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

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Italian Self-Assessment Report

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Introduction

In Italy sport has been characterised in the last few years by a significant development due to an increased attention towards its beneficial effects.

Any sport, among the traditional ones, is attractive for and considerably supported by young people. This creates a widespread interest also among the people who, at all ages, enthusiastically approach the sports world.

As said above, the interest for sports is widespread. Among them of great importance is football, a real national sport.

Football is a separate phenomenon which catalyses the interest of most sportsmen/sportswomen. It directly reflects the social or territorial environment (Province, Region) of the person concerned and is linked to other components (newspapers, television, radio, advertising, social initiatives) thanks to which it becomes an alluring event not only during the sporting competition but also before and after it.

Today, in consideration of this situation, the problems relating to the carrying out of football matches, and in particular those concerning public order and security, draw the attention of the highest governmental bodies. Recently they have issued specific laws as to the security of sporting events. Such laws will be enforced in a near future by means of additional rules in this sector.

Chapter 1

1.1 Football evolution in Italy

Organised societies have considered since prehistory and still consider sport an important moment of social life. However, football riots as well as violent supporters existed also in the past.

A painting found in Pompei portrays a violent fight which broke out in 59 a. d. between the host Pompei team supporters and the Nocera away team supporters during a gladiators' match in the amphitheatre of the town which was later buried by the Vesuvio eruption.

In the Roman empire the cart races also unleashed rivalries among the antagonists. The driver teams (*factiones*) had impassioned supporters, including the Emperor and the last slave. Each *factio* had its violent supporters: young boys who cut hair in a special manner and dressed in a way to distinguish themselves by wearing the colours of their team. Games often caused turmoil; these boys terrorised their fellow-citizens with continuous acts of vandalism.

Centuries passed but numerous were still the acts of violence linked to sporting events where even famous people were involved. For example, in 1606 in Rome the well-known painter Michelangelo Merisi da Caravaggio took part in a sports fight.

Today such violent phenomena, especially as to football, have increased due to the enormous attention drawn both under the sports and the economic point of view. The interest aroused in Italy by this discipline, which is considered the national sport, prompted Police Forces to search and draw up new intervention strategies.

Nowadays, in fact, in the sports world an exasperated search for success has “triggered off” and this leads to a weekly enormous transfer of supporters characterised by a strong emotional charge. They are often involved in acts of violence throughout the national territory both during the transfer and at the stadium hosting the relevant competitions.

1.2 Organisation of the Football National Championship

The Football National Championship is organised by the **Italian Football League** consisting of National Leagues which deal with the various League competitions according to the following modalities:

- *National Professional League for 1st and 2nd Division championship;*
- *3rd League National Professional League for 3rd Division championship;*
- *National Amateur League for 4th Division championship.*

In particular, in any “standard” day of said championships a total amount of 145 competitions are held with an average total amount of about 440,000 spectators who are subdivided as follows:

<i>Competition*</i>	Average amount of spectators per competition	Average amount of spectators per day	Used sports premises
<i>1st Division Championship 2001-2002</i>	25,400	228,600	14
<i>2nd Division Championship 2001-2002</i>	7700	77,000	19
<i>3rd Division Championship 2001-2002</i>	2044	92,000	80
<i>4th Division Championship 2001-2002</i>	494	40,000	108

* Note: this data refers to the first 20 days of the ongoing championship.

In addition to the Sunday football matches there are Regional and Interregional championships played in the thousand grounds of even very small towns and city areas.

1.3 Co-ordination measures for the prevention of violent phenomena

In the Italian system public order falls within the competence of the **Minister of the Interior**, National Authority of Public Security.

This relates also to public order and security measures concerning football whose burdens, including the economic ones, are borne by the Government.

In order to implement his/her guidelines in the field of public order and security the Minister of the Interior avails himself/herself of the Public Security Department which deals with the following:

- 1) implementation of public order and security policy;
- 2) technical-operational co-ordination of police forces;
- 3) direction and management of the State police;
- 4) direction and management of technical services, also in relation to the Ministry of the Interior general needs.

