

Confidential

NADS: State of the Game Summary for the Sports Minister, Rt Hon Gerry Sutcliffe MP

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***The National Association
of Disabled Supporters***

Promoting a Level Playing Field for all Football Fans!



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Foreword

It is important to clearly identify the purpose of this report at the outset. The intent is to highlight the key deficits that exist for disabled football supporters throughout the game and to encourage a purposeful plan for change from football's governing bodies and Government.

There are many club employees and volunteers within the game that work hard to accommodate their disabled supporters, often working with poor facilities and limited resources. Some clubs provide excellent facilities and services and NADS promotes and celebrates all aspects of best practice where it exists.

It is not intended that the reader should view the contents of this report as a summary of negative criticism for criticism's sake only. Disabled supporters are fans too and love the game and their clubs with the same passion as all other fans; in fact we believe they are often among the most loyal.

There is no deliberate attempt to single out individual clubs and examples are given to reflect the overall picture across the game. This report conveys the realities of being a disabled football fan in 2008. Many disabled facilities are quite simply miserable with poor views of the pitch, no shelter from the rain, no choice of seating and unequal access to tickets. Services such as alternative format programmes, accessible websites and audio described commentary are often non-existent.

I have written this report on behalf of the NADS Trustees and members, having been asked to do so by The Rt. Hon Gerry Sutcliffe, Minister for Sport. As such, it is intended for the Chairs and Chief Executives of football's governing bodies and Government only at this time.

Please feel free to contact me directly with any specific questions on 01352 711338 or 07515 118880 or by email at captcook@aol.com

Together, we can implement the changes needed to ensure that football provides an equal service to all fans and that clubs meet their legal obligations.

Thank you for your kind consideration



Joyce Cook

NADS Chair

I. National Association of Disabled Supporters (NADS)

NADS was established in 1997 to represent disabled football supporters, becoming a registered charity in 2000. We have developed a unique expertise and now campaign for equal access for disabled spectators of all sports. We are currently working within Olympics 2012, cricket and rugby. NADS is also working with UEFA to establish a best practice guide for their member associations and was recently invited to advise the Poland 2012 team.

NADS is a pan disability organization representing the views, issues and concerns of disabled football supporters, their carers and advocates, to sports governing bodies and Government. Focusing on football, we estimate that more than 30,000 disabled people attend professional football matches in England each week - we want to see that figure grow.

The Football Association (FA) identifies NADS as “a key partner in supporting professional clubs with their diversity plans and recognises NADS as the official disabled supporters association”. We meet regularly with representatives from across the football family, including the FA, the Premier League and Football League.

NADS objectives are to promote an inclusive agenda and an equality of supporter experiences for all supporters and spectators of sport. We work to raise disability awareness and improve the well being of disabled people through following and supporting sport.

NADS provides a dedicated NADS website, telephone helpline and email address for disabled supporters and spectators. We also run the Level Playing Field campaign each season with 80 football clubs taking part last season. NADS are currently running 3 new disability awareness pilot projects with a view to rolling these out nationally provided funding support can be secured.

The new Wembley Stadium is an excellent example of a stadium that has incorporated the needs of disabled supporters into its design. NADS was consulted throughout the design, planning and building stages and was able to highlight the required facilities throughout. The result is a modern stadium with world class disabled facilities, standing as a benchmark of best practice to which others must aspire.

II. NADS as a representative body

In June 2007, the charity underwent a complete management restructure with a new Chair and Trustees appointed. The NADS Board reflects the commitment to supporters of all disabilities across the football pyramid with representatives from each disability group and each league.

Honorary Officers have been recruited to bring real expertise, influence and credibility to the organization, such as NADS President, David Bernstein and Vice President Lord Richard Faulkner of Worcester.

We have grown the membership and ensured real dialogue between the Board and our members. The football membership is now as follows:

- 32 Disabled Supporter Associations/Groups (DSAs) within football with more than 10,000 associated members - (46 DSAs exist in total)
- 27 Football clubs
- Disabled Branch of Englandfans
- 4,150 individuals

There has been some suggestion that NADS is not truly representative of disabled supporters. The above illustrates that this is simply not the case.

It has also been suggested that NADS could and should sit within other supporters groups or networks. There is much still to do to ensure equal access and experience for all disabled supporters in football and other sports. Whilst this deficit remains, it is essential that NADS continues to exist independently and is able to share its unique expertise and knowledge of the issues faced by disabled people who follow sports.

NADS currently survives on minimal funding support and the generosity of individual donations. We receive a small grant from the Football Foundation for a part time Administrator (5 year eroding sliding scale grant, Yr 2 = £12k and Yr3 (2009) = £10k) and £10,000 from the FA.

III. What it means to be a Disabled Football Fan

Time and again we receive testimonies of how following football has had such a positive effect on the life of a disabled person, offering a sense of belonging, pride, passion and belief. Many have had life changing experiences through following sport as a supporter or spectator. It can often be the first step to regaining confidence, being part of the community and making friends. Many who had previously been isolated now lead fulfilling independent lives.

Strides have been made over recent years to improve facilities for disabled fans that most fans take for granted – as simple as a decent view, under cover and with your own fans, accessible toilets, bars, club shops, museums and accessible media (club TV and literature) and web sites. In most cases however there is still a clear deficit between the match-day and overall supporter experiences of disabled and non-disabled fans.

Most people will think of someone in a wheelchair when mentioning disability. It is important to emphasise that there are many disabilities to be considered and that being a football fan means being able to access all experiences equally whether it be on a match day or following your team from home.

Specific NADS case studies can be found on the NADS website http://www.nads.org.uk/case-studies_downloads/14.html

IV. The Barriers Faced by Disabled Football Supporters

For the purpose of this document, the focus has been placed on the Premier League and several Football League Championship clubs. The issues apply throughout football; however the financial resources available to football are not equally balanced with the top football clubs enjoying the largest share.

