

# Premier League Commitment Regarding Discriminatory and Abusive Conduct



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## A. Introduction

1. The Premier League and its Clubs condemn discriminatory and abusive conduct in all forms. It has no place within Clubs' stadia, nor within other interactions and communications between members of the public and Clubs and their staff, whether in person, online (via social media) or otherwise.
2. The Premier League and its Clubs are committed to ensuring that any individual found to have engaged in discriminatory or abusive conduct is not only prevented from attending League Matches at the Stadium of the Club that they support, but all League Matches.
3. This Commitment confirms this by:
  - 3.1 Setting out minimum standards for the process by which allegations of discriminatory or abusive conduct by supporters should be determined
  - 3.2 Setting out minimum sanctions to be imposed where such allegations are proven
  - 3.3 Establishing a system to ensure mutual enforcement of such sanctions through the effective sharing of information between Clubs, to ensure their application to all League Matches

## B. Conduct prohibited by this Commitment

4. The Premier League and its Clubs consider that the following behaviour should be captured by this Commitment and, if progressed by a Club and proven, should prevent the individual engaging in such behaviour from attending League Matches:
  - 4.1 Any conduct, act or statement, whether express or implied, that is discriminatory by means of race, religion or belief, gender, sexual orientation, disability, colour or national or ethnic origin,

where such conduct is directed towards any Club, Club employee (including consultants, contractors and temporary match-day staff, such as stewards), player, match official or other individual attending a League Match (**'Prohibited Activity'**).

5. The behaviour referred to in paragraph 4, above, will constitute Prohibited Activity whether the individual engaging in it does so within a Stadium or otherwise in-person before the individual subjected to it or remotely, via any electronic communication, social media or otherwise.

## C. Agreed process

6. The Premier League and its Clubs agree that allegations of Prohibited Activity should, in all cases, be determined by a process using the following minimum procedural steps as a framework:
  - 6.1 The Home Club and Away Club should carry out a thorough investigation to identify the individual suspected of engaging in the Prohibited Activity (the **'Respondent'**) in the Stadium and work closely with club safety officers/stewards,

the police and any other relevant party. In respect of the identification of a Respondent suspected of engaging in Prohibited Activity remotely, the Clubs should follow the Premier League's Online Abuse Protocol. Following identification, the Home Club and Away Club will agree who will be responsible for implementing the steps set out in paragraphs 6.2 – 6.7

- 6.2 If an allegation of Prohibited Activity has been identified, the Club should present the allegation to the Respondent in writing, together with:
  - 6.2.1 all evidence in the Club's possession that supports the allegation (the 'Charge')
  - 6.2.2 an explanation of the process by which the allegation will be determined and the sanctions that will apply in the event that it is proven
  - 6.2.3 the details of the employee of the Club (or panel if applicable) who will be responsible for determining the Charge
- 6.3 The Respondent should be given a right to reply to the Charge in writing within at least seven days. If no response is received within the prescribed time period, the Club may deem the Charge to be proven
- 6.4 If the Respondent denies the Charge, it should be considered by the Club employee (or Panel if applicable) referred to in paragraph 6.2.3 on the papers, without a hearing (unless reasonable reasons for a hearing in person are provided), who must confirm his decision in writing to the Respondent within at least seven days of receipt of his response
- 6.5 Where the Club determines the Charge to be proven it will impose, as a minimum, the sanctions set out in Section D. Upon receipt of the notification of the sanction, the Respondent will have the right to appeal that determination within at least seven days. Where that right of appeal is exercised, the appeal will be held in a format to be determined by the Club and will be decided within at least 14 days by a more senior member of staff (or panel if applicable) than the individual or panel who considered the case at first instance
- 6.6 Following the conclusion of the process, the Club will notify the Premier League of the outcome. The Premier League will then circulate the following details of the Respondent (if available) to the Clubs in the League for enforcement in all Stadiums:
  - 6.6.1 name;
  - 6.6.2 date of birth;
  - 6.6.3 contact details; and
  - 6.6.4 photograph.
- 6.7 Should a Respondent fail to adhere to the terms of the sanction then the Club employee or panel who considered the matter in point 6.4 or, in the event of an appeal, point 6.5, will determine whether the sanction should be extended

