sicurezza dei giochi olimpici, un organismo internazionale voluto dal ministro dell'Interno Giuseppe Pisano che ha riunito per Torino 2006 le polizie di quasi tutti i Paesi che partecipano ai giochi, e rappresentanti di Interpol, Europol, Frontex e i 24 ufficiali di collegamento. «Sono molto compiaciuto del vostro lavoro - ha detto Giuliani - che è stato il motivo per cui questi giochi sono andati così bene, nonostante le preoccupazioni e le ansie che caratterizzano il mondo in cui viviamo. Purtroppo ogni giorno assistiamo a eventi terribili e quando ci sono manifestazioni così importanti come le Olimpiadi le preoccupazioni aumentano».



In order to allow the C.N.I.O. to conduct an adequate operational activity it was staffed with representatives from 18 offices involved in the a.m. event: Prefecture, Questura, Police Forces, Fire Brigades, Ministry of Foreign Affairs, Counter-Terrorism, Border Police, Communication Police, Forensic Science Police, Railway and Traffic Police, representatives of international bodies, such as Interpol, Europol and Frontex, as well as 25 liaison officers from 25 countries participating in the Games.

The CNIO - which started its activity involving the planning of international cooperation mechanisms one year before the Games opening ceremony – aimed primarily at coordinating the information transmitted by the various national institutions as well as by the Italian and the other countries' intelligence services in order to assess the relevant threats in their broader meaning, including therefore not only terrorist threats.

The largest operational plan for the security of the Games was organized with a view to guaranteeing the maximum security conditions without, however, creating an excessive militarized environment which was in contrast with the popular meaning of the Olympic event.



LA STAMPA
American ambassador to Italy, Ronald Spogli, congratulates city
Torino has captured the real Olympic spirit

Under an operational point of view great attention was given to the prevention activity implemented throughout the national territory already six months before the event. A census was taken of 13,246 sensitive targets - 2,960 out of which only in the province of Turin - which were protected with different measures based on their risk level.



la Repubblica
il bilancio
Rogge: «Tutto ha funzionato, mai vista qualità così elevata»

TORINO — Jacques Rogge, il presidente del Cio, promuove Torino 2006 («Non ricordo Giochi di qualità così elevata, tutto ha funzionato, ottima l'organizzazione» dice di fronte ai cronisti della stampa internazionale) e rilancia la lotta al doping. «La battaglia deve proseguire con tutti i mezzi a nostra disposizione — spiega — Non va punito soltanto l'uso, ma anche il possesso. E' il doping genetico la nuova frontiera. Stiamo già cercando di non farci trovare impreparati. A Torino è stato fatto il 72 per cento in più dei test rispetto a Salt Lake City».

In order to meet security needs only in Turin together with police territorial forces (more than 5,000) back up units coming from throughout the country were employed, thus implementing a mechanism that, starting from 9 January 2006 with 1,700 daily units, required a progressive increase up to 9,300 elements during the Games from 5 to 27 February. Working days amounted in total to 334,201 with an estimated cost for accommodation, food, allowances and extra work of about 90 million euros. Other resources were used in order to enhance security and control measures at the land, air and sea borders interested by the event due to their geographical proximity or the international relevance of their ports/airports.

Control of organized supporters

As far as sports and more specifically the various football supporters are concerned, it has to be stressed that the phenomenon of supporters' grouping in organized groups is registered only in relation to individual *club* teams.

Said groups - the most important of which have structures distributed on the national territory - are mainly linked each other by a football or parochial passion for their own team.

Cohesion elements which are unrelated to sports are observed only in specific and non numerically relevant circumstances.

Different is the typology of supporters who actively follow the national team. In fact, as far as these supporters are concerned, it is not possible to identify cohesion factors rather than the feeling of belonging to their national community.

On initiative of some ultras groups in the autumn 2000 in Verona the cartel "Ultras Italia" was set up to join supporters sharing the same political belief and the goal of following and supporting their national football team in its away matches.

Said initiative was promoted by some leading supporters of the Verona team in cooperation with supporters from cities in the North-East of Italy having the similar political ideas.

This was the first attempt to form a group and support the national team made by organized supporters that previously followed with little interest the sports events of the traditional team.

The preparatory phase of the 2006 Football World Cup constituted the first concrete occasion of visibility at international level for the cartel "Ultras Italia" that progressively increased both as regards the number and their territorial rooting.

Currently, "Ultras Italia" is made up of about 600 members. Until now almost 250 persons have been fully identified, half of whom are also militants in radical political movements. However, only some of them have criminal records for sports crimes and have already been subject to an Exclusion Order (DASPO) valid also abroad for some of them.

Units dealing with supporters

Following the repeated disorders registered in the last few years during sports events it was deemed necessary (in 2000) to set up within the DIGOS operational units called "Supporters' Units" with the specific task of preventing and suppressing illegalities in stadiums and monitoring the *ultras* grouping process as well as the phenomenon of politicization in the "curved sector".

The a.m. operational units were assigned the following functions:

- Monitoring the existing clubs in their respective jurisdictions and establishing contacts with the groups' leaders in order to create a relationship of mutual cooperation;
- Facilitating periodical meetings - at least on a weekly basis - with the club leaders in pre-determined places, such as the seat of clubs, of sports associations and the Questura;
- Providing promptly the Questore with all the useful information for the organization of public order services during football matches (number of supporters

during away games, transport means used, timetable of transfers, presence of friendly or rival feelings towards the opposed supporters, etc.); undertaking any appropriate measure in order to prevent interruption of contacts due to suppressive actions by the police;

- Maintaining close contacts during sports events with the officer responsible for public order services in the stadium in order to highlight relevant situations or facilitate a dialogue with supporters;
- Establishing, both directly and through police stations, relations with supporters of less important teams in case they expressed organizational capacities;
- Linking with the “Supporters’ Units” and the DIGOS of other cities for a mutual information exchange.

“Supporters’ Units” conduct also investigations. In fact, in the days after football matches they watch the films recorded by the video-surveillance systems located in the stadiums together with those made by the Forensic Science Police in order to identify those responsible for disorders.

With the aim of facilitating the dialogue with *supporters* the National Monitoring Centre on Sports Events (see page 63 and following) promotes coordinated initiatives to prevent violence and intolerance phenomena in a sports context also in cooperation with associations, representatives of organized supporters and supporting clubs, local government bodies, state and non-state bodies.

At central level within the Prevention Police Central Directorate of the Ministry of the Interior the “Supporters’ Section” was created to ensure a constant input and the coordination of the “Supporters’ Units” at operational level and to carry out periodical analyses on said phenomenon in order to identify possible prevention and counteraction measures.

The “Supporters’ Section” transmits the relevant information to the National Monitoring Centre on Sports Events which analyzes and assesses it.

Supporters in Italy

In general, the phenomenon of supporters in Italy is similar to the same Anglo-Saxon and north European experience – commonly known as “hooliganism”. In Italy the core of organized supporters is represented by the so-called “ultras community” and within each “stadium curve” more ultras groups are generally together.

Unlike English *hooligans*, whose groups are elementary structured and extremely loose, Italian *ultras* groups have stable structures with various managerial levels able to commit themselves both in internal activities – choreographic arrangements, banners and flags – and in external activities – production and sale of gadgets, distribution of membership cards, subscriptions, management of relations with football clubs, etc.

Organized supporters of the professional categories (A,B and C) are subdivided into more than 400 groups with about 80,000 members. They are not a homogeneous unit, since within it “various souls” co-exist which can be summed up as follows:

- A non-political component (little less than the half of all members) distributed all over the national territory and, in particular, in the southern regions where individuals linked to crime are more and more often detected. This area can approximately be assimilated to *hooliganism*. In groups where the criminal component is more significant a stronger inclination towards violence and acts of mere vandalism is registered.
- A generally politicized component (about one third of all members), located mainly in central and northern Italy. Within it political commitment is limited and does neither lead to situations of “double militancy”, with the exception of individual choices, nor to political initiatives inside and outside stadiums. This sector is less inclined to violence and is partly

open to a dialogue with the police forces. From it the project to set up a single “Ultras movement” arises which in recent years has become the most significant way to represent the various supporters by gathering together fans clubs of various orientations. An exception is represented by groups having more extremist political positions.

- A component which is definitely oriented towards political extremism and gathering a little less than one fourth of all organized supporters. The most prominent elements of these groups – which are present mainly in central and north-eastern Italy – are usually political activists in relevant groups, whereas most supporters are usually their “sympathizers”. Though political affinity is not usually a deterrent in the battles between rival clubs given a deep-rooted parochial rivalry, the high danger represented by these groups derives from the fact that ideology inevitably contributes to strengthen cohesion among their members. This makes the group more close-packed and aggressive and ordinary deterring countermeasures are less effective.

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The synergic commitment of law enforcement agencies, sports bodies and all other bodies involved in the carrying out of competitions, whose contributions were assessed and coordinated within the National Monitoring Centre on Sports Events, were translated into operative directives for the provincial Public Security authorities.

During the football season 2004-2005 2,814 football matches were played and in 268 matches accidents occurred and persons were injured. In 59 cases police forces had to resort to tear-gas devices. Injured supporters amounted to 326, arrested supporters to 344 and those reported without being arrested 1,292. 760 members of the police forces were injured.

Over the same period episodes of violence outside sports facilities increased. In particular, the following was registered:

- in 49.1% cases accidents occurred near stadiums;
- in 25.9% in stadiums;
- in 16.8% in urban areas;
- in 8.2% in railway stations.

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Moreover, critical moments when supporters entered or left sports facilities were confirmed. In 48.6% of the cases accidents occurred after the end of the match, in 37.2% before its beginning and only in 14.2% during the match.

In order to implement public order and security services in the a.m. period a total of 291,785 police officers were deployed out of which 167,315 local and 124,470 backup elements.

The situation described above confirmed the effectiveness of the regulatory measures introduced over the last 2 years. However, it also confirmed the need to intervene resolutely in this field due to critical aspects of the sports facilities and to obtain a stronger involvement of sports associations as regards security inside stadiums.

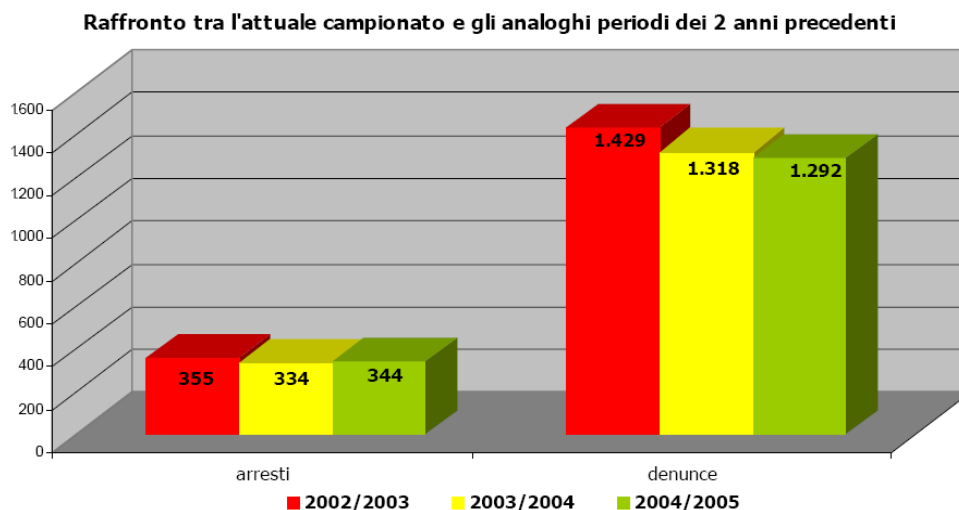
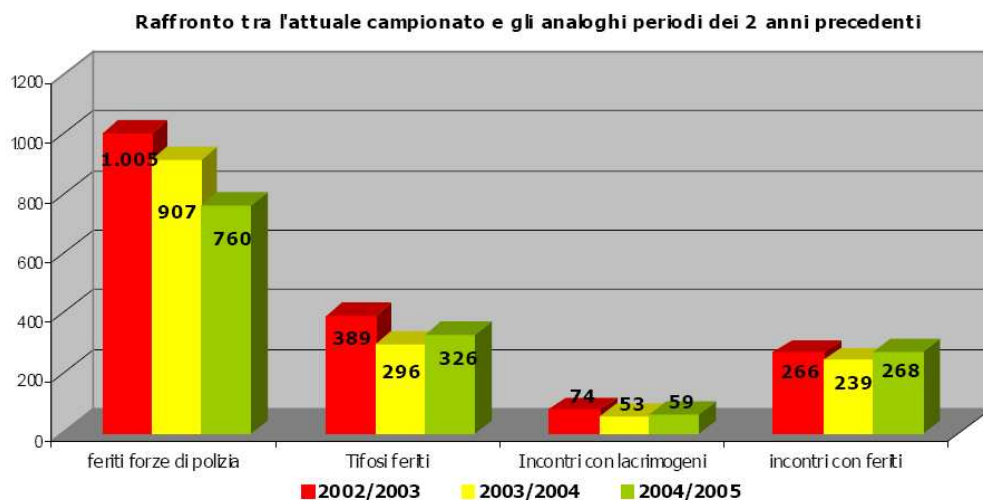
Said goals will be achieved by means of the interministerial decrees signed on 6 June 2006 by the Ministers of Interior, Cultural Heritage and Activities and Technological Innovation which will enter into force together with a Protocol of Understanding between the Government and football managers starting from the next championship.

The new provisions completing the ones introduced in 2003 envisage the following:

- personal and numbered tickets combined with a seat;

- video-surveillance, “managed” in an ad hoc room hosted by the radio centre for the security of sports events, coordinated by the public security official responsible for the public order service;
- a set of organizational, logistic and administrative measures in order to make stadiums safer and – in particular – separation of the playing field from the stands and the presence of stewards on the steps.

In this way the concept of a “multifunctional stadium” is introduced, as well as a regulation for security areas in view of filtering spectators. Moreover, the need is reiterated to make football associations more widely responsible for contributing to pre-empt and combat violence.



THE ITALIAN PUBLIC ORDER AND SECURITY MANAGEMENT SYSTEM



The Italian public order and security management system is subdivided – as shown in the following scheme – into two levels, a national and provincial one which are closely inter-related on the basis of procedures provided for in detail by the law.

The Minister of the Interior, the national public security authority, is responsible for the public order and security policy at national level. In order to implement said policy the Minister of the Interior resorts to the Public Security Department directed by the Head of Police, Director General of Public Security.

The Head of Police fulfils a two-level function: he is the head of the State Police and – in his capacity as Director General of Public Security – he is responsible for enforcing on the territory and at operative level the political guidelines issued by the Minister of the Interior.



At provincial level technical and operative, as well as political guidance functions are ensured on the basis of directives received by the Department, the Prefect and the Questore, who are provincial public security authorities. In particular, the Questore as a technical and operative coordinator ensures uniform guidance of all police forces deployed on the territory (State Police, Carabinieri Corps, Guardia di Finanza, Penitentiary Police and Corps of Foresters) who contribute to public order and security services guided by the Questore acting also by means of his police officers.

THE BODIES RESPONSIBLE FOR PUBLIC SECURITY

The Italian security system has been recently involved in numerous *major events* of both sports and political and institutional nature, among which mention should be made of the six-month Presidency of the EU Council and the funeral rites of Pope John Paul II. This system intends to guarantee the taking place of the event in a safe and peaceful atmosphere by ensuring – at the same time – the safety of players and spectators and limiting to the maximum extent negative impacts on the everyday life of the inhabitants of the places involved.

Under this perspective the Italian Ministry of the Interior resorts to the ordinary security system described above both in the planning stage and in the operative management of security measures without resorting to the setting up of new and specific bodies or agencies.

SECURITY MEASURES INSIDE OR OUTSIDE STADIUMS

The Public Security Department entrusts all security services **exclusively** to Police personnel deployed in all places and areas involved in the event.

In particular, in relation to the security measures developed for the various cities where matches are going to take place, thorough services for public order and security maintenance are organized to protect spectators. Ad hoc protection services are also organized to guarantee safety of athletes, members of sports delegations, as well as of institutional representatives and V.I.P.'s. In particular, the following is prepared:

- **inside stadiums**, careful and discrete public order and security services by ordinary **uniformed** police personnel deployed in a quantity able to possibly intervene, if necessary, without alarming spectators;
- **outside and in the immediate neighbourhood** of stadiums strict spectator surveillance and control services will be implemented in the following areas by uniformed personnel belonging both to ordinary and special units:
 - **surrounding area**, coinciding with the routes to accede to the sports site (tollgates, consular roads and railway stations) and with city or mountain areas bordering to the most sensitive zones. At the borders of said areas checking, order and security services will be envisaged to surveil and report situations which are critical in terms of public order;
 - **reserved area**, adjacent to the sports facilities and characterized – even temporarily – by fences. Access to it is allowed to authorized people only. Within this area police forces will carry out ad hoc **pre-filtering** checks in order to control holding of access documents. At the same time, a first security check is carried out, too;
 - **maximum security area**, within the sports facilities. It is the area where access points are situated. Accurate **filtering** will be carried out in this area in order to prevent supporters having been served with a stadium ban, as well as forbidden material or objects from being brought into stadiums. Moreover, scrupulous “clearing” will be carried out at stadiums’ premises and in their immediate neighbourhood both on the eve of competition and on the day of the event just before gate opening;
 - **at airports, railway stations and meeting areas** thorough and discrete public order and security services will be organized in order to prevent possible critical situations at the arrival of

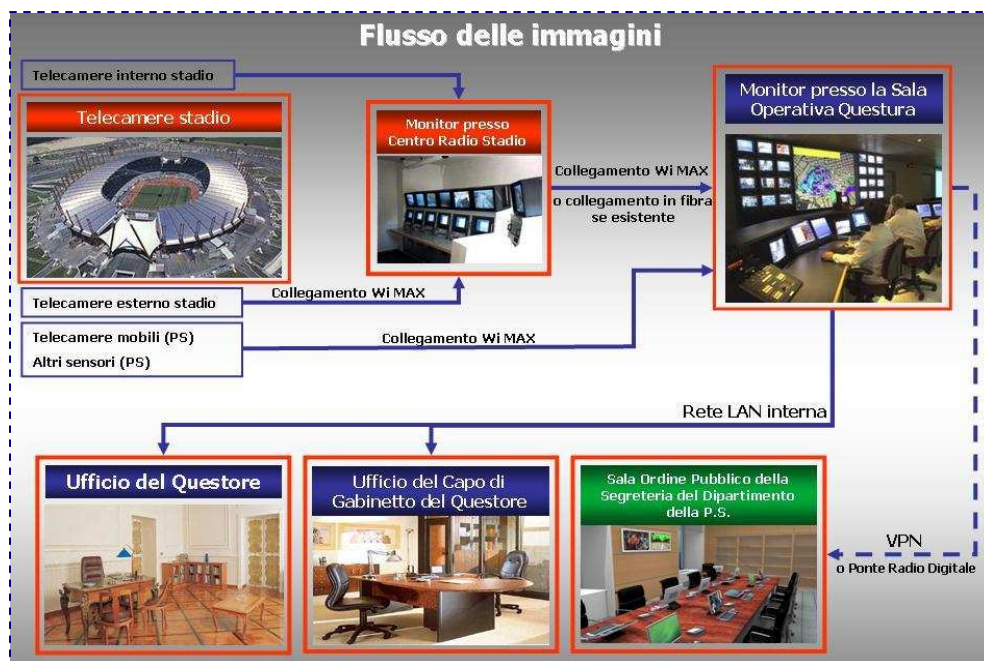


supporters. Along the **ways from and to stadiums** separate routes for opposed supporters will be identified.

SECURITY CHECKS OF SPECTATORS

Security checks of spectators will be always and exclusively carried out by Police personnel in full compliance with privacy and reducing possible inconvenience deriving from them as much as possible. Checks will be carried out at different levels:

- **AUDIO-VISUAL CHECKS:** sports facilities are equipped with closed-circuit TV filming and recording systems in the areas attended by the public, both inside the facility and in its immediate neighbourhood. Said systems film all entry and exit points, all sectors reserved for the public – with the exception of toilets – as well as internal areas to which the public have access and external areas reserved for pre-filtering operations;



- **METAL DETECTOR:** entry gates of all sports facilities can be equipped with metal detectors (also of portable kind) in order to filter spectators and prevent forbidden objects from being brought into stadiums;
- **TICKETING:** entry tickets to sports facilities are personal and contain data - printed by resorting to anti-counterfeiting techniques – which are secure, protected and coded. They contain the identity of their holder and particulars of the issuing body. When entering the stadium, tickets are checked through special electronic ticket control equipment located at gates. Tickets are differently coloured according to the stadium sector where the seat is located.

INTERNATIONAL POLICE COOPERATION AND INFORMATION OF GUEST SUPPORTERS

The effectiveness of security systems planned for international events is closely linked to the possibility of continuously resorting to updated information necessary to develop a correct and complete risk analysis.

To this end, in order to use the ad hoc information network dedicated to international police cooperation and information exchange on the occasion of football events of international dimension, the Ministry of the Interior resorts to the “*National Information Centre on Sports Events*” set up in the framework of the Public Order Office of the Secretariat of the Public Security Department.



The Centre is the only reference point through which information flows should be channelled both at national and international level and from which all initiatives should be launched when necessary to ensure well-balanced planning of public order and security services.

In addition to managing the whole information flow linked to the event the “Centre” is also responsible for coordinating the specific police cooperation carried out by deploying on the national territory the police personnel from the countries participating in the match (*spotters*) and having observer and information tasks.

The “Centre” works without overlapping with the offices of the Public Security Department which are responsible – each within its framework – for international police cooperation. It ensures information collection, analysis and exchange for the purpose of a general threat assessment, both at national and international level.

RISK ANALYSIS

In Italy it is not possible to consider a day of the Football Championship just as a set of “football matches” having an impact only on the provinces concerned.

The huge transfers of supporters along railways and motorways caused an increase in public security needs. In the light of the above, as early as 1995 the need arose to resort to a national “production room” to manage sports events - with particular reference to football matches – and assess the risk level of each match.

The a.m. role is played by the *National Monitoring Centre on Sports Events* carrying out this kind of coordination among all stakeholders managing a given sports event.

Managing a “major event” of national interest – which usually lasts three days and takes place at different times – does no longer involve national and provincial public security authorities only. It is

necessary for all “stakeholders” involved to share goals and responsibilities in order to ensure the regular taking place of a “popular” event in which hundreds of thousands of spectators are entitled to participate safely and respecting the others’ rights.

In its weekly meetings the *Monitoring Centre* carries out a pre-analysis of the matches to be played over the two weeks after its meeting. A “risk index” is attributed to each competition taking account of the following:

- possible clashes between violent fringes of opposing supporters;¹
- possible tensions between supporters and sports association;²
- possible fights with law enforcement representatives.³

On the basis of the risk level management of the sports event is carried out for each match. Each member of the *Monitoring Centre* urges his own institution to issue the guidelines which are held necessary to prevent accidents and disorders.

Moreover, in its weekly meetings the Monitoring Centre carries out a brief analysis of the football matches played on the past Sunday. An “index of seriousness” of possible episodes of violence registered in individual matches is established. Responsibility for these episodes is attributed to one or both supporters’ groups involved. In this way their “dangerousness” is established, as well as the level of attention to be focussed on them in the future.

In case of particularly serious incidents or on the occasion of sports events for which exceptional measures have to be adopted the *Monitoring Centre* holds an extraordinary session attended - where necessary - by possible external persons. Extraordinary meetings give the opportunity to adjust strategies to specific needs, thanks to the absolute flexibility of measures which are specifically conceived to adapt themselves to every situation in the best possible way.

Moreover, strategies are checked when assessing problems arising during incidents or on the occasion of particularly serious organizational troubles. This is undoubtedly one of the moments of major growth in which strategies and interpretations are questioned in a critical and constructive spirit with a view to identifying possible mistakes made and prevent similar problems for the future. All the activities carried out by the *Monitoring Centre* are summed up in a document containing information useful to combat violence in stadiums and all common actions agreed upon during each meeting. Collected data are supplemented with those transmitted by the *Questure* concerned and are stored in a common database representing the official source to analyze the phenomenon of violence in stadiums.

The National Monitoring Centre on Sports Events

The National Monitoring Centre on Sports Events was set up at the Ministry of the Interior with a view to fostering utmost interaction between all stakeholders responsible for implementing provisions and organizational measures to prevent and combat violence on the occasion of sports events. The Monitoring Centre carries out its activities in the framework of the Public Security Department.

¹ It is assessed whether in the past sports events rivalry or “differing political ideologies” gave rise to episodes of violence.

² An assessment is made of team performance, consensus on the choice of couches, possible reasons of disagreement with the sports managers and the President etc.

³ Law enforcement representatives are often in direct contact with supporters, both due to structural or environmental gaps hindering a “passive” separation between opposing supporters and due to the worsening of positions of supporters who consider themselves “innocent victims” of counteractions and/or countermeasures (exclusion orders, reports, arrests) adopted also towards individual elements of the group.

The Centre is a technical and administrative advisory body to the Ministry of the Interior and can be asked to express its opinion also in view of the adoption of measures safeguarding public order and security.

It assesses the levels of seriousness and risk of sports events and expresses its opinions on all general matters relating to the organization of sports events and prevention and countering of violent phenomena on the occasion of sports events, including regulatory matters in this field. Moreover, the Monitoring Centre can express its opinion – on request of either other State bodies or of bodies and agencies responsible for sports matters – on issues other than those falling within the province of the Ministry of the Interior, however linked to the tasks entrusted to it by the law.



Membership

The Centre is chaired by a State Police Senior Officer and includes the following:

- a) a senior official of the Ministry of Cultural Heritage and Activities and a senior official of the Ministry for Innovation and Technologies;
- b) senior public security officers from the central directorates of the Public Security Department identified by an order of the Head of Police;
- c) a senior officer from the Carabinieri Corps General Headquarters;
- d) representatives of the National Association of the Italian Municipalities, of the State Revenue Agency, of the Italian Authors' and Publishers' Association (SIAE), the Italian Olympic Committee (C.O.N.I.) the Italian Football League, the national football associations, professionals and amateurs, the State Railways and the companies managing refreshment services on motorways, if involved.

In relation to specific issues, the Monitoring Centre can be supplemented by public and private bodies in various ways involved in preventing violence in sports competitions, including supporters' representatives.