The above-mentioned Department is headed by the **Chief of Police**, Director General of Public Security.

The guidelines of the Chief of Police in the field of public order and security are implemented by the Public Security Provincial Authorities, i.e. the Prefect and the Questore.

At local level (the jurisdiction corresponds to the territorial area of the province) responsible for co-ordination are the Prefect - Public Security Provincial Authority with political guidance functions - and the Questore, Public Security Provincial Authority with technical-operational functions.

The Prefect, when exercising his/her co-ordination duties with political guidance functions, chairs the Public Order and Security Provincial Committee. The latter is an advisory body consisting of the police force senior officers at provincial level (first of all the Questore – Head of the State Police provincial body – and the provincial Commanders of the Carabinieri Corps – a military

police body – as well as of the Guardia di Finanza – a military police body with special functions for the prevention and suppression of tax offences) and representatives of administrations, bodies and structures, also private ones (such as, for example, football clubs), that may be involved in the event management.

The Questore, responsible for co-ordination at operational level, performs his/her duties by issuing an ad hoc “order” as to public order and security which contains specific instructions for police forces and identifies their duties and responsibilities. As already said, the Questore, head of the State Police territorial structure, is hierarchically in charge of the State Police officers and functionally of the other police force members, mainly the Carabinieri Corps and the Guardia di Finanza, that contribute to the carrying out of public order services (the Guardia di Finanza only in a marginal way).

Moreover, as regards the specific problems concerning sport, within the Public Security Department the **National Monitoring Centre on Sporting Events** was set up. It is headed by the Director of the Public Order Office, with the participation of the football Leagues of the various national divisions (1st, 2nd, 3rd1, 3rd2), of the football League supervisory bodies (Investigative Office), of the representatives of the Railway and Motorway Administrations as well as of the heads of the offices of the Public Security Department.

In particular, the Monitoring Centre performs the following functions:

- monitoring of violence and intolerance phenomena occurring during sporting events and promotion of researches on their development both in Italy and abroad;
- fostering of co-ordinated initiatives for public safety and the prevention of violence and intolerance phenomena during sporting events, promotion and co-ordination of initiatives of prevention and education in sports discipline, through the participation in sports activities, as well as in deviance and alcohol and drug addiction, also in collaboration with associations, local, state and non state bodies;
- providing advice to sport associations on projects which they wish to implement in order to co-ordinate the associations of their supporters,
- drawing up of an annual report on violence and intolerance phenomena trends on the occasion of sporting events.

This system favours a synergism among all people who have to manage, with different functions, all situations related to the carrying out of a football match.

At local level the co-ordination measures refer to two different levels. The political guidance level which depends on the Prefect and the operational level which depends on the Questore.

At operational level and in compliance with the ministerial guidelines and the co-ordination action by the Prefect, the law gives the Questore the authority to issue an order in the sector of public order and security containing detailed guidelines. In more complex cases the Questore convenes a **panel** consisting of all officers in charge of the forces on the field, including municipal Authorities and the representatives of the football associations, in order to make the co-ordination action more effective.

1.4 Measures for public order and security protection

In the sector of sporting events management the prevention activity is seen as particularly important. The aim is to favour the regular carrying out of sporting events by adopting measures which take into account both the public order and security needs and the interest to safeguard the cities liveability and the different activities of the citizens who are not interested in football.

In order to achieve these objectives the following measures are taken.

1.4.1 Information activity

The collection of detailed information on supporters transfers on the national territory plays an important role in the prevention strategy. To this end, the Chief of the State Police ordered the setting up of specialised units named “*supporters’ units*” working within local offices (Questure). They are entrusted with a specific competence and are a reference point at provincial level not only under an internal organisation point of view, but also for the supporters who want to resort to public security authorities in order to start and have a fruitful dialogue and lay therefore the foundations of problems solution.