NADS believes that Premier and some Championship League clubs have sufficient resources to make all the necessary improvements in line with regulations and legislation. We accept that clubs in the lowest leagues may find it more financially difficult to meet minimum standards and we continue to request that football and Government set up a central fund expressly for this purpose.

We also ask that football and Government oversee all professional club improvements in line with football and Government regulations and legislation.

1. NADS believes that many of the 30,000+ disabled people who attend professional football games are discriminated against by professional football clubs week in and week out. (Other disability organizations and charities believe the number of disabled people that attend football matches is closer to 60,000.)
2. Many Premier League clubs which are among the richest in Europe have failed to comply with football and Government's regulations and legislation (the DDA Part III and Accessible Stadia Guide (ASG)).
3. Only 13 of the 92 professional football clubs provide Government and football's recommended number of disabled seats within their stadia as described in the ASG.
4. Only 37 of the 92 professional clubs enable disabled away supporters to sit with their own supporters.
5. Only 21 of the 92 provide a full audio described commentary service for visually impaired supporters.
6. Premier League clubs such as Aston Villa, Chelsea, Fulham, Liverpool, Manchester United, Portsmouth, Tottenham Hotspur and Wigan Athletic meet less than 50% of football and Government's own minimum disabled seating number recommendations.
7. Only 3 Premier League clubs meet 100% of the recommended minimum for disabled seating numbers, namely Hull City, Blackburn Rovers and Bolton. However both Blackburn and Bolton offer only pitchside seating where guidance suggests this should be limited to 25% only. Arsenal, with a brand new stadium, provides 96% of the minimum recommended numbers with only 12 disabled seats built for away disabled supporters (Premier League's own rules advise that 10%, or in this case 24 seats, should be allocated to away disabled supporters).

8. Consequently, many disabled people are unable to gain access to matches. Moreover, they are denied an equal opportunity to buy tickets and season tickets. This is the case at clubs such as Manchester United (see page 10), Liverpool, Everton, Chelsea, Portsmouth, Tottenham Hotspur, West Ham, Watford and Queens Park Rangers amongst others.
9. Disabled away fans have to sit with home supporters at 55 clubs, giving a very different and hostile experience to those for non-disabled supporters; they are often subject to abuse. Clubs such as Liverpool, Manchester United, Aston Villa, West Ham, Portsmouth, Queens Park Rangers, Watford, Tottenham Hotspur, Sheffield Wednesday, Crystal Palace, Coventry and Barnsley amongst many others. NADS has seen an increase in verbal and physical abuse directed at disabled supporters (see page 8).
10. 50% of all Premier League clubs offer less than 10 seats to away supporters who use wheelchairs, some as low as 3.
11. Unlike non-disabled supporters, there is often no choice of seating areas within the stadium for disabled people. Many disabled seats are positioned at pitchside with no shelter, sometimes below the field of play, which means that they are exposed to the elements and the ball and have a poor view of the pitch. Examples are Liverpool, Everton, Chelsea, Bolton, Blackburn, Tottenham Hotspur, West Bromwich Albion and Sheffield United where wheelchair users are seated pitchside. They get soaked whenever it rains and the water runs off the roof of the stand behind directly onto the disabled supporters.
12. Unlike provisions for non-disabled supporters, sightlines or views for disabled people (ambulant disabled, elderly and wheelchair users) at many stadia are poor or completely blocked, in some or all disabled areas, at key moments of the game. Some examples include Charlton Athletic, Fulham, Manchester United, Chelsea, Reading, Stoke City and Portsmouth.
13. PA/carer seats are often placed behind the disabled person, sometimes in cramped seats and often behind barriers where they cannot communicate easily with the disabled person or see the pitch. Some examples are Everton, Liverpool, Wigan, Arsenal, Chelsea, Preston North End, Bristol City and Tottenham Hotspur.
14. Only Wembley Stadium and MK Dons provide disabled seating in family areas. Most families want to go to a match together. Some of our members have stopped going to games as they can't be close to or in many cases even in the same stand as the rest of their family or friends.
15. Some clubs provide no access to corporate hospitality areas, club shops, refreshment bars and cafes and other areas of the stadium complex to disabled supporters and visitors. For example, at Everton and Blackburn the ticket office is inaccessible and at Sheffield United the club shop is inaccessible to wheelchair users.

16. Each club operates a different ticketing and disability policy for disabled away supporters, making access to away tickets difficult for disabled people. It is common to have to make numerous phone calls to different departments, such as the ticket office or disabled liaison officer or coordinator (where one exists) or customer services. For example some clubs will allocate visually impaired away tickets separately and others include them as part of the overall non-disabled ticketing allocation. Home clubs then often sell all the away tickets without first providing for their visually impaired or ambulant disabled supporters. This could be better handled with a central policy from the FA and Leagues easily resolving this issue.
17. Booking services such as audio commentary, finding travel information, accessible drop off points and any disabled parking facilities can be a real challenge. The point of contact varies at each club and many club websites are not fully accessible. This is particularly difficult for supporters with visual and hearing impairments.
18. Some clubs refuse to provide supporters with learning disabilities or difficulties a PA/carer ticket (free of charge).
19. Only 2 Premier League clubs provide a full audio described commentary for blind and visually impaired supporters, namely Arsenal and West Ham.
20. Only Arsenal, Derby County and Wembley make full provisions for assistance dogs including dog relieving stations.
21. Clubs such as Chelsea and Manchester United provide free tickets to some of its disabled supporters. NADS believes that even though it may be well intentioned, this sends the wrong message. It instills a relationship of charity rather than valued customer.
22. The FA and clubs do not provide an equal service for disabled fans wishing to travel to games overseas. Although it is recognized that facilities within host countries are not within the direct remit of the FA and their professional clubs, more should be done to assist travelling disabled fans. The FA, Home Office and their sponsors/partners' provide considerable resource for non-disabled England and club fans, especially to their representative fans' bodies, to ensure adequate away travel information, airport to stadium transport, hotel and local transport, programmes and so on. This funding provides for pre-match travel to assess facilities prior to qualification games, friendlies and tournaments; the Free Lions magazine and Fans' Embassy buses in host countries, amongst other services. Disabled supporters are left to fend for themselves and no funding is available for NADS to provide this travel/information service. NADS does its best to provide this information with very limited resources. Disabled travelers are more vulnerable and face greater challenges when travelling overseas and as such require more extensive travel information.