Activities which are instrumental to the carrying out of the tasks of the Monitoring Centre are managed by CNIMS which is set up at the Public Order Office of the Public Security Department Secretariat.

Responsibilities within the sports facility

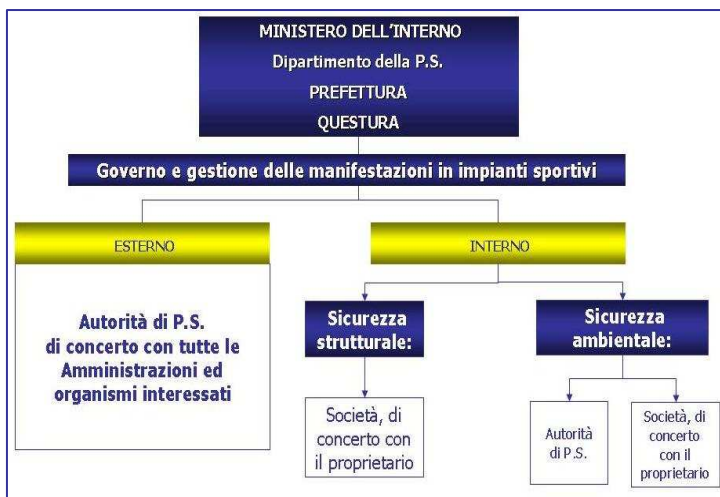
In the sports facility two kinds of responsibility are envisaged: structural and environmental responsibility.

The former is entrusted to sports clubs, in concert with the facility owner. The latter is under the competence of Public Security authorities and sports associations, in concert with the facility owner.



Role of the Police

Public Security authorities – which coordinate the activities of the Police Forces – are responsible for governing and managing the events taking place in sports facilities. They carry out complex activities before, during and after a given event, both inside and outside the facility, as well as in the city.



The *Questore* appoints his own representatives within the Provincial Committee of Inspection and the Operative Security Unit. Moreover, he nominates a police officer responsible for the Stadium Team and one responsible for public order services. Said persons both manage public order and security and check organizational measures for the security of the event.

Moreover, the *Questore* is responsible for changing entry coupons, by means of the police officer appointed to public order and security services. Moreover, through the persons responsible for the Operative Security Unit he establishes the capacity of stadium sectors for matches at risk and asks

for the opinion of said Unit (with a view to dealing with the matter within the Provincial Committee for Public Order and Security chaired by the Prefect) on the following:

1. raising of separators up to 2.20 meters:
2. setting up of all the three separating elements or further security measures;
3. establishing the boundary of the area by means of stewards.

SPORTS SECURITY LEGISLATION

PENAL LEGISLATION

The Italian penal legislation makes various legislative tools to combat sports violence available to judicial authorities and law enforcement bodies. Some of said tools have been recently introduced and proved to be particularly effective mainly as regards crime suppression. These measures have been developed also in the light of the guidelines issued by the international bodies responsible for analyzing and combating sports violence (EU Council, Council of Europe, FIFA, UEFA).

A thorough assessment of the results achieved by enforcing the new legislative tools is under way. Its aim is to check the possible need for further intervention at legislative level to prevent and suppress sports violence. In particular, strict interventions to ensure the security of EURO 2012 - - such as, for instance, absolute prohibition to transfer ownership of tickets will be adopted. Their adoption will be possible thanks to extraordinary legislative measures having a limited duration, also due to the positive experience registered in Portugal during the EURO 2004 competitions.

In the framework of the present legislative national context the legislator envisaged numerous crime hypotheses which can be identified on the occasion of sports violence (injuries, damaging etc.) and contained in the Penal Code. Moreover, the legislator adopted ad hoc legislative measures and typified further crime hypotheses in order to prosecute more incisively a number of behaviours registered on the occasion of sports competitions.

Carrying of weapons or offensive objects

(section 4 of Act No 110⁴ of 18 April 1975)

Transgressors are punished by arrest from one month to one year and by a fine from € 51 (100,000 Liras) to € 206 (400,000 Liras). In less serious cases, when only offensive tools are carried, only a fine can be inflicted. The sanction is increased if breach of said law occurs during or on the occasion of sports events.

Misrepresentation

(Section 5 of Act No. 152 of 22.5.1975⁵)

The transgressor shall be punished with imprisonment from one to two years and a fine from 1,000 to 2,000 Euros.

Throwing of dangerous materials, stepping over and pitch invasion on the occasion of sporting events

(Section 6 bis of Act No 401 of 13.12.1989⁶)

⁴ Subsection 1: Without prejudice to the authorizations envisaged by the third subsection of section 42 of Public Security Consolidating Act No 773 of 18 June 1931 and subsequent amendments it is forbidden to carry the following out of one's dwelling or its appurtenances: weapons, maces, iron sticks, truncheons and knuckle-dusters. Subsection 2: without any justification it is also forbidden to carry out of one's own dwelling or its appurtenances sticks ending with ferules, offensive pointed or cutting tools, clubs, tubes, chains, slings, bolts, metal balls as well as any other tool which – though not explicitly considered as a pointed or cutting weapon – may (because of time and place circumstances) be used for offensive purposes.

⁵ Use of protective helmets or any other means aimed at making recognition of a person difficult is forbidden in a public place or a place open to the public without justification. In any case it is forbidden on the occasion of events taking place in a public place or a place open to the public, with the exception of sporting events which entail said use.

⁶ *Subsection 1.* Unless the fact constitutes a more serious offence, whoever throws dangerous objects or objects of other kind, including fireworks, so as to create a danger for persons, in the areas where sporting events take place or in areas used for the stopping, transit or transporting of persons participating in or attending sporting events, shall be punished with imprisonment for a period from six months to three years. Punishment shall be increased if the fact causes a

*Imprisonment from six months to three years is envisaged for breach of subsection 1. "Punishment shall be increased if the fact causes a damage to persons. Punishment shall be increased by up to the half if the fact causes a non-starting, suspension, interruption or cancellation of the sporting event"*⁷.

Violation of subsection 2 "shall be punished with imprisonment from a month to three years and six months if the fact causes a non- starting, suspension, interruption or cancellation of the sporting event".

Possession of fireworks on the occasion of sporting events

(Subsection 6 ter of Act No 401 of 13.12.1989⁸)

The envisaged punishment is a detention period from three to eighteen months and a fine from 150 to 500 Euros.

Violence or threat against the operators responsible for checks in areas where sporting events take place

(Section 6 quarter of Act No 401 of 13.12.1989⁹)

Imprisonment from six months to five years is envisaged for transgressors. If the offence is committed in order to compel any of the mentioned persons to carry out an act of his duty or office or, anyway, to influence him, the penalty shall be imprisonment up to three years.

Fireworks and homemade bombs

The matter is regulated by sections 6 *bis* and 6 *ter* of Act No 401 of 13 December 1989 as amended by Act No 88 of 24 April 2003 which punish the conduct of:

- "... whoever throws dangerous objects or other materials, including fireworks, so that to create a danger for persons in areas where sporting events take place or in areas used for the stopping, transit or transport of persons participating in or attending said events..... shall be punished with imprisonment from six months to three years" – **section 6 bis**
- "...whoever is found in possession, in areas where sporting events take place, of distress flares, Bengal lights, fireworks and firecrackers, or of canisters of smoke or visible gas shall

damage to persons. Punishment shall be increased by up to the half if the fact causes a non-starting, suspension, interruption or cancellation of the sporting event (Subsection amended by section 1, subsection 1, letter b), no. 1 of Decree Law No 162 of 17 August 2005, turned into law as amended by Act No 210 of 17 October 2005). *Subsection 2.* Unless the fact constitutes a more serious offence, in places where sporting events take place, whoever gets over a fence or separating fixture or invades the pitch in the course of said sporting events, shall be punished - if the fact causes a concrete danger for persons - with a detention period up to six months or with a fine ranging from of 154 to 1,032 Euros. If the fact causes a non-starting, suspension, interruption or cancellation of the sporting event the punishment shall be imprisonment from one month to three years and six months (Subsection amended by section 1, subsection 1, letter b) no 1, Decree Law No 162 of 17 August 2005, turned into law as amended by Act No 210 of 17 October 2005).

⁷ Amendments made when turning Decree-Law No 162 of 17 August 2005 into Act No 210 of 17 October 2005.

⁸ *Subsection 1.* Unless the fact constitutes a more serious offence, in places where sporting events take place, whoever is found in possession of distress flares, Bengal lights, fireworks and firecrackers or of canisters of smoke or visible gas and similar articles shall be punished with a detention period from three to eighteen months and a fine ranging from 150 to 500 Euros (Section included by section 01, Decree Law No 28 of 24 February 2003, turned into law as amended by Act No 88 of 24 April 2003).

⁹ *Subsection 1.* Whoever commits one of the offences under sections 336 and 337 of the criminal code against subjects responsible for checking the admission tickets and routing the spectators as well as subjects responsible for guaranteeing observance of the sports facility use regulations - provided that they are identifiable and in relation with the tasks carried out - shall be punished with the same penalties envisaged by said sections. The mentioned subjects shall have the moral requirements under section 11 of the Public Security Consolidating Act, under the Royal Decree No 773 of 18 June 1931 (Provision included by section 1, subsection 1, letter c, Decree Law No 162 of 17 August 2005, turned into law as amended by Act No 210 of 17 October 2005).

be punished with a detention period from three to eighteen months and a fine from 150 to 500 Euros” – **section 6 ter**.

On the other hand, also Sports Authorities dealt with this specific matter. The Italian Football Association, by decision 104/A of 13 April 2005, amended sections 62 and 64 of the *federal internal organizational rules* and section 10 of the *Sports Justice Code*:

“...*omissis*... it is forbidden to introduce and use in the stadiums fireworks in any form, tools and offensive objects, drawings, writings, symbols, emblems and the like bearing obscene, abusive, threatening words instigating to violence, racial or territorial discrimination”.

“The referee shall abstain from having the competition started or continued when facts or situations occur which, in his opinion, appear to jeopardize his own, his assistants or the football players’ safety, or that do not allow him to autonomously supervise the competition, also because of the throwing of objects, using of fireworks of any kind or any form of offensive material“.

“The football associations shall be answerable for the violation of the above mentioned bans (section 10, subsection 2, of the sports justice code and section 62, subsection 2 *bis*, of the federal internal organizational rules)”.

“In case of a final suspension of the competition as a consequence of the above mentioned episodes, sports justice bodies shall apply the penalties under section 12 of the sports justice code. It envisages that the club deemed to be responsible, also from an objective point of view, for facts or situations which influenced or prevented the regular carrying out of a competition, shall be punished with the loss of the competition by a score of 0 to 3, or by any more favourable score made by the rival team, without prejudice to the application of further, different penalties for the violation of section 1, subsection 1...*omissis*... ”.

Bans

The most effective and incisive ban introduced in the Italian legal system is, without doubt, the DASPO – *Exclusion order*-

The provision falls within the group of police prevention measures and it is issued by the *Questore* (Police Chief at provincial level), who can also impose on the subject of the exclusion order the obligation to report to a police station in order to sign an ad hoc register in hours concomitant with the football matches.

Order of exclusion from premises where sports events take place

(Act No. 401 of 13 December 1989 and Act No 88 of 24 April 2003)

- Order of exclusion from premises where sporting events take place in relation to persons who during the last five years have been reported or convicted - even if the sentence was not final - for:
 - a) having carried weapons, maces or iron sticks, truncheons and knuckle-dusters out of one’s own dwelling or its appurtenances. Without a justification it is forbidden to carry out of one’s own dwelling or its appurtenances sticks ending with ferrules, offensive pointed or cutting tools, clubs, tubes, chains, slings, bolts, metal balls, as well as any other tool which - tough not explicitly considered as a pointed or cutting weapon - may, because of time and place circumstance, be plainly used for offensive purposes (*section 4, subsection 1 and 2, of Act No 110 of 18 April 1975*);
 - b) having participated in demonstrations carried out in public places or places open to the public using protective helmets or with one’s own face totally or partially

covered by any means aimed at making recognition of the person difficult (*section 5 of Act No 152 of 22 May 1975*;

- c) throwing of dangerous objects, stepping over and pitch invasion on the occasion of sporting events;
- d) having actively participated in violence episodes against persons or properties on the occasion or because of sporting events;
- e) having instigated, chanted or induced to violence on the occasion or because of sporting events.

Said ban may be accompanied by the additional requirement to personally report to the police station competent for the subject's residence place or a specifically indicated police station, once or more times in specific hours on the day when the sporting events for which the ban was issued take place.

- throwing of dangerous objects or objects of other kind, including fireworks, so as to create a danger for persons, in areas where sporting events take place or areas aimed at the stopping, transit or transport of persons participating in or attending said sporting events;
- illicit getting over fences or separation fixtures in areas where sporting events take place, or pitch invasion, if the fact causes an actual danger for persons;
- possession of distress flares, Bengal lights, fireworks and firecrackers or of canisters of smoke or visible gas in areas where sporting events take place;
- disturbing the regular carrying out of a sporting event;
- illicit occupation of distribution routes or other areas of the sports facility which are not accessible to the public;
- illicit, unauthorized access to a sports facility.

The current legal framework envisages also the so-called “ delayed flagrante delicto arrest” .

For crimes committed during sporting events expressly envisaged by the law and when for security reasons or public safety the immediate carrying out of an arrest is not advisable, police forces are able under said provision to delay an arrest up to thirty-six hours from the perpetration of the offence, on the basis of video-photographic documentation or other elements which reveal in a irrefutable way the identity of the offender.

International DASPO

Among the new rules in force particular stress is placed on the so-called international DASPO (restriction order) which was introduced by Decree Law No 162 of 17 August 2005. The order of exclusion from sports facilities may be made also for specifically mentioned events taking place abroad or it can be made by the competent authorities of other European Union Member States for sporting events which take place in Italy.

Whoever violates in Italy the restriction order from premises where sporting events take place made by the competent authorities of any of the EU Member States shall be punished with imprisonment from three to eighteen months or with a fine up to 6,000 Euros.

The problem of racism and countermeasures adopted

The problem of racism in the world of sport was considered an important issue by all international bodies and it became a specific commitment of the UN Member States which “...*in cooperation with the IOC and the international and national sports association*” undertook to “...*intensify the fight against racism within sport*”.

The “Report on contemporary forms of racism, racial discrimination and xenophobia”, submitted by the UN Special Rapporteur, Mr. Doudou Diene, to the Geneva Human Rights Committee ends with a call for member states, in cooperation with the national association, to launch more targeted strategies in the fight against racism in sport, by adopting preventive educational and awareness-raising measures and, in particular, “...to enforce tough measures against persons responsible for racist incidents...”

In the framework of the FARE initiative, the *Ministry for Equal Opportunities* in cooperation with the *Italian Football Association* set up a working table at the Racial Anti-discrimination National Office – UNAR. Said table, with the participation of all representatives of the professional and amateur football, is aimed at identifying and improving the regulations available to effectively deal with the racist emergency in football.

In this way the UNAR and the Italian Football Association intended to make their members aware of the need for the football stakeholders - each within its own competence and role- to intervene with effective countermeasures in relation to all racist behaviours which occur in the field among athletes and, in particular, on the terraces.

This initiative, thanks to the awareness shown by the Italian Football Association and the associations representing footballers and referees, was aimed at giving the Italian football a system of rules to counter racism that is in the forefront among the European countries, thus contributing to the returning of families to football and making the playing field an example of passion and integration.

In Italy there are two main rules regulating this specific sector: Act No 654 of 13 October 1975 “*Ratification and implementation of the international convention on the elimination of all forms of racial discrimination, open to the signature in New York on 5 March 1966*” published in the Official Journal No 337 of 23 December 1975, as well as Decree Law No 122 of 26 April 1993 turned into law by Act No 205 of 25 June 1994 on “*Urgent measures in the field of racial, ethnic and religious discrimination*”.

With regard to the display, during football matches, of banners with anti-Semitic and racist writings and symbols mention should be made of the directive of the Minister of the Interior, dated 4 February 2000, by which officers responsible for public security services can order the football match or show either not to be started or suspended if started when:

“... banners, placards or other emblems or symbols are displayed or other outward manifestations expressed that are punishable under section 2 of Decree Law No 122 of 26 April 1993, turned into law as amended by Act No 205 of 25 June 1993;

the intervention is deemed to be necessary, and it is not possible to act otherwise, for the purpose of removing the written material and having said manifestations ceased...”

In case public security officers responsible for public order services deem that it is necessary to intervene in the stadiums, on the occasion of football matches, in order to remove prohibited placards or banners, the provisions of the competent public security body are communicated to the sports bodies in conformity with the procedures established by the Italian Football Association which envisage the following:

“..... whenever the officer in charge of public order in the stadium designated by the Ministry of the Interior deems it convenient to order suspension or non-starting of the match, he shall tell the fourth man or the referee’s assistant to ask the referee not to start or to suspend the sporting event;

in case of suspension of the match, players shall remain in the centre of the field together with the officials;

the stadium speaker shall inform the public about the reasons of non- starting or suspension and call for immediate removal of the banner/s which caused the measure;

in case of extension of the suspension, the referee may, at his discretion and taking into account of weather and environmental conditions, order the teams to go back to the dressing rooms;

the public security officers who decided the adoption of the measure shall give instructions for the referee to order resumption of the play;

after 45 minutes from the suspension or non-starting the referee shall declare the competition closed and report the facts occurred....”

In this framework, of particular importance is Act N0 654 of 13 October 1975 (the so-called Mancino Act) which penalizes discriminatory conducts. The Mancino Act considers socially dangerous and, therefore, liable to prosecution

- whoever spreads in any way ideas based on racial superiority or ethnic or racist hatred;
- whoever incites to commit or commits discriminatory acts for racial, ethnic, national or religious reasons.

The setting up of, participation in or support to any organization, association, movement or group whose purpose is the instigation to discrimination or violence for racial, ethnic or religious reasons are also prohibited.

In the framework of prevention the Mancino Act prohibits anyone from displaying outward manifestations or emblems or symbols that can be either personal or habitually used by organizations, associations, movements or groups whose purpose is instigation to discrimination or violence for racial, ethnic or religious reasons. Persons carrying emblems or symbols of the above mentioned organizations are also banned from entering the facilities where sporting events take place.

In a very innovative way for our legal system especially in consideration of the period in which it was issued, the above mentioned Act establishes that the judge may rule the obligation to carry out an unpaid activity in favour of the community for social or public utility purposes. Since it deals with the sensitive field of crimes of opinion, the law interpreted that incitation to discrimination or violence, prohibited by the Mancino Act, is only a mediate purpose of a further aim which consists of the limitation imposed upon other individuals, belonging to the same civil society, to exercise their civil, political and administrative, individual and collective rights because of their different race, ethnic group, nationality or religion.

Said rules do not limit the right to freedom of expression (section 21 of the Constitution) since incitement is considered instigation to an illicit conduct and therefore it is something that goes beyond a mere expression of opinions, reasoning or personal beliefs. The prohibition to set up any organization, association, movement or group having among its aims incitement to discrimination or violence for racial, ethnic or religious reasons does not restrain the right of association, guaranteed by section 18, subsection 1 of the Constitution, because in said cases the association is aimed – by means of physical coercive acts or undue influence - at illicitly carrying out a coercion upon other subjects in order to limit the free exercise of their rights. These conducts can be typified in various crime hypothesis such as violence, extortion, malicious injuries and other crime hypothesis.

Finally, said rules should not be deemed in contrast with the protection of the inviolable human rights and the principle of equality (sections 2 and 3 of the Constitution). On the contrary, the very conducts mentioned above are in contrast with said principle, considering that incitement to discrimination for racial, ethnic, national and religious reasons aims at restraining the equal social

dignity of citizens, thus excluding the principle of equality and violating the inviolable human rights.

ADMINISTRATIVE LEGISLATION

Disturbance of sporting events

(Section 7 of Act No 401¹⁰ of 13. 12.1989)

An administrative penalty amounting to a fine ranging from 25 to 154 euros is envisaged for persons causing disturbances.

The Prefect shall be competent to inflict the penalty and the proceeds shall be transferred to the State.

Delay of or ban from sporting events

(Section 7-bis of Act No 401 of 13.12.1989¹¹)

The measure is implemented upon order of the Prefect, after hearing the Provincial Committee for Public Order and Security.

Control of access and remaining within sports facilities

(Section 1-septies of Act No 210 of 17 October 2005)

Access to and remaining of persons and things within sports facilities where football matches take place are regulated, where not envisaged by law or regulatory provisions, by the user regulations of the sports facilities....

Whoever... enters sports facilities in violation of the relevant user regulations, or remains there, when the violation of said regulations implies removal from the sports facility and it is ascertained on the basis of video- photographic documentation or other objective elements, shall be punished with a fine ranging from 30 to 300 euros. The penalty may be increased by up to the half of the maximum envisaged if the transgressor has already been punished for the same violation, committed during the ongoing sports season and even if the violation was perpetrated in another sports facility.

Payment of a smaller fine, under section 16 of Act No 689 of 24 November 1981, does not exclude enforcement of the ban ad prohibitions under subsection 2.

Administrative penalties under this section shall be inflicted by the prefect of the province of the place where the sports facility is located.

The new initiatives of the Ministry of the Interior

In order to deal with the critical aspects registered over past years, to decrease the management costs for football matches and to adjust the national sectional rules to the recommendations of international institutional and sports bodies, the Ministry of the Interior issued a series of organizational measures which introduced: a new discipline regulating the sale or transfer of tickets for the access to the sports facilities; regulation of video-surveillance systems within and outside the sports facility; substantive amendments and supplements to the Ministerial Decree of 18 March 1996 on the structural safety of sports facilities.

¹⁰ *Subsection 1.* Unless the fact constitutes a crime, whoever causes disturbance to the regular carrying out of a sporting event shall be punished with a fine ranging from 25 to 154 euros (rubric amended by section 1, subsection 1-bis, Decree Law No 336 of 20 August 2001, turned into law as amended, by Act No 377 of 19 October 2001).

¹¹ Due to urgent and serious public needs relating to the carrying out of sporting events, the prefect, in order to protect public order and security, may order, after hearing the provincial committee for public order and security with the additional participation of representatives of the Ministry of Cultural Heritage and Activities and CONI, the delay of the carrying out of sporting events until another date deemed to be fit or, in situations where danger of serious disturbance remains, the ban from carrying out sporting events for periods not exceeding thirty days each (Section included by section 1-ter, Decree Law No 28 of 24 February 2003, turned into law as amended by Act No 88 of 24 April 2003).

The issuing of said decrees implementing Act 88/2003 and the amendment of Ministerial Decree of 18 March 1996¹²- safety of sports facilities, represented a decisive step towards prevention and countering violence in the stadiums.

The activities regulated therein are the ones concerning critical aspects identified with time: structural failures of sports facilities, conflicts with law enforcement forces and inadequate organization of the event.

The measures introduced by the Minister of the Interior, the principles of which led to the issuing of Act No 210 of 17 October 2005 contain “further measures to counter violence phenomena during sports competitions”. They aim, inter alia, at clearly identifying the persons in charge of the structural security of sports facilities.

According to the new rules issued by the Minister of the Interior access to sports facilities is regulated by full height turnstiles, placed at the entrance of the reserved area and the high security area.

Our legal system envisages a series of plans in order to ensure security conditions.

Particular importance is attached to the below listed references:

- confidential plans of the Ministry of the Interior and the ensuing plans by the Prefect
- duty order of the Questore drawn up under section 37 of the Presidential Order No 782 of 28 October 1985
- with regard to football facilities with a capacity of more than 10,000 seats the owner of the sports facility or complex or the user club shall draw up a plan aimed at maintaining security conditions, complying with the bans, restrictions and running conditions as well as at guaranteeing safety of persons in emergency cases. They shall take into account the requirements under section 19 and those imposed by the Provincial Committee of Inspection (*section 19 Ministerial Decree on Sports facilities safety*)
- fire prevention plan (*section 19 Ministerial Decree on Sports facilities safety*)
- provisions for each sports event containing instructions for employing the stewards
- plan for stewards training and instructing

The role played by the **GOS – Gruppo Operativo Sicurezza** (Operative Security Unit), which is set up at each sports facility, is of fundamental importance. It is entrusted with the following tasks:

- expressing, upon request of the Questore, opinion on the need of raising some separators or installing combined railings and other additional security measures as well as on steward deploying along the perimeter;
- verifying the planning of all organizational measures of the sporting event (for example, steward training), also in relation to any imposed requirement (*section 19-ter Ministerial Decree on Sports facility safety*);
- controlling correct implementation of the plan aimed at maintaining security conditions drawn up by the user club (*section 19 ter Ministerial Decree on Sports facility safety*);

¹² **Tickets for the access to the stadium** – Decree of the Minister of the Interior in concert with the Minister of Cultural Heritage and Activities and the Minister for Innovations and Technologies of 6 June 2005. **Video-surveillance** – Decree of the Minister of the Interior in concert with the Minister of Cultural Heritage and Activities and the Minister for Innovations and Technologies of 6 June 2005. **Structural safety of sports facilities** – Decree of the Minister of the Interior of 18 March 1996 containing “Security rules for the building and running of sports facilities” as amended and supplemented by the Decree of the Minister of the Interior of 6 June 2005.

- adopting the initiatives necessary to overcome contingent critical situations, subject to the public order and security orders issued by the *Questore* of the province (*section 19 ter Ministerial Decree on Sports facilities safety*);
- coordinating the interventions for the security management of sporting events;
- managing emergencies under the responsibility of the competent body representative, by implementing the relevant plans.

On the day of the football match, when opening the gates, the GOS also acts as the Event Security Managing Centre, with the task of the operational coordination of the event *safety/security* aspects.

In relation to the provisions contained in the Ministerial Decrees of 6 June 2006 concerning personal admission tickets, their management and distribution policies, developed in the framework of the National Monitoring Centre on Sporting Events by the representatives of the participating Bodies and Administrations, are based on the following guidelines:

1. Sale

The sale of coupons shall take place:

- At all certified agencies and public commercial concerns;
- At the clubs and points of sale advised by the Sports Clubs;
- At ticket-offices outside the reserved areas;
- Within the time established by the Sports Clubs in order to allow purchase in different ways and in time to feed data into the databank.

2. Procedure to buy a single ticket

To obtain a ticket it is necessary:

- to provide the user's surname, name and date of birth producing a valid identity document (identity card, passport, AT card, etc.)
- **as an alternative**, to produce one's fiscal code (e.g., in case of purchasers under 15 years of age), National Card of Services, health card, electronic ID card, credit card – in case of payment through automatic teller machine – or any other card which allows electronic registration of data.