It is obvious that such a dialogue can be started with peaceful supporters and not with possible troublemakers. Thus there is a need to operate at two different levels, both to offer a reference point to the supporters who want to disassociate themselves from troublemakers and to detect the more dangerous troublemakers.

In the first instance the approach - having specific preventive aims - involves the employment of police officers who are open to dialogue and competent in the sport sector in order to make them accepted by supporters as privileged interlocutors, without affecting the authority of their position.

During the information activity the Supporters’ Units collect all information on the transfer by trains (number of supporters, possible violent intentions, train time, information on departure and arrival stations), by coaches (coaches place of departure, routes and tollgates involved, information on possible violent intentions), by planes (used especially for matches at international level) and by own transport means.

In addition, they report the time and transfer modalities of the teams and three referees and any high level representatives of national and international football leagues.

All this information is transferred in real time to all competent Questure in order to take measures in the different places where supporters are expected.

Due to the widespread use of “on line” communications, at preventive level, there is an awareness of the need to collect information also through the monitoring and access to Internet sites which are usually used by supporters. This activity is carried out by local offices and the specific specialised units of the Telecommunications Police.

1.4.2 Services for the transfer of guest supporters

A) by train

As to the transfer of away team supporters the most complex aspect is certainly the **transfer of supporters by trains**.

The approach of the Department of Public Security is to “normalise” the use of trains by supporters seen as normal train users who have the same rights and obligations of a normal passenger. Therefore the right to use common carriages upon payment of the ticket (there are not special trains) is fully recognised.

In order to attain these ends a particularly rigorous choice was made, i.e. the preventive control of supporters, especially if during the information activity new evaluation elements have been acquired according to which a specific away match is considered as particularly at risk.

a) services at the departure station

Accurate screening services are organised at the **departure station** where the local Questore orders controls in order to verify the following aspects:

- **train ticket possession**, without ticket is not possible to board the train,
- **match ticket possession**: the supporter is informed that at his arrival to the destination place he will be prohibited to enter the stadium sector marked by crush barriers. The access to this area will be allowed only to supporters holding the ticket for the match,
- **possession of blunt instruments, clubs, etc.:** before boarding the train the supporter undergoes an accurate control aimed at the search for any instrument which can be used in violent acts,
- **violent supporters presence**: also in this first stage specialised officers equipped with photos of violent supporters watch the situation in order to verify the possible presence of known violent supporters. They are more strictly controlled during the whole sporting event and, where necessary, surveillance services are also carried out.

b) services at the arrival station

Similar security controls are carried out at the **arrival stations**. The following additional measures are also adopted:

screening: the control activity aimed at the detection of a possible possession of offensive articles or banners or racist or antisemitic placards is repeated and carried out more accurately. After the security control supporters are asked to show the ticket for the match and equip themselves with a transport means ticket. Those who are not in possession of both tickets can buy them through their respective associations which have been previously informed in order to send their agents on the spot.

c) transfer to the stadium

The transfer to the stadium of controlled supporters follows predefined routes which are previously cleared and controlled. When guest supporters reach the stadium they are brought to the sector reserved to them where they are not further controlled. In this way it is possible to carry out a very accurate control on them in a place that is far from the sport ground, without any hindrances by the stadium environmental conditions.

B) by coaches

Also in case of supporters' transfers by coaches rented from private companies the local Questore orders to carry out control services in all places where supporters are present.

a) services at the meeting-places

Surveillance measures are carried out at supporters' meeting-places; from these places coaches are escorted by police patrols to the tollgate and then accompanied to the destination province.

In this stage in order to isolate the trouble-makers a screening of coaches is carried out. The supporters of clubs considered not at risk depart without escort, after asking the name and telephone number of the group leader or driver.

The supporters considered as violent are instead controlled accurately and escorted to the destination province. Along the route the supporters can stop at the service areas previously defined which are guarded by the police.

b) screening at the arrival place and transport to the stadium

At the arrival at the tollgate of the destination town or city supporters are accompanied to a parking area previously defined where they are screened and controlled according to the modalities described for the arrival by train. After said control they are escorted to the guests sector of the stadium where, subject to different evaluations imposed by contingency needs, they are directed to the area reserved for them (without any further control).

c) services during the return journey

Escorting services are carried out also during the return journey. As to the stopover on the motorway, also for the return journey some service areas are previously detected where supporters are asked to stop under the surveillance of the police forces in order to avoid cases of shoplifting or damage.