V. Some Specific Club Examples

Ticketing

1. Chelsea has closed its membership to wheelchair users as it is so oversubscribed. The membership is capped at 600 with only 103 wheelchair spaces available for home and away supporters. A few have a season ticket and the rest share the seats by rota – usually one in six to eight games. Chelsea routinely sells non-disabled tickets via a general public sale as they are not routinely sold out to club members. The club meets only 48% of ASG recommended disabled seating.
2. Manchester United operates a rota scheme for some disabled members providing access to one in three games. They have more than 750 wheelchair using club members and only 120 wheelchair spaces for home and away fans. Footballs own guidance recommends that this should be 282 spaces. Wheelchair users cannot buy a season ticket – refused by club. The club has been actively advertising and selling non disabled season tickets this season. Match tickets are often available through a general public sale for non-disabled supporters proving that they are not oversubscribed for all tickets. The club meets only 42% of ASG recommended disabled seating.
3. Liverpool sells approximately 70% of its disabled seating as season tickets. Disabled fans have been on the waiting list for more than 13 years because seating supply is not meeting demand. The average waiting time for a non disabled fan is 2-3 years. The club meets only 45% of ASG recommended disabled seating.
4. Chelsea provides only 4 wheelchair user seats for away fans and Portsmouth offers only 3. They are meant to follow the Premier Leagues away ticketing policy of 10% and 15% of disabled seats for all cup games.

Abuse of disabled fans

1. NADS has seen an increase in verbal and physical abuse directed at disabled supporters. Incidents have included abusive chants relating to their disability; the throwing of coins, spitting and threats of violence. Disabled people are often expected to sit with opposing fans and may then have to access refreshment bars in hostile environments. On a number of occasions, disabled fans have been removed from stadia for their own safety and as an easier crowd management solution, although clearly the abuse has come from non-disabled fans. This is unacceptable and needs to be addressed as a matter of urgency for a number of reasons. Firstly, it is unequal and disabled people are denied the enjoyment of sharing the match experience with their own supporters and secondly it is increasingly dangerous and unpleasant for them. Providing disabled people with access to seats in the same areas as their own fans would solve these issues. Sooner or later someone is going to get seriously hurt.

2. Wigan v Liverpool. Liverpool wheelchair users sat directly behind Wigan non-disabled fans - they had also moved in to the seats directly in front of the wheelchair platform. (These seats are reserved for the away PA/carers; however PAs tend to stand alongside the wheelchair users - otherwise too remote. There is no barrier between the edge of the wheelchair platform and the seats in front.) Wigan fans were not stopped by the stewards. They stood on the seats and in so doing completely blocked the away wheelchair using supporters' views. Several disabled fans asked them to sit down and also asked the stewards to help. The stewards refused to help. Several Wigan fans chanted to the wheelchair users 'Why don't you f...ing stand up?' Again the stewards refused to help and asked the Liverpool away disabled fans to leave the stadium for their own safety. One steward explained 'You're the problem – I'm removing the problem'. One home Wigan fan chanted to the disabled fans – 'Your dead when you leave here'.
3. Aston Villa v Liverpool. Liverpool wheelchair users sat with home fans. Liverpool scored a goal and the fans and carers celebrated, cheering the player, Steven Gerrard. Non-disabled Aston Villa fans seated behind shouted abuse and spat at the wheelchair users and their PA/carers. One Liverpool fan complained to the nearest steward who refused to do anything. The disabled fan shouted back at the Villa fans in frustration and was thrown out of the stadium.
4. Leeds United v Oldham. Oldham fan with a walking disability had to pass in front of the home fan section to get to the only available accessible toilet. A section of the crowd shouted abuse 'You spastic' and mimicked her disability. No action was taken and this has since been reported to the Football League.
5. Stoke City v Reading. Reading wheelchair user away fan was being pushed around the stadium before the game and suffered verbal abuse about his disability. Despite complaining to stewards, no action was taken and this has since been reported to the Football League.
6. Manchester United v Derby County. Derby wheelchair users sat with home fans. Derby County scored and one fan celebrated exuberantly with his young daughter (his PA) as might be expected. The home fans got very upset and told him to stop. They were abusive, swearing directly at the away fan and his daughter, aged 10. The father got quite upset at seeing his daughter so terrified. He asked for help from the steward who refused and told him to return to his wheelchair space. His daughter was in tears and he demanded action be taken, asking to see a supervisor. Instead he was asked to leave the ground and taken out of the stadium leaving his daughter alone on the wheelchair platform. Eventually things calmed down and he and his daughter watched the rest of the game on a TV screen in a lounge area. His daughter will no longer travel to away games.
7. Liverpool v Manchester United. Manchester United wheelchair users sat directly in front of non-disabled home fans. Manchester United scored a goal and home fans became very abusive to the disabled away supporters and PA/carers who were celebrating. 'Sit down or I'll f...ing sit you down' and 'Wait till you get outside'. Stewards advised away

disabled fans not to celebrate any further goals and suggested that fans leave early for their own safety.

Audio commentary

1. Fulham v Arsenal. Fulham does not provide audio described commentary – local radio only. They do however loan radio headsets to visually impaired supporters if they notify the club in advance. For the last 3 seasons, the headsets for the away visually impaired supporters have not worked. Each year, one Arsenal VI supporter has reported this to Fulham. This year he has asked for a ticket refund as he did not receive the service he was entitled to and promised and sees no evidence that the club will change its practice. NADS has brought this to the attention of the Premier League and we have been assured that the headsets are now working and available.
2. Chelsea. Against the best advice of organisations such as the RNIB and SoccerSight (a project open to all professional clubs, including Premier League clubs, to provide 10 free headsets, along with a transmitter and trained audio described commentator), Chelsea purchased Digital TV audio headsets for their blind visually impaired supporters. These provide a very limited service as there is a 3 second delay on the club TV commentary. Not only is the commentary not adequate for someone with a visual impairment, the digital delay means that any action that is described is not synchronised with the sound of the ball and players. Many visually impaired and blind people prefer to sit close to the pitch to enjoy the sound of the ball, action and any associated commentary. We can only think that this was a decision based on cost and an analog system would have been acceptable.