3. Procedures to buy several tickets (up to 10)

In case of purchase of several tickets – max 10 – it is necessary to provide surname, name and date of birth of the person who buys the tickets producing a valid document, following the procedure under point 2., and to provide a list containing surname, name and date of birth of the other users. In such a case, data is provided by the purchaser who assumes responsibility according to the law.

4. Procedure to sell tickets to Guest Supporters (of different colour)

When the selling system of coupons is the same or anyway compatible, the organizing club shall authorize the guest club to sell, complying with the requirements under points 2. and 3., the available number of coupons in the relevant sector.

In the other cases, the organizing club shall send the arranged number of coupons without names to the guest club, along with the regulation for use of the facility, with the obligation to stop sale within 7 p.m. of the day before the match and to transmit, within the same time, the list of the purchasers' names drawn up as established in point 2..

5. Procedure to issue entry tickets to institutions, bodies and concerns

- As for guest supporters, the organizing clubs transmit the established number of coupons, along with the regulation for use of the facility, made out to the single organizations without names. The body concerned transmits the list of users' names – assuming responsibility according to the law – in time to be fed into the data bank;

- The event organizing clubs issue, without formalities, invitations or other documents authorizing the holder to withdraw the entry tickets at the selling points specified in the invitation and as established in points 2. or 3.. The invitation shall clearly specify that it does not allow entry in the stadium unless the entry ticket is withdrawn at the specified selling points.

6. Procedure for issuing and sale of personal season's tickets

The procedures under points 2. and 3. shall apply.

7. Procedure for transferring entry tickets to third parties

When the holder of a ticket wants to transfer his/her ticket to a third user such change shall be made:

- at the selling points under point 1., even on the day of the match at the selling points located outside the reserved area, producing the ticket to be changed;
- through the established call centres (for instance, *pronto pagine gialle* - Fast Yellow Pages -, free-toll numbers, etc.);
- through the Internet, using the site of the organizing or issuing club.

This change shall take place within the time fixed by the organizing club to allow updating of the database.

8. Procedure for temporary transfer of season's tickets

When the holder of a personal season's ticket wants to temporarily transfer his/her entry ticket to a third user for an event, such change shall be made following the procedures under point 7..

9. Procedure for holders of CONI (Italian National Olympic Committee) and FIGC (Italian Football Federation) cards

Personal CONI and FIGC cards, authenticated by SIAE (Italian Society of Authors and Publishers), allow access to the stadium sectors specifically reserved by the event organizing club.

One of the most important initiatives adopted by the Ministry of the Interior through the National Monitoring Centre on Sports Events is the project "*Un pallone per amico*" (A Ball for Friend) which falls within the sector "Education to Legality" and is aimed above all at involving the young. The project is linked to the Community Policing initiatives that the State Police promoted by organizing charity football matches at the end of meetings and debates on the problems of violence linked to sports events.

Efficient co-operation to the project is provided by the National Football Team of RAI (Italian State TV Network) journalists and is supported by all members of the National Monitoring Centre on Sports Events that provide their concrete support also at provincial level.

1,073,480.00 euros have already been assigned, with organization costs amounting to only 352,000.00 euros, reduced by 132,000 euros through direct donations.

Funds were assigned as follows: 25% to UNICEF, the rest to associations in need that participated to the various events.

The declared objectives of the project were, *inter alia*:

- To include themes linked to sports violence in the teaching programmes with the emphasis on the positive values of competitive spirit in sports;

- To raise awareness in the young on the themes linked to sports violence by organizing seminars and meetings in school and universities, with the participation of representatives of police forces and sports bodies;
- To develop the project “*Un pallone per amico*”;
- To found awards and scholarships for students who write papers or doctoral theses on counteraction of violence in stadiums.
- The National Monitoring Centre on Sports Events organized meetings in the more than 50 Italian provinces involved in the implementation of initiatives promoted within the framework of the project “*Un pallone per amico*”. The meetings were attended by all members of the centre and famous representatives of the specialized press, sports justice bodies as well as members of supporters’ clubs.

STEWARDS

Legal Profiles

The Decree-Law nr. 28 of 24 February 2003 turned into law with Act 88/2003, within a more complex framework to sharpen the sanctions introduced by Act 401/89 to counteract violence on the occasion of sports events, established **the obligation** (section 1-quarter) of some structural and organizational profiles for sports events taking place in facilities with a capacity over 10,000 spectators:

- Numbering of entry tickets
- Entry gates monitored through radiogenic equipment and with electronic instruments for optical reading of tickets
- Video surveillance
- Physical separation between sectors

The most important aspect is that for the first time a legal provision envisages the responsibility of the subject using the facility (more precisely, the Sports Club), in agreement with the owner of the facility, for the implementation of both organizational measures and the mandatory structural measures, envisaging a progressive system of administrative sanctions against the club itself, including the ultimate measure of revocation of the concession to use the facility, in case of non compliance.

This specific legal framework, which already outlines the function of **controllers at entry gates**, leads to the establishment of the **stewards**, that is operators with different levels of responsibility through whom the club using the facility complies with all requirements for the organization of the event outlined by Act 88/2003 and specified by the Ministerial and Inter-ministerial Decrees of June 2005.

The Legal Basis

A correct understanding of the stewards’ legal profile and the relevant levels of responsibility requires an analysis of the legal provisions or regulations which establish their roles, functions and tasks.

The Ministerial and Inter-Ministerial Decrees of June 2005 complete the legislative framework started with Act 88/2003, defining the implementation procedures under section 1-quarter, subsections 1, 2, 3 and 4.

The Decree of the Minister of the Interior containing “Amendments and Integrations to the Ministerial Decree of 18 March 1996 – safety regulations for construction and use of sports facilities” contains the main provisions on the activities to be ensured by the clubs which use the facilities through specific subjects in charge. In particular:

- Section 6-bis of the Ministerial Decree 96 (introduced by section 6 of the MD 05), in the analysis of the structural measures to be adopted for the physical separation of the spectators’ area from the playing area, envisages (subsection 4) the possibility of establishing, within the framework of the procedure to certify that the facility is fit for use (section 3), an additional precautionary measure, that is “*to employ **personnel specifically trained and hired by the organizers to stand along the perimeter of the playing area, in the ratio of 20 operators every 10,000 spectators and anyway no less than 30 operators. Said personnel shall wear a yellow bush-shirt and shall constantly monitor the area reserved to spectators***”.
- Section 19 of the Ministerial Decree 96 (newly drafted by section 11 of MD 05), which specifies procedures for fire security management, gives the organizing club (for facilities hosting football matches and having a capacity of more than 10,000 spectators) precise responsibility for maintaining security conditions when using the facility and envisages:
 - The possibility for the club to employ a ***person specifically tasked*** to be present during the performance of the sports activity including the phases of entering and exiting of spectators;
 - The obligation for the club to lay out a plan aimed at maintaining security conditions and granting people’s safety in case of emergency. The plan must envisage, *inter alia*, **instruction and training of the personnel in charge of the facility** (to be reported on a special register annexed to the plan), including exercises on the use of the fire-fighting means and emergency evacuation exercises;
 - The obligation for the club to lay out and update an emergency plan including, *inter alia*, **the organization chart of the emergency security service, with the list of names and relevant functions**.
- Section 19ter of MD 96 (introduced by section 13 of MD 05), specifying procedures for management of public order and security, linked to the setting up of the G.O.S. (*Gruppo Operativo Sicurezza*, Security Operative Group), for facilities having a capacity over 10,000 seats and hosting football matches, envisages that members of the GOS shall be also:
 - the **person in charge** of the maintenance of safety conditions in the facility appointed by the club using the facility;
 - the **person in charge** of ready intervention in relation to the structure and the facility within the stadium.
- Section 19quater of MD 96 (introduced by section 14 of the MD 05), in relation to the management of the sports facility and in order to ensure respect of the regulation for use (obligations and prohibitions), envisages the obligation for the club using the facility to:
 - Draw up **the organizational chart of the operators whose task is to receive and funnel spectators and, if necessary, to activate procedures for public safety, as well as the operators in charge of the related services**. The club shall also recruit said personnel.

- Draw up a plan to inform, instruct and train all personnel in charge of public safety, envisaging both *co-ordinators and operators*, specifying their tasks also on the basis of the characteristics of the facility;
- Deploy, during the event, a minimum number of operators equal to 1 every 250 spectators and of co-ordinators equal to 1 every 20 operators;
- Ensure operational and/or information co-ordination with police forces.

Furthermore, the Inter-Ministerial Decree of 6 June 2005, containing provisions on the issue, distribution, sale and transfer of tickets to enter sports facilities, explicitly recalls the obligation for the clubs organizing the event to place a fencing, also temporarily, outside the entire perimeter of the sports facility (section 5, subsection 2). **Adequate services for a first check that the spectators are in possession of regular tickets to enter the stadium and to funnel them to the gate of the corresponding sector** should be set up along the fencing.

This provision is completed by the provision under section 8bis of the MD 96 which, in regulating security areas and gates, identifies exactly that external perimeter as **area reserved** to those who are entitled to it.

Act 210/2005 that turned the Legislative Decree 162/2005 into law introduced section 6quater into Act no. 401 of 13 December 1989. Section 6quater, "Violence or threat against persons in charge of controls in places where sports events take place, reads as follows: "Whoever commits one of the acts envisaged by sections 336 and 337 of the Criminal Code against **persons in charge of controlling entry tickets and funnelling spectators and persons in charge of ensuring respect of the regulation for use of the facility where sports events take place**, provided that they are identifiable and the acts are committed in relation to the task they carry out, is punished with the same penalties envisaged by said sections. Those persons in charge shall satisfy the moral requirements envisaged by section 11."

In this connection, one of the direct implications of the tacit acceptance of the **regulation for use** of the facility, deriving from the "contractual" relation that is established between the club organizing the event and the spectator when the latter buys the ticket, is the possibility to check spectators and their baggage which falls within the sphere of competence of "stewards".

Finally, mention should also be made of the "**Programme Understandings to implement integrated prevention measures for security of sports events**", though they do not belong to the legislative framework. Such understandings were signed on 6 June 2005 between the Ministry of the Interior, the Ministry of Cultural Heritage and Activities, the Ministry for Innovation and Technologies, and other institutions and subjects (ANCI, CONI, FIGC, National A, B, C and Amateur Leagues).

In this context, considering the need to enhance services inside the sports facilities to integrate the activities of the police forces, also by assigning activities concerning the security of the event to the sports clubs, activities that do not imply the exercise of public authority and do not require the employment of the police, the following commitment has also been taken:

- CONI and FIGC are to promote initiatives with the sports clubs soon to approve the "**Regulations for use of the facilities**" explicitly recalled by section 19ter among the measures aimed at creating optimum conditions for the regular carrying out of the event and the defence of public order and security;
- CONI and FIGC are to promote soon the signature of agreements with the relevant non-profit organizations (after evaluation by the Monitoring Centre) to **recruit operators and to define tasks** in relation to reception, funnelling and observation within the stadium not linked to the exercise of public authority.

The stewards' role considering both "safety" and "security" aspects

2-1) *Functions* - The a.m. laws and regulations highlight strongly the double and significant intervention field attributed by the legislator to "sports associations" as **facility user** and **event organizer**.

In fact, the grounds for supplementing and amending the Ministerial Decree 96 mentioned in the introduction to the Decree of the Minister of the Interior of 6 June 2005 clearly point out the need to draw up a coordinated text of security and safety rules for the construction and running of facilities where the term "running" includes necessarily both the management of public safety and public order and security aspects.

This document does not deal with liabilities of sports associations for a possible use of facilities which structurally do not comply with technical rules. Said issue - though crucial and topical - does not involve closely **stewards'** competence.

Instead, it is interesting to stress the role of those (the **stewards**) thanks to whom sports associations fulfil their responsibilities as regards the way how they run facilities and organize events, including both public safety and public security-related aspects.

However, it is absolutely necessary to make some thorough comments on this issue as regards the involvement and responsibility of the associations and their operators in the whole system of public order and security management in order to eliminate any doubt on the technical legal interpretation of the legislative system.

2-2) *Interpretation matters* – Actually, the more recurring doubts arise from a reading of the rules aimed at consolidating the idea that "stewarding" should involve exclusively the management of the safety procedures related to facility structure and running, both in ordinary and emergency situations, and that stewards' employment for an orderly use of the facility – though very useful for the management of public order and security services – does not imply any liability in this field for associations organizing the event.

This approach seems to be supported by section 19-quarter of the Ministerial Decree 96 that - while regulating the facility management aspects (which are separated from the security management aspects of fire-prevention and public order and security) - refers to the concept of "**public safety**" when defining the interventions under stewards' competence to guarantee compliance with the facility use regulations.

In this connection, a support could also be given by the general consideration – which can be fully shared - that the rule has never intended to attribute public functions and the related public powers to the sports association staff employed in the activities for sports event organization. The above is based on the presumption – which in this case cannot be shared – that said powers have necessarily to be assigned in view of a responsibility of said staff in the security activity.

On the other hand, there are various general and textual matters allowing an interpretation aimed at stressing the system of rules concerning "stewarding". In particular:

- The general matter suggests a clear key reading of the whole system of rules and regulations of reference. Act 88/2003 and the ensuing Decrees of June 2006 meet the concrete need to intervene in emergency situations (consequently, the resorting to the extraordinary tool of the Decree Law) in order **to counteract violent acts on the occasion of sports competitions**. In other words, legislator's priority is to define a comprehensive system of interventions that – through the adjustment of structures, review of organizational aspects, toughening of sanctions and, last but not least, a process of cultural growth of all actors – **achieves the goal of curbing if not eliminating violent and criminal behaviours of the most violent organized**

supporters' fringes. Based on that it is difficult to think that the “stewarding” introduced in the sports event management system by the a.m. rules plays a marginal role in public order and security management limiting its intervention only in the field of public safety in the strict sense of the word (fire-prevention, structural and facility safety, public aid). Instead, undoubted seems to be the aim of engaging sports associations in a mechanism of partnership security by identifying some tasks which are relevant for security clearly meant as an activity aimed at discouraging and combating users' violent or illicit behaviours (security).

- Secondly, the textual matter supports the indications deriving from the analysis of the legislative policy strategies. This approach is supported by the most recent legislative provisions provided for in sec. 6-quarter of Act 401/89 (introduced by the Legislative Decree 162/2005 as turned into Act 210/2005 containing “additional measures to combat violent phenomena on the occasion of sports events”) through which it was deemed necessary to envisage forms of effective legal safeguard for the **subjects entrusted with the control of tickets and the funnelling of spectators as well as for those responsible for ensuring compliance with the regulations concerning the use of the facility where sports events are carried out** in case they are victims in the performance of their duty of violent behaviours, threats or resistance by users of the facility concerned. The basis for the safeguard offered by the rule is obviously the assessment of the specific functions performed by those subjects as to the management of the procedures aimed at maintaining public order and security conditions as well as public safety. In fact, the explicit reference to the provisions of sections 336 and 337 of the Penal Code and the related sanctions recalls the **legal type of a person in charge of a public service** implemented in this context by envisaging specific responsibilities both as regards public order and security and public safety.
- The analysis provides further confirmations to the specificity in term of security of the functions attributed to sports associations' staff who perform in some way the a.m. control over the compliance with the facility “Use Regulation”.

The employment for the control of the gates to the maximum security area and reserved area already envisaged, though incidentally, by sec. 1-quarter, sub-sec. 2, of Act 88/2003 establishes a mechanism of exclusion from the facility sensitive areas for those who are not entitled based essentially on the organizational capacity and responsibility of the sports association, thus allowing a certain identification of users within the facility that is an absolute priority for public order and security needs.

- Similarly, the additional security measure of separating the areas aimed at preventing illicit behaviours (in this case also of penal relevance) can be based on the possible employment of the staff along the pitch perimeter.
- Finally, also the reasoning linked to the lack upon sports associations and their staff of public powers which results into a lack of liability cannot be shared.

Our legal system, in fact, envisages types traced back to the notion of “person in charge of a public service”. Said notion is, inter alia, implicitly recalled by sec. 6-quarter of Act 401/89. Within these types it is possible to identify precise responsibilities as regards activities that, though in a private context, acquire public relevance since they are oriented to the satisfaction of a public interest and are regulated in the same way as a public function, even though characterized by a lack of its typical powers.

Summary evaluation – Summing up the aforesaid interpretations on the regulations in question, we can state that the person using the facility and organizing the sports event there, shall be legally liable for the following:

- compliance of the plant structure with the technical rules adopted for public safety and security
- maintenance of security at the sports plant and management of the plant itself during the exercise, as far as “safety” and “security” criteria are concerned, respectively.

Should the rules linked to the use and management of the plant not be respected, sanctions would be levied according to Act Nr. 88 of 2003, providing for punishment of the administrative illegal action committed by the sports club using the facility and organizing the event.

Hence there are different levels of liability within the organizational chart of natural persons – **competent for the public service of facility management** – chosen by the club to carry out the relevant tasks, taking into account that the rules in force already provide for some mandatory measures as to the performance of “stewarding” (subjective requirements, relations of numerical proportions, organizational charts, information, education, training and practical exercise, documentation):

- competent for maintaining security at the facility and subsequent procedures listed in the emergency plan, he shall be always present during the exercise phase even when the crowd enters or leaves the stadium
- general co-ordinator
- co-ordinator responsible for public safety (fire-fighting, public and sanitary aid, emergency procedures and emptying the facility, etc...)
- co-ordinator responsible for public security (control of external area, entry gates and maximum security area, checking parking lots, patrolling partition walls between sectors and routes to leave the stadium, controls inside the sectors, patrolling the perimeter of the playing ground, etc...)
- field co-ordinators
- officers competent for “safety” and “security” (providing for the possibility to become a specialist for the one or the other field).

Natural persons carrying out said tasks, could correspond, under the legal viewpoint, to the person responsible for public service. In this connection, it would be advisable to carefully evaluate the general criteria of the criminal code and public security law as regards patrolling activities authorised in the private field and relevant defensive techniques.

The figure of the steward in criminal law and public security law

Reference to the Criminal Code – person in charge for a public service – In the previous sections, mention was made of what established under section 6-quarter of Law 401/89, as introduced by Decree Law N. 162 of 17 August 2005, amended by Law N. 210 of 17 October 2005, because on that basis it is possible to consider the “steward” within the framework of the so-called “subsidiary police”.

In fact, section 6-quarter, referring to sections 336 and 337 of the Criminal Code, envisages a sort of legal protection for the “steward” and confirms the general value of public service for the activities carried out by a private subject on the occasion of a sports event; but at individual level, the section in question recalls section 358 of the Criminal Code, providing for the “...activities carried out by a person in charge of a public service, that are regulated like a public function but are not given the

same powers typical of a public function, thus making it impossible to perform simple public order and material tasks”.

Undoubtedly, tasks carried out to maintain facility safety and those linked to the sports facility management and event organization (that is security) overlap with the public function performed on the occasion of sports events by the institutional bodies competent for public aid and public order maintenance, as conducted by civil servants, in charge of the corresponding public authorities.

We can therefore state that, within the complex system of sports event management, the **public function** resorts to the **public service**, performed by a private individual, under the operational coordination (section 19-quarter, subsection 3 of MD 96) of the institution in charge, thus achieving an effective device of integrated security.

At individual level, the enhanced legal protection, as envisaged under Section 336 and 337 of the Criminal Code cannot be legally consistent or useful, if not linked to the liability the person in charge of public service takes upon himself when dealing with the tasks under section 6-quarter. Otherwise, the protection envisaged by the rule itself, taking into account an environmental risk only and neglecting any precise behavioural responsibility, would be valid also for those working at refreshment bars inside the facility sensible areas.

Of course the level of responsibility is closely linked to the tasks carried out by everybody, on the basis of what is envisaged by the organizational charts and subsequently approved by G.O.S., as the body supporting the Questore, that is the Public Security Technical Authority.

Reference to public security laws – individual requirements under the Public Security Consolidating Act (TULPS- as referred to hereinafter) and relevant authorizing regime –

Under Section 6-quarter the steward’s profile is compared not only with those profiles contained in the Criminal Code, but also with the ones under the Public Security Law, section 11 of TULPS, Subsection II Title I, where “*Police authorizations*” also include subjective legal situations impedimental to entrusting any police authorization to a physical person, with the exception of particular cases specifically provided for by the law.

The rule is aimed at avoiding that persons entrusted with public interest tasks do not possess the necessary liability requirements. Every measure concerning personal security, as under subsection 1, paragraph 2) of Section 11, lists all the rules impedimental to entering facilities where sports events occur.

However, the wording of section 6-quarter, recalling section 11 of TULPS, although confirming the character of public service linked to “stewarding”, can be given different interpretations, which we’ll dwell upon.

Firstly, by issuing the rule in question, the legislator intended to define an authorization procedure for the “steward” profile, in order to comply with those institutional requirements, that go beyond the subjective individual perspective of personal reliability, and are based upon the same principles of public security law on private surveillance.

In fact, section 133 and following ones of TULPS, relating to authorization in the field of “surveillance and custody of private subjects’ movables and immovables”, is based on the prohibition (a relative and not an absolute one) to professionally safeguard a third party’s goods, provided that the State only is competent for the citizen’s physical safeguarding and protection of his goods, since it’s a question of public function.

Therefore, in our country no one can, if not previously authorized to do so, take upon himself legitimate responsibilities, valid also under the legal viewpoint, to protect third parties in case of risk, not a generic one, but if envisaged as criminal assault. As is known, the exclusivity of the State action can be eliminated by authorizing the protection of goods and not the protection of people,

only on a case by case basis, should the institutions responsible for such a protection meet an objective “difficulty” to intervene. In this case, the authorization would be granted by the local Public Security Authority.

To sum up, private surveillance is regulated as follows: *according to our regulation, no security activity, intended as defence from a criminal aggression, can be carried out, if it is not previously authorized by the State, that shall evaluate the relevant need, checking the reliability of the subjects involved, in advance and later on, in order to evaluate the necessary control and co-ordination activity.*

As far as “stewarding” is concerned, we can state that “stewarding” can be considered as an activity aimed at guaranteeing public safety, preventing and countering those supporters’ behaviours that violate organization rules and internal use regulations, including cases typical of the administrative and criminal illegal activity.

In this connection, illicit behaviours involve both the public and private sphere of the contract between sports club and event users, causing also a huge property damage (for example, when they enter without a ticket or invade the pitch).

Those entrusted by the club to control tickets, guide supporters and have them comply with the internal use regulation carry out a security activity similar to the protection from criminal aggression. **In conformity with public security law, the aforesaid activity needs to be authorized by the State in advance, in order to check that those appointed to perform it are reliable and in order to work out any form of control and co-ordination. A preventive evaluation is needed only at personal level, provided that a judgement of need is already contained in the rules of reference.**

This explains why the legislator, under section 6-quarter, recalls section 11, that is not only to highlight requirements of subjective nature, but to harmonize the rules on “stewarding” with public security rules.

On the other side, the legislator does not mention private surveillance, but refers only to general rules of police authorizations because of the following reasons:

Section 133 and following ones of TULPS try to harmonize private interests with an economic profile within a public function, that is typical of state bodies. As to “stewarding” the process is opposite; in fact, the legislator tries to include in a frame of integrated security those subjects who, so far, although playing a significant role in the sports milieu, however had been given no legal liability. Hence the need to entrust the “steward” with responsibility as to surveillance does not require any proactive evaluation at local level, because it is even imposed by the State; it is only necessary to evaluate people reliability and coordinate the relevant activities. Moreover, the authorization of a private surveillance activity is often linked to ownership of gun licence and it is often performed far from a direct and constant police control, which requires a preventive evaluation and check, in order to avoid potentially dangerous situations for public security. But “stewarding” is something different; it is performed with no personal defence tools, in very well defined place and time, under the coordination of institutional bodies, appointed to manage public order and safety on the occasion of a sports event.

This is why the legislator does not refer to those very strict rules, necessary in the other context, but useless in this one.

The procedure as under section 6-quarter is clear, also as regards the need to be authorized by means of an evaluation of personal requirements as under section 11 of TULPS. Since there is no need to resort to the political/administrative competence of the Prefect, the apparent gap referring to the authorizing decision process can be filled with the Questore’s intervention, i.e. a technical Authority, because police information only is involved. The relevant procedures are also clearly outlined, as under sections 19, 19-ter and 19-quarter of above mentioned MD 96 and based on the

establishment of GOS, the body supporting the Questore as to check and evaluation on the compliance with the rules in force.

- Profiles of responsibility, behaviour and limits for intervention

Authorization procedure, performing functions, criminal liability for neglect and relevant legal protection

Starting from an evaluation of the legal frame, today we can outline an authorization procedure useful to fully legitimize the steward's role and functions under the legal viewpoint, in order to clearly identify his competence and field of responsibility.

Subjective requirements are already identified by the measure under section 6-quarter. Under Section 11 of TULPS:

*“Apart from the particular conditions envisaged by the law, **police authorizations cannot be granted in the following cases:***

- 1) *a person has been sentenced to imprisonment for a period exceeding three years of detention, for having committed a non-culpable crime and if the person in question has not been rehabilitated*
- 2) *a person has been subject to caution or to a personal security measure or has been declared habitual criminal, professional criminal or inclined to crime.*

Police authorizations can be refused to those sentenced for committing a crime against State representatives or public order, for crimes against people committed violently, for theft, robbery extortion, kidnapping for robbery or ransom, violence or resistance to authority as well as if the person concerned cannot prove or does not possess the requirement of good conduct.

Authorizations shall be repealed if the authorized person no longer possesses, totally or partially, the necessary requirements. An authorization can be repealed also if new conditions occur that would have however caused a refusal of authorization.

Section 11 does not define a precise procedure for issuing a ticket (as described under section 133 and following ones of TULPS), since it completes the general rules of police authorizations, however, since it is mentioned under section 6-quarter, two considerations can be made:

The performance of the activities under section 6-quarter depends upon checking the possession of necessary requirements. This means they fall within those activities that **cannot be performed without a previous evaluation by the Public Security Authority**. In this connection, is possible to include them in the array of “approvals” provided for by section 14 of TULPS.

If the activities in question are entrusted with a person whose requirements were not previously checked as under section 11 of TULPS, the following sections 17 and 17bis of the aforesaid Act are to be implemented against the football club and the person entrusted with the performance of forbidden activities.

