SAFETY AT SPORTS & RECREATIONAL EVENTS BILL
-A Legislative Overview

A Presentation to the Public Hearings of the Parliamentary Portfolio Committees for Sport & Recreation

Parliament
Cape Town

18 August 2009
PRESENTATION OBJECTIVES

• Provide a strategic overview of the legislative development & implications of the draft Bill to the Honourable Chairpersons & Honourable members of the Portfolio Committees for Sport & Recreation & Safety & Security;

• Provide a high level insight into the reasoning underpinning the draft Bill & the proposed legislated criteria relative to safety & security planning & delivery at domestic sports & recreational events;

• Introduce a few proposed novel safety & security legislative concepts, tailored to SA conditions, which will in future be applicable to stakeholders involved in the hosting of sporting & recreational events held at local sports stadiums & other public recreational venues in the Republic;

• Provide the Chairpersons & the Honourable Members with a high level synopsis of the draft Bill which will afford them at a later stage, the ability to interrogate the appropriateness of the key safety and security risk management concepts which underpin the draft Bill from a general public protection perspective.
"REVISING THE RISK"

"Operators of sporting & recreational venues worldwide are revising their safety & security risk assessments, operational plans & consequence management arrangements:

- They are factoring in the un-imaginable"

PETER RYAN
9/4/2002

(Commander-in-chief of Safety & Security for 2000 Sydney Games & IOC safety & security consultant to the Athens 2004 Olympic Games)
• The Ellis Park Soccer Disaster (11 April 2001) 43 citizens killed;

• The Oppenheimer Stadium Orkney Soccer Disaster (13 January 1991) 42 citizens killed on site (8 later dying in hospital);

• Findings & final recommendations of Justice Bernard Ngoepe flowing on from the Commission of Enquiry into the Ellis Park Soccer Disaster – all of which have been incorporated within the Bill;
• South Africa’s having increasingly become a desirous destination for major international sporting, recreational, political & social economic events & our Governments policy to attract and support the hosting of such major events in our country;

• Hosting by SA of major international sports events (e.g. the 2010 FIFA World Cup SA™);

• Lending legislative support to the FIFA safety & security contractual requirements per 2010 Organizing Association, Host City & Stadium Use Agreements;
THE REASONING - (Cont’d)

• The desire to create an “omnibus” piece of legislation – a single reference point for ease of use by relevant event stakeholders that consolidates & integrates domestic event safety & security requirements with cross references to related existing safety & legislation (UK sports safety framework requires compliance with at least 11 different Acts);

• The passing of key safety legislation that is immediately implementable upon promulgation;

• Alignment with world-wide trends to introduce legislation designed to promote public safety at events.
A Reasonable Legislation

• Unlike the UK legislation, which has become over-reaching & intrusive e.g.:
  - covert intelligence gathering;
  - spectator banning orders prohibiting cross-border travel on mere suspicion of hooligan behaviour;
  - search & seizure of private residences without notice;
  - compulsory spectator registration etc.
the proposed legislation has adopted a reasonable, “middle of the road” approach which has incorporated the necessary Constitutional safeguards;

• The draft legislation has enjoyed an extensive consultative process & as a result has been streamlined to promote ease of administration.
THE CURRENT CHALLENGES

The following challenges, amongst others, are currently being faced by the SAPS, emergency & essential services & other relevant safety & security stakeholders i.r.o. the local hosting of events:

• The hosting of multiple events in the same area & during the same period – resourcing challenges;

• Hosting of events without proper/sufficient public liability insurance being in place;

• Failure/resistance of event organizers to accept their responsibility to provide adequate security at events- “it is a SAPS function” type of approach
THE CURRENT CHALLENGES (Cont’d)

• Safety & Security planning for events is often left to a very late stage;

• Failure to consistently apply risk profiling criteria to events;

• Inconsistent application of safety & security measures for different events whose risk profile is similar;

• Under-budgeting by event organizers i.r.o. public safety & security at events – viewed by some as an un-necessary, profit limiting expense
THE CURRENT CHALLENGES (Cont’d)

- No safety certification for stadiums/venues or temporary structures at stadiums/venues/events;

- Use of un-registered/in-experienced and un-trained persons/to provide a security service as provided for in the Private Security Industry Regulation Act;

- Silo planning by safety & security role-players at events;

- In-sufficient safety & security resourcing at events;

- A focus on reactive rather than pro-active safety & security measures at events;

- No punitive measures for failure to ensure proper safety & security measures at events.
THE ON-GOING CHALLENGES

Self-Regulation by controlling bodies, event organizers & stadium/venue owners has not worked:

- PSL league match (FNB Stadium – 20 May 2006 – mass destruction of property (1000’s of spectator seats set alight & thrown onto field & public violence requiring SAPS public order police intervention);