Sightlines

1. Of course sightlines may be an issue for all supporters, especially those who are shorter including women and children. However for wheelchair users, the ambulant disabled and elderly fans sightlines are an important and significant consideration. Those in a wheelchair or with limited mobility cannot or may not be able to move to one side or to stand to see past someone who may be obstructing their view.
2. The Accessible Stadia Guidance and the Football Licensing authorities Green Guide – Safety at Sports Stadia - 5th Edition clearly describe sightlines and the issues for disabled supporters in particular. It defines the minimum standards - 'C' values.
3. Manchester United. One third of all wheelchair users in the stadium miss around 30 minutes of the action from a 90 minute game, including all key moments of excitement such as free kicks, penalties and goals. This is caused by non-disabled fans sat in the rows in front of this section standing at all moments of excitement during the game. The wheelchair platform has an inadequate 'C' value or sightline. The club has installed TV

screens within this wheelchair platform as a result of complaints from fans sat in this area. This is a poor solution, fans go to football to watch the game not a TV screen. The club could raise the platform by as little as 100 mm to resolve this issue and there is no apparent reason why this could not be done. Another solution would be to block off or not sell the rows directly in front of the wheelchair platform.

4. Manchester City. Away wheelchair users have a poor view of the game as 'C' values do not meet minimum standards. Again, raising this platform by only 100 mm would solve this issue as would not selling seats directly in front of the stand.
5. Chelsea. The wheelchair users are almost all positioned pitchside at a lower height than the pitch. The resultant views are blocked by stewards, TV crews and other personnel. Providing a raised or elevated platform would improve this situation, although the club would need to block off non disabled seating behind to ensure their views were not then obstructed. Everton has a similar issue and has recently added 12 wheelchair spaces in an elevated position in one area of the stadium proving that such improvements are of course possible.
6. Fulham. Sightlines are obstructed by the near stand and supporters standing to the front and side. This affects both wheelchair user and ambulant disabled supporters.

Summary of disabled facilities and services – 4 examples

Chelsea

The club provides 100 home supporter wheelchair spaces with 50 wheelchair spaces provided free of charge and 50 sold on a match by match and season ticket basis.

Disabled supporters must join the club membership to apply for tickets and this is capped at 600 wheelchair users plus 600 carers. Therefore the membership is severely oversubscribed for each game, at least 6:1 and this could be much higher in view of capped membership which is now closed to disabled people. Non disabled ticket sales are open to the general public for many games in the season including local derbies.

Only 4 wheelchair seats are available for away supporters at most games. There is no choice of viewing areas, with wheelchair spaces situated mainly at pitch side (only 4 elevated) with only partial cover and poor sightlines in most areas. There is no dedicated audio described commentary for the visually impaired and the digital headsets that are provided give a 3 second time delay (analogue sets would be more suitable). As a consequence, most visually impaired supporters prefer to make do with their own portable radio.

The club meets only 48% of Accessible Stadia Guide disabled seating recommendations.

Queens Park Rangers

The club has done little to improve access in the last 10 years. In fact the number of wheelchair spaces for example has decreased.

They are severely oversubscribed for all disabled supporters and provide only 3 away tickets for wheelchair users who have to sit with home supporters. The club allocates 6 seats only for ambulant disabled home and away supporters.

The club meets only 12.5% of Accessible Stadia Guide recommendations.

Manchester United

Disabled seating at this club is severely oversubscribed with only 120 wheelchair spaces, 20 ambulant disabled spaces and 21 spaces for the visually impaired available for both home and away disabled supporters. Home and away disabled supporters are all located within the home disabled supporters section, irrespective of disability. This is especially disappointing as the club has recently added two new quadrants (7910 extra non-disabled seats) and added only 16 extra wheelchair seats and no ambulant or amenity seating. Manchester United could have gone some way to addressing this issue at the time as specifically described in Accessible Stadia Guide (Worked Example 5 - Existing stadium - No proposals for enlargement or upgrading).

To qualify for a disabled ticket, you must first join the club membership scheme, One United and then also Manchester United Disabled Supporters Association (MUDSA). This is not the case for non-disabled supporters, who have priority access to tickets as One United members and can also purchase tickets via general public sales. Non-disabled supporters have no obligation to join a supporters' group or organisation to qualify for tickets. This does not comply with the Premier League's own rule that all tickets should be handled by the ticket office.

MUDSA currently handles all disabled ticketing and operates a phone in procedure on the night before a game for disabled supporters who are not on a rota. It is not uncommon to have to dial more than 30 times and each time you are unsuccessful you reach an answer machine and are charged for the call. This also means that disabled supporters who have to organise carers cannot easily make arrangements as they do not know whether they will have a match ticket until 7.15 pm on the night before.

With more than 1000 disabled members; >750 wheelchair users, >90 VI and >115 ambulant disabled the club is severely oversubscribed and unable to meet demand. As a result, the club currently operates a rota system for 300 wheelchair users providing tickets for 1:3 matches. Wheelchair users are also unable to purchase season tickets or join a waiting list and the ambulant disabled have extremely limited access to season tickets with only 20 ambulant or amenity disabled home and away seats provided in total. Manchester United has been selling season tickets to non-disabled supporters throughout the summer with local advertisements to aid sales and currently goes to a public sale for many games.

The club meets only 42% of Accessible Stadia Guide recommendations.

The club's Chief Executive has recently announced plans for an extension to the South Stand and NADS hopes that if this is the case, the club will follow football's own regulations and Government legislation and use this opportunity to reconcile disabled seating numbers.