This is why the club organizing the event shall communicate to the Questore, as the Public Security Technical Authority in charge, the list of the persons who'll be given the tasks under section 6-quarter, in order to be granted the necessary authorization, after checking the possession of personal requirements, as under section 11 of TULPS.

But the legal framework does not provide for a compulsory check on the stewards' technical and professional competence, that are instead crucial to correctly carry out their tasks. **In this connection, a legal intervention shall be urged, to establish binding procedures to recruit and train “stewards”.**

This is the only way to thoroughly understand the innovative character of the latest legislative amendments, that however need to be completed.

The degenerating violent behaviours that unfortunately occur at football matches made it necessary for Public Security Authorities and football management bodies to start co-operating in order to identify a series of structural and organizational interventions, deemed as very urgent and to be regulated by the legislative tool, in order to be effectively implemented.

One of the above mentioned interventions regards “stewarding” meant as a significant improvement, a cultural more than organizational change of attitude, which the sports clubs are urged to achieve; starting from a system where the whole event organization depended on the institutional bodies competent for every aspect of “safety” and “security” they should attain a modern dimension, in line with the relevant international guidelines, where the sports club organizing the event is responsible for guaranteeing that facility users respect the measures necessary for a correct event management.

This clear legal ownership of managerial tasks, as envisaged by the regulation, provides also for the “binding” employment of professionally reliable figures, who are entrusted with specific legal tasks, typical of the person competent for a public service.

Taking into account this legal framework, consistent with the whole legislation and with the legislator’s objectives, mention should be made of all measures under Title II – Chapter I of the Criminal Code, referring to a person competent for a public service and to the tasks to be performed on the occasion of sports events, in particular of section 328 – refusal and neglect of an official duty. In this connection, as already said (par.3.1.) section 6-quater can be recalled, as regards the safeguarding of public officials and of those competent for a public service, as under sections 336 and 337 of Title II, Chapter II of the Criminal Code.

Stewards’ training

Section 19 quarter of ministerial Decree of 19 March 1996, introduced by Ministerial Decree of 6 June 2005, obliges clubs to employ their own personnel to control, welcome and guide the spectators inside facilities. The new regulation provides for the club using the facility to provide for the following: draw up the stewards’ chart, recruit them, instruct and educate them, updating the training itself on the occasion of the various events.



The training of stewards envisages training programmes made up of different modules, organized as follows:

Decree by Minister Pisanu and reference to Law 626

- Course Presentation
- Decree Genesis
- Main content
- The new profile of the steward (tasks, limits, basic competence, etc...)
- Legal framework for the steward profile

Security and prevention at stadiums

- Reference to Law 626
- Preventing damage to the facility
- Organization of stadium facilities
- Procedures to empty the stadium

Aspects linked to fire-fighting and first aid intervention

- Fire emergency management
- Fire-fighting devices inside the stadium
- Relation with the Fire Brigade
- Procedures to empty the stadium
- Stadium first aid facility
- First aid
- Relation with 118

Public security management inside stadiums

- How to welcome supporters
- Guidance of supporters inside the stadium
- Control of banners
- Checking potential problems among supporters during the match
- Management of public safety procedures
- Safety measures
- Powers and limits of the person competent for the public service
- Relation with Public Security Authorities

Information on clubs

- Knowing the behaviour of supporters of various clubs
- Knowledge of internal order rules and of supporters at risk

Effective communication

- How to manage a relation with a supporter
- How to manage potential conflicts
- Management of complaints
- Management of unexpected occurrences
- Psychology of crowds

Intervention of a football club representative

- Presentation of the security plan

Final evaluation

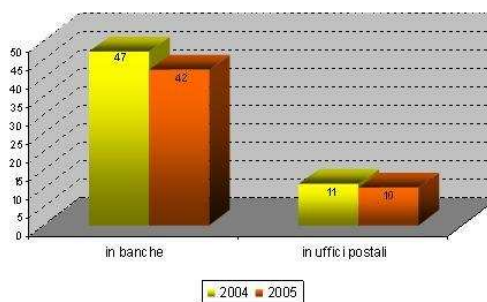
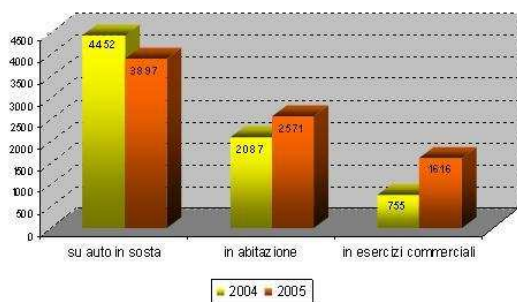
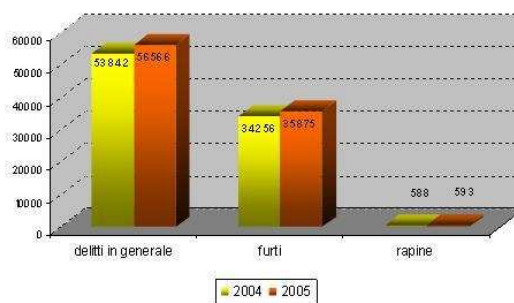
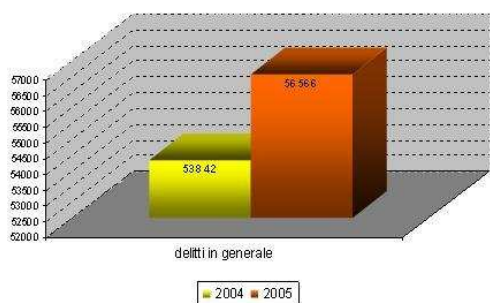
- Final evaluation on the acquired competence

APPENDIX

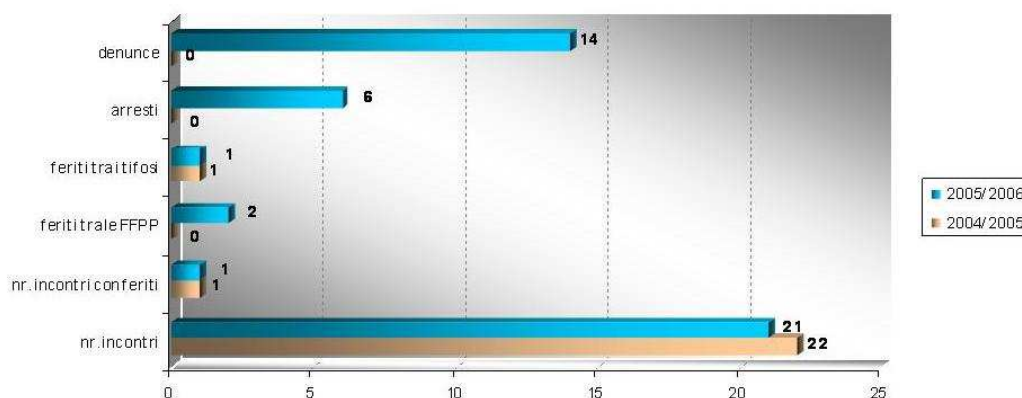
- Facilities to be visited
- Visit program
- Legislation

FLORENCE

Public security situation in the province of Florence does not arouse concern even though it is affected by crime. An art city, such as the Tuscany capital - every year destination of a considerable flow of tourists - can present higher rates of some types of crimes, such as thefts and pick-pocketing, especially in the historical centre areas. The crime statistical analysis relating to 2005 compared to that of the previous years shows a slight increase by 5% in the total number of crimes. At the same time, police forces' counteraction activity enhanced with an increase by 2% of the persons reported for thefts and by almost 30% of those arrested for robberies.



Comparazione tra i gironi di andata dei campionati degli ultimi due anni





Lo stadio Artemio Franchi di Firenze

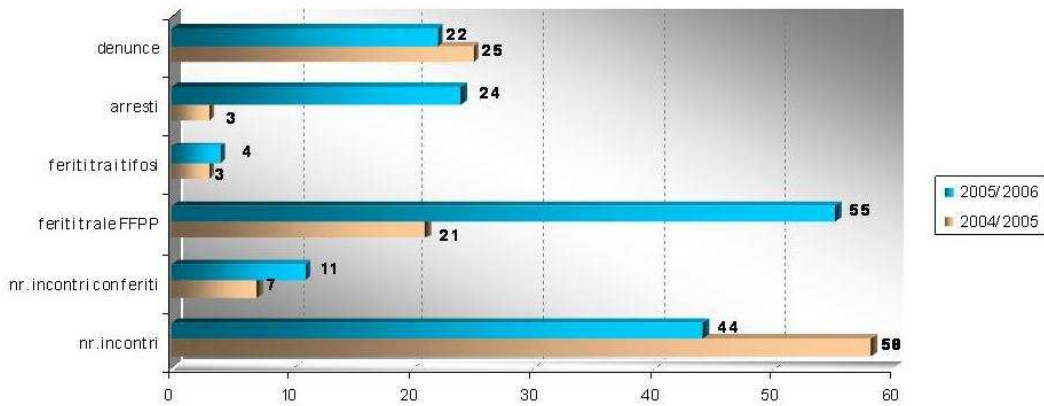


Planimetria dell'impianto

NAPLES

Particular critical situations are not registered in the field of “common crime”. Furthermore, as regards the specific aspect of violence during sports events, data relating to the number of competitions with injured persons - which mainly characterizes said phenomenon - indicates a substantial balance compared to the past championship.

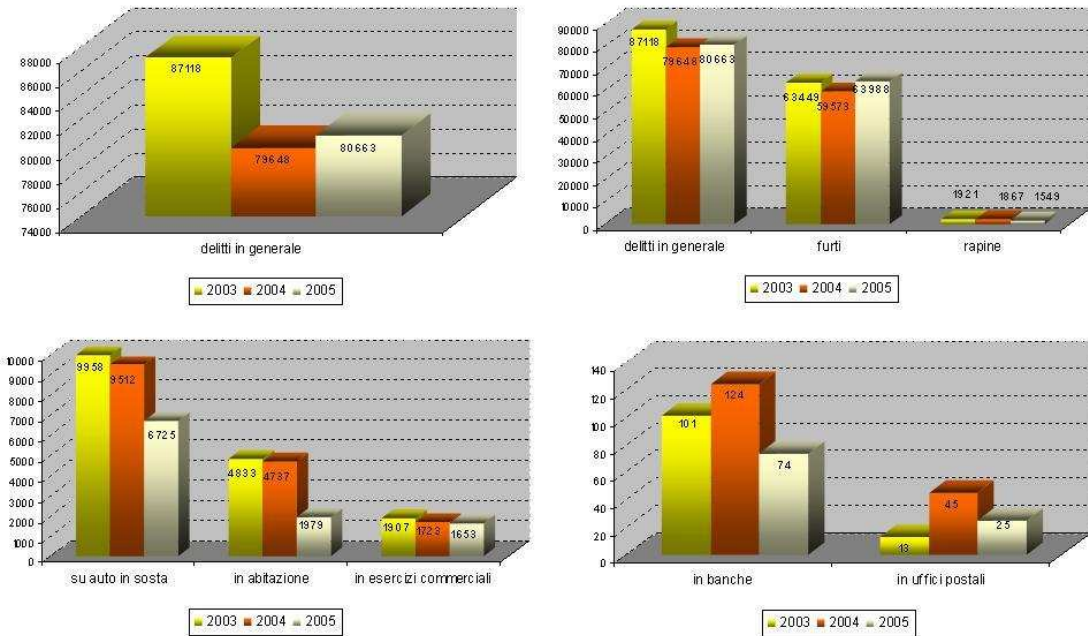
Comparazione tra i gironi di andata dei campionati degli ultimi due anni



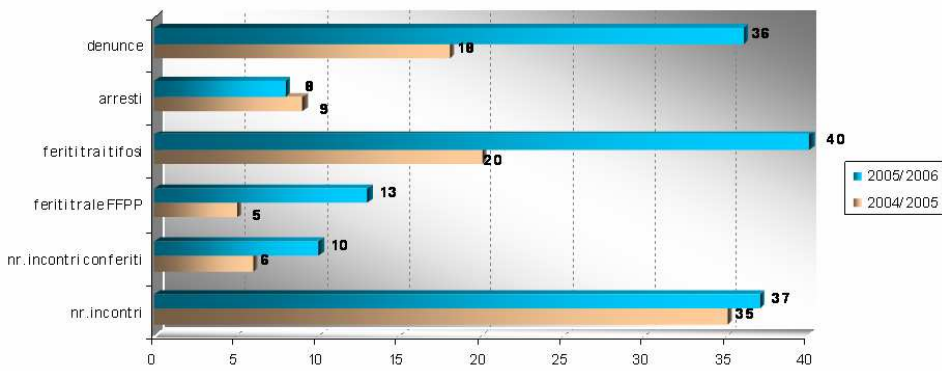
Lo stadio San Paolo di Napoli

ROME

As far as the global incidence of crimes against property with the use of violence against persons or objects is concerned, in the capital city the period concerned seems to be characterized by a substantial stability of the number of crimes between 2004 and 2005.



Comparazione tra i gironi di andata dei campionati degli ultimi due anni





Stadio Olimpico di Roma



Planimetria

EXTRACT OF ITALIAN LEGISLATION ON VIOLENCE IN SPORT EVENTS

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3. Decree Law No. 122 Of 26 April 1993 – “*Urgent provisions ass to racial, ethnic and religious discrimination*”
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Law No. 110 of 18 April 1975

Rules additional to the regulations in force as to the control of arms, ammunition and explosives

(Official Journal No. 105 of 12 April 1975)

Law No. 15 of 22 May 1975: Provisions on the safeguard of public order

OMITTED

Article 5

It is prohibited to use protective helmets or any other tool which makes it difficult to recognise a person in a public place or a place open to the public, without a justified reason. The aforesaid use is prohibited in any case on the occasion of exhibitions held in public places or open to the public, apart from sports events for which the helmet is necessary.

The offender is punished with arrest from six to twelve months and with a fine from 300,000 to 800,000 thousand lire (1).

For the violation as under this article, red-handed arrest is facultative (2).

- (1) The fine has been increased by article 113, paragraph 4, of the above mentioned Law No. 689 of 24 November 1981.
- (2) The Article has been replaced this way by article 2 of Law No. 533 of 8 August 1977.

OMITTED**Act no. 401 of December 13, 1989**

(as amended by Act no. 537 of Dec. 24, 1993, by Legislative Decree no. 557 of Dec. 30, 1993, Act no. 45 of Febr. 24, 1995, Act no. 377 of October 19, 2001 and Act no. 88 of April 19, 2003)

*Measures taken in the field of gambling and illegal betting and safeguard of the correct taking place of sports events*¹³

Section 1**Fraud in sports competitions**

1. Whoever offers or promises money or any other benefit or advantage to any participant in a sports competition organized by the associations acknowledged by the Italian National Olympic Committee (CONI), the Italian Union for the Development of Horse Breeds (UNIRE) or by other sports bodies acknowledged by the State and by their related associations in order to obtain a result other than that deriving from the fair and correct taking place of the competition, or whoever carries out other fraudulent activities for the same purpose shall be punished by a custodial sentence from one month to one year and a fine from 500,000 to 2,000,000 Liras. In less serious cases only a fine shall be applied.
2. The same penalties shall apply for a person participating in the competition who accepts money or any other benefit or advantage or the promise thereof.
3. If the result of the competition does affect the taking place of legal contests or betting, the events under paragraphs 1 and 2 shall be punished with a custodial sentence from three months to two years and a fine from 5,000,000 to 50,000,000 Liras.

Section 2*Non-Influence of criminal proceeding*

1. The prosecution for the offence under section 1 and the judgement and sentence thereof shall not affect in any way the homologation of competitions and any other measure lying within the competence of sports bodies.
2. The beginning of the proceeding against the crimes envisaged by section 1 shall not preclude the normal taking place of the competition, according to the specific regulations of the sports disciplinary procedure.
3. For the only purpose of their functional competence, the bodies responsible for the compliance with sports regulations may request a copy of the documents containing the penal measure applied, in conformity with section 116 of the code of criminal procedure, without prejudice to the prohibition of publishing them, as envisaged under section 114 of said code.

Section 3*Obligation to report*

1. The Chairpersons of the national sports federations associated to the Italian National Olympic Committee (CONI), the Chairpersons of the disciplinary bodies of second instance of said federations and the corresponding disciplinary bodies of the agencies and associations mentioned in par. 1 of section 1 who – while performing or because of their duties are aware of the offences mentioned in section 1 – shall report them to the judicial authority, in conformity with the rules in force.

¹³ By sports events under sections 1 and 2 we mean the competitions taking place in the framework of the activities envisaged by sports Associations, bodies and organizations acknowledged by the Italian National Olympic Committee (CONI).

Section 4

Unlawful practice of gambling and betting

1. Whoever practises unlawfully lotto, betting or competitions of chance which the law reserves to the State or to any other licensed body shall be punished with six months' to three years' imprisonment. The same penalty shall apply to whoever organizes betting or competitions on sports activities managed by the Italian National Olympic Committee (CONI), its associated organizations or the Italian Union for the Development of Horse Breeds (UNIRE). Whoever organizes illegal public betting on other competitions involving persons or animals and games of skill shall be punished with three months' to one year's imprisonment and a fine not below 1,000,000 Liras. The same sanctions shall apply to whoever – on the national territory and without the authorization of the State Monopoly Administration – sells lottery tickets or tickets of similar games of chance belonging to foreign States and to whoever participates in said operations by collecting bet booking, paying the related amounts won, promoting and advertising such activities through any means of circulation.¹⁴
2. When competitions, games of chance and bets are managed as mentioned in par. 1 – except for the cases of participation in one of the offences envisaged in said paragraph – whoever advertises their practice in any way shall be punished with up to three months' arrest and a fine from 100,000 to 1,000,000 Liras.
3. Whoever participates in competitions, games of chance and bets managed as mentioned in paragraph 1 – except for the cases of participation in one of the offences envisaged in said paragraph – shall be punished with up to three months' arrest and a fine from 100,000 to 1.000.000 Liras.
4. The provisions contained in paragraphs 1 and 2 shall apply to gambling carried out by means of the devices prohibited by section 10 of Royal Decree no. 773 of June 18, 1931, as amended by Act no. 507 of May 20, 1965 and most recently amended by section 1 of Act no. 904 of December 17, 1986.¹⁵

Section 5

Additional Penalties

1. The conviction for the offences under sections 1 and 4 shall imply the prohibition to have access to venues where sports events take place, authorized bets are taken or authorized gambling is played.
2. The conviction for the offences envisaged by section 1 shall be followed by the enforcement of an additional penalty, as provided for in paragraph 1 of section 32-bis of the criminal code, which shall be inflicted only on the executive offices of sports associations.
3. The additional penalties under paragraphs 1 and 2 shall not last less than six months or longer than three years.

Section 6

Prohibition to have access to venues where sports events take place

1. People who – over the last five years - are reported or convicted – even if by a non-final judgement - of one of the offences mentioned under section 4, first and second paragraph, of Act no. 110 of April 18, 1975, section 5 of Act no. 152 of May 22, 1975, section 2, paragraph 2 of Law-Decree no. 122 of April 26, 1993 - as amended by Act no. 205 of June 25, 1993 - and section 6-bis, paragraphs 1 and 2 of this Act or people who are reported or convicted of participating in incidents of violence against people or property on the occasion or because of sports events or who – under the a.m. circumstances – have incited, induced to or praised

¹⁴ Paragraph as amended by section 11 of act no. 537 of Dec. 24, 1993 first, and then by decree-law no. 557 of Dec. 30, 1993).

¹⁵ With order no. 360 of November 13-21, 1997 (Official Journal no. 48 of November 26, 1997, special series), the Constitutional Court declared the inadmissibility of the constitutional legality of section 4, a question which was raised with reference to section 25, par. 2 of the Constitution.

violent actions¹⁶ may be debarred by the *Questore* from having access to the venues where specific sports events take place, as well as to the specific venues through which those who participate in or attend said events transit or are transported or where they stop.

2. People to whom the prohibition envisaged under paragraph 1 is notified shall be ordered by the *Questore* – who takes account of their job – to appear personally, once or more times a day according to a time schedule, before the police authority in the police station or headquarters of his/her place of residence or of a specific place, on the day in which the sports events to which access is prohibited under paragraph 1 take place.
- 2-bis The notification under paragraph 2 shall state that the person concerned can submit - - personally or through his/her counsel – briefs or deductions to the judge who is competent to confirm the measure.
3. The provision under paragraph 2 shall take effect starting from the first sports event following notification of the measure to the person concerned and shall be immediately communicated to the Public Prosecutor at the Court or to the Public Prosecutor at the Juvenile Court - if the person concerned is a minor –, both competent for the place where the Police Headquarters is located. If the Public Prosecutor holds that the requirements under paragraph 1 exist, within 48 hours from the notification of the measure he shall ask the judge carrying out the preliminary investigations to confirm said measure. The measures ordered shall be no longer in force if - with a motivated order - the prosecutor does not request confirmation of the measure within the a.m. period and if the judge does not order confirmation in the following 48 hours.
4. Appeal to the Court of Cassation shall be admitted against the confirmation order. The appeal shall not interrupt enforcement of the order.
5. The prohibition under paragraph 5 and the order under paragraph 2 shall not last more than three years and they shall be revoked or amended if – also by means of the measures applied by the judicial authorities – the conditions justifying their issuing have ceased or changed.
6. Transgressors against the provisions under paragraphs 1 and 2 shall be punished by 3 to 18 months' imprisonment or a fine up to 3,000,000 Liras. (... *deleted...*)¹⁷
7. In the sentence the judge may prohibit the access to the venues under par. 1 and oblige the person to report to a police office or headquarters during specific sports events for a period from two months to two years. The above mentioned ban and obligation shall not be excluded in cases of suspended sentence and of plea bargaining.
8. In the cases envisaged under paragraphs 2, 6 and 7 the *Questore* may authorize the person concerned – because of serious and proven needs – to notify in writing the police office or headquarters under par. 2 of his/her private residence or of any other place where he/she is available during specific sports events.

Section 6- bis

Throwing of dangerous material, striding over and invasion of the playing field during sports competitions

1. Unless the fact represents a more serious crime, whoever throws blunt instruments or other objects, including fireworks, - and in this way he/she causes a danger to people – in the venues where sports events take place or in the places where people participating in or attending such events stop, transit or are transported shall be punished by six months' to three years' imprisonment.
2. Unless the fact represents a more serious crime, whoever – in the venues where sports events take place – unduly trespasses a fence or a dividing structure of the plant or – during sports

¹⁶ By incitement, inducement to and praising of violent actions we mean specific instigating to violence in relation to all circumstances under the first part of this paragraph.

¹⁷ Sentences deleted in par. 2 of section 1 of Act no. ___ of April 18, 2003 “Transgressors against the prohibition under par. 1 may be arrested in cases of flagrante delicto. If there are relevant pre-conditions, in the hearing confirming the arrest the judge shall order the enforcement of the coercive measures envisaged by sections 282 and 283 of the code of criminal procedure, even beyond the limits envisaged in section 280 of said code”

events – invades the playing field shall be punished – if the fact causes effective danger to people – with the arrest up to six months or a fine from 300,000 to 2,000,000 Liras.

Section 6- ter

Possession of fireworks on the occasion of sports events

1. Unless the fact represents a more serious crime whoever – in the venues where sports events take place – is found to have rockets, Bengal lights, fireworks and fire-crackers or any other instrument emitting smoke or visible gas shall be punished by a three to eighteen months' arrest and a fine from 150 to 500 Euros.

Section 7

Disturbances in sports events

2. Unless the fact is a crime, whoever disturbs the regular taking place of a sports competition shall be punished by an administrative fine from 50,000 to 300,000 Liras.
3. The competence to inflict the sanction is up to the Prefect and the proceeds shall be assigned to the State.

Section 7- bis

Postponing or Prohibiting sports events

1. Because of urgent and serious public needs linked to the taking place of sports events – with a view to safeguarding public order and security - after having heard the provincial committee for public order and security, completed in this circumstance by representatives from the Ministry of Cultural Goods and Activities and from CONI, the Prefect may order the postponement of sports events to any other date which might seem suitable or – in situations characterized by persisting serious disturbances – he may prohibit the taking place of sports events for periods not exceeding thirty days.

Section 8

Effects of the arrest flagrante delicto or on the occasion of sports events

1. In the cases of arrest flagrante delicto or of arrest made in compliance with paragraphs 1-bis and 1-ter because of a crime committed during or on the occasion of sports events, the measures envisaging the release from prison after confirming the arrest or detention or envisaging a suspended sentence following summary trial may contain provisions on the prohibition to have access to the venues where sports competitions are taking place.
2. 1-bis In addition to the cases of offences committed with violence against persons or objects on the occasion of or because of sports events – for which the arrest is mandatory or discretionary, according to sections 380 and 381 of the code of criminal procedure, the arrest shall be also permitted in relation to the crimes envisaged under section 6-bis, paragraphs 1 and 6, of this Act.
3. 1-ter In the cases envisaged under par. 1-bis, when it is not possible to arrest a person immediately, for reasons of security or public safety, the flagrante delicto according to section 382 of the code of criminal procedure shall nevertheless apply to the person who – on the basis of video or photographic material or other objective elements demonstrating clearly the perpetration of the fact – emerges as its perpetrator, provided that the arrest is made without exceeding the time necessary for his/her identification and – in any case – not later than 36 hours after the fact.¹⁸

¹⁸ Complying with section 1-bis of Act no. 88 of April 18, 2003, the provisions contained in this paragraph shall remain in force until June 30, 2005.

4. 1-quater. When the arrest is made because of one of the offences mentioned under par. 1-bis, the enforcement of coercive measures shall be ordered also beyond the limits to penalty envisaged in sections 274, par. 1 C) and 280 of the code of criminal procedure.⁶
5. N.B. Section 1bis of Act no. 88 of April 18, 2003⁷1. The provisions under par. 1-ter and 1-quater of Section 8 of Act no. 401 of Dec. 13, 1989, introduced by Section 1 of this decree, shall remain in force until June 30, 2005.

Section 8-bis

Cases of summary trial

6. The offences mentioned in section 6, par. 6, section 6-bis, paragraphs 1 and 2 and section 8, par. 1 shall be always dealt with in a summary trial, unless special investigations are necessary.

Section 8-ter

Transfers

1. The provisions of this act shall also apply to the offences committed on the occasion or because of sports events during transfers from or to the venues where said events take place.