## D. Sanctions

7. The Premier League and its Clubs agree that where a Club determines that an individual has engaged in Prohibited Activity (following the process described in Section C), the following minimum sanctions should apply:

Prohibited Activity	Minimum sanction
Conduct, act or statement that is discriminatory by means of race, religion, gender, sexuality, colour or national or ethnic origin	<p><b>First offence</b> – three-year ban from attending League Matches</p> <p><b>Second offence</b> – permanent ban from attending League Matches (subject to right to have such permanent ban reviewed by the Club after five years)</p>

8. The sanctions listed above are the minimum sanctions to be imposed where no mitigating or aggravating factors are present. The Club may consider the imposition of education measures (to be applied concurrently or to mitigate any sanction imposed) that have to be undertaken before the individual can return to a Stadium.
9. A more significant sanction may be imposed where the following aggravating factors in the non-exhaustive list below are established:
  - 9.1 the Prohibited Activity was sustained (as opposed to a single act)
  - 9.2 the Prohibited Activity was of a public nature (e.g. the Prohibited Activity was broadcast and/or distributed by broadcast media or social media platforms)
  - 9.3 the Prohibited Activity by the Respondent encouraged and/or incited others to engage in or support the Prohibited Activity
  - 9.4 the Prohibited Activity required intervention from the Club safety officers/stewards and/or the match official(s)
  - 9.5 the Prohibited Activity resulted in a delay and/or suspension and/or abandonment of the League Match
  - 9.6 the Respondent attempted to conceal or concealed the Prohibited Activity and/or failed to cooperate with the investigation by the Club

## E. Other Considerations

10. The Premier League and its Clubs further agree the following:
  - 10.1 The sanctions are distinct from and in addition to any sanctions imposed by the Police or any other competent authority. Any finding by a Club that an individual has engaged in Prohibited Activity will be reported to the Police and Clubs agree to take a collaborative approach with all relevant authorities.
  - 10.2 The Club may take into consideration, when sanctioning the Respondent, any recommendations and/or action taken by the Football Association in respect of misconduct charges brought against the Club under FA Rule E.20.
  - 10.3 This Commitment shall be incorporated into Club Ground Regulations and Ticket Terms and Conditions and displayed in prominent positions on Club websites and in Stadiums.
  - 10.4 The Premier League and Clubs shall educate fans and match-day staff on the application and enforcement of this Commitment and work with other Clubs to standardise the education model across the League.

- 10.5 Clubs will publicise, where possible, details of bans that they have implemented and work with other Clubs to implement and enforce the sanctions in Stadiums.

## F. Data Protection

11. In order to operate and enforce this Commitment, it is necessary for the Clubs and the Premier League to process personal data about Respondents, witnesses and related persons in relation to suspected Prohibited Activity for the purposes of investigating and determining Charges and enforcing sanctions, including the circulation and retention of the information set out at point 6.6 above.
12. The Clubs and the Premier League will each process such data as a data controller in accordance with UK General Data Protection Regulation and the Data Protection Act 2018 (**'Data Protection Law'**). The lawful basis of processing is the legitimate interests of the Clubs, the Premier League and the wider public in preventing abusive and discriminatory behaviour and where criminal offence or special category data is involved because this is necessary for the prevention or detection of unlawful acts in the public interest or for legal claims or where the data has been made public by the data subject (or in some limited cases with explicit consent). The Premier League may also process the data for the purposes of sports integrity and the governance of the Premier League competition. The data will be retained by the Clubs and the Premier League for as long as necessary for the operation and enforcement of the Commitment.
13. The Clubs and the Premier League may share the data as necessary for the operation and enforcement of the Commitment including with the police, the Football Association and other stakeholders. In most cases it is unnecessary for data subjects to provide consent to this use of their personal data but they do have legal rights in relation to it. More information on those rights and the processing of personal data (including applicable retention periods determined by each Club and the Premier League) is set out in each Club's Privacy Policy or as otherwise made available and the Premier League's Privacy Policy at <https://www.premierleague.com/privacy-policy>. Contact details for each Club and the Premier League and their respective data protection officers (where applicable) can be found in the relevant privacy policy.