Fulham

The away section disabled facilities were refurbished during summer 2007, although the adaptations were not best considered and apparently no disabled supporters were consulted.

The wheelchair platform has been lowered making access more difficult via a non compliant ramp and adverse camber. PA/carers sit behind wheelchair users with little room and no easy access to disabled supporters.

Sightlines are obstructed by the near stand and supporters standing to the front and side. This affects both wheelchair user and ambulant disabled supporters.

The club provides an audio commentary, however the headsets provided for visually impaired away supporters have not worked for the last 3 seasons, even though this has been brought to the club's attention.

Disabled ticketing is oversubscribed. The club meets only 23% of Accessible Stadia Guide recommendations.

Sheffield United

The club has recently set out its plans for stadium improvements and extensions with a view to becoming a host venue for the proposed 2018 World Cup bid.

It recently approached its local Disabled Supporters' Association and asked that their secretary sign a letter that had been written by club employees. This letter formed a disclaimer and acceptance from local disabled supporters that there should be no improvements or additions to the current facilities for disabled supporters within Phase 1 of the project. The club and its architects had ignored the recommendations of the Accessible Stadia Guidance and worked example 5 for improvements to existing stadia to meet the Governments minimum standards.

NADS advised the local DSA not to sign any such agreement and has subsequently met with club officials, architects and disabled supporters. At this meeting, many design solutions were identified that would ensure equal access and the club and their architects are now working on inclusive plans to provide for their disabled supporters.

The club currently meets only 51% of ASG recommendations with all disabled seats pitchside.

Summary

Only 13 of the 92 professional football clubs provide the recommended number of disabled seats within their stadia.

Only 37 of the 92 professional clubs enable disabled away supporters to sit with their own supporters.

Only 21 of the 92 provide a full audio described commentary service for visually impaired supporters.

VI. Disability Legislation and Regulations for football clubs

Football's regulatory framework which fits into 3 broad categories.

1. External legislation – the law
 - a. Disability Discrimination Act – especially Part III
 - b. Building Regulations – British Standard 8300:2001 The Design of Buildings and their Approaches to meet the needs of Disabled People
 - c. The Building Regulations 2004 Edition, England and Wales - access to and use of buildings Approved Document M (Part M)
2. Internal football and Government regulations
 - a. Accessible Stadia Guidance – Football Licensing Authority (DCMS) 2003
 - b. Green Guide, 5th Edition – The Guide to Safety at Sports Grounds 2008
 - c. Football Association: Addressing the Requirements of Part III of the Disability Discrimination Act 1995. A Management Guide for Football Clubs 2003
 - d. Premier League: Guidance for Clubs on Disabled fans and Customers
3. Independent reports and recommendations
 - a. The Taylor Report – 1990
 - b. Improving Facilities for Disabled Supporters. A report by the Football Task Force – 1998
 - a. Independent Football Commission (IFC) recommendations – 2003 Annual Report – Facilities for disabled supporters.
 - b. Disability Rights Commission – Code of Practice Rights of Access: services to the public, public authority functions, private clubs and premises.

In 1990, Lord Taylor in his Final Report in response to the Hillsborough Stadium Disaster made several recommendations for disabled supporters:

- There should be provision for safe, spacious seating for wheelchair users with a seat alongside for a companion, protected from the weather, accessible to disabled toilets and easily reached from a car park. Facilities should also address needs of the ambulatory disabled and the visually and hearing impaired.

In 1998 the Football Task Force published a report, *Improving Facilities for Disabled Supporters*. This report made 52 recommendations, which ranged across a number of club practices including ticketing, charging policies, and staff training.

The main recommendations were:

- Amendments to legislation to ensure that all new stadia, stands and extensions to existing facilities incorporate the recommended number of wheelchair spaces.
- Introduction of new requirements for minimum numbers of seats for ambulant disabled people and blind and deaf people in spectator seating.
- Full consultation with disabled spectators on all plans for new developments as a condition of any funding.
- Annual visits by 'hit squads' to all grounds to conduct audits of facilities and to monitor progress on improvements with a proposal that NADS should carry out these assessments (NADS carried out access appraisals between 1999 and 2001. Requests for funding to repeat this project have been declined).
- The ability for home and away disabled fans to sit amongst fellow spectators at all grounds.
- Provision of wheelchair access to all existing social and retail facilities at grounds.
- Harmonisation of ticket allocation for disabled spectators with those for general ticket allocation.
- Stewards who are deployed in areas of the ground for disabled spectators to have special training.

The Independent Football Commission (IFC) reported on the lack of progress in implementing the 1998 Football Task Force recommendations in its 2003 Annual Report.

In 2003 the Football Licensing Authority and the Football Stadia Improvement Fund published the Accessible Stadia Guide (ASG) following consultation with a working group of representatives from across the football family including; the FLA, FSIF, NADS, the FA, the Premier League, the Football League, Sport England and an Observer from the Office of the Deputy Prime Minister. The ASG provides guidance on the design of facilities to meet the needs of disabled spectators and others. It was imbued into Part M of Building Regulations in 2004. It stands today as a best practice guidance for all football clubs and sports stadia.

- Many football clubs carried out their own internal access audits in and around 2004 and in anticipation of DDA Part 3 amendments. Aston Villa acted as the pilot for these audits under the guidance of Premier League. NADS has been unable to secure a copy of this document to date.
- Some clubs have continued to make improvements to the facilities they provide disabled supporters, however many have put these reports away and have not since followed a considered access strategy for continued improvements in line with their evolving duty under the DDA.

In November 2007, NADS presented its own 'State of the Game' (Premier League) Report to the football authorities, politicians (including the All Party Parliamentary Football Group), and

its members. This led to a number of questions, both in the Lords and the Commons, following a well supported Early Day Motion 615 - Facilities for Disabled Football Supporters with 119 signatures to date.

