



BANNING AND SANCTIONING POLICY

26/27 SEASON

WEST HAM UNITED FC'S BANNING AND SANCTIONING POLICY

Introduction

We want all Members, Event attendees and any visitors or supporters visiting our Premises to have a positive and safe experience. However, we recognise that sometimes incidents can happen. The framework of offences and corresponding sanctions alongside the appeals process outlined in this Policy are designed to give all Members, Event attendees and any visitors or supporters to any of the Premises clarity on how the Club will deal with incidents. Where the level of behaviour that is reported as an incident falls below our expectations, as a Club, we will take action and, if appropriate, impose a sanction. We will also work with our Dedicated Football Officer and, where necessary, the Police, in providing evidence that may form the basis of any criminal investigations.

PART 1: DEFINITIONS

In this Policy:

"Victoria Road Stadium" means the stadium at Victoria Rd, Dagenham, RM10 7XL, the home ground of the Club's women's team.

"Club" means West Ham United Football Club Limited and all its group entities, including West Ham United Women Football Club Limited.

"Event" means any event or participation in a visitor attraction, excluding Matches, held at any of the Premises in relation to the Club.

"Face Value" means the price at which Match tickets can be acquired through the Club's official channels, including but not limited to Club's authorised resellers.

"London Stadium" means the stadium at Queen Elizabeth Olympic Park, London E20 2ST, the home ground of the Club (except for the Club's women's first team).

"Malicious Communications" means any conduct which intends to cause, or at least is foreseeable

that it will cause, serious distress or anxiety to the target and/or recipients (including but not limited to any social media channel or platform, telephone calls and emails).

"Match" means all Club matches, including all home fixtures hosted at the Club's Stadia and any away fixtures hosted by the opposition team. Fixtures that the Club participates in at other grounds.

"Member" means any Club season ticket holder, any Claret membership holder, any Club bondholder, any supporter being hosted in our hospitality lounges, and any member attending an Event or a Match in their capacity as a personal assistant.

"Police" means the Metropolitan Police Service, which is responsible for law enforcement and crime prevention within Greater London (or such other equivalent police services in another territory as required and relevant).

"Policy" means this policy, being the Club's banning and sanctioning policy;

"Premises" means the Stadia hosting our home fixtures and the Club's Rush Green training ground.

"Sanctioning Officer" means an appropriately trained administrator [that is part of the Club's 'Matchday Operations' team] who determines the appropriate sanction in respect of an incident on the Premises following either an initial response to the incident reported or on conclusion of an investigation, which establishes that this Policy has been breached by a Member or any other individual.

"Sexual Misconduct" means any conduct of a sexual nature that is non-consensual or has the purpose or effect of being threatening, intimidating, undermining, humiliating or coercing a person or persons.

“Shuttle Bus” means the shuttle bus service provided to supporters with accessible requirements and their personal assistants on ingress and egress at Matches hosted at London Stadium.

“Stadia” means the London Stadium and the Chigwell Construction Stadium.

“Staff” means all Club staff, whether directly employed or contracted, including staff at the Premises.

“Victoria Road Stadium” means the stadium at Victoria Rd, Dagenham, RM10 7XL, the home ground of the Club’s women’s team.

In this Policy, the use of the singular includes the plural and vice versa.

PART 2: INTRODUCTION

Policy Statement

This Policy applies to any Member or other visiting individual who commits a behavioural or ticketing offence as set out in Part 3, at any Match (home or away), or otherwise commits an offence in connection with the Club at any Event at or in any of the Premises. This includes offences under the Football (Offences) Act 1991.

This Policy should be read in conjunction with the Club’s:

- Ground regulations;
- Unreasonable behaviour policy;
- Social Media policy;
- Safeguarding policy and;
- **Ticketing Terms and Conditions**
- Supporter Conduct Charter, which can be found at: <https://www.whufc.com/en/fans/fan-information-guides>

Part 3: SANCTIONS

Sanction conditions will apply to, including but not limited to:

- All home Matches played at our Premises
- All away Matches of the Club;
- All Events hosted by to the Club, including those hosted by the Club’s Foundation, any meet and greet events hosted by players, Club partners or Club staff;
- The London Stadium store;
- The Club’s ticket office; or
- Attendance at all home or away Matches or Events at the Premises where an individual gains entry by:
- Using another supporter’s ticket that may have been downloaded and forwarded ; or
- Purchased online or over the telephone via unofficial means.