Section 9

Abrogation of rules and final provisions

1. Section 4 of Act no. 315 of May 24, 1942, Section 4 of Legislative Decree no. 496 of April 14, 1948, Section 17 of Act no. 528 of August 2, 1982, as well as the third paragraph of Section no. 88 of Royal Decree no. 733 of June 18, 1931 shall be abrogated.
2. As relates to lotteries, bingos, draws and charity lotteries, the provisions contained in royal decree – act no. 1933 of Oct. 19, 1938, as amended by act no. 973 of June 5, 1939 as last amended by act no. 528 of Aug. 2, 1982 shall continue to be enforced in lieu of the provisions envisaged in section 4 of this act.

Decree Law No. 122 of 26 April 1993

(as amended and turned into Law No. 205 of 25 June 1993)

Urgent provisions as to racial, ethnic and religious discrimination

The President of the Republic

In compliance with articles 77 and 87 of the Constitution

Considering that it is extraordinarily necessary and urgent to integrate and modify the regulations presently in force as to racial, ethnic or religious discrimination, in order to implement more efficient tools aimed at preventing and suppressing phenomena of intolerance and violence linked to xenophobia and anti-semitism;

Taking into account the deliberation of the Council of Ministers as well as of the Ministers of the Interior and Justice;

ISSUES

The following decree law:

Article 1**Discrimination, hatred or violence due to racial, ethnic, national or religious reasons**

1. article 1 of Law No. 654 of 13 October 1975 is replaced by the following:

"article 3.- 1. Unless the fact amounts to a more serious crime, also in order to enforce the provision under article 4 of the Convention, whoever commits the following crimes is punished:

 - a) with imprisonment up to three years, if he spreads ideas based on superiority as well as on racial or ethnic hatred, or if he instigates to discriminate or he himself discriminates between people because of their race, religion, nationality or ethnic group;
 - b) with imprisonment from six months to four years if he somehow instigates to violence or to provoke it or if he is the perpetrator of these crimes;
2. (eliminated by the law amended when turning the decree into law)
3. Every organisation, association, movement or group whose objectives include, inter alia, the instigation to discrimination or violence for racial, ethnic, national or religious reasons, is forbidden. Those who participate in said organisations, associations, movements or groups, or however support their activity, are punished for the mere fact of participating or assisting, with imprisonment from six months to four years. Whoever promotes or is the leader of the organisations, associations, movements or groups in question, is punished, for this fact only, with imprisonment from one to six years."
 - 1- *bis.* with a conviction for one or more crimes as under article 3 of Law No. 654 of 13 October 1875 or for one of the crimes envisaged by Law No. 962 of 9 October 1967, the Court can issue also one or more of the following additional punishments:
 - a) obligation to work for free in favour of society for social purposes or public welfare, according to the modalities as under paragraph 1 *ter*;
 - b) obligation to return home or to any other private dwelling by a given time and not to leave before another pre-fixed time, for a period not exceeding one year;
 - c) confiscation of the driving license, of the passport and of any other identification document valid for expatriation for a period not exceeding one year as well as prohibition to carry any kind of weapons;
 - d) prohibition to take part to any kind of electioneering for the political or administrative elections held after the conviction and, however, for a period not below three years.
 - 1- *ter* within thirty days from the date of enforcement of the law turning this decree into law, the Minister of Justice shall issue a decree containing the conditions according to which a non-paid activity shall be carried out in favour of the community as under paragraph 1 *bis*, a).
 - 1- *quater.* A non-paid activity in favour of the community, to be carried out after the sentence has been served, for a maximum period of 12 weeks, shall be decided by the judge according to conditions which shall not prejudice the convict's need to have a job, to study and be socially rehabilitated.
 - 1- *quinquies.* The non-paid activity to be performed in favour of the community may include the following: clearing and restoring damaged buildings, spoiled with writings, emblems or symbols typical of the organisations, associations, movements or groups as under paragraph 3 of Law No. 654 of 13 October 1975; the convict can work also for social welfare and voluntary service organisations as well as for those organisations which operate for the handicapped, drug-addicts, old people or nationals from Third countries; the service can be

performed also for the civil defence, for the protection of cultural heritage and the environment and for other public purposes included in the decree under paragraph 3-*ter*.

1- *sexies*. The activity can be carried out within the framework and in favour of public institutions or private bodies or organisations.

Article 2

Pro-active provisions

1. Whoever, on the occasion of public meetings, clearly shows or flaunts emblems or symbols actually referring to organisations, associations, movements or groups as under paragraph three of article 3 of Law No. 654 of 13 October 1975, is punished with imprisonment up to three years and with a fine from two hundred thousand to five hundred thousand lire.
2. It is prohibited to go to the premises where sports events take place and carry the emblems or symbols cited under paragraph 1. Offenders are punished with arrest from three months to one year.
3. In the event of persons reported or convicted for one of the crimes envisaged by article 3 of Law No. 654 of 13 October 1975 or for one of the crimes under Law No. 962 of 9 October 1967 as well as for a crime committed under aggravated circumstances, as envisaged by article 3 of this decree, or if a person is under surveillance because he is considered a potential offender who might endanger public safety, that is for the reasons under article 18, paragraph 1, no. 2 of Law No. 152 of 22 May 1975, the provision under article 6 of Law No. 401 of 13 December 1989 is enforced and the prohibition of access is valid for five years, unless a filing sentence is issued or if the preventive provision is dismissed, acquitted or revoked, in case the person is discharged or granted the rehabilitation under article 168 of the Criminal Code or in compliance with Law No. 327 of 3 August 327.

Article 4

Possession of firearms and other offence tools

Apart from the authorisations under paragraph 3 of article 42 of the Consolidating Act on public security, No. 773 of 18 June 1931 and following amendments, it is prohibited to carry out of one's dwelling or of its surroundings arms, iron shod cudgels or sticks, truncheons or knuckle dusters.

It is prohibited to carry out of one's dwelling or of its surroundings sticks with a sharp point, pointed or cutting offence tools, cudgels, tubes, chains, slings, bolts, metal balls and any other tool which is not expressly considered as an edge or cutting weapon, but can be clearly used to injure a person under given circumstances of time and place.

The offender is punished with arrest from one month to one year and with a fine from 100,000 to 400,000 lire. For less serious cases, for example for the possession of offence tools only, it is possible to give just a fine.

It is prohibited to carry weapons at public events also for those who have the relevant authorisation. The offender is punished with arrest from 4 to 18 months and with a fine from 200,000 to 800,000 lire. In case the offender does not have the necessary firearms license, he is punished with arrest from 1 to 3 years and with a fine from 400,000 to 800,000 lire.

The punishment is doubled if the aforesaid weapons and tools under the previous paragraphs are used to commit a crime. However, this increase is not enforced when the use itself represents a specific aggravating circumstance for the crime committed.

Judicial police officers and senior officers shall arrest anyone who is caught red-handed when violating the provisions under the above mentioned paragraphs four and five (1).

When the offender is convicted, firearms and other offence tools are confiscated.

Article 29, paragraphs 1 and 2 of article 42 of the Consolidating Act on public security , No. 773 of 18 June 1931 and following amendments are repealed.

According to the criminal provisions under this article, the following objects are not considered as weapons: flag staffs and shafts for placards or banners used at public exhibitions or demonstrations as well as symbolic objects used on the same occasions, unless they are implemented as blunt instruments.

(1) Paragraph deleted by article 8 of Decree Law No. 122 of 26 April 1993.

LEGISLATIVE DECREE N. 28 ON 24° FEBRUARY 2003 TURNED INTO LAW N. 88 ON 18TH APRIL 2003

Art. 1

1. The Legislative Decree 24th February 2003, n. 28, concerning urgent dispositions to fight violence in sporting events, is turned into law with the attached to this law.
2. This law is going into effects from the day after the publishing on the “Gazzetta Ufficiale”.

Art. 01

After art. 6-bis of Act no. 401 of Dec. 13, 1989, is included the following

1.

"Art.6-ter - Possession of fireworks on the occasion of sports events

Unless the fact represents a more serious crime whoever – in the venues where sports events take place – is found to have rockets, Bengal lights, fireworks and fire-crackers or any other instrument emitting smoke or visible gas shall be punished by a three to eighteen months' arrest and a fine from 150 to 500 Euros.

Art. 1

1. To the art. 8 of Act no. 401 of Dec. 13, 1989, the paragraphs 1-bis and 1-ter are substituted by the following

1-bis In addition to the cases of offences committed with violence against persons or objects on the occasion of or because of sports events – for which the arrest is mandatory or discretionary, according to sections 380 and 381 of the code of criminal procedure, the arrest shall be also permitted in relation to the crimes envisaged under section 6-bis, paragraphs 1 and 6, of this Act.

1-ter In the cases envisaged under par. 1-bis, when it is not possible to arrest a person immediately, for reasons of security or public safety, the flagrante delicto according to section 382 of the code of criminal procedure shall nevertheless apply to the person who – on the basis of video or photographic material or other objective elements demonstrating clearly the perpetration of the fact – emerges as its perpetrator, provided that the arrest is made without exceeding the time necessary for his/her identification and – in any case – not later than 36 hours after the fact.¹⁹

1-quater. When the arrest is made because of one of the offences mentioned under par. 1-bis, the enforcement of coercive measures shall be ordered also beyond the limits to penalty envisaged in sections 274, par. 1 C) and 280 of the code of criminal procedure.⁶

¹⁹ Complying with section 1-bis of Act no. 88 of April 18, 2003, the provisions contained in this paragraph shall remain in force until June 30, 2005.

N.B.

Art. 1 bis

1. Section Ibis of Act no. 88 of April 18, 2003"1. The provisions under par. 1-ter and 1-quater of Section 8 of Act no. 401 of Dec. 13, 1989, introduced by Section 1 of this decree, shall remain in force until June 30, 2005.

Art.1 ter

1. After art. 7 of Act no. 401 of Dec. 13, 1989, is included the following

"Art. 7-bis - Postponing or Prohibiting sports events

2. Because of urgent and serious public needs linked to the taking place of sports events – with a view to safeguarding public order and security - after having heard the provincial committee for public order and security, completed in this circumstance by representatives from the Ministry of Cultural Goods and Activities and from CONI, the Prefect may order the postponement of sports events to any other date which might seem suitable or – in situations characterized by persisting serious disturbances – he may prohibit the taking place of sports events for periods not exceeding thirty days.

Art. 1-quater

1. The tickets to entry in sport premises having over 10.000 seats on occasion of football matches are numbered.
2. The provisions about the entry in sport premises contained in paragraph 1 must happen by passages through metal detectors, finalized to the individualization of tools of offense and garrisoned from specialized operators, and it is subordinate to the electronic check of the regularity of the tickets but the use of special equipments.
3. the sport premises mentioned under paragraph 1 must have tools that allow the television recording of the areas reserved to the spectators both inside the premise and nearly outside.
4. the sport premises mentioned under paragraph 1 must have fences to separate the spectators to prevent that supporters of the opposite teams could have fights or could invade the field.
5. The provisions about paragraph 1,2,3 and 4 must be realized from the football clubs that use the sport premises provides to the paragraph 1 concordant with the owners of the sport premises.
6. with one or more decrees of the Minister of Interior, concordant with the Minister for Cultural Activities and with the Minister for Development and Technologies, listened the Authority for personal data protection, to issue within six months from the date of gone into effect of the law of conversion of this decree, formalities are established to realize the dispositions provide in paragraphs 1, 2 and 4. With one decree of the Minister of Interior, concordant with the Minister for Cultural Activities and with the Minister for Development and Technologies, listened the Authority for personal data protection, that must be issued within four months from the date of gone into effect of the law of conversion of the present decree, there will be established the formalities for the realization of the dispositions provides in the paragraph 3.
7. The provisions about paragraph 1, 2 and 4 are going into effects two years later the date of gone into effect of the present decree. The provisions about paragraph 3 are going into effects from August 1th 2004.

Art. 1-quinquies

1. The violation of the provisions contained in section 1-quater, par. 1 is punished with an administrative fine from Euro 2582,00 to Euro 10329,00.
3. The violation of the provisions contained in section 1-quater, par. 2 is punished with an administrative fine from Euro 5164,00 to Euro 25822,00
4. The violation of the provisions contained in article 1-quater, par. 3 and 4 is punished with an administrative fine from Euro 10329,00 to Euro 51645,00
5. in case of violation of the provision contained in paragraphs 1,2,3 and 4 of the article 1-quater the concessions are revoked for also the use of the sport premises, that however cannot be used to play football matches organized by the Italian Football Federation.
6. if are issued tickets for the sport premises provides in paragraph 1 of the article 1-quater over the number established for the sport premise or for one sector for spectators administrative fine is applied by Euro 10.000,00 to Euro 150.000,00.
7. 6. whoever occupies ways of clearing or other areas of the sporting premises ,provides in the paragraph 1 of the article 1-quater, not accessible to spectators, is punished with the administrative fine by Euro 103,00 to Euro 516,00.
7. whoever, , enters inside the sport premises, provides in the paragraph 1 of the article 1-quater, without authorization or ticket is punished with the administrative fine by Euro 103,00 to Euro 516,00
8. the administrative fine issued in this article are inflicted by the Prefect of the province where the sport premise exist.
9. The dispositions provides in this article are applied two years later the date of gone into effect of the present decree, except dispositions related to the violation of the article 1-quater, paragraph 3, that are applied since August 1th 2004.

TURNING OF DECREE-LAW NO. 28 OF FEBRUARY 24, 2003 INTO ACT NO. 88 OF APRIL 18, 2003

Section 1

1. Decree-law no. 28 of February 24, 2003 containing urgent provisions to combat phenomena of violence on the occasion of sports events shall be turned into law with the amendments annexed to this act.
2. This act shall enter into force on the day following its publication in the Official Journal.

ANNEX

Section 01

1. After section 6-bis of Act no. 401 of December 13, 1989, the following section is added:
“Section 6-ter – (*Possession of fireworks on the occasion of sports events*) – 1. Unless the fact represents a more serious crime whoever – in the venues where sports events take place – is found to have rockets, Bengal lights, fireworks and fire-crackers or any other instrument emitting smoke or visible gas shall be punished by three to eighteen months’ arrest and a fine from 150 to 500 Euro.

Section 1

1. In section 8 of Act no. 401 of December 13, 1989 and subsequent amendments, paragraphs 1-bis and 1-ter are replaced by the following:

“1-bis In addition to the cases of offences committed with violence against persons or objects on the occasion of or because of sports events – for which the arrest is mandatory or discretionary, according to sections 380 and 381 of the code of criminal procedure, the arrest shall be also permitted in relation to the crimes envisaged under section 6-bis, paragraphs 1 and 6, of this Act.

1-ter In the cases envisaged under par. 1-bis, when it is not possible to arrest a person immediately, for reasons of security or public safety, the flagrante delicto according to section 382 of the code of criminal procedure shall nevertheless apply to the person who – on the basis of video or photographic material or other objective elements demonstrating clearly the perpetration of the fact – emerges as its perpetrator, provided that the arrest is made without exceeding the time necessary for his/her identification and – in any case – not later than 36 hours after the fact

1-quater. When the arrest is made because of one of the offences mentioned under par. 1-bis, the enforcement of coercive measures shall be ordered also beyond the limits to penalty envisaged in sections 274, par. 1 C) and 280 of the code of criminal procedure.

2. The second and third period of paragraph 6 of section 6 of Act no. 401 of December 13, 1989 and subsequent amendments shall be deleted.

Section 1- bis

1. The provisions contained in paragraphs 1-ter and 1-quater of section 8 of act no. 401 of December 13, 1989, introduced by section 1 of this decree shall remain in force until June 30, 2005.

Section 1- ter

1. After section 7 of act no. 401 of December 13, 1989, the following section is added:

“**Section 7-bis – (Postponing or Prohibiting sports events)**- 1. Because of urgent and serious public needs linked to the taking place of sports events – with a view to safeguarding public order and security - after having heard the provincial committee for public order and security, completed in this circumstance by representatives from the Ministry of Cultural Goods and Activities and from CONI, the Prefect may order the postponement of sports events to any other date which might seem suitable or – in situations characterized by persisting serious disturbances – he may prohibit the taking place of sports events for periods not exceeding thirty days.”

Section 1- quater

1. The tickets to have access to sports plants with a capacity beyond 10,000 units on the occasion of football competitions shall be numbered.
2. The access to the sports plants mentioned in paragraph 1 shall take place through passages equipped with *metal detectors* to detect harming tools. Said passages shall be monitored by skilled personnel and access shall be permitted only after checking – by means of computerized special equipment – that the tickets are lawful.
3. The plants mentioned in par. 1 shall be equipped with instruments for the videorecording of the areas to which the public can have access both inside the sports plants and in its surroundings.
4. The plants under paragraph 1 shall be equipped with separating fences preventing the supporters of both teams from coming into contact and invading the playing field.
5. The provisions envisaged in paragraphs 1, 2, 3 and 4 shall be implemented by the associations using the plants mentioned in par. 1, in concert with the owners of said plants.
6. The ways to implement the provisions envisaged in paragraphs 1, 2 and 4 shall be established in one or more decrees of the Minister of the Interior - in concert with the Minister of cultural goods and activities and the Minister for innovations and technologies, after hearing the Commissioner for personal data protection – to be issued not later than six months after the date on which the act converting this decree shall enter into force. The ways to implement the provisions contained in paragraph 3 shall be established in a decree of the Minister of the Interior - in concert with the Minister of cultural goods and activities and the Minister for innovations and technologies, after hearing the Commissioner for personal data protection – to be issued not later than four months after the date on which the act converting this decree shall enter into force.
7. The provisions contained in paragraphs 1, 2 and 4 shall be enforced after two years from the entry into force of this decree. The provisions contained in paragraph 3 shall be enforced as of August 1st, 2004.

Section 1 – quinquies

1. The violation of the provisions contained in section 1-quater, par. 1 shall be punished with an administrative fine from Euro 2,582 to Euro 10,329.
2. The violation of the provisions contained in section 1-quater, par. 2 is punished with an administrative fine from Euro 5,164 to Euro 25,822.
3. The violation of the provisions contained in section 1-quater, paragraphs 3 and 4 is punished with an administrative fine from Euro 10,329 to Euro 51,645.
4. Moreover, in case of violation of the provisions contained in paragraphs 1,2,3, and 4 of section 1-quater the licenses to use sports installations shall be withdrawn and said installations shall not be used to host football matches organized by the Italian Football Association.
5. If the number of the tickets allowing access to the sports installations mentioned in par. 1 of section 1-quater exceeds the number established for the whole plant or for one of its sectors or the access is permitted to a number of spectators higher than the number of seats available in the plant or in the sector, an administrative sanction from Euro 10,000 to Euro 150,000 shall be applied.

6. Whoever unduly occupies passing routes or any other areas of the sports installations mentioned in paragraph 1 of section 1-quater, to which the public are not permitted to have access shall be punished with an administrative fine from Euro 130 to Euro 516.
7. Whoever unduly enters into the sports plants mentioned in paragraph 1 of section 1-quater without the required ticket shall be punished with an administrative fine from Euro 103 to Euro 516.
8. The administrative fines envisaged in this section shall be inflicted by the prefect of the province of the place in which the plant is located.
9. The provisions of this section shall be enforced after two years from the date of the entry into force of this decree, with the exceptions of the rules on the violation of the provisions envisaged in section 1-quater, par. 3, which shall be enforced as of August 1st, 2004.

Stadium tickets

Decree of the Minister of the Interior

In agreement with

The Minister of Cultural Heritage and Activities

and

The Minister for Innovation and Technology

Roma, 6 June 2005

THE MINISTER OF THE INTERIOR

IN AGREEMENT WITH

THE MINISTER OF CULTURAL HERITAGE AND ACTIVITIES

AND WITH

THE MINISTER FOR INNOVATION AND TECHNOLOGY

HAVING REGARD TO The decree law No 28 of 24 February 2003 containing “*Urgent Provisions to counter violence at sports events*”, turned into law amended by Act No 88 of 24 April 2003;

HAVING REGARD TO The decree of the Minister of the Interior of 8 March 1996 and subsequent amendments and complementary provisions on “*Safety regulations for the construction and running of sports facilities*”, and in particular sections 6 and 7 concerning, respectively, the spaces destined to spectators and the sectors into which they can be subdivided;

HAVING REGARD TO The European Convention of 19 August 1985 on spectator violence and misbehaviour at sports events and in particular at football matches, published in the Official Journal of the Republic, General Series No 110 of 13 May 2005;

HAVING REGARD TO The Council Resolution of 6 December 2001 on a handbook of recommendations for police cooperation and measures to prevent and combat spectator violence and disorders on occasion of football matches of international dimension

involving at least a Member State, published in the European Communities Official Journal C 22/1 of 24 January 2002;

HAVING REGARD TO

the provisions contained in the UEFA *Licensing Manual* assimilated by the Italian Football Federation;

HAVING HEARD

the opinion of the personal data protection Authority expressed during the session of 4 May 2005;

BELIEVING

that, for public order and security purposes on occasion of football matches, it is necessary to include personal stadium tickets among the other requirements, at least as long as the present public order and security conditions on occasion of said competition persist.

DECREES AS FOLLOWS:

Section 1

(Issue, distribution, sale and assignment)

1. Sports organizations organizing football matches shall be responsible for the issue, distribution, sale and assignment of tickets to the sports facilities where said matches take place.
2. Sports organizations under subsection 1 shall ensure that:
 - a) the issue, distribution and sale of tickets comply with the provisions of this decree;
 - b) In the places where tickets are distributed or sold specific warning boards are displayed showing, in a legible way, the regulation concerning the use of the sports facility and the other warnings referred to in section 3, subsection 2;
 - c) The location of the sectors and seats and relevant routes is clearly indicated in the sports facilities, by means of specific signs.

Section 2

(Conditions for the issue and distribution)

1. **The number of tickets issued and distributed shall not exceed the capacity of each sector reserved to the public, which is established by the provincial or local Committee responsible for the control on premises for public performances according to sections 6 and 7 of the decree of the Minister of the Interior of 18 May 1996 and subsequent modifications and complementary provisions.**
- 2 Subject to the capacity limits under section 1, in case of high risk competitions or where a considerable influx of supporters is expected, the capacity of each sector, and therefore the number of tickets available for each of them, are subject to the decision of the competent public security Provincial Authorities or the competent National Professional or Amateur Leagues, respectively.
- 3 The issue and distribution of tickets are subject to the following conditions and formalities:

- a) the tickets must be numbered and contain the personal data of the user, the indication of the seat assigned and the other indications under section 4;
- b) for sports facilities with a capacity over 10,000 people, tickets sold to the public shall be different from complimentary tickets or accreditation tickets assigned to service staff or to spectators' support staff;
- c) in order to facilitate the reception, accommodation and control of incoming spectators, tickets destined to the public shall be of a different colour for each sector of the stadium. Tickets destined to the supporters of the host team shall be of a different colour in any case.
- d) Subject to any decision by the *Questore*, for public order and safety reasons only the staff authorised by the sports organisation can make variations in the sector. This staff can make changes in or additions to the tickets, also by putting a stamp duly authenticated, taking into account, however, the capacity of the sector. Said variations shall be formally registered in a document.
- e) The number of tickets for the supporters of the host team shall be equal to the number of seats available in the guests sector and they shall be issued and distributed at least five days before the competition they refer to, in order to ensure the segregation of the two groups of rival supporters.

Section 3

(Obligations of sports organisations)

Sports organisations shall be equipped with modern systems for the issue, distribution and sale of tickets so that:

- a) for each sector a number of tickets can be issued not exceeding the number of seats actually available;
- b) the number of tickets issued can be registered by subdividing them into subscriptions, daily tickets or "accreditation tickets";
- c) the above registered data are available, in real time, to public security authorities;
- d) the total number of tickets distributed, sold or assigned as complimentary tickets according to sector and typology (subscriptions, daily tickets and accreditation ticket) is available in real time and can be provided, upon request, to public security authorities;
- e) each ticket issued can be associated with the personal data or business name of the reseller or assignor;
- f) each ticket sold or assigned can be associated with the personal data of the buyer or assignee by storing the data in a secure and protected way.

Section 4

(ticket anti-counterfeiting techniques and features)

1. Each ticket shall clearly indicate:

- a) the organisation which is responsible for tickets issue and distribution;
- b) the name and location of the sports ground to which the entrance is authorised;
- c) the competition and games or football matches for which the ticket is valid or the validity period (football season- single match);
- d) the progressive issue number;
- e) the letter or number corresponding to the sports ground entrance point through which the ticket holder shall enter in order to reach the terraces;
- f) the sector and number of row and seat which the ticket holder shall occupy on the terraces.

2. Each ticket shall also contain the warning that by its acquisition the holder commits himself to abide by every single point of the regulation regarding the use of the sports ground, which is displayed in all points of sale. In any case it shall be specified that:
 - a) the use of the ticket implies the acceptance of the relevant rules;
 - b) the observance of said rules is a prerequisite for having access to and remaining in the sports ground;
 - c) the access to sports grounds implies that the concerned person may be subject to prevention and security body searches or controls on bags or containers carried along, which are exclusively aimed at preventing the introduction into stadia of illicit objects or substances that are forbidden or likely to lead to or provoke acts of violence;
 - d) personal data handling is carried out in compliance with the provisions envisaged by the personal data protection code and by this decree, specifying the person responsible for said handling.
3. Each ticket shall have printed on it - by using anti-counterfeiting techniques - a code with optically readable characters as well as a bidimensional code, or another system readable by proximity readers and that, in addition to the aforesaid data, also contains - the identity of the holder (first name, surname, date and place of birth, residence) and the data of the collector or assignor (name, business name, registered office) registered in a secure and protected way or digitally signed and ciphered; these data, when the tickets are actually sold or assigned, shall be automatically transferred to a databank accessible to the access control system.
4. Tickets bearing the wording "V.I.P.", issued in a quantity not exceeding the capacity of the sector known as "V.I.P. box", allow access only to the "V.I.P. box" sector, accessible through a single reserved entrance. Holders of special stadium entrance cards issued at the beginning of each season by competent agencies (CONI, Sports leagues) must be given a ticket or accreditation indicating the seat to be occupied, in compliance with the capacity of the sports ground and the allocated sector. In any case, the holders of said tickets are subject to the same regulation regarding the use and running of the sports ground areas allocated to the spectators.
5. The service staff operating inside grounds- which is included in specific lists drawn up by the sports organisation at least one day before the event - must be given a specific ticket bearing the holder's name, his/her functions, ground areas to which access is authorised and time validity. Tickets issued for more than one match shall include a photo of the holder.