As a result, **in February 2008, the Minister for Sport** wrote to the Premier League, Football League and the Football Association asking for their help to ensure that all grounds in the Premier and Football League meet their obligations under the DDA. He also asked that they remind all clubs about the Accessible Stadia Guidance and noted that it was published to help clubs undertake access audits to identify features which present barriers to people with disabilities and to develop effective solutions. The Minister also asked that clubs work with disabled supporter groups to ensure that the experience of visiting their ground is equal for both disabled and able-bodied fans.

In June 2008, NADS was invited to submit evidence to the **All Party Football Group Inquiry into Football Governance**. This evidence summarised the current situation for disabled supporters and proposed a plan for change.

Lord Richard Faulkner of Worcester, a NADS Vice President, has put several questions to the House of Lords. Most significantly, his recent questions for written answers, as recorded in Hansard:

Lord Faulkner of Worcester (Labour)

“Whether they will commission new access audits of disabled supporter facilities at Premier League and Football League grounds.”

Lord Carter of Barnes (Parliamentary Under-Secretary (Communications, Technology and Broadcasting), Department for Culture, Media & Sport; Labour)

“It is not for the Government to commission such audits. It is for each football club to assess its current and future compliance with disability discrimination legislation.”

Lord Faulkner of Worcester (Labour)

“What assessment they have made of the progress made by football clubs in implementing the requirements of the Accessible Stadia Guide to ensure that the experience of visiting their grounds is equal for both disabled and able-bodied supporters.”

Lord Carter of Barnes (Parliamentary Under-Secretary (Communications, Technology and Broadcasting), Department for Culture, Media & Sport; Labour)

“**Through the Accessible Stadia Guide, the Government have ensured that the minimum standards for disabled facilities at sport stadia are clear and understandable.** Save where there are specific safety concerns, assessments on implementing the guide’s recommendations is not a matter for the Government.”

In November 2008, NADS President, David Bernstein and NADS Chair, Joyce Cook met with the **Sports Minister, Gerry Sutcliffe** to discuss various key issues for disabled football supporters. At this meeting, the Sport's Minister confirmed that Government has set out its minimum standards for all sports stadia within the Accessible Stadia Guide and that all football clubs must comply whether they have existing or new stadia.

Next year will see the 20 year anniversary of the Hillsborough disaster and there have since been many reports and references representing a consensus of what football should do for disabled supporters, much of this have so far been ignored.

VII. Useful publications, legislation and guidelines

- Designing for People with Disabilities
- Fans at the Track Side, Leaving the Trackside
- Disability Discrimination Act 1995
- 1997 the Guide to Safety at Sports Grounds (4th Edition) - 'Green Guide' revised in 2008
- Football Task Force - Improving Facilities for Disabled Supporters – 1998
- BS8300:2001– 'The design of buildings and their approaches to meet the needs of disabled people
- Code of Practice: Rights of Access. Goods, Facilities, Services and Premises - DRC 2002
- Football Association: Addressing the Requirements of Part III of the DDA 1995 in 2003
- Building Regulations Part M 2004 'Access to and use of buildings'
- Accessible Stadia Guidance 2003
- DDA Part III October 2004

VIII. The Disability Rights Commission's DDA Code of Practice

NADS wishes to highlight a number of significant points within this document:

6.22 The duty to make reasonable adjustments is a continuing duty. Service providers should keep the duty under regular review in light of their experience with disabled people wishing to access their services. In this respect it is an evolving duty, and not something that needs simply to be considered once and once only, and then forgotten. What was originally a reasonable step to take might no longer be sufficient and the provision of further or different adjustments might then have to be considered.

6.26 It is more likely to be reasonable for a service provider with substantial financial resources to have to make an adjustment with a significant cost than for a service provider with fewer resources. The resources available to the service provider as a whole are likely to be taken into account as well as other demands on those resources.

6.27 Service providers should bear in mind that there are no hard and fast solutions. Action which may result in reasonable access to services being achieved for some disabled people may not necessarily do so for others. Equally, it is not enough for service providers to make some changes if they still leave their services impossible or unreasonably difficult for disabled people to use.

6.36when considering whether services are unreasonably difficult for disabled people to use, or whether disabled people's experiences are unreasonably adverse, service providers should take account of whether the time, inconvenience, effort, discomfort, anxiety or loss of dignity entailed in using the service would be considered unreasonable by other people if they had to endure similar difficulties.

7.34Where there is a physical barrier, the service provider's aim should be to make its services accessible to disabled people and, in particular, to provide access to a service as close as it is reasonably possible to get to the standard normally offered to the public at large.

7.50 The Act requires that any means of avoiding the physical feature must be a 'reasonable' one. Relevant considerations in this respect may include whether the provision of the service in this way significantly offends the dignity of the disabled people and the extent to which it causes disabled people inconvenience or anxiety.

IX. Why is football failing to provide equal facilities and services to all disabled supporters?

Financial investment.

The most obvious reason would seem to be a matter of finance and a willingness to invest in facilities and services for disabled supporters.

The Football League Championship club Derby County with somewhat more modest resources is one of very few clubs meeting most aspects of the Accessible Stadia Guidance. This has been achieved through total commitment from the club, from Board level through to the customer services providers at the sharp end. Derby County has used creative design and service solutions to achieve the best possible facilities for their disabled supporters.

The club has a dedicated Disability Liaison Officer who together with the Ticketing Manager and other club personnel ensures that the club meets its duty to disabled people. Each has the full support of the club's Chief Executive in all matters relating to disabled supporters.

The club provides accessible remote parking and a shuttle bus service on match days to accommodate their ambulant disabled and wheelchair users. The club purchased several 'golf buggies' to provide this service and there is also a disabled drop off point for cars and taxis.

Disabled seating for wheelchair users, ambulant disabled and visually impaired is available in all areas of the stadium, providing a real choice. Home and away disabled supporters sit with their own supporters. Much of this seating has been added retrospectively by converting non-disabled seating areas, some of which had been previously empty, but not all. The club has used external stair lifts to access elevated seating areas; a good solution which is not cost prohibitive.

The club has recently installed a full audio described service for visually impaired supporters and operates an induction loop service at key areas of the ground, including the ticket office.