It is clear that the extent of the controlling activity described above is proportional to the level of risk attributed to the supporters in the course of the information analysis.

1.4.3 Public order and security at sports premises

In order to optimise public order and security services on the occasion of public demonstrations, including therefore also football matches, the place designated for the event is subdivided into three areas. This allows the carrying out of frequent and increasingly intensive controls until the real screening operations in the area directly interested by the taking place of the sports event.

These areas have the functions described below:

- 1) **pre-screening area:** the first security controls are carried out along the limits of this area by means of surveillance services and targeted monitoring of the vehicles in order to identify possible troublemakers. In this phase more careful controls can be implemented in case participants have to be escorted directly within the high security area. It is the case when supporters travelling on roads or railways are controlled at the arrival places and directly led to the sector assigned to them in order to carry out a screening without any hindrance by the stadium environmental conditions.
- 2) **Restricted area attached to the sports premise (screening):** only the persons participating in the event – in this case tickets' holders – as well as any person entitled, such as residents, traders, etc., can access this area. It is limited by a special crush barrier system having entry points where a pre-screening is carried out.

3) High security area (sports premise): this is the area directly interested by the taking place of the event and where entry is allowed only after showing the ticket and undergoing careful security controls (also by means of a metal detector when some VIPs at risk are present).

It should also be said that, for public order purposes, by sports premise all places of the stadium or adjacent to the same attended by the supporters on the day of the match are meant.

The envisaged services are therefore both “wide range services” for the monitoring of the routes leading to the stadium and those conducted at the entrance and inside the stadium.

As to the services in the area attached to the sports premise that, as already said, is limited by a crush barrier system and can be accessed only by tickets’ holders, the operational module of the employment of big units trained for public order interventions is applied.

At the entrance of the stadium, at the borders of the high security area, screening and controlling services are conducted in order to identify persons who are subject to a Questore’s order prohibiting them from entering the stadium as well as to detect and seize articles intended to be used for causing personal injury or banners inciting racial hatred or anti-semitism.

The match is then filmed in all its phases also for the purpose of identifying the authors of any violent action.

In the city area far from the stadium but affected by the presence of supporters patrolling services are carried out - if necessary also in the days before the match - by means of smaller operational units having the only task of observing and reporting situations that are relevant from the point of view of public order. Any intervention is always conducted by employing suitably trained Mobile Units teams.

Chapter 2

2.1 Relationship between institutions and sport

As already mentioned, the Public Security Authority's activity aimed at implementing public order and security protection strategies in the field of the football events is characterized by a trend towards operational synergies that involve all interested parties- at all levels- in the organization and management of the event. Awareness increased concerning the relationship between sports world and security services. They are not isolated or opposed entities but, on the contrary, they conduct in their respective fields an activity aimed at a common goal, that is to ensure and foster the conditions for a peaceful carrying out of the sporting activity, thus promoting the sport educational aims.

Consequently, the relationships between Public Security Administrations and Sports Authorities are increasingly enhancing both at central level through the specific activity of the Monitoring Centre - established at the Public Security Department - and at local level through the participation of the sports associations authorities in Public Security and Order Provincial Committees meetings. Such committees that are convened before the football matches.

The results of this cooperation strategy are highly positive: each sector avails of the contribution of the other achieving an increasingly effective coordination towards common objectives, at the same time respecting the peculiarities of the specific competence.

The "security reference point" has now become established urged by the Public Security Department that is aware of the opportunity to identify Police Forces interlocutors within the professional football associations in order to solve, also immediately, problems requiring the sports associations' collaboration.