Section 5

(Prohibition on ticket sale)

1. From 19:00 hours on the day prior to the event the sale or allocation of tickets giving access to the guests sector is prohibited. In any case, on the day of a football match it is prohibited to sell tickets directly in the service area outside the sports ground.
2. The sports organisations, depending on the space available, shall place a fence - even a temporary one - outside the entire perimeter of the sports ground, along which appropriate first checks should be carried out in order to ascertain that spectators have a regular ticket and also to show them the entrance point to the allocated sector.
3. The possession of a valid ticket, bearing correct personal data, shall constitute a prerequisite for the spectator's access to the external service area, as defined by the Minister of the Interior decree of 18 March 1996 and relevant modifications and integrations, as well as for his/her stay in the spectators' area and in the allocated sector.

Section 6

(Handling of personal data)

1. **In order to perform the activities under section 2, subsection 1 and, in particular, those concerning the association of each ticket with the general data of the buyer or user, the sports organisations or their representative shall be obliged to:**
 - a) identify the person responsible for personal data handling, whose data shall be clearly printed on the ticket;
 - b) abide by the provisions under the code on the protection of personal data and those provisions quoted therein;
 - c) ensure that the data are readily available to the judicial or public security authority and to expressly designated public security or criminal police officers.
2. In order to perform the activities referred to in section 4, subsection 3, the data shall be gathered or handled by the sports organisation or by any other body empowered to perform said specific activities. The data identifying the sports organisation or the delegated body shall be clearly written up on boards, legible at a distance, displayed near the controlled entrance points. The individuals in charge of personal data handling shall abide by the provisions under subsection 1, letters (b) and (c). They shall also promptly inform the bodies specified in subsection 1, letter (c) of any change or addition referred to in section 2, subsection 3, letter (d) of this decree.
3. The individuals referred to in subsections 1 and 2 shall not handle personal data for purposes other than those envisaged by this decree.
4. Without prejudice to data handling for public security or judicial purposes, for the data gathered in compliance with subsections 1 and 2, the personal data under this decree shall be deleted after 7 days from the date of the football event they refer to.

Section 7

(final provisions)

1. The provisions of this decree shall apply from the date of beginning of the football season 2005-2006.
2. After a first application phase and in any case within three years from the date of this decree, the National Monitoring Centre shall make comments and proposals for the possible review of the provisions of this decree.

This decree shall be published in the Official Journal of Italian Republic.

Rome, 6 June 2005

The Minister of the Interior
(Pisanu)

The Minister for
Cultural Heritage and Activities
(Buttiglione)

The Minister for
Innovation and Technology
(Stanca)

VIDEO SURVEILLANCE

DECREE OF THE MINISTER OF THE INTERIOR

IN AGREEMENT WITH

THE MINISTER OF CULTURAL HERITAGE AND ACTIVITIES
AND
THE MINISTER FOR INNOVATION AND TECHNOLOGY

Rome, 6 June 2005

THE MINISTER OF THE INTERIOR

IN AGREEMENT WITH

**THE MINISTER OF CULTURAL HERITAGE AND ACTIVITIES
AND WITH
THE MINISTER FOR INNOVATION AND TECHNOLOGY**

HAVING REGARD TO

the Public Security Laws Consolidating Act approved by Royal Decree No 773 of 18 June 1931 and the related implementing regulation;

HAVING REGARD TO

the decree law No 28 of 24 February 2003 containing “*Urgent provisions to counter violence at sports events*” turned into law as amended by Act No 88 of 24 April 2003;

HAVING REGARD TO

the decree of the Minister of the Interior of 8 March 1996 containing “*Safety regulations for the construction and running of sports facilities*” and subsequent amendments and complementary provisions, and in particular section 18 on control devices;

HAVING REGARD TO

the European Convention of 19 August 1985 on spectators’ violence and misbehavior at sports events, in particular at football matches, published in the Official Journal of the Republic, General Series, No 110 of 13 May 2005;

HAVING REGARD TO

the Council Resolution of 6 December 2001 on a handbook of recommendations for police cooperation and measures to prevent and combat violence and disorders on the occasion of football matches of international dimension involving at least a member State published in the Official Journal of the European Communities C 22/1 of 24 January 2002;

HAVING REGARD TO

the provisions contained in the *UEFA Licensing Manual* assimilated by the Italian Football Federation;

HAVING REGARD TO	the measure adopted on 29 April 2004 by the personal data protection Authority on video surveillance;
HAVING HEARD	the opinion of the personal data protection Authority expressed in the session of 4 May 2005;
BELEIVING	that it is necessary to establish the implementation procedures of section 1-quarter, subsection 3, of the above mentioned decree law No 28 of 24 February 2003,

DECREES AS FOLLOWS:

Section 1

*(TV video recording systems and equipments:
location, equipment and specifications)*

1. Facilities hosting football competitions having a capacity of more than 10,000 spectators shall be equipped with closed circuit TV video recording systems of the areas destined to the public, both within the facility and in its adjacent area. They shall be endowed with the following:
 - a) subsidiary power supply systems of all the devices installed in case of outage of the network current;
 - b) a filming control system within an ad hoc set up and guarded control room located and realized in such a way as to guarantee the full vision of the inside of the sports facility in order to ensure the constant checking of the general conditions of security and use of the facility and, in case of need, the optimum managing of emergency situations. Said room shall have an adequate capacity to host the members of the “Center for security management at sports events” in addition to the control system and the relevant technical personnel.
 - c) filming equipment (optical and/or digital video cameras) protected against the risk of damaging and tampering for the video surveillance of the public inflow, stay and outflow. The number of said equipment shall be such as to film easily all the entry and outflow gates, all the sectors destined to the public, except for toilets, as well as any internal area accessible to the public and the external areas for the pre-filtering operations. Said equipment shall be complemented by digital photographic systems;
 - d) Lighting plant capable to ensure the total and effective visibility of the game area, the adequate lighting of the spectators’ area and of the areas, including the external ones, interested by the public’s transit or standing.

2. The minimum equipment of the control system consists of the following:
 - a) three Super VHS videotapes and/or three DVCAM CD-writers/reproducers, one for recording/reproducing the images filmed outside the sport ground, one to film internal areas and a spare one;
 - b) a sufficient number of monitors to visualize simultaneously the films of all the operating video cameras plus a monitor for each operator of the Center;
 - c) control and manoeuvring systems of the video cameras and recording/reproduction equipment;
 - d) work desks with personal computers for the members of the Center;
 - e) two thermic printers;
 - f) equipment for image transmission to the Command and Control Rooms of the *Questura* and Fire Brigade Provincial Department;

- g) a sufficient number of radio channels, telephone lines and personal computers connected to the Internet to satisfy communication needs, including in real time, of all the Departments, Bodies, Agencies and other subjects represented in the Security Operational Group under section 19-ter of the decree of the Minister of the Interior of 18 March 1996;

3. The filming equipment shall:

- a) allow horizontal and vertical movement and variation of the angular field of shot with a control system from the control room;
- b) ensure an image resolution at a maximum magnification equal at least to 1024x768 pixel for photo capture devices and 768x576 pixel or, in case of digital format, 720x756 pixel for TV filming devices;
- c) have a CCD not less than 1/2" and focal optics not less than 75 mm with the possibility of optic magnification of at least 5 x;
- d) have sufficient brightness so that the somatic characteristics of any spectator can be recognized also at night and by single photogram;
- e) have image transmission protocols complying with those established by the National Monitoring Center on Sports Events.

Section 2

(Approval and use of Filming systems)

- 1. The requirements under section 1 concerning the facility lighting, the adoption of subsidiary power supply systems and the availability of a control room, for the purposes of section 1, subsection 1, letter b), shall be essential to obtain the relevant license granted, in conformity with section 68 of the Public Security Laws Consolidating Act.**
- 2. The other requirements under section 1 shall be binding in order to use a facility with a capacity of more than 10,000 spectators for football competitions and may represent, also in part, obligations for the use of the facility for other spectacles or entertainments.**
- 3. Within the framework of the tasks of the Provincial Committee of Inspection under section 142 of the "Regulation for the implementation of the Public Security Laws Consolidating Act" the *Questore* or a person delegated by him/her shall express his/her opinion on the adequacy and functionality of the equipment of the video-filming and recording system under section 1.**

Section 3

(Recording time slot)

- 1. Football event image and sound recording shall be binding from the opening up to the closing of the sports facility and during any possible access of persons dealing with choreographies.**

Section 4

(Recording storing time)

- 1. Sports organizations shall ensure data and recording support storing up to seven days by adopting the prescribed security measures. They shall also make supports and the relevant data available to judicial and public security**

authorities as well as to public security or criminal police officials ad hoc designated.

2. Non-used data under the previous subsection shall be cancelled after seven days.

Section 5

(Access to images: limitations)

1. The delegate of the National Professional or Amateur Leagues may have access to the images recorded by the video surveillance system only for the purpose of sport-related justice and may request a copy, in the form of an abstract, in compliance with the provisions on personal data protection.

Section 6

(Information)

1. In the places under surveillance shall be compulsory to post - in areas and in such a way to ensure visibility - a notice complying with the model form attached to the order on video surveillance issued by the Personal Data Protection Authority on 29 April 2004. If possible, said notice shall be written also in a foreign language.

Section 7

(Provisions on coordination)

1. As far as sports facilities other than those envisaged in section 1 are concerned, provisions of section 18 of the decree of the Minister of the Interior of 18 March 1996 shall apply.
2. In the framework of the Provincial Public Order and Security Committee the Prefect may consider the possibility to resort to and use also the city video surveillance systems for the control of spectators in football competitions during their arrival at railway stations and their transit in the urban area.

This decree shall be published in the Official Journal of the Italian Republic.

Rome, 6 June 2005

**The Minister of the Interior
(Pisanu)**

**The Minister for Cultural
Heritage and Activities
(Buttiglione)**

**The Minister for Innovation
and Technology
(Stanca)**

Structural Safety of Sports Facilities

Decree of the Minister of the Interior

On

“Amendments and integrations to the Decree of the Minister of the Interior of 18 March 1996 on Safety regulations for the construction and running of sports facilities”

Rome, 6 June 2005

HAVING REGARD TO the Public Security Consolidating Act adopted by royal decree no. 773 of 18 June 1931 and the relevant implementation regulations,

HAVING REGARD TO the royal legislative decree no. 302 of 2 February 1939 as modified by Act no. 526 of 2 April 1968 and subsequent complementary provisions concerning the construction of sports facilities,

HAVING REGARD TO Act no. 1570 of 27 December 1941 and Act no. 469 of 13 May 1961 on new rules on the organization of fire services,

HAVING REGARD TO Act no. 966 of 26 July 1965 and section 18 of Act no. 246 of 10 August 2000 on services against payment provided by the National Fire Brigade,

HAVING REGARD TO Act no. 121 of 1 April 1981 on the “New System of the Public Security Administration”

HAVING REGARD TO the decree of the President of the Republic no. 577 of 29 July 1982 on the “Adoption of the Regulations on Fire prevention and surveillance services”,

HAVING REGARD TO the decree law no. 28 of 24 February 2003 on “Urgent provisions for the fight against violence on the occasion of sports events”, turned into Act no. 88 of 24 April 2003, as amended,

HAVING REGARD TO the decree of the Minister of the Interior of 18 March 1996 on “Safety regulations for the construction and running of sports facilities”, as amended and integrated by the decree of the Minister of the Interior of 6 March 2001,

HAVING REGARD TO the European Convention of 19 August 1985 on spectator violence and misbehaviour at sports events and in particular at football matches, published in the Official Gazette of the Italian Republic, general series, no. 110 of 13 May 2005,

HAVING REGARD TO the Council Resolution of 6 December 2001 concerning a handbook with recommendations for international police cooperation and measures to prevent and control violence and disturbances in connection with football matches with an international dimension, in which at least a Member state is involved, published in the EC Official Journal C 22/1 of 24 January 2002,

HAVING REGARD TO the provisions contained in the *UEFA Licensing Manual* assimilated by the Italian Football Association (FIGC),

TAKING INTO ACCOUNT the necessity to amend and integrate the above- mentioned decree of the Minister of the Interior of 18 March 1996 for the creation within sports facilities of areas and

services for the public - which are not directly linked to the sporting activity - and safety management of sports facilities with a capacity of over than 10,000 spectators, where football matches are played,

CONSIDERING the opportunity to issue a coordinated text on safety regulations for the construction and running of sports facilities,

AFTER HAVING OBTAINED a favourable opinion by the Central techno-scientific Committee for fire prevention, according to section 10 of the decree of the President of the Republic no. 577 of 29 July 1982 as to fire prevention issues,

DECREES AS FOLLOWS

Amendments and integrations to the decree of the Minister of the Interior of 18 March 1996 on “Safety regulations for the construction and running of sports facilities”

Section 1

(Amendments and integrations)

1. The decree of the Minister of the Interior of 18 March 1996 on “Safety regulations for the construction and running of sports facilities” is amended and integrated as follows.

Section 2

(Amendments to section 2)

1. Section 2 is amended as follows:
 - a) Between the definitions of “sports complex” and “annexed service area” the following is added: “*Multifunctional sports complex*”: sports complex including areas destined to other non-sporting activities characterized by functional, structural and installations organic unity.
 - b) The definition of “*external service area*” is replaced by the following: “public area or area open to the public which may be attached - also temporarily - to the sports facility or complex through fixed or mobile fencing”.

Section 3

(Amendment to section 3)

1. To section 3, subsection 1, after point 6) the following is added: 7) technical report illustrating the project, draw up in relation to the decree of the President of the Republic no. 37 of 12 January 1998 and relevant provisions, as well as the present technical rule”.

Section 4

(Amendments to section 4)

1. Section 4 is amended as follows:

At the end of subsection 3 - before the full stop – the following words are added: “, to have visibility in the area destined to the spectators and sporting activity area to coordinate the interventions for the sporting events safety”.

2. After subsection 8 of section 4 the following is added:

“The activities mentioned under point 64, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92 and 95 of the decree of the Minister of the Interior of 16 February 1982 are allowed in multifunctional

sports complexes, both outside and inside the facilities. In the latter case, the conditions envisaged in the above subsections 4 and 5, as well as the following apply:

- a) Show and sale business premises shall be protected by automated turning off systems and smoke detectors. In addition, they shall be provided with natural airing in the ratio of at least 1/30 of the relevant surface on the plan, which shall be uniformly distributed to avoid areas with reduced or hindered ventilation.
- b) Business premises fire load shall be limited to 30 kg/sq.m of equivalent standard wood,
- c) The natural airing surfaces destined to non-sporting activities shall not overlap with areas where people are present and, however, they shall be located so as to avoid risks for the public and damage to the sports complex. If said requirement is not accomplishable, a compensation shall be obtained through the implementation of smoke and heat extraction mechanical systems, whose characteristics shall comply with the following technical specifications:
 - 1) Operating flow capacity able to ensure at least 3 air changes of the whole volume, automatically increasable up to 9 air changes in emergency cases, with an interface with a smoke detector system as well as hand operation device.
 - 2) Components and power supply fire resistance at least till 400° C,
 - 3) Separation of the inlet and outlet air thermal pipes from other premises, with fire resistance not less than 120 REI,
 - 4) Operation coordinated with the relevant smoke detector system and automated turning off system.
 - 5) Emergency feeding for at least 60' in case of electric energy outage,
 - 6) venting of smoke extraction aerothermic pipes towards the outside, in a position that will not cause risk to the public,
- d) Accesses, egresses, the way out system and services relative to each activity - in case of concomitant running of the sports facility – shall be independent and separate one from the other”.

Section 5

(Amendment to section 5)

1. Section 5, subsection 1, third sentence, is replaced by the following:

“The service area delimitation shall be at a distance of at least 6,00 meters from the facility perimeter and allow an easy and safe streaming out, and have gateways with the same width as the facility exits, taken into account the different streaming out capacity between the exits at the external delimitation and those from the facility. As to said delimitation’s technical characteristics, please see UNI 10121 EN or similar regulations; all gateways shall be kept free from hindrances at the streaming out of the public”.

Section 6

(Separation systems)

1. After section 6 the following is added:

“Section 6-bis. Systems of separation of the spectators area from the sporting activity area

1. The separation of the spectators area from the sporting activity area is carried out by the associations using the facility in agreement with the facility owners through:
 - a) The installation of a fireproof railings of 1.10 meters of height - measuring from the springing line - in compliance with UNI 10121-2 or similar regulations.

- b) The creation of a ditch – with flat sides and bottom - not less than 2.50 meters deep from the walkable area and not less than 2.50 meters wide. The ditch shall be protected towards the spectators area and the sporting activity area by adequate railings not less than 1.10 meters of height measured from the walkable area and with characteristics complying with UNI 10121-2 or similar regulations,
 - c) The creation of a difference in height of 1 meter between the walkable and the sporting activity areas. The higher part shall be protected by a railings of 1.10 meters of height measured from the reference area and comply with UNI 10121-2 or similar regulations.
2. At least one of the railings mentioned in subsection 1 shall be equipped with fireproof separators, suitable to see in the sporting activity area. They shall be in compliance with UNI 10121-2 or similar regulations and suitable to the heightening of the separation till 2.20 meters of height measured from the springing line. The heightening of the separation is realized through guides or other building devices and is decided from time to time by the Questore within the evaluation of the risks linked to the carrying out of the sporting event, after having heard the opinion of the Operational Security Group mentioned in section 19-ter.
 3. Without prejudice to subsection 2, the facilities shall be equipped with at least one of the separation elements mentioned in subsection 1. Within the evaluation of the risks linked to the carrying out of sporting events – in case of specific needs defined by the Questore of the province – the setting up of all separation elements envisaged in subsection 1 or additional security measures may be ordered.
 4. In addition to what laid down in the previous subsections, the sporting activity area perimeter may be controlled by specifically trained personnel hired by the organizers in a ratio of 20 to 10,000 spectators; however, they shall be not less than 30 people. Said personnel shall wear a yellow jacket and constantly monitor the spectators area.
 5. As to the distance of said separators from the sporting activity area, reference is made to the CONI (*Italian National Olympic Committee*) and other National sports leagues regulations”.

Section 7

(Amendment to section 7)

1. Section 7 is amended as follows:

1. “In order to set up a separation between the supporters of the two teams, the outdoor facilities with over than 10,000 spectators and indoor facilities with over than 4,000 spectators shall have the spectators area divided in sectors. One shall be destined to guests and have independent and separate entrances, way outs and parking areas. Each sector capacity shall not exceed 10,000 spectators in outdoor facilities and 4,000 in indoor facilities.
 2. For each sector adequate separation systems shall be permanently installed:
 - a) To avoid that the two teams supporters come into contact and the spectators move from one sector to the other,
 - b) To allow, if necessary, the setting up of a division inside one sector among spectators groups, without prejudice to the regulations on the way out system.
3. The aim under point a) shall be achieved through a permanent installation of fireproof separation elements which are in compliance with UNI 10121-2 or similar regulations.
The aim under point b) shall be achieved through separation systems that can be modulated - according to the characteristics of the spectators in the sectors - and have one of the following measures, or a combination of them.
- a) Installation of fireproof separation elements whose height and characteristics are in compliance with UNI-2 or similar regulations,

- b) Creation of areas under a temporary prohibition of stay and movement, which are occupied exclusively by the personnel entrusted with the spectators reception, direction and observation who are supplied by the associations organising the sporting event.

4. The division in sectors shall be in compliance with CONI and National Sports Leagues regulations. Each sector shall have at least 2 independent exits, services and way out systems, which shall be clearly marked with safety signals in compliance with the present legislation and provisions of directive 92/58/EEC of 24 June 1992. The standing sectors shall have a no over than 500 spectators capacity.

- 5. In the outdoor facilities indicated in the document attached to the present decree with an asterisk, it is not necessary to set up the division in sectors; in case said division is necessary for organizational and public security reasons, the respective sectors shall be realized in compliance with the provisions of subsection 2 of the present section”.

Section 8

(Security areas and gateways)

- 1. After section 8 the following shall be added:

“Section 8-bis *(Security areas and gateways)*

- 1. In addition to what laid down in section 8 - in compliance with the way out dimensions and purposes – the association using the facility, in agreement with the facility owner - shall set up security areas which only persons holding a regular title of access are admitted to. They shall be organized as follows:
 - a) The “*high security area*” is composed of the sporting facility and attached service area, where the gateways to the facility are located. Said area shall be defined by fireproof separation elements, which are in compliance with UNI 10121-2 or similar regulations.
 - b) A “*reserved area*” set up within the external service area - under subsection 2 of the present decree - and adequately enclosed to which only qualified persons are admitted. Said area shall be enclosed by fixed fireproof separation elements, complying with UNI 10121-2 or similar regulations. A separation through mobile fireproof elements is admitted. To separate the supporters within the reserved area, the latter shall be divided into sectors. At least one of them shall be destined to the guest team supporters - its capacity shall be not lower than the minimum capacity defined by the sport organization for the corresponding sector - and shall be delimited by fireproof separation elements in compliance with UNI 10121-2 or similar regulations.
- 2. The number of gateways along the delimitation of the high security area shall be in relation to the relevant sector’s capacity and in the ratio of at least 1 to 750 spectators to enable the completion of the spectators inflow operations in a period of time not exceeding an hour and half before the sporting event, including the time necessary for the carrying out of security controls and controls on the titles of access. Said gateways shall be marked with letters or progressive numbers visible from the outside, corresponding to the number or letter indicated on the title of access to the facility.
- 3. The gateways to the high security area shall be equipped with direction preselectors to avoid pressures during the obliteration of the title of access and a return lane for the spectators who are not entitled, as well as “full height” turnstiles which allow the access of one person at a time through the rotation device release to be activated after the control of the title of access.

4. The turnstiles - which shall be high-sophisticated from a technical point of view – when blocked, shall be impassable to avoid violence phenomena also of organized type by people who don't have a valid title of access.
5. The gateways equipped with preselectors and turnstiles shall be separate and independent from the way out system envisaged in section 8 and the box offices - if allowed - shall be located outside the reserved area.
6. The spectators inflow system - as pointed out under subsections 2, 3, 4 and 5 - is subject to the approval of the Questore of the Province”.

Section 9

(Amendments to section 12)

1. Section 12, subsection 2, is amended as follows:

“In case that the spectators areas are extended to the sporting activity area or extended in relation to the ones normally used for the sporting facility – as to outdoor facilities - the way outs capacity, internal distribution and dimension shall comply with the provisions under the previous sections. As to indoor facilities, the streaming out capacity from the different facility areas shall be in line with the criteria laid down in the current provisions on the places of public entertainment.

Section 10

(Amendments to section 18)

1. Section 18 is amended as follows:

Subsection 1 is replaced by the following:

“In outdoor facilities with an over than 10,000 spectators capacity and indoor facilities with a 4,000 spectators capacity on the occasion of sporting events a closed circuit television system shall be operated which will allow – from a specifically organized and manned room – to control the spectators area and service area annexed to the facility and relevant entrances, with recording of images. Said room shall be located in a sporting facility area from which a general and direct overview of the sporting activity and spectators areas can be obtained”.

2. After subsection 2 the following is added:

“The videosurveillance system under subsection 1 shall comply with the provisions of the decree of the Minister of the Interior - in agreement with the Ministers for Cultural Assets and Activities and Innovation and Technologies – adopted on 6 June 2005 and implementing section 1-*quarter*, subsection 6, of the decree law no. 28 of 24 February 2003, turned into Act no. 88 of 24 April 2003.

Section 11

(Amendment to section 19)

1. Section 19 is replaced by the following:

“Section 19 *(Management of fire safety)*

1. The criteria according to which fire safety shall be organized and managed are laid down in the specific points of the decree of the Minister of the Interior - in agreement with the Minister of Labour and Social Security – of 10 March 1998 on “General criteria on fire safety and emergency management in work places”.
2. The sports complex or facility owner - or the user association – as to the facilities of over than 10,000 seats capacity where football matches are played are responsible for the maintenance of security conditions. The owner or legal representative may resort to a

duly appointed person who shall be present during the sporting activity and the spectators inflow and streaming out of the facility.

3. The persons under subsection 2 - for a correct safety management - shall draw up a plan for the maintenance of security conditions, observance of prohibitions, limitations and management conditions and guarantee the persons safety in emergency cases.
4. The plan under subsection 3 shall comply with the specific provisions laid down by the Committee of Inspection on public entertainment places and shall:
 - a) Regulate control activities for fire prevention,
 - b) Envisage the training of the personnel working in the facility, including drills on the use of fire-fighting means and fire drills,
 - c) Disseminate information to the spectators and athletes on procedures to be followed in fire or emergency cases,
 - d) Guarantee the operation - during sport events - of devices for the spectators control indicated under section 18,
 - e) Guarantee the way outs usability and suitability,
 - f) Guarantee the maintenance and effectiveness of fire-fighting means and apparatus,
 - g) Guarantee the maintenance and effectiveness or stability of the mobile or fixed structures in the sporting activity and spectators areas.
 - h) Guarantee the facility maintenance and effectiveness,
 - i) Include the indication of ways to give assistance and cooperation with the fire brigade and personnel entrusted with the assistance in emergency cases.
 - j) Envisage the setting up of a register of periodical controls in which maintenance interventions and controls relative to the effectiveness of electric systems, emergency lighting, fire stations, security and control devices, areas at specific risk and compliance with the fire load limit in the various premises subject to that limit. In said register also the data on the training of the personnel employed in the facility shall be entered. The register shall be regularly updated and showed upon request of the supervisory authorities.
5. Safety signals shall comply with legislative decree no. 493 of 14 August 1996 and, in particular, enable to find the way outs, support services, first-aid stations, as well as fire means and equipment. Signals shall indicate the fundamental first-aid measures. At the sports facility or complex entrance precise instructions for the personnel and public in case of accident shall be displayed to advantage, as well as a general plan for rescue teams, indicating the location of the following:
 - a) Stairs and ways of escape,
 - b) Available fire extinguishers and equipment

- c) Safety catch of electricity and gas supply facilities
- d) Safety catch of the ventilation system
- e) Control board of the detection and alarm system
- f) Facilities and premises at specific risk
- g) Safe areas.

6. A location plan shall be displayed at each floor near the ways of escape. The location and function of safe areas shall be duly indicated.