By commissioning an access audit and following an access strategy; the club has made all necessary improvements and now meets the Accessible Stadia Guidance recommendations and its evolving DDA duty as described in the Disability Rights Commission Code of Practice.

If clubs such as Derby County can fulfill their duty, then why can't other clubs within the Football League Championship, such as Queens Park Rangers? The question is even more compelling when considering the richest Premier League clubs such as Chelsea, Liverpool and Manchester United.

The Football League club, Ipswich Town is currently looking to add 15 away wheelchair and PA/carer spaces on a raised platform along with an accessible toilet at a cost of circa £30,000. This is less than a week's salary for most Premier and Championship players. For clubs such as Manchester United, with a current deficit of 162 wheelchair spaces (as described in Accessible Stadia Guide – minimum recommendations) estimated costs for access improvements would not be prohibitive, perhaps less than £300,000 (>3 players' salaries for 1 week).

Inertia within football

There is an opinion from some people in the game that equal access cannot be achieved because stadia are old and nothing can change until clubs move to new premises or build new stands.

With commitment and some careful planning a great deal can be achieved and certainly that which is reasonable. Clubs such as Derby County stand as glowing examples of what can be achieved with commitment and respect for disabled people, the available guidance and legislation and the DDA.

The football authorities and clubs perpetuate this inertia by not responding to the belief that clubs can do little to change. Some Premier League representatives have claimed that the Accessible Stadia Guide applies to new stadia only; this is quite simply not true.

The football authorities have introduced guidance, rules and regulations in line with minimum standards as prescribed by Government within the Accessible Stadia Guide and yet neither the FA or the Premier and Football Leagues enforce these rules. They appear to accept the current situation and suggest that as each of their member clubs are an individual business they are not empowered to act. Yet they levy financial fines and deduct points from clubs who do not adhere to other areas of their regulations and rule books and/or football governance.

NADS believes that there is a lack of imperative, the football authorities could carry out spot checks, take clubs to task or impose fines for failure. They could also reward achievements.

West Ham and Arsenal can provide a full audio described commentary. Why can't all other Premier League clubs? Why do only 21 clubs currently provide this service? It is not cost prohibitive. Soccersight, a project run by the Royal National Institute for the Blind and funded in part by the Football Foundation, will assist any professional club in implementing this service. They provide 10 free headsets, a transmitter and a fully trained audio described commentator.

The Football Association, Premier League and Football League are currently running campaigns to promote respect, including the FA's own Respect campaign. NADS and its members fully support these campaigns. It is now time to show disabled people the same respect. The game is enjoying an incredible amount of financial wealth at this moment and football should be seen to lead on issues of disability discrimination.

X. NADS proposed plan for change

NADS would like to propose a plan for change that we believe most clubs would be keen to take up. The goal would be to achieve equal access and experience for all supporters.

1. There should be an independent access audit of at each club, to examine their facilities, services and policies, with all necessary improvements identified and 'costed' and a clearly defined business plan or access strategy described. An agreement will be found as to what is truly achievable and reasonable and a timeline agreed.
2. A central fund should be set up for clubs lower down the football pyramid to assist them in making all necessary improvements. This could come from football and/or Government.
3. Football and Government should appoint independent assessors (perhaps from within the FLA) to monitor progress at each club and ensure that improvements are made. This body of assessors should carry the necessary authority to carry out its work and could include NADS representatives among its stakeholders.
4. Annual inspections should be carried out by 'hit squads' as recommended by the Football Task Force in 1998. This should be funded by football and the 'hit squad' reports should be routinely reviewed by the football authorities, Government and NADS.

XI. Conclusion

NADS believes that few football clubs are meeting their legislative duty as described within the Disability Discrimination Act, Part III. The football authorities have not taken sufficient lead on this and seem to be waiting for the clubs to be challenged through the courts.

Clearly, financial resources are not a prohibitive factor at top flight clubs, although of course it may well be about money. If you look at the space taken by a wheelchair user and PA/carer for example; allowing for access. One wheelchair user and PA/carer seat, in an elevated position, will take the space of between 10 and 11 non-disabled seats which amounts to a considerable long term investment from a football club.

They have to accept that disabled people are valued customers too; ironically some clubs are missing an opportunity to sell seats in the empty areas of their stadium with many clubs not reaching their full capacity for non-disabled fans. Disabled people will spend disposable income on club merchandise in much the same way as any other supporter or customer. Further, disabled people also have families and friends who may be more inclined to go to football if disabled facilities and services improve.

Football is the nation's favourite sport and as such it has played an important role in tackling racial discrimination in our society. It has proven to be a great ambassador shaping the hearts and minds of many people both young and old. NADS firmly believes that football can do the same for disabled people in preventing the passive and increasingly abusive discrimination that still exists.

Disabled people are still treated as second class citizens by many service providers and it is not uncommon to be unable to access services, buildings, transport and so on in each town and city. It is time for access to become truly equal for all and football with all its perceived glamour, social influence and media profile can and should set the standard.

We believe that 'reasonableness' as described within the DDA Act has been clearly defined by all of football's own representative bodies, including the Football Licensing Authority on behalf of the Department for Culture, Media and Sport. The Accessible Stadia Guide published in 2003, in anticipation of the changes in legislation in October 2004, was written by the football family for football clubs to enable them to meet their duties as laid out by the DDA – Part III.

On behalf of more than 30,000 disabled football fans, we want to see equal facilities and services for disabled supporters – football must meet the requirements as set out by Government legislation and football's own rules and regulations.

Appendix I – Table: Comparing wheelchair user provision at Premier League clubs

Those remaining in the Premier League (old Division One), as reported by the Football Task Force in 1998, the Independent Football Commission (football’s arbitrator) in 2001/02 and by the National Association of Disabled Supporters in 2007/08.