These sanctions will be deliberated and decided by our Sanctioning Officer. The Sanctioning Officer will work closely with Staff, including those at the London Stadium Operating Company (LS185), West Ham United Ticketing and our Metropolitan Police Dedicated Football Officer (DFO) to consider any allegations of offences being committed or where it is clear that an offence has been committed.

All sanctions (including any ejections, suspensions, bans or other sanctions) will be imposed at the Club’s sole discretion in respect of the severity, proportionality and length in which such sanction shall apply.

The Club does not assume any liability whatsoever by virtue of this Policy or otherwise in respect of any other direct, indirect or consequential losses arising in connection with an imposed sanction.

Part 4: POLICE INVESTIGATIONS

Where appropriate or necessary by law, we may or will report offences to the Police. This also includes reporting matters to the British Transport Police. Any investigations carried out by the Police shall be separate to and be independent of any investigations the Club undertakes. In the event of a Police investigation, the Club may suspend its own investigation until the Police investigation has been concluded.

The Club and Stadia operators will assist the Police with any inquiries.

While there is an ongoing Police investigation, the Club will:

- Not enter into any communications with any person about the alleged offence, which is the subject of the investigation, until the Police have concluded their investigations; and
- Not provide any information requested by any person involved in the alleged offence that may compromise or undermine the Police investigation.

If you are under investigation and would like updates, you should contact the Police directly or request it via your legal representative or appointed person, as applicable. The Club is unable to comment on or give any indication of how long a Police investigation may take.

The Police will inform you of the conclusion of their investigation and will also contact the Club separately on the relevant matter.

Part 5: CLUB INVESTIGATIONS

We will deal with each case on an individual, case-by-case basis and may use our absolute discretion when deciding the appropriate sanction. Where the incident involves an aggravating factor, such as violence, or where the stadium operation is impaired, we may impose a sanction greater than that detailed below.

The Club also reserves the right to extend or

reduce the recommended length of time of any sanctions it has imposed if the original sanction falls within the football off-season period or to reflect the Club's forthcoming Match fixture schedule at the time of the sanction. This is to ensure that a ban is proportionate to the incident in question.

While a Police and/or the Club's investigation is ongoing, the Member may have their account suspended. This means they will not be able to access their membership account, purchase additional memberships, Match or Event tickets or experiences.

Members who are season ticket holders can forward their tickets on to others through the Club's official Ticket Forwarding System, but they shall be responsible for the behaviour of the supporter to whom they share their ticket with. Should the person in possession of the shared ticket bring the name of the Club into disrepute, or breach any of the Club's regulations, policies or terms and conditions set out in Part 2 above, the Club reserves the right to terminate or suspend the season ticket of such relevant Member. We will also take the necessary action against the supporter in possession of the forwarded ticket found to be in breach of any of the above. This does not apply where the Season Ticket Holder lists their ticket on the Club's official Ticket Exchange.

Where offences are committed by minors, the Club reserves the right to extend the ban to their accompanying parent(s) or guardian(s). This includes, but is not limited to, cases involving entering the field of play during matches and the possession and/or use of pyrotechnics (including handheld flares, fireworks, smoke bombs or other similar items).

Part 6: TYPES OF SANCTIONS

There are two types of sanctions that the Club may impose:

- Matches: Behavioural sanctions; and/or
- Matches: Ticketing sanctions.