In the field of the constant and global cooperation activity between the national sports bodies and institutions mention should be made of the Italian Football League Sporting Regulations (FIGC). They include the sports system internal rules, in the context of principles of economic and regulatory autonomy recognized by the sports system. Some of these rules introduce the institute of the associations' objective liability. According to this approach the sports associations are objectively liable, as to the disciplinary effects, for the facts carried out by their own managers, members, football players as well as by their supporters or stewards. **In this way the associations' involvement for facts that can not be directly ascribed to them is aimed at ensuring both the observance of the sporting system rules as well as the associations' commitment to act in order to prevent those events which can cause – sometimes in a critical way - a breach of peace.**

As to the entry to the sports premises on the occasion of football matches, it was agreed within the Monitoring Centre that the football associations members of the 1st, 2nd and 3rd divisions of the Professional National League (as to the 3rd division only the matches deemed to be "at risk") are prohibited from selling tickets for the sectors reserved for guest supporters in the same days of the competitions. Therefore, tickets can be bought in presale until the day before the match. This, in order to avoid that a multitude of supporters without ticket could reach the stadium - already at its full capacity- and try to enter by pressing against the entrances, thus causing possible disturbance of the public order and security.

Chapter 3

3.1 Relevant legislative measures – Outline

A) Act no. 401 of December 13, 1989 containing “Interventions in the sector of gambling and illegal betting and protection of fairness in the carrying out of sports competitions” as amended by Act no.377 of October 19, 2001.

Said rules were recently amended by effective instruments which increased the deterrence characteristics.

The new rules (Act no.377 of October 19, 2001) - described in detail and compared with the previous regime in the summary tables attached with this document (annex 1) - guaranteed a positive change in the trend of violence within the stadia. In fact, a comparison made between the first 20 days of the current football season and the first 20 days of the previous championship reveals the following results:

- decrease by **13%** of incidents with wounded (from 115 to 100 cases) - **see chart 1**;
- decrease by **15%** of incidents with damages (from 60 to 51 cases) - **see chart 2**;
- decrease by **74%** of incidents with the use of tear gas (from 42 to 11 cases);
- decrease by **61%** of Police Forces wounded officers (from 497 to 194) – **see chart 3**
- decrease by **23%** of wounded supporters (from 150 to 116) – **see chart 4**;
- increase by **50%** of the arrests (from 82 to 123) – **see chart 5**;
- decrease by **8%** of persons reported but not arrested (from 446 to 484) – **see chart 6**;
- increase by **156%** of the orders prohibiting a person from entering sports premises (from 515 to 1317) – **see chart 7**.

B) Decree Law no. 717 of December 22, 1994, turned into law, with amendments, by Act no.45 of February 24, 1995 containing “Urgent measures to prevent violence phenomena on the occasion of sport competitions”.

These rules introduce a further provision concerning the **relationship between sports associations and organized and non organized supporters**.

In order to prevent clubs from giving financial or indirect support to organised groups of supporters that are often characterised by violent phenomena, the rules forbid sport clubs to give any direct or indirect aid (subsidies, distribution of tickets or travel documents free of charges or at reduced prices, etc.) both to the persons who are prohibited to enter the premises where sporting events take place (DASPO), and the organisations having among its members even only one notified person. The prohibition is in force for the two years following the adoption of the preventive-control measures. The violation of the prohibition constitutes an administrative offence punishable with a pecuniary administrative sanction, of considerable value, equivalent to an amount between 10 and 50% of the receipts for one or more successive competitions (up to a maximum of 4).

C) Decree Law No 122 of 26 April 1993, turned into law, through modifications, by law No 205 of 25 June 1993, laying down “Urgent measures concerning racial, ethnic and religious discrimination”.

The above provision envisages the possible participation of racist organised groups in sports events. It also introduces two new crime hypothesis: the first one, prosecutes the behaviour of *any person who in public events, shows external manifestations or emblems or symbols of racist nature, or*

based on ethnic, national or religious hatred whereas the second one, of contravention nature, consists in the *prohibition of access to sports premises for those persons who carry the aforesaid emblems or symbols*, and its violation is punishable by imprisonment for a term of three months up to one year.