Near the exit from the space destined to spectators precise instructions - displayed to advantage - shall indicate the behaviour to be followed in case of fire. They shall be accompanied with a simplified plan of the floor, indicating schematically the location in which the instructions relative to the ways of escape are to be found. Said instructions shall draw the attention to the prohibition to use elevators in case of fire.

7. In addition to the specific measures aimed to the maintenance of security conditions – defined according to the above-mentioned criteria – an emergency plan shall be draw up and updated which shall indicate *inter alia*:
- a) The organization chart of the security service entrusted with the emergency management, with the indication of names and respective tasks,
 - b) Radio and/or telephone communication ways among the personnel tasked with the emergency management, as well as those envisaged for the person responsible - at internal level - for security and the representatives of police forces, fire brigade and health assistance agencies.
 - c) Actions to be followed in emergency cases by the personnel employed
 - d) Procedures for the evacuation of the public.

The emergency plan shall be updated each time the facility is used for temporary and occasional events, differing from those normally envisaged inside it.

8. For the necessary coordination of the actions to be carried out in emergency cases an emergency management centre shall be set up and located in the premises under section 4, subsection 3 and section 19-ter, subsection 3, point a).

In indoor facilities with an over than 4,000 spectators capacity and outdoor facilities with an over than 10,000 spectators capacity the emergency management centre shall be located in an special room considered as fire compartment and equipped with direct opencast access from the outside. The centre shall be endowed with adequate equipment to receive and transmit communications to fire service officers in all facility areas and outside, as well as with a sound scattering system with loudspeakers to scatter information to the public.

Said management centre shall be equipped with an adequate number of transceivers for the representatives of police forces, fire brigade and health assistance agencies.

Within the control and management centre premises control and signalling stations of videosurveillance and fire systems shall be located, as well as whatsoever considered necessary for the emergency management.

Within the emergency management centre the plans of the whole structure indicating the location of exits, fire extinguishing means and equipment and premises at specific risk shall be kept, as well as the diagrams of installations with the indication of safety catches, emergency

plan, full list of the personnel, the necessary telephone numbers in emergency cases and any other necessary indication.

The emergency management centre - during sporting events – shall be provided with a staff employed for such a purpose. Access to the centre is allowed to police and fire brigade officers.

Section 12

(Management of fire safety of multifunctional sports complexes)

1. After section 19 the following shall be added:

“Section 19-bis *(Management of fire safety of multifunctional sports complexes)*

1. Multifunctional sports complexes are required to set up a management unit, which is entrusted with the coordination of all fire safety management activities envisaged by the legislation in force.
2. The owner of said complexes – who is in charge of the fire safety management of the whole complex - shall be identified for the carrying out of the activities laid down in the present decree and any other current provision in the sector.
3. The owner coordinates also the persons in charge of other specific activities within the same complex. They are however responsible for the specific management and organizational tasks of the individual activities.
4. Specific management tasks may be delegated to the persons in charge of different activities. In such case, the joint delegation and acceptance statements – to be submitted to the competent control authorities - shall be formalized.
5. For the implementation of the management activities envisaged by the present section, the owner may avail himself/herself of a person responsible for such a purpose or his/her deputy - previously appointed - who shall be always present during the complex running, including the spectators inflow and streaming out, acting as person in charge of security at internal level.
6. The general emergency plan under section 19, subsection 7, shall be coordinated with the specific plans on individual activities included in the general plan in order to guarantee the performances and procedures organic unity.
7. In case of a partial running of the complex, emergency plans for the single premises effectively used, and adequate to them, shall be drawn up.

Section 13

(Public order and security management)

1. After section 19-bis the following shall be added:

“Section 19-ter *(Public order and security management within facilities where football matches are played)*

1. For each facility with an over than 10,000 seats capacity where football matches are played an Operational Security Unit - hereinafter referred to as GOS – is set up which is coordinated by a police senior officer appointed by the Questore. It shall be composed by:
 - a) A representative of the Fire Brigade
 - b) The person in charge of the security conditions of the sport association facility,

- c) A representative of the Health service,
 - d) A representative of the Municipal police,
 - e) The person in charge of emergency interventions as to the stadium facility and installations,
 - f) A representative of the guest team (if any),
 - g) Any other representatives whose presence is considered necessary.
2. The GOS, which will convene regularly as to general aspects and - in any case - before the matches, shall:
- a) Verify the planning of all organizational measures for the sporting event, also in consideration of any limitations enforced.
 - b) Control the correct implementation of the security conditions maintenance plan drawn up by the user association,
 - c) Adopt the necessary initiatives to overcome fortuitous critical situations, subject to the public order and security provisions issued by the Questore of the province.
3. In order to optimise the environmental conditions for the regular carrying out of the sporting event and public order and security protection, in each facility with an over than 10,000 seats capacity where football matches are played the association using the facility - in agreement with the facility owner - shall arrange the setting up of the following:
- a) A room looking on the space destined to spectators and sport activity space, where the centre for football events security management shall be located. It shall be coordinated by the police officer appointed through a service order by the Questore - in agreement with the representative of the Fire brigade for fire emergency - and composed of all GOS representatives,
 - b) Premises to be used on the occasion of sporting events as a police station with adjoining rooms suitable for the carrying out of criminal police activities in relation to any stopped or arrested person,
 - c) Places suitable for the information to spectators (signals – screens, etc.) to guarantee the knowledge of the facility “use regulations” which will deal with the stadium use procedures - with reference in particular to the provisions on the access to internal services for the public, as well as the obligations and prohibitions that the spectators shall comply with, with the indication that the non-compliance with them will imply the following:
 - 1) The immediate termination of the contract of performance and subsequent offender’s expulsion,
 - 2) The application of the relevant sanctions by the competent body, in case of a violation of the provisions imposed by law or regulations in force. Said warning shall be put on the signals displayed within the facility, as well as on the title of access to the sporting event.”

Section 14

(Sports facility management)

1. After section 19-ter the following is added:

“Section 19-quater *(Sports facility management)*

1. In order to guarantee the compliance with the facility use regulations, obligations and prohibitions envisaged, associations using the facility shall:

- a) Draw up the organization chart of the persons entrusted with the spectators reception and direction and any starting of public safety procedures, as well as persons entrusted with the related services and provide for their recruiting.
 - b) Draw up a plan for the information and training of all persons entrusted with public safety - including both coordinators and operators - specifying their tasks also in relation to the facility characteristics.
2. The minimum number of persons entrusted with public safety employed on the occasion of each sporting event shall be not lower than 1 to every 250 spectators and the coordinators number not lower than 1 to every 20 persons entrusted with said task,
 3. The activities of said persons shall be carried out in close cooperation with police forces officers who shall be immediately informed of any problem, which may affect public order and security.
 4. The emergency plan shall be updated on the occasion of each facility use for temporary and occasional sporting events different from the ones normally carried out inside it.”

Section 15

(Temporary and final provisions)

1. The provisions of the present decree shall enter into force on the date of the opening of the football season 2005-2006.
2. Out of proven needs to complete works, the Prefect may authorise an extension under subsection 1, for a period of time not longer than 6 months.
3. This decree shall be published in the Official Gazette of the Italian Republic - together with the decree of the Minister of the Interior of 18 March 1996 – together with amendments and integrations.

Rome, 6 June 2005

The Minister
(Pisanu)

B. REPORT OF THE ADVISORY TEAM

Introduction

It had been suggested that this be an advisory visit because Italy was in a transitional situation. A new important law (on stewarding) had been adopted but had not yet come into force. Other important measures (e.g. the equipment of stadia with turnstiles) had only recently been adopted and it would be premature to evaluate their impact.

The visit was well organised and generously hosted by representatives of the Italian government. The Advisory Team was warmly welcomed and provided with comprehensive information and documentation.

The national report

The Italian authorities had prepared a clear and comprehensive national report which exhaustively presented the legal situation in Italy as regards the prevention of sport violence, established a co-ordination mechanism and described the scope and the nature of sport-related violence.

During the visit, the Italian authorities provided the Advisory Team with additional written information, which contained useful complementary data, and helped it to complete the report.

The interlocutors

The Team had the opportunity to meet most of the major parties engaged in implementing the Convention – political representatives, officials in charge of sport policy, heads of the police, representatives of safety co-ordination bodies, local police – and therefore gained an insight into the most relevant aspects of the Italian spectator violence policy. The discussions were conducted in a spirit of openness and transparency.

It can only be said with regret that the visit did not include contact with representatives of fan clubs and supporters' associations.

Visit to stadiums

Members of the Advisory Team attended one match in Roma in the Olympic Stadium. They were given the opportunity to inspect all parts of the stadium both before and during the match.

Moreover, the Advisory Team examined two other stadia without spectators – a premier league one in Florence (the Artemio Franchi Stadium) and a smaller one in Frosinone.

The report of the Advisory Team

The present report follows the articles of the European Convention on Spectator Violence and Misbehaviour at Sports Events and in particular at Football Matches. Each article is reproduced as a reminder and the Team has provided its observations, comments and recommendations for the attention of the Italian authorities.

At the end of the report, the recommendations have been gathered, summarized and sorted in order of priority.

Article 1

Aim of the Convention

1. The Parties, with a view to preventing and controlling violence and misbehaviour by spectators at football matches, undertake, within the limits of their respective constitutional provisions, to take the necessary steps to give effect to the provisions of this Convention.

2. The Parties shall apply the provisions of this Convention to other sports and sports events in which violence or misbehaviour by spectators is to be feared, as appropriate to the specific requirements of such sports and sports events.

Italy was among the first countries to sign the Convention when it was opened (on 19th August 1985). It ratified the Convention very rapidly on 8th November 1985. It was consequently the 4th European country where the Convention entered in force, after Denmark, Sweden and the United Kingdom.

Most public effort is focused on football. The Advisory Team was not informed about incidents or problems in other sports. The Winter Olympic Games in Turin in 2006 constituted a real challenge from the safety and security point of view and they went well without any security incidents.

Article 2

Domestic co-ordination

The Parties shall co-ordinate the policies and actions of their government departments and other public agencies against violence and misbehaviour by spectators, where appropriate through setting up co-ordinating bodies.

Observations

Overall co-ordination of the national policy towards issues covered by the Convention and in particular of the activities focused on the prevention and suppression of sport-related violence is undertaken by the National Monitoring Centre on Sports Events (ONMS) established by the Act N. 210 of 17th October 2005. The functions, tasks, organization, membership and functional guidelines of the ONMS were set up by the Decree of the Minister of the Interior in concert with the Minister for Cultural Heritage and Activities of 1st September 2005.

ONMS's membership consists of all relevant law enforcement agencies, such as the Public Order Police, Carabinieri, Prevention Police, Traffic and Railway Police services, other governmental bodies such as the Ministry of Juvenile Policies and Sport Activities and relevant sport bodies such as the Italian Football Association, CONI, and professional and amateur leagues representatives. ONMS meets once a week on Thursday to co-ordinate the preparations for upcoming weekend events.

Among its main tasks are both operational issues and questions of more strategic nature and policy making. The operational issues include regular risk analysis and setting risk levels for each match (international or higher leagues) – see also the text under the Article 3.1. ONMS also produces decisions, policies and guidelines of a general nature which set standards for sports events management. For instance, ONMS provides advice to the Prefetto as regard matches to be played without spectators where sport grounds do not accord with the law, on closing some sections of the stadium and on playing without visiting supporters etc. ONMS has also recently issued opinions or guidelines on tickets sales, on the prohibition of certain banners from being brought into stadia, on stewards' training, on certifying institutes for training stewards and on parameters for risk indices.

In achieving these results, the OMNS depends upon the work of the National Information Centre on Sport Events (CNIMS). This Centre – founded before 2005 as the National Football Information Point (NFIP), in accordance with EU directives – was established by the Decree of the Minister of the Interior in concert with the Minister for Cultural Heritage and Activities of 1st September 2005, as part of the National Police Department to support the activities of the ONMS. Its main tasks include the collection, analysis and exchange of information at national and international level, providing the ONMS with the information and dates needed for the risk evaluations and related decisions and drafting the ONMS's documents, decisions and annual report. The Centre also assures the linkage of national and international co-operation, transmits information to the International bodies and provincial Public Security Authorities, draws up periodical bulletins concerning sport violence phenomena, provides evaluation and planning and organizes international seminars attended by experts of participating countries of the European Convention.

On the local level the co-ordination is performed by the Operational Security Unit (referred as GOS hereafter). This unit is set up for each facility (stadium) over 7,500 seats where football is played. It is chaired by senior security officer appointed by the Questore. GOS follows the risk analysis set by ONMS and takes appropriate measures in the preparation of matches. GOS units perform mainly operational tasks.

Another similar co-ordination unit at the local level is set up by the Prefetto and performs more strategic tasks. This unit can advise the Prefetto in his/her administrative capacity in relation to sport infrastructure.

Comments

The necessary infrastructure for effective co-ordination is in place.

ONMS seems to be an already well-established body with a strong – both formal and informal – influence. This body without doubt exercises leadership in the pursuit of safer and more secure sport events.

The strong influence and lead of the Ministry of the Interior and the Directorate of Public Order, however, may cause less attention to be given to the civic and other non-police related activities such as preventive activities and relations with supporters. Nevertheless, the conditions for discussing these issues are created down by the attendance of the representative of the Ministry of Juvenile Policies and Sport Activities and representatives of sport organizations such as CONI.

This combined responsibility for both operational and standard setting issues is an optimal means of ensuring a highly professional outcome for the body. However, the Advisory Team was unable to ascertain whether CNIMS has sufficient staff for its needs.

Recommendations

The Advisory Team recommends that the Italian authorities:

- keep and strengthen the central coordinating role of the National Monitoring Centre (ONMS) as a powerful tool for domestic co-ordination in the issues of sport related violence and even look at ways to reinforce its position, in view of its expertise, experience and nationwide overview;
- consider also putting issues of prevention and relations with supporters on the agenda of ONMS.

Article 3**Measures**

1. The Parties undertake to ensure the formulation and implementation of measures designed to prevent and control violence and misbehaviour by spectators, including in particular:

a. to secure that adequate public order resources are employed to counter outbreaks of violence and misbehaviour, both within the immediate vicinity of and inside stadia and along the transit routes used by spectators;

Observations

The police structure and system of risk analysis was explained into detail both during the consultative visit and in the Italian self-evaluation report. This three-level system of police deployment takes into account the pre-match phase, the match and the period after the game, and considers the travel route for the away supporters, possible hot spots in the city centre or in the surroundings of the stadium and the stadium itself. Police officers are deployed along travel routes, at these hot spots and inside the stadium, on the basis of a risk analysis where the National Monitoring Centre plays an important role. It has to be said that the risk analysis it delivers and the risk index system it uses (risk 1 to 4) are quite impressive and that the technology available in its office are unique in Europe.

The National Monitoring Centre plays a very important role, but is, as in most countries, dependant on the cooperation at all different levels from all the parties involved. Whilst the National Monitoring Centre can impose certain decisions on the basis of the risk index, it naturally still depends on the Prefetto and Questore, match commanders and other responsible police officers at local level. These have a large amount of discretion to decide on the measures to be taken. This is logical because each stadium, club and supporters' group has its own background. However, this can also cause a lack of uniform approach over the country.

Inside the stadium, and thanks to the Decree of the Minister of the Interior of 6th June 2005, the aim is to work with stewards instead of policemen. It was explained that the task of the police will change inside the stadium from "to do" to "to control".

Finally, it was explained that several police forces have a role to play inside the stadium.

Comments

One of the most important questions for the Advisory Team to ask was not whether enough police were deployed at football events, but whether they were deployed efficiently.

The system of risk analysis undertaken by the National Monitoring Centre is very professional and was an important step forward in Italy. Due to its experience, expertise and nationwide view, the Monitoring Centre provides a real added value in analysing possible risk at football matches. The Advisory Team was able to determine that knowledge and expertise is certainly present within this Monitoring Centre to continue to develop the existing safety and security systems at football matches.

But, as always, the risk analysis can only be undertaken on the basis of the information which is supplied by other services (spotters, clubs, Questore, etc.). It was not possible for the Advisory Team to have a view of the quality of information delivered concerning the intentions on risk fans for a certain match, or the quality of the spotters (Supporters Police Teams of the Digos). Spotters do not seem to play a very important role in the safety and security system. The criteria used in the

risk index are more objective criteria and can result in a certain number of decisions (no visiting fans, closed doors, postponing of the game, etc.). Through different meetings and talks, it became clear to the Advisory Team that in most cases concrete and current information on the intentions of risk groups are not used in a concept of dynamic risk analysis. This increases the risk of more police officers being deployed than necessary. This can have a negative effect on crowd behaviour and can lead to irritation and frustration on the part of both risk fans and non-risk fans.

Through the different meetings, it became clear, however, that the number of policemen to be deployed for football matches is not at the moment really an issue at political level. This has as a consequence that apparently practically nobody asks questions about the sometimes high number of policemen used for football matches, and has also as a consequence that clubs do not have a clear incentive to take up their own responsibility (e.g. by forcing them to pay for the deployment of police inside the stadium). Ensuring safety and security at football matches should be done through an appropriate balance between public and private efforts.

It became clear to the Advisory Team that the police are dominant in ensuring safety and security at football events, and not every commanding police officer is ready to change this way of working and to give important responsibilities to the clubs. So, a large number of policemen is deployed to avoid incidents or to restore public order if incidents occur. The dynamic of risk assessment is being jeopardized by the idea that:

- large numbers of police can prevent incidents from occurring and deter risk fans;
- most supporters present a possible risk or danger (the Advisory Team got a strong impression throughout their visit that most supporters are seen as possible enemies).

A lack of communication and interaction with fans does not help this situation. The Advisory Team observed the entry of the visiting supporters at the match between Lazio and Milan. All the spectators were searched by unsmiling police officers. The atmosphere was somewhat hostile and the supporters appeared to be regarded as unwelcome enemies rather than as customers or guests. Due to the fact that commanding police officers often look at football supporters as potential enemies, there is already a problem of mentality at the beginning of the process. As in every country, the overwhelming majority of supporters do not want to create problems, and irritation and frustration can be avoided through active communication and interaction with fans, on the basis of a hospitality concept ("Smiling faces"). At the Lazio – Milan game, there was no sign of such hospitality concept. This requires a specific nationwide concept, specific training, clear briefings on these issues and a change of mentality from the bottom to the top and from the top to the bottom. Due to recent events in Italy, this seems to be a difficult issue, but European-wide experience has shown that low profile, intelligence-led policing can avoid a lot of problems. This applies to both risk fans and non-risk fans.

Special attention was paid to the relation between Ultra groups and police forces. As in other countries around Europe, it has become clear that both groups have a negative view towards one another. This view is reinforced through some recent events in Italy. There are no one-sided easy solutions to this problem, but the current lack of communication between police forces and Ultra groups only increases this negative view. Overstressing their possible negative influence and over concentrating measures on these Ultra groups increases the possible risk of clashes between the Ultra groups and the police. This issue seems to be one of the most important challenges for the authorities during the forthcoming months and years.

The deployment of several police forces (local police, Carabinieri, Guardia Finanzia, etc) was for the Italian police forces apparently no problem. There is a clear chain command. Nevertheless, the communication systems are not the same, so Carabinieri need to be accompanied by local police.

Recommendations

The Advisory Team recommends that the Italian authorities:

- determine clearly and in writing the responsibilities of each partner, not only inside the stadium (safety officers/stewards vs. match commander/police officers) but also for example on the travel routes through the country; using the Standing Committee check list for this purpose might be helpful (see also under article 4.h)
- invest strongly (e.g. through common training) during the forthcoming months in the co-operation between stewards and police officers, in order to ensure that the police can be slowly withdrawn outside the stadium;
- further develop methods of intelligence gathering, determining the role of an intelligence officer for each club and spotters. Training should be given at the national level and regular meetings should be held with all these specialised persons, in order to exchange best practices. Spotters should play a central role in this system, also at away matches. Investing in specialised personnel can in the medium term ensure a decrease of police deployment at football matches;
- install a system of low-profile, intelligence-led policing, based on a concept of hospitality, communication and interaction with fans, and influence everyone to apply this system. This concept includes a system of evidence gathering against offenders and a uniform way on imposing stadium bans by the Questore and should be elaborated to be applied nationwide, with specific training at all levels;
- avoid different approaches in different parts of the country. If necessary, the National Monitoring Centre should obtain more power to enforce a common police concept at local level in this respect;
- invest in a system of so-called peer review (evaluation) of match commanders, in order to exchange best practices. It is strongly recommended that Italian police commanders should participate in the existing EU peer review team and invite this team to Italy;
- elaborate an approach to include non-risk fans and exclude risk fans, instead of a system where all supporters are seen and sometimes treated as potential troublemakers;
- invest strongly in the dialogue between Ultra groups and police forces, through for example preventative projects, supporters charters, periodical meetings;
- avoid treating the Ultra groups differently from other groups; avoid excessive control mechanisms and police checks of these groups; focus the attention of the spotters on the Ultra groups (see also comments and recommendations regarding Article 3.5).
- study the possibility for rationalising the different kinds of police forces to be deployed for football events;
- elaborate incentives to ensure that clubs really take up their own responsibility inside the stadium to ensure safety.

b. to facilitate close co-operation and exchange of appropriate information between the police forces of the different localities involved or likely to be involved;

Observations

The Advisory Team had the possibility to see that the National Information Centre plays a central role in gathering and analysing information. The risk assessment on the basis of this information is done in an efficient and professional way. Through the meeting of the GOS further information is exchanged and the same is done at the day of the match at the preliminary briefing.

Comments

The Advisory Team was not able to get an impression of the information exchanged just prior to the game on travelling fans, their number, their behaviour, etc. On the basis of the information given by the match commander at the Lazio – Milan game, this appears not to pose too many problems.

As a lot of supporters travel throughout the country to attend matches, there is a great need of spotters accompanying the travelling risk fans and to have a continuous information exchange on their travel route and behaviour.

Recommendations

The Advisory Team recommends that the Italian authorities:

- recognise that correct, quick and concrete information exchange is the key factor in policing football matches;
- continue to invest in the important role of a national body as the central point of information exchange, as is done for the moment by the National Information Centre.

(see also Recommendation to Article 3.1.a)

c. to apply or, if need be, to adopt legislation which provides for those found guilty of offences related to violence or misbehaviour by spectators to receive appropriate penalties or, as the case may be, appropriate administrative measures.

Observations/comments/recommendations

See article 5 of the Convention

2. The Parties undertake to encourage the responsible organisation and good conduct of supporters, clubs and the appointment of stewards from within their membership to help manage and inform spectators at matches and to accompany parties of supporters travelling to away fixtures.

Observations

The Ministerial Decree of 6th June 2005 obliges clubs to employ their own personnel to control, welcome and guide the spectators inside the facility. It is intended that the stewards will replace the police inside the stadia. A detailed training programme has been established and is underway but the stewards will not complete this until February 2008. Moreover, the Advisory Team was informed (by the police commander in Rome) that the detailed job descriptions for the stewards are still being formulated. The police were still very much in charge at the (admittedly high risk) match. Indeed they appeared to envisage this remaining the position in the long term.

At the match attended by the Advisory Team, the stewards were controlling the entry of spectators (checking tickets and staffing the turnstiles) albeit under the close oversight of the police. They also directed supporters to the viewing accommodation. They were generally welcoming to the visiting supporters.

However, the stewards did not appear to be responsible for any form of positive crowd management once the supporters had entered the stadium bowl. Indeed, there appeared to be very little control so long as no attempt was made to enter onto the pitch. The stewards did not attempt to intervene when

supporters stood on the fence at the end of the match. Nor did they make any attempt to get supporters to sit down or to keep the gangways clear.

At present, Italian stewards do not accompany the supporters from their home team, though the Italian football authorities have decreed that teams are responsible for the behaviour of their supporters away from home.

Comments

The Italian authorities emphasised that the stewards were regarded as civilians who would be more friendly and welcoming to supporters. However, the Advisory Team was concerned that the stewards might too easily be seen and see themselves as substitute police officers exercising control over spectators and that they would not engage positively in ensuring safety and providing customer care.

This may be symptomatic of the wider issue of the balance between repressive control (targeted at preventing and eliminating violence) and the creation of a safe and welcoming environment, which currently appears very strongly tilted towards security at the expense of safety and comfort.

Therefore the aim of deploying stewards inside the stadium and of keeping the police outside the stadium is very good but poses for the moment some problems:

- the stewarding system is not yet installed officially and it naturally requires some time to adapt to the new situation;
- there is a clear and present danger that some police officers in charge of safety and security at the football ground may consider stewards as being “unofficial policemen”. This need to be avoided at all times;
- a lot of work needs to go in making this stewarding system acceptable to the spectators.

The Advisory Team thus recognises that it is too early to provide a definitive assessment of the introduction and impact of stewarding. This will undoubtedly require time to become fully effective. It will only succeed in the context of a change of ethos both among those responsible for safety and security and among the supporters.

Recommendations

The Advisory Team recommends that the Italian authorities:

- ensure that the role and responsibilities of the stewards are clarified and fully understood by all parties involved with the management of the stadium or the oversight of the match including police officers, media and public;
- ensure that the chain of command, accountability and relationships between the stewards and the police are clearly defined, understood and implemented;
- ensure that the stewards are fully trained and deployed as soon as practicable;
- formally reviews the arrangements within two years to ascertain whether they are operating as intended.

3. The Parties shall encourage the co-ordination, in so far as legally possible, of the organisation of travel arrangements from the place of departure with the co-operation of clubs, organised supporters, and travel agencies, so as to inhibit potential trouble-makers from leaving to attend matches.

Observations

All security arrangements regarding all upcoming risk football events are dealt with in advance at CNIMS. According to the information obtained from the visiting club, the Questore (Supporters Units of Digos) develops and distributes the travel plans to the police of the match venue and to the police along the road. The Advisory Team was presented with examples from the match day on 26th August. The type of transport and number of travelling spectators are specified. Security arrangements are made at highway rest stations and other risk spots. Supporters' buses are usually not directly accompanied by police.

Strict arrangements are made when the visiting supporters arrive at the highway exits or city borders. Supporters' buses are met at highway exits by the police and are accompanied to the stadium. Alternatively they are required to assemble at a predetermined parking place, where the supporters undergo the first check and from where they are then accompanied to the stadium.

In the case of highest risk or disturbances, "hot spots" can be monitored directly by the operational centre of CNIMS.

At the national level, there is a possibility to impose on particular spectators an obligation to present themselves at a police station. For international matches, exit bans can be imposed.