6.1 MATCHES: BEHAVIOURAL SANCTIONS

Level	Offence	Recommended outcome
1	Smoking (including e-cigarettes)	Written Warning
	Persistent standing	
	Refusal to follow steward's reasonable instructions	
	Misuse of tickets (e.g., in the wrong area, using concession ticket)	
2	Drinking in view of the pitch (criminal offence)	Up to 3 match ban
	Possession of any prohibited item listed in the Ground Regulations (increased sanction depending on item)	
	Repeat of any Level 1 Offence	
3	Deliberate or wilful damage to property or facilities	Up to 12-month ban
	Attempting to gain access without a valid match ticket	
	Repetition of Level 1 or 2 offences	
4	Violent or aggressive behaviour towards others including supporters, staff or emergency services workers	Up to indefinite ban
	Any other illegal activity (criminal offence)	
	Possession of pyrotechnics/smoke grenades/flammables (criminal offence)	
	Entering the pitch (criminal offence)	
	Throwing missiles (of any type) (criminal offence)	
	Possession of an illegal substance (criminal offence)	
	Assault (criminal offence)	
	Use of discriminatory language (criminal offence)	
	Tragedy abuse	
	Repetition of Level 1, 2 or 3 offences	

6.2 TICKETING SANCTIONS

- Criminal Justice and Public Order Act 1994
- Section 166 of CJPOA 1994 makes it an offence to tout tickets for football matches by creating the following offence for an unauthorised person to:
 - Sell a ticket for a designated football match; or
 - Otherwise, to dispose of such a ticket to another person.
- The Club reserves the right to take precautionary action against any supporter linked to anyone found to have sold tickets unofficially. This can be a link via previous purchase history, recorded methods of payment or by contact information.
- Where tickets are purchased on behalf of others, the ticket purchasers are vicariously liable for the actions of the person they have purchased the ticket for and may be subject to the following sanctions:

Offence	Recommended outcome
Selling home match tickets on unauthorised ticketing platforms, other websites, social media or fan forums	Up to indefinite ban
Purchasing tickets on behalf of banned supporters	Up to indefinite ban
Selling home tickets to away team supporters	Up to indefinite ban
Selling away match tickets on unauthorised ticketing platforms, other websites, social media or fan forums	Loss of Priority Points, Away Scheme Membership (If applicable) and up to indefinite ban

Part 7: NOTIFICATION OF A SANCTION

On conclusion of the Club's investigation, we will write to you to explain:

- The nature of the incident;
- The evidence we have compiled and relied on to reach our conclusion (e.g. CCTV footage, control room logs, incident reports, witness statements, body worn or audio evidence);
- The type of sanction applicable;
- The length of the sanction; and
- Your right to appeal.

Part 8: APPEALS

Club Investigations

If you disagree with the sanction imposed by the Club, you have the right to appeal, which is explained in the Supporter Conduct Charter.

You can appeal the decision by writing to appeals@westhamunited.co.uk and stating either in the email subject line or in the email itself that you wish to appeal the decision.

This email should also include:

- the full reasons for appealing the decision; and
- any evidence you intend to rely on as part of the appeal.

You have **28 days from the date of our communication we send you following the conclusion of our investigations**, to appeal.

Any appeals received after this date will only be considered in exceptional circumstances (e.g. due to having been in hospital for a long period).

Your appeal should include:

- The full reasons for appealing the decision; and
- Any evidence you intend to rely on as part of the appeal.

You can submit your own appeal or, if you prefer, you can appoint a family member or friend to act on your behalf. If you choose to appoint a family member or friend, we will need written confirmation from you giving permission for the Club and/or Independent Adjudicator to

correspond with your appointed person. To ensure fairness and transparency, all appeals we receive will be sent to an Independent Adjudicator for review, who will conduct their own independent investigation. The Independent Adjudicator will reach their own decision on the matter. The Independent Adjudicator has the power to either decrease or increase the level of sanction imposed by the Club.

We will cooperate with the Independent Adjudicator's review and will provide any evidence required. This may include for example, any CCTV footage of the incident.

The Independent Adjudicator will write to you with the outcome of the appeal which will outline the reasons for their decision. This decision will also be communicated to the Club.

The Independent Adjudicator's decision is final. There is no further right of appeal to the Independent Adjudicator or the Club and, as a Club, we will not conduct any conversations with you about the Independent Adjudicator's decision. We will also comply with the decision reached by the Independent Adjudicator and will take appropriate action as required. However, if the relevant Member or individual is not satisfied with the outcome of the appeal, they may take their case to the Independent Football Ombudsman.