The aforesaid prohibition can be applied for a term of five years and extended to gathering places concerning sporting events.

Chapter 4

4.1 International Co-operation

On the occasion of football matches involving foreign teams the exchange of information is regarded as one of the most important elements.

To this end, as pointed out before, at the Public Order Office - established within the Public Security Department - there is a Police Senior Officer who is the “**national contact point for public order matters**” and is responsible for maintaining the relations with the homologous reference points in the European countries.

Within the above specific activity, also taking into account the positive experience gained during the last football European Championship it is necessary to further develop the concept of “National Contact Point” by envisaging, in line with the EU guidelines, the setting up of a **National Information Centre on Football**. The latter will have the task of handling -in a prompt and optimised way - the exchange of information based on standard patterns in order to facilitate a common language, concerning both scheduled international competitions and the trend of violent phenomena in the country of origin.

The **National Information Centre on Football** is at present being set up within the Public Order Office (see page 22), the Director of which is also the Chairman of the National Monitoring Centre on Sporting Events.

Chapter 5

5.1 Security in sports premises

Within a modern sports competition management concept, one of the most important aspects is certainly linked with the **characteristics of the sports premises** - envisaged in detail by the Ministerial Decree of 18 March 1996 - which are defined, in its broad meaning, as a meeting place for local public as well as spectators coming from other provinces by train, bus, public transport, private means or on foot. When evaluating the sports premises it is therefore important to take into account the distance from the train station, the modalities of transfer of supporters from the train station to the stadium, the availability of parking places for busses and cars, the pedestrian paths and the specific characteristics of the sports premises.

In particular, from the security point of view the above-mentioned rules envisage, inter alia, that during football matches a closed-circuit TV system shall be operative at the sports premises, thus allowing to monitor -from an ad hoc room manned with security staff - the spectators' area and the service area adjacent to the stadium and the relevant entrances as well to record the relevant images.

The video equipment must enable the identification of each spectator also during night matches.

In this connection, a control of all the sports premises has been carried out with the following results:

- there are 33 sports premises with a capacity of over 20.000 spectators, where most crowded football matches take place and where the video-surveillance with a CCTV system is compulsory, according to s. 18 of the M.D. of 18 March 1996.

During a technical inspection of the operation of the control systems carried out together with representatives of the Football Leagues, the following data have emerged:

- 22 of the 33 sports premises with a capacity over 20.000 spectators are equipped with videosurveillance systems according to the regulation in force;
- in the remaining 11 sports grounds, which are mostly located in the centre-south of the country, some restructuring is being carried out in order to adjust said premises to the provisions laid down in s. 18 of the MD of 18 march 1996 and improve the security aspects as well as the video surveillance systems, thus facilitating the identification of those responsible for disorders, violent conduct or acts of intolerance;
- video surveillance systems are installed also in 5 sports premises in the North of Italy, having a capacity between 10.000 and 19.900 spectators.
- if the obligation to install video surveillance systems was extended, as desirable, to all sports premises with a capacity over 10.000 spectators, only 16 stadia would require a specific adaptation.