<i>Club</i>	<i>Capacity 97/98</i>	<i>Spaces 97/98</i>	<i>% of capacity</i>	<i>Capacity 01/02</i>	<i>Spaces 01/02</i>	<i>% of capacity 01/02</i>	<i>Capacity 07/08</i>	<i>Spaces 07/08</i>	<i>% of capacity</i>	<i>Accessible Stadia Guide Recommended spaces</i>	<i>% of ASG</i>
Arsenal	38,548	102	0.26	38,584	102	0.26	60,432	241	0.39	251	96
Aston Villa*	39,339	41	0.10	42,719	94	0.22	42,573	83	0.19	215	38
Blackburn Rovers	31,367	280	0.89	31,367	300	0.96	31,367	282	0.89	184	153
Chelsea*	31,000	40	0.13	42,449	106	0.25	45,522	103	0.22	221	48
Everton	40,177	61	0.15	40,260	100	0.25	40,565	122	0.30	211	54
Liverpool	35,561	44	0.12	45,362	80	0.18	45,362	100	0.22	220	45
Manchester United**	55,500	70	0.13	67,700	104	0.15	76,212	120	0.15	282	42
Newcastle United	36,610	95	0.26	52,193	178	0.34	52,387	205	0.39	234	87
Tottenham Hotspur	26,000	33	0.13	36,240	48	0.13	36,236	56	0.15	198	28
West Ham United***	26,000	112	0.43	35,495	98	0.28	35,637	121	0.33	195	61

Of the 10 Premier League clubs listed in 1998 that remain in this league or division in 2008, only half meet over 50% of football and Government’s own recommendations for wheelchair spaces.

* Aston Villa and Chelsea both reduced their stadium capacity percentages for wheelchair users between seasons 2001/02 and 2007/08. Aston Villa meets only 38% and Chelsea meets only 48% of the Accessible Stadia Guide recommendations.

** Manchester United has maintained a static stadium capacity percentage of 0.15% for wheelchair users since 2001/02 with only 0.02% increase since 1998. Manchester United meets only 42% of Accessible Stadia Guidance.

*** West Ham has reduced their stadium capacity percentage for wheelchair users between 1998 and 2007/08 and meets 61% of Accessible Stadia Guidance.

All of these clubs cannot meet the wheelchair user demand for tickets and all are severely oversubscribed.

Although this table references wheelchair user spaces within the Premier League only, it reflects the current status across the Leagues in terms of facilities and services for supporters of all disabilities.

Appendix II - Accessible Stadia Guide (ASG) 2003 - A good practice guide to the design of facilities to meet the needs of disabled spectators and other users.

The ASG was published following extensive consultation with representatives from all the football authorities and disabled supporters, with a working group of representatives from across the football family including; the Football Licensing Authority (FLA), the Football Foundation - Football Stadia Improvement Fund (FSIF), the National Association of Disabled Supporters, the Football Association, the Premier League, the Football League, Sport England and an Observer from the Office of the Deputy Prime Minister.

The Government has recently confirmed that this document sets its minimum standards for all sports stadia within the UK. Therefore, NADS view is that it provides the best measure of *reasonableness* (as described in the DDA) in the provision of facilities for disabled people at football stadia. This is especially significant within football with all parties agreeing on its guidance content.

It provides good practice guidance on all aspects of the design of facilities and services required for disabled spectators and provides recommendations and working examples for **new and existing** stadia. These include all aspects of using a stadium and include staff training, access audits and so on.

Among its guidance, the ASG recommends a minimum number of disabled seating numbers for wheelchair users and those with ambulant disabilities. These should be provided according to a clearly defined sliding scale – Green Guide Table 4 (see page 24). This means that stadia with a capacity of 10,000 should provide 1% disabled seating; 40,000 with 0.5%; 60,000 with 0.4% and 90,000 should provide 0.34%.

These numbers are not unreasonable when considering that more than 1% of the population uses a wheelchair (750,000 in 1996 as provided by ESRC^a). With improved healthcare, increased accident survival rates and an ageing population, these numbers will be considerably higher in 2008 and in the future. Similarly, the number of disabled and elderly people with ambulant disabilities, those relying on the services of assistance dogs and those requiring adjustments for sensory impairments will continue to increase.

The International Olympic Committee and Olympics 2012^b go further in recommending that 1% of seating (2% for Paralympics) is provided for each disability for disabled spectators at all Olympic venues irrespective of stadium capacity. Sport England^c also recommends a minimum of 1% disabled spectator seating at sports venues.

Acceptable sightlines for disabled spectators are also described within the ASG and it further recommends that spectators with disabilities should gain a far greater choice of viewing locations than before. This is in line with facilities offered to non-disabled supporters.

The ASG also recommends that a match commentary be provided for spectators with visual impairments using professional commentators rather than volunteers.

The Premier League continues to claim that this guidance is for new stadia and extensions only. NADS strongly contests this view and wishes to highlight the following points taken from the Accessible Stadia Guide:

Part III of the DDA establishes duties on service providers, which are on-going and evolving. Since December 1996 it has been unlawful for service providers to refuse to serve a disabled person, offer a lower standard of service or provide a service on worse terms to a disabled person for a reason related to his or her disability. Since 1999 service providers have had to make reasonable adjustments in relation to the physical features of their premises to overcome physical barriers to their premises. Management will need to plan ahead to ensure that the requirements of the Act are met.

All sports grounds, including new and existing, will be affected. There will not be an “approvals” agency. However the Disability Rights Commission monitors the application of the Act and advises disabled people of their basic civil rights. It is anticipated that the only real test of compliance at stadia will be legal action by disabled spectators who feel that they have been discriminated against. Service providers (i.e. football clubs, stadia management, etc.) should now be carrying out audits of their facilities on a continuing basis in order to assess current and future compliance with the Act. For all premises, old and new, existing and proposed, management should be developing, or have developed an “access strategy”.^d

^a The Economic and Social Research Council (ESRC) factsheet – Disability in the UK

^b Olympic Delivery Authority for London 2012 – Inclusive Design Strategy

^c Sport England – Access for disabled people - design guidance notes

^d Accessible Stadia Guide - Part One: Legislation and References – Pages 1,2