Comments

On the basis of the meetings and match visit, it was difficult for the Advisory Team to have a clear view on the role of the clubs, organised supporters' groups and travel agencies in this process. It seems that this issue is still in a first phase and most work is done by the police forces.

Recommendations

The Advisory Team recommends that the Italian authorities:

- recognise the importance of measures that may be adopted in order to prevent known troublemakers from travelling;
- indicate to clubs, supporters' groups and travel agencies that they have also responsibilities in giving information on the number of tickets that have been sold, the travel routes, the time of travel, etc. This can be "enforced" through the law, through agreements and through supporters' charters.

4. The Parties shall seek to ensure, where necessary by introducing appropriate legislation which contains sanctions for non-compliance or by any other appropriate means, that, where outbreaks of violence and misbehaviour by spectators are to be feared, sports organisations and clubs, together with, where appropriate, stadium owners and public authorities, in accordance with responsibilities defined in domestic law, take practical measures at and within stadia to prevent or control such violence or misbehaviour, including:

a. to secure that the design and physical fabric of stadia provide for the safety of spectators, do not readily facilitate violence between spectators, allow effective crowd control, contain appropriate barriers or fencing, and allow security and police forces to operate;

b. to segregate effectively groups of rival supporters, by allocating to groups of visiting supporters, when they are admitted, specific terraces;

Observations

Significant physical improvements have been implemented at all the larger stadia in accordance with the requirements of the Italian national authorities. These include the installation or upgrading of turnstiles, control rooms, closed circuit television (CCTV) and numbered seats. Entry is more strictly controlled (see Article 3.4.c.-d. below). The control rooms were generally well sited with good views of the visiting supporters. Though in some cases on the small side, they had good CCTV systems; these enabled the control room staff to observe and direct the control of the crowd.

All the grounds visited have strong physical barriers both between rival groups of supporters and between the spectators and the pitch. In most cases these are high fences, many of them with overhangs; in a few instances they are deep moats.

Very little appears to have been done, however, to improve the facilities for spectators other than VIPs. All of the grounds visited still required considerable upgrading. Examples of poor conditions included inadequate sightlines, poor seating, uneven gangways, gates that opened against the flow of spectators, rust and damage to concrete. Against this, one stadium had good facilities for supporters in wheelchairs.

Comments

The Italian authorities have made a good start on upgrading the physical security of the stadia. However, this is but one element of what is required to create a safe, pleasant and welcoming environment. The atmosphere is repressive and does not encourage the attendance of well-behaved spectators and family groups. Indeed at stadia where there is no history of significant misbehaviour, some of the new measures (for example the installation of high fences in front of every sector at Frosinone) seem difficult to justify. They appear to have been imposed without any regard to the level of risk.

The Advisory Team is conscious of the problems of violence and disorder that underlie the recent changes. Nevertheless, it is concerned that the current focus on physical restrictions may not address the issue in its entirety. Indeed, they may be interpreted as the public authorities relying solely on repression, which ultimately risks being counterproductive. (See also comments on Article 3.1.a).

The Advisory Team recognises that the need for further work has been recognised, not least by the Ministry for Youth and Sport. It was unclear, however, whether and if so by whom this would be co-ordinated. It is also aware that such a programme could not be implemented overnight, especially given the funding constraints and the difficulties presented by the ownership of the stadia.

In this context, the Advisory Team commends to the Italian authorities the Council of Europe Standing Committee's Recommendation on the Removal of Fences in Stadia (1999/2) which clearly identifies the other measures that are required in order to successfully remove the high perimeter fences.

Recommendations

The Advisory Team recommends that the Italian authorities:

- identify with all the relevant parties a programme of further improvements to be implemented over the coming years as resources permit;

- agree which bodies should be responsible for overseeing and funding each of these improvements.

c. to ensure this segregation by strictly controlling the sale of tickets and to take particular precautions in the period immediately preceding the match;

d. to exclude from or forbid access to matches and stadia, in so far as it is legally possible, known or potential trouble-makers, or people who are under the influence of alcohol or drugs;

Observations

The public authorities (through the National Monitoring Centre) may ban all visiting supporters from attending a particular match or change the date or the venue on the basis of a risk assessment. There appears to be rather less scope at present for effectively banning individual supporters. A system of stadium bans issued by the Questore exists (a figure of 5,000 was quoted); these last on average two years. The criteria for imposing a ban are detailed in the Italian national report.

Ticketing and entry is now controlled by the Ministerial Decree of 6th June 2005 which prescribes detailed criteria for the purchase of individual or multiple tickets. In particular, the purchaser must provide evidence of his identity and the names of others in his party. In theory, these names are checked against the individual at the turnstile. However, it was unclear whether and if so to what extent this was being applied even for the visiting supporters at the match attended by the Advisory Team. These changes had run counter to the traditional supporter culture but had reportedly now been accepted.

Entry, as observed at the match, was slow. The police ensured that there was no overcrowding by bringing all the visiting supporters by bus at intervals from a rendezvous point several kilometres away. However, the Advisory Team observed a significant number of visiting supporters who had purchased tickets for other areas of the stadium being admitted to the visitors' area. Their tickets were checked manually at a separate turnstile.

These tickets presumably did not bear seat numbers for the visitors' area, so these spectators were free to sit (or in most cases stand) where they chose. Indeed the Advisory Team gained the impression that all supporters were left free to occupy any place in the block for which they held a ticket.

Comments

The Advisory Team was told that the new ticketing system and entry controls had contributed to a significant reduction in disorder inside the stadia, albeit that disorder still occurred in the cities and on the transport routes. By controlling the distribution of tickets and removing the "Ultra" groups from the process, it has also eliminated the "curvas" as no go areas for the authorities. It was unclear, however, to what extent these were now actively being controlled.

The Advisory Team was seriously concerned by the ability of supporters to purchase tickets for one area of the stadium and then gain admittance to another. While this did not cause a problem on this particular occasion, because the stadium was far from full, it represents a major potential security and safety weakness. It could lead to visiting supporters who posed a potential risk being mixed with the reputable supporters who have been vouched for by their club. That club could then find itself being held responsible for the behaviour of "supporters" to whom it had not sold tickets. Moreover, should the supporters transferred from other parts of the stadium cause trouble, the

innocent reputable supporters might find themselves caught up in violence either between different supporter groups or between supporters and the police.

Recommendations

The Advisory Team recommends that the Italian authorities:

- strengthen and enforce a system of effective long-term stadium bans;
- prohibit visiting supporters from purchasing tickets in the areas set aside for home supporters, from being admitted into such areas and from being transferred into the visitors' areas.

e. to provide stadia with an effective public address system and to see that full use is made of this, of the match programme and of other publicity outlets to encourage spectators to behave correctly;

Observations

The Advisory Team did not monitor the public address announcements, though it was aware that the necessary systems were in place. It observed that the ground regulations were displayed outside and inside the stadia. It was also provided with a copy of a leaflet distributed by the police to supporters of Real Madrid before their match against Lazio. It was not aware of any programmes or other publicity material available or on sale at the stadium.

The Advisory Team was informed that the relationship between clubs and their supporters was generally poor. There were no customer relations staff at the clubs and supporters were not treated as valued customers. The main contact point for supporters was the police.

Comments

Addressing spectators during the match is closely interdependent with the general issue of club – supporter relations and the overall mentality of different administrations towards supporters. Changing the mentality will be a long-lasting comprehensive process which will include policy development and training. These issues are discussed in more detail under Article 3.5 and Article 3.1a.

Recommendations

The Advisory Team recommends that the Italian authorities:

- work on the gradual change of mentality with the aim of seeing supporters as valued customers who are welcomed at stadia by dedicated staff.

f. to prohibit the introduction of alcoholic drinks by spectators into stadia; to restrict, and preferably ban, the sale and any distribution of alcoholic drinks at stadia, and to ensure that all beverages available are in safe containers;

g. to provide controls so as to ensure that spectators do not bring into stadia objects that are likely to be used in acts of violence, or fireworks or similar devices;

Observations

No alcohol is available at the stadia outside the VIP areas. Non-alcoholic beer is sold either in plastic cups or in plastic bottles. While it did not observe this itself, the Advisory Team was informed that not all the bottles had their tops removed. If this was so, these could easily be used as missiles.

The Advisory Team observed that the police examined all banners being brought into the stadium by the visiting supporters to ensure that these did not contain any obscene, racist or political messages. All long poles were removed. This policy seemed well-conceived and effective.

Law no 88 of 18th April 2003 prescribes that possession of any pyrotechnic device may be punishable by a period of imprisonment of between three and eighteen months and a fine. Notwithstanding this and the searches at the entrances, the fire brigade provided 42 staff paid for by the club at the match attended by the Advisory Team. This suggests that supporters still succeed in smuggling in pyrotechnics and that these continue to be thrown towards the pitch. While supporters are undoubtedly aware of the prohibition, they do not appear to have recognised the real safety reasons for it.

Comments

The Advisory Team recognises the difficulty of preventing the importation of prohibited items. This could probably only be achieved by thoroughly searching all the spectators, together with all the staff and other persons admitted to the stadium before the match. This would so slow the pace of entry as to be impractical. It would also create an even more repressive atmosphere than already exists.

The Advisory Team understands that searching is targeted at those who are considered to present the greatest risk. This is clearly the most sensible and practical approach.

Recommendations

The Advisory Team recommends that the Italian authorities:

- work with the clubs and other responsible bodies to educate supporters as to why pyrotechnics are unacceptable in stadia;

h. to ensure that liaison officers co-operate with the authorities concerned before matches on arrangements to be taken for crowd control, so that the relevant rules are enforced through concerted action.

Observations

The system of domestic co-ordination is described under Article 2 above. With regard to the match day arrangements at the stadium, the Advisory Team observed that the police continue to take the leading role. The club safety officer and the stewards come under the command of the police. The police commander chairs the Operational Security Unit which co-ordinates all operational matters on the day. Given this structure, it is perhaps inevitable that the prevention of disorder appear to be given priority over the safety and comfort of spectators. As to the hospitality concept, see in detail under Article 3.1.a.

This is illustrated by the policy of routinely holding back all the visiting supporters in some cases for a prolonged period until the surrounding area is clear. (The Advisory Team was unsure whether this policy was specific to the Olympic Stadium or whether it was applied at most or indeed all stadia.) While this may be wholly justified in some cases, the Advisory Team had reservations about whether it would always be appropriate or whether it should be based upon a risk assessment in each specific case. It noted that this policy contributed to the overall repressive atmosphere.

Comments

The Council of Europe Standing Committee's checklist provides a simple mechanism for the national authorities to identify and agree with the responsible bodies who should exercise which functions on a match day. A review of the allocation of functions should help identify the scope for a more balanced partnership between security, safety and customer care and between the roles of the police and the club.

Recommendations

The Advisory Team recommends that the Italian authorities:

- review the functions exercised by each responsible body, in line with the Standing Committee's checklist.

5. The Parties shall take appropriate social and educational measures, bearing in mind the potential importance of the mass media, to prevent violence in and associated with sport, in particular by promoting the sporting ideal through educational and other campaigns, by giving support to the notion of fair play, especially among young people, so as to enhance mutual respect both amongst spectators and between sports players and also by encouraging increased active participation in sport.

Observations

The Advisory Team was not informed about any related ongoing activities, initiatives and projects. During the meeting with the Italian FA, the Advisory Team was informed that in some clubs there is a deep gap between the club management and supporters. This even necessitates police protection for club representatives.

ONMS membership includes a representative of a National Co-ordination Body of organised supporters from professional clubs. This seat is vacant at the moment.

Plans and ideas for the development of a system of preventive activities were mentioned during the meeting with Undersecretary Mr. Lolli and Mr. Marino from the Ministry of Youth and Sports. The need for using profits from TV rights also for youth activities, for systematic work both with children and with parents and to support and encourage clubs which are devoted to the work with youth were among the ideas which were discussed during this meeting.

Comments

The Advisory Team gained the impression that there was little meaningful communication between the football authorities and clubs and the supporters. The Italian Football Federation emphasised that it wanted to improve the stadia and create a pleasant match day experience. It was also keen to improve football's relationship with spectators. It recognised that the clubs now had to take

responsibility. However, this was very difficult because of the level of violence away from the stadium, often on non-match days.

This lack of structural co-operation with supporters and lack of preventive and educative programmes for supporters represents serious insufficiency in Italy's obligation towards the Convention. Lack of dialogue with supporters can even jeopardise measures taken in other areas. Also the culture of mutual respect and dialogue is essential for high quality performance of stewards.

At the state administration level plans and ideas expressed by Mr. Lolli represent a clear signal that the political representation is fully aware of the need to focus more on preventive issues. The concrete measures mentioned can only be endorsed.

It may well have happened that there are preventive projects at the local level. The Advisory Team was not informed about any such projects. Some co-ordination and support from the central government is, however, desirable.

Developing pilot projects may be a good way forward in establishing permanent prevention policy.

Recommendations

The Advisory Team recommends that the Italian authorities:

- work with the football authorities, the clubs, police and other responsible parties to develop policy and improve the dialogue between football and its supporters;
- make use of the "Supporters' Charter" manual developed by the Council of Europe which can serve as a suitable tool to this end;
- encourage clubs to establish a supporters' relations officer;
- incorporate preventive and educative policy into the overall policy towards sport violence;
- encourage municipalities and clubs to get involved in these activities;
- make use of the Standing Committee Recommendation on the role of social and educational measure in the prevention of violence in sport and the handbook on the prevention of violence in sport (2003/1) as guidance towards establishing and supporting preventive policy.

Article 4

International co-operation

1. The Parties shall co-operate closely on the matters covered by this Convention and encourage similar co-operation as appropriate between national sports authorities involved.

2. In advance of international club and representative matches or tournaments, the Parties concerned shall invite their competent authorities, especially the sports organisations, to identify those matches at which violence or misbehaviour by spectators is to be feared. Where such a match is identified, the competent authorities of the host country shall arrange consultations between those concerned. Such consultations shall take place as soon as possible and should not be later than two weeks before the match is due to take place, and shall encompass arrangements, measures and precautions to be taken before, during, and after the match, including, where necessary, measures additional to those included in this Convention.

Observations

Although this issue was not really the aim of the visit of the advisory visit, the different meetings indicated that there is normally no problem of incidents when the national team is playing abroad, nor even when clubs play international matches in another country.

Italy is following the international recommendations on international police cooperation (for example the EU handbook on international police cooperation at football matches) and has installed a National Football Information Point, as required by the EU.

Information exchange is undertaken through this NFIP for international matches, spotters are sent abroad, and for big tournaments, an Italian police team is assembled.

Italy participates in all meetings at international level (EU, Council of Europe).

Comments

Italy is fully in line with the European demands and recommendations concerning international police cooperation. However, it was impossible to determine the quality of the spotters, so no further comments can be given at this regard.

The Advisory Team noted with approval that the National Monitoring Centre sends questionnaires to all EU member States to ask their policy on certain issues, on the basis of which Italy then determines its national policy. This research on best practices is very commendable.

Recommendations

The Advisory Team recommends that the Italian authorities:

- keep investing in the research of best practices all over Europe in order to determine their own national policy;
- reinforce their role at the international level, by taking a very active part in a number of meetings on this issue, in view of the growing expertise and experience at national level at the Monitoring Centre;
- pay the necessary attention to ensuring the quality of information exchange and spotters' work for matches with an international dimension, in line of the existing EU demands and recommendations.

Article 5

Identification and treatment of offenders

1. The Parties, respecting existing legal procedures and the principle of the independence of the judiciary, shall seek to ensure that spectators committing acts of violence or other criminal behaviour are identified and prosecuted in accordance with the due process of the law.

2. Where appropriate, particularly in the case of visiting spectators, and in accordance with the applicable international agreements, the Parties shall consider:

a. transferring proceedings against persons apprehended in connection with violence or other criminal behaviour committed at sports events to their country of residence;

b. seeking the extradition of persons suspected of violence or other criminal behaviour committed at sports events;

c. transferring persons convicted of offences of violence or other criminal behaviour committed at sports events to serve their sentences in the relevant country.

Observations

Italian legislation consists of a number of provisions enabling the authorities to prosecute and punish violent and other threatening or unacceptable behaviour related to sport events. In addition to a number of provisions of a general nature which can be used also for situations of sport-related violence, such as causing injury or criminal damage, a number of specific provisions are focused on sport events.

Among these can be mentioned the prohibition of carrying weapons or offensive objects, possessing fireworks on the occasion of sporting events, throwing dangerous material, stepping over the pitch perimeter or entering onto the pitch on the occasion of sport events and violence or threats against the operators (stewards) responsible for checks in areas where sporting events take place. There are also provisions prohibiting people from concealing their identity or preventing themselves from being recognised e.g. by wearing masks or helmets. Sentences for the above mentioned offences may be very strict, including both custodial sentences and money fines.

Italian legislation also includes banning orders (DASPO) or the obligation to report to a police station in order to sign an ad hoc register in hours concomitant with the football matches. These are administrative sanctions and can be imposed by the Questore. Italian legislation has also introduced since 2005 mutually-recognised international banning (restriction) orders.

Administrative penalties (fines) can be also imposed by the Prefetto for disturbances at sport events or for a breach of the internal regulations of a sports facility.

Legal provisions enable the police to postpone the arrest of an offender up to 36 hours when it is advisable for tactical reasons and to use video documentation to effect a delayed arrest.

Comments

The programme of the visit did not enable the Advisory Team to focus specifically on sanctions. Nevertheless, these issues were exhaustively described in the Italian self-evaluation report. Some elements of the report were confirmed in various discussions.

Issues of extradition and international judicial co-operation were not touched during the visit since they are specified in detail in relevant EU regulation which is binding upon Italy.

It should be added that prompt law enforcement represents a key element in the preventive effect of laws and sanctions. While fully respecting the independence of judiciary, a broad national consensus should be sought for the need to speed up criminal proceedings against the perpetrators of sport-related violence.

While the Italian self-evaluation report clearly demonstrates that the sanctions are there, the Advisory Team was unclear whether these sanctions are applied all over the country and, if so, whether they are applied strictly. A figure of 5,300 stadium bans was mentioned. It should be ascertained whether enough attention is paid:

- by police forces to gathering evidence;
- by the relevant bodies to imposing sanctions;
- by the competent authorities to following up the sanctions imposed;
- to the influence of sanctions on incidents by risk supporters.

It can maybe also be an option to bring all these sanctions together in one specific sports or football related law, to have clarity at all levels, including at the level of supporters.

Recommendations

The Advisory Team recommends that the Italian authorities:

- monitor the implementation and impact of various penal and administrative provisions regarding sport-related violence with a view to suggesting possible changes;
- study the possibility of bringing all the relevant legal arrangements together to have one clear document for all parties concerned, including supporters;

Article 6

Additional measures

1. The Parties undertake to co-operate closely with their appropriate national sports organisations and clubs, and where appropriate, stadium owners, on arrangements regarding the planning and execution of alterations to the physical fabric of stadia or other alterations, including access to and egress from stadia, necessary to improve safety and to prevent violence.

2. The Parties undertake to promote, where necessary and in appropriate cases, a system laying down requirements for the selection of stadia which take into account the safety of spectators and the prevention of violence amongst them, especially for those stadia used for matches likely to attract large or unruly crowds.

3. The Parties undertake to encourage their national sports organisations to review their regulations continuously in order to control factors which may lead to outbreaks of violence by players or spectators.

Observations and comments

The recent stadium improvements were prescribed and enforced by the Italian national authorities in the aftermath of a number of serious incidents of violence. The work was undertaken by or on behalf of the stadia owners who are in most cases the local authorities. The football clubs are generally the tenants of the local authorities. In practical terms therefore, the football authorities and clubs found themselves at one remove from the work being undertaken. It was suggested in some quarters that the football authorities were not always fully committed to the work.

The interests of the clubs do not necessarily coincide with those of the public authorities. They do not determine the capacity of the stadium; this function is exercised by the Prefetto who also oversees any inspections and monitoring. Until recently, much of the merchandising was controlled by fringe groups of supporters and did not benefit the clubs financially. Some ticket sales were also outside the control of the clubs.

The clubs are now, however, being expected to adopt a new mentality. This includes taking responsibility for spectator safety and customer care and for managing the stewarding. They must also accept responsibility for their supporters both at home and when travelling, even though they possess no powers to control the spectators once these are outside the stadium.

The national legislation provides a strong framework for future progress. The Advisory Team suggests this should now be developed to ensure a comprehensive and integrated package of practical measures embracing not merely security but also safety and customer care at the local

level. This should address not merely the functions and responsibilities of the clubs, police and other bodies concerned with the management of the match (see Article 3.4.h above) but also their relationships with each other and with the national authorities.

The national authorities may care to launch this project by bringing together all the relevant bodies to draw up a detailed plan for the next few years. Once this has been developed, the Italian authorities may care to invite the Standing Committee to conduct a follow up evaluation visit to evaluate its proposals and their progress in late 2009 or early 2010.

Recommendations

The Consultative Team recommends that the Italian authorities:

- focus on improving the construction and equipment of the stadia by enhancing the commitment and motivation of both the municipality owners and the clubs;
- draw up a comprehensive plan in agreement with all the responsible bodies for the next few years;
- host a follow up evaluation visit to validate its proposals and progress in two years' time.

Article 7

Provision of information

Each Party shall forward to the Secretary General of the Council of Europe, in one of the official languages of the Council of Europe, all relevant information concerning legislative and other measures taken by it for the purpose of complying with the terms of this Convention, whether with regard to football or to other sports.

Italy has in all recent years provided a complete national report to the Standing Committee within the requested timeframe. Besides, the authorities were ready to share information and to send answers to ad hoc questionnaires (pyrotechnics, stadium bans).

General conclusions and recommendations of the Advisory Team

Important work has been done very recently in Italy to comply with the provisions of the Convention and in order to ensure a high level of safety and security at sport events. Many of these measures have been driven by the incidents who took place in Catania, Sicily at the beginning of 2007, when a police officer died.

The Italian authorities may wish to consider regularly reviewing whether and how the legislation is being implemented at the local level.

The Advisory Team suggests that Italy applies for a full evaluation visit in late 2009 or early 2010.

SUMMARY OF THE RECOMMENDATIONS

The following recommendations, which are set out in order of importance, would contribute particularly to improving the Italian system. They summarise in a more general way the many detailed recommendation linked to each Article.

Priority	Recommendations	Article of the Convention
1	To adopt and gradually implement the concept of hospitality.	3.1.a
2	To provide for dialogue between the clubs, police and supporters.	3.5
3	To adopt the concept of dynamic risk analysis and low-profile intelligence-led policing and gradually implement it within the system.	3.1.a
4	To monitor closely and constantly support the implementation of a new stewarding concept.	3.2
5	To identify with all the relevant parties, a programme of further improvements to sport premises, to be implemented over the coming years as resources permit.	3.4
6	To strengthen the role of ONMS as the central policy-making body for the prevention and suppression of violence in sport.	2

Appendix 2 - Acknowledgements

The Advisory Team wishes to thank the Italian authorities warmly and sincerely for the excellent organisation of the visit and the quality of their hospitality, for the national report, and for the spirit of complete trust and transparency that prevailed during the entire visit.

In particular, the assistance and the permanent presence of Mr Fabio GERMANI, who was with us throughout the visit and discussions, was a major contributing factor to the effectiveness of the mission.

The team also wishes to thank warmly Mr Roberto MASSUCCI, without whom the visit would not have been possible and whose work is essential for the fight against violence in sport, as well as everyone involved in the organisation of the visit and the evaluation work.

Appendix 3 - Programme of the visit

**COE CONSULTATIVE VISIT
PROGRAMME
DRAFT AGENDA, OCTOBER 1ST 2007**

Friday, 5th October 2007 – Rome - Florence	
h. 9:00 a.m. Sala Azzurra	Preliminary Meeting of the Expert Team
h. 9:30 Sala Azzurra	Meeting with: <ul style="list-style-type: none"> • Mr. Felice Ferlizzi - President of the National Monitoring Centre on Sports Events • Mr. Raffaele Aiello - Public Order and Security Representative • Mr. Roberto Marino – Sports Representative at the political–institutional level
h. 10:30 CONI	Meeting with Mr. Giovanni Petrucci – C.O.N.I. President
h. 11:00 Federcalcio Via G. Allegri	Meeting with Sports Bodies <ul style="list-style-type: none"> • Mr. Giancarlo Abete - FIGC President • Representatives of the teams Fiorentina, Lazio and Roma • Supporters' Club Representatives
h. 01:00 p.m. Ministry of Youth and Sports L.go Ghigi	Meeting between the COE Delegation and Undersecretary Lolli and Mr. Marino, from the Ministry of Youth and Sports
h. 03:30 p.m.	Visit of the “Artemio Franchi” Stadium in Florence
h. 05:00 p.m.	Meeting with representatives of local government authorities (Region and Municipality)
h. 06.00 p.m.	<i>City tour</i>
h. 8:00 p.m.	Dinner and transfer to Rome
Saturday, 6th October 2007 - Rome	
h. 09:00 a.m. Sala Azzurra	Evaluation Meeting of the of the Expert Team members
h.11:00 a.m.	Visit of the Olimpico Stadium
h. 1:00 p.m.	Lunch at the Police Institute for Advanced Studies
Afternoon	Visit of the Frosinone stadium

Evening	Free evening
Sunday, 7th October 2007 – Rome	
Morning	Free morning
h. 3:00 p.m.	Departure from the hotel to the Olimpico Stadium
h. 03:30 p.m.	Meeting with representatives of the Security Operational Group and Police Officers of the Supporters Unit at the Olimpico Stadium.
h. 08:30 p.m.	Football Match “Lazio – Milan” at the Olimpico Stadium

- **8/9 October International “Colosseum Seminar”**

Appendix 4 - Composition of the Evaluation Team

Mr Radim BURES (Czech Republic), Chair of the Standing Committee; Deputy Director, Department of Crime Prevention, Ministry of the Interior, Prague

Mr John DE QUIDT (United Kingdom), Chief Executive of the Football Licensing Authority, London

Mr. Jo VANHECKE (Belgium), Head of the Football Unit, Ministry of Interior

Mrs Marie-Françoise GLATZ, Principal Administrative Assistant, Sport Department, Council of Europe

C. Comments from Italy

We have no comments concerning the final version of T-RV consultative report on Italy.

We greatly appreciated the professionalism of the evaluation team during the visit and we thank them for the expressions of satisfaction that were used.

The document will be carefully assessed and it offers ways to improve our safety and security system in the specific field.