PREVIOUS LEGISLATION	ACT NO. 377 OF 19 OCTOBER 2001	WHAT HAS CHANGED
<p data-bbox="188 228 600 255">Act no. 401 of 13 December 1989</p> <p data-bbox="338 296 450 323">(.....)</p> <p data-bbox="338 365 450 392">Section 6</p> <p data-bbox="85 400 656 427">(as amended by Act no. 45 of 24 February 1995)</p> <p data-bbox="85 432 689 491">Prohibition to enter premises where sporting events take place</p> <p data-bbox="85 533 698 1002">1. In respect of people reported to the police for or convicted of the offences envisaged by S. 4, Subsections 1 and 2, of Act no. 110 of 18 April 1975, or for having actively participated in violent behaviours during or because of sporting competitions, or who, under the same circumstances, stirred up, extolled or induced to violence, the Questore may prohibit them from entering premises where specifically indicated sporting competitions are due to take place, as well as specifically indicated premises or places relating to stops, transit or transport of people participating in or attending the same sporting competitions.</p>	<p data-bbox="976 228 1088 255">Section 1</p> <p data-bbox="723 261 1283 320">(Amendments to Act no. 401 of 13 December 1989 and subsequent amendments)</p> <p data-bbox="723 362 1294 421">Act no. 401 of 13 December 1989 is amended as follows:</p> <p data-bbox="723 462 1305 521">a) Subsections 1 and 2 of S. 6 are substituted by the following Subsections:</p> <p data-bbox="723 563 1346 1032">“1. In respect of people reported to the police for or convicted – also with non-final judgement during the previous five years – of one of the offences under Section 4, Subsections 1 and 2, of Act no. 110 of 18 April 1975, <u>Section 5 of Act no. 152 of 22 May 1975, Section 2, Subsection 2, of the decree-law no. 122 of 26 April 1993 as amended and turned into law by Act no. 205 of 25 June 1993, and Section 6-bis, Subsections 1 and 2, of this Act</u>, or for having actively participated in violent behaviours against people or property during or because of sporting events, or who, under the same circumstances, stirred up, extolled or induced to violence, the Questore may</p>	<p data-bbox="1361 600 1989 831">Subsection 1 integrates the text previously in force, widening the scope of the prohibition to enter premises where specifically indicated <u>sporting events are due to take place</u> as well as specifically indicated premises or places relating to stops, transit or transport of people participating in or attending the same events.</p>

PREVIOUS LEGISLATION	ACT NO. 377 OF 19 OCTOBER 2001	WHAT HAS CHANGED
<p data-bbox="76 226 504 258">Act no. 401 of 13 December 1989</p> <p data-bbox="76 598 712 829">2. The Questore may require the persons subject to the prohibition provided for by Subsection 1 to report at the police office or command for the area in which the person resides or at another specifically indicated, at a time within the period when the sporting competitions are taking place which the prohibition under Subsection 1 relates to.</p>	<p data-bbox="721 226 1352 258">Amendments to Act no. 401 of 13 December 1989</p> <p data-bbox="721 295 1352 459">prohibit them from entering premises where specifically indicated sporting events are due to take place, as well as specifically indicated premises or places relating to stops, transit or transport of people participating in or attending the same events.</p> <p data-bbox="721 566 1352 901">2. The Questore may require the persons subject to the prohibition provided for by Subsection 1, taking into account the working activity of the persons in question, to report <u>one or more times during the specified period</u>, at the police office or command for the area in which the person resides or at another specifically indicated, in the course of the day in which the sporting events take place which the prohibition under Subsection 1 relates to.</p> <p data-bbox="981 938 1093 970">(.....)</p>	<p data-bbox="1361 534 1982 766">The new wording of Subsection 2 expressly enables the Questore to require the person subject to the prohibition to enter premises where sporting events take place to report one or more times during the day in which the event takes place and not only during the period of time when the event is taking place.</p>