Indefinite Bans

It is at the Club's discretion to decide whether it will review its decision to issue an indefinite ban. It will only look to review such decisions where one year or more has passed since the date of letter or email issued by the Club informing you of its decision to issue an indefinite ban.

To ask for your indefinite ban to be reviewed, you should email appeals@westhamunited.co.uk together with any relevant information or reason. The Club will review your request together jointly with London Stadium. Any decision to allow you to return will be based on what has happened

since the Club issued the indefinite ban together with the severity of the incident you were involved in. The Club, where appropriate, may also consider any previous bans issued, in reaching this decision.

If the Club decides you can return, then you will be asked to sign an Acceptable Behaviour Agreement (ABA) before returning any matches.

Part 9: EDUCATION AND RESTORATIVE JUSTICE

Discriminatory Language/behaviour and education sessions

The Club will request any Member or the relevant individual who is found to have used any form of discriminatory language or behaviour to attend an education session before any sanction is determined. This is to give the Member or the relevant individual the opportunity to address their behaviour and the impact this may have had on the supporter and/or Staff affected. A failure to attend or the cancelling of two or more pre-arranged sessions may result in a revised, maximum sanction.

Restorative Conversation

The Club will request that, as a condition of returning to any of the Premises, any Member or relevant individual found to have used violent, threatening and/or abusive language or behaviour to Staff must enter a restorative conversation process with a Club representative at the Club's offices. Such conversation may include an educational session on the Ground Regulations and our Supporter Conduct Charter (as set out in Part 2 above) prior to a sanction being imposed. A failure to attend or the cancelling of two or more pre-arranged sessions may result in a revised, maximum sanction.

Part 10: RETURNING TO FOOTBALL

10.1 FOOTBALL BANNING ORDER (FBO)

A Football Banning Order ("FBO") is a civil order

issued by the Courts of England and Wales ("Court"), which may be either imposed following a conviction for a football-related offence or applied for by the Police, in some circumstances, without or prior to a conviction.

The Police, via the Crown Prosecution Service ("CPS"), may make an application to the Court to apply for an FBO in respect of a person who has at any time caused or contributed to violence or disorder, whether in the United Kingdom or elsewhere. An FBO may ban someone from going to football matches for a set period of time but could also mean the relevant person is not allowed to be in specific places before or after Matches or to travel abroad for Matches. For full information and details of potential consequences about FBOs, please visit the CPS website. It is important to note that an FBO is different to the ban issued by the Club as a breach of an FBO constitutes a criminal offence in the eyes of the law. If a supporter receives an FBO, they will automatically receive an indefinite ban from the Club that runs concurrently with the FBO. A supporter would only be able to appeal a sanction issued by the Club ban following expiration of their FBO.

The Court process is separate from any action that we may take as Club. This will be decided on a case-by-case basis.

10.2 FOLLOWING A SANCTION OR BAN

Once a sanction imposed by the Club has ended, the relevant Member or individual will need to contact the Club's Supporter Services team at supporterservices@westhamunited.co.uk and arrange to attend the relevant Stadium, as instructed by the Club, to sign an Acceptable Behaviour Agreement ("ABA").

The ABA is an agreement between the relevant Member or individual and the Club and is designed

to seek assurances from the relevant Member or individual that they will not breach the terms set out in the ABA. This includes breaches of any of the Ground Regulations, Supporter Conduct Charter or ticketing terms and conditions (as set out above in Part 2). The ABA will also set out the relevant Member or individual's commitment to adhering to the English Football League's (EFL), Premier League's (PL) and The Football Association's (The FA) ground regulations at both home and away fixtures.

The relevant Member or individual will not be eligible to return to the Club's Stadium until they have signed the ABA. This needs to be signed in person at the Stadium and will be witnessed by two members of Staff. They will also be required to bring an approved form of identification with them (e.g. passport or driving licence). Failure to do so will mean that the ABA cannot be signed, and the relevant Member or individual will have to arrange another date to return to the Stadium to complete the signing of the ABA.



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