PREVIOUS LEGISLATION	ACT NO. 377 OF 19 OCTOBER 2001	WHAT HAS CHANGED
<i>Act no. 401 of 13 December 1989</i>	Amendments to Act no. 401 of 13 December 1989	
<p>(.....)</p> <p>5. The prohibition under Subsection 1 and the additional requirement under Subsection 2 shall not have effect for a period longer than one year and they shall be terminated or varied when the conditions that justified them change, or when a closing order is issued or rehabilitation is granted.</p> <p>(.....)</p>	<p>c) <u>Subsections 3, 5, 6 and 7 of Section 6 are substituted by the following:</u></p> <p>(.....)</p> <p>5. The prohibition under Subsection 1 and the additional requirement under Subsection 2 shall not have effect for a period longer than <u>three years</u> and shall be terminated or varied when, <u>also because of measures taken by the judicial authority</u>, the conditions that justified them no longer exist or change.</p> <p>(.....)</p> <p>d) <u>after Section 6 the following is added:</u> <u>“ Section 6-bis (Throwing dangerous objects, climbing over and pitch invasion during sporting competitions).</u></p> <p>1. <u>Unless the act is a more serious offence, whoever throws blunt instruments or other objects, including firework devices, so as to endanger people’s safety, in premises where sporting events take place or in premises or places relating to stops, transit or transport of people participating in or attending said events, is punished with imprisonment from six months to three years.</u></p>	<p>The new wording of Subsection 5 enables the Questore to decide, for a period up to three years, the entering prohibition and, if necessary, the additional requirement to report one or more times at the police office during the day in which the sporting event takes place. The prolongation of the maximum duration of the prohibition – three years instead of the previous term of one year – allows the best grading of the Questore’s requirement, also considering the seriousness of the offences to which the prohibition relates.</p> <p>The new Section 6bis introduces new crime hypotheses for the most recurring dangerous behaviours during sporting events. These behaviours often bring about serious violent facts and disturbances to public order and security. Subsection 1 envisages imprisonment from six months to three years for those who throw blunt instruments or other objects, including firework devices, so as to endanger people’s safety:</p> <ol style="list-style-type: none"> 1) in premises where sporting events take place; 2) in premises or places relating to stops, transit or transport of people participating in or attending said events.

2. Unless the act is a more serious offence, whoever, in premises where **sporting events** take place, unlawfully climbs over a fence or barrier in the plant or, during the **events**, (...~~deleted~~...) goes onto the playing area is punished, **if this concretely endangers people's safety**, with arrest up to six months or a fine from three hundred thousand liras to two million liras."

(.....)

Subsection 2 introduces imprisonment up to 6 months or a fine from three thousand liras to two million liras to punish those who:

- 1) in premises where sporting events take place, unlawfully climb over a fence or barrier in the plant;
- 2) **during the events, go onto the playing area, if this concretely endangers people's safety.**

In that case, too, the amendments made apply the same crime hypotheses also in relation to non-competitive events, such as friendly matches.

PREVIOUS LEGISLATION	ACT NO. 377 OF 19 OCTOBER 2001	WHAT HAS CHANGED
Act no. 401 of 13 December 1989	Amendments to Act no. 401 of 13 December 1989	
	<p>f) after Subsection 1 of Section 8 the following is added: <u>“1bis. In case of offences committed with violence against people or property during or because of sporting events, except when Section 380 and Section 381 of the Criminal Procedure Code apply, and for those envisaged by Section 6bis of this Act Section 381 and Section 384 of the Criminal Procedure Code shall apply.</u> 1-ter. The provisions under Subsection 1-bis shall apply also for those who do not respect the prohibition and the requirement provided for by Section 6, Subsection 1 (...deleted...)</p> <p>g) after Section 8 the following is added: (.....) Section 8-ter (Supporters’ Journeys). – The provisions of this Act shall apply also to acts committed during or because of sporting events while on a journey to or from the premises where said events take place”. (.....)</p>	<p>The new Act gives the possibility to delay the law enforcement action, except when it is mandatory to make a arrest (Section 380 of the C.P.C.) or when the arrest is optional—discretionary (Section 381 of the C.P.C.) in flagrante delicto, or in case of police detention of suspects (Section 384 of the C.P.C.), also applicable to those who do not respect the prohibition from entering premises where sporting events take place (the arrest can be made even if the person is not caught in flagrante delicto but he/she is likely to flee). The possibility to make a discretionary arrest (S. 381 of the C.P.C.) in flagrante delicto or of police detention of suspects (S. 384 of the C.P.C.) is applicable in relation to those who do not respect the prohibition to enter premises where sporting events take place but not in relation to those who fail to comply with the duty to report at a police station.</p> <p>S. 8-ter widens the scope of the Act extending its application also to “acts committed during or because of sporting events while on a journey to or from the premises where said events take place”. This provision takes into account the need to protect community services, often subject to acts of vandalism, particularly when supporters travel by train or urban means of transport.</p>