- Coca Cola massive Mix concert (Super-Sport Park -19 May 2007) – mass spectator de-hydration involving treatment & hospitalisation of hundreds of young spectators);

- Rugby : Semi-Final Currie Cup (Loftus Versveld, August 2007) – mass public violence & destruction of property – alcohol related;

- Vodacom Challenge (Absa Stadium – 21/07/2007) – illegal occupation of reserved seating & public violence;

- King of the Mountain Hill Climb-Motor-racing (Ceres, Cape - 29 November 2008) – 1 death, 7 seriously injured;

OPPENHEIMER STADIUM ORKNEY

- 13 January 1991 16h20
- 35 000 spectators
- Stampede sparked by crowd violence
- 180 injured
- 42 dead on scene (8 known dead later in hospital)
- Inquest finds, inter alia, that poor safety & security planning contributed to disaster

“THE LOW-ROAD ROAD ALTERNATIVE”
Ellis Park Soccer Disaster
11 April 2001 - 43 Dead
Ellis Park Soccer Disaster
11 April 2001 - 43 Citizens Dead
Ellis Park Soccer Disaster
11 April 2001 - 43 Citizens Dead
Ghana Football Disaster, Accra – 9 May 2001

- 130 dead – Spectator Crush occasioned by tear-gassing of rioting spectators by Police.
Abidjan – Felix Houphouet-Biogny Stadium
Football Disaster – 29 March 2009

• 22 dead & 132 seriously injured—Spectator Crush occasioned by tear-gassing of rioting spectators by Police.
Abidjan – Felix Houphouet-Biogny Stadium
Football Disaster – 29 March 2009 (Cont’d)
Hillsbourough Stadium, Sheffield, England
15 April 1989 - 96 Dead
Hillsborough Stadium, Sheffield, England
15 April 1989 - 96 Dead
Heysel Stadium, Brussels, Belgium, 29 May 1985
39 Dead
Heysel Stadium, Brussels, Belgium, 29 May 1985
39 Dead
Heysel Stadium, Brussels, Belgium, 29 May 1985
39 Dead
<table>
<thead>
<tr>
<th>Year</th>
<th>Stadium</th>
<th>Dead</th>
<th>Injured</th>
<th>Religious</th>
<th>Dead</th>
<th>Injured</th>
</tr>
</thead>
<tbody>
<tr>
<td>1988</td>
<td>Katmandu (Nepal)</td>
<td>93</td>
<td>100</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1989</td>
<td>Hillsborough (UK)</td>
<td>96</td>
<td>400</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1990</td>
<td>Mogadishu (Somalia)</td>
<td>7</td>
<td>18</td>
<td>Al-Mu'aysam Tunnel (Saudi Arabia)</td>
<td>1426</td>
<td></td>
</tr>
<tr>
<td>1991</td>
<td>Orkney (South Africa)</td>
<td>40</td>
<td>50</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1992</td>
<td>Nairobi (Keyna)</td>
<td>1</td>
<td>24</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Bastia (Corsica)</td>
<td>17</td>
<td>1900</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1993</td>
<td>Rio de Janerio (Brazil)</td>
<td></td>
<td></td>
<td></td>
<td>50</td>
<td></td>
</tr>
<tr>
<td>1994</td>
<td></td>
<td></td>
<td></td>
<td>Jamarat Bridge (Saudi Arabia)</td>
<td>266</td>
<td>98</td>
</tr>
<tr>
<td>1995</td>
<td>Freetown (Sierra Leone)</td>
<td></td>
<td>40</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1996</td>
<td>Lusaka (Zambia)</td>
<td>9</td>
<td>78</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Tripoli (Libya)</td>
<td>50</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1997</td>
<td>Guatamala</td>
<td>83</td>
<td>180</td>
<td>Jamarat Bridge (Saudi Arabia)</td>
<td>22</td>
<td>43</td>
</tr>
<tr>
<td>1998</td>
<td></td>
<td></td>
<td></td>
<td>Jamarat Bridge (Saudi Arabia)</td>
<td>118</td>
<td>434</td>
</tr>
<tr>
<td>1999</td>
<td>Alexandria (Egypt)</td>
<td>12</td>
<td>11</td>
<td>Kerala (India)</td>
<td>51</td>
<td>100</td>
</tr>
<tr>
<td>2000</td>
<td>Harara (Zimbabwe)</td>
<td>12</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Monrovia (Liberia)</td>
<td>3</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2001</td>
<td>São Januário (Brazil)</td>
<td>8</td>
<td>200</td>
<td>Jamarat Bridge (Saudi Arabia)</td>
<td>35</td>
<td>179</td>
</tr>
<tr>
<td></td>
<td>Lumbumashi (Congo)</td>
<td>8</td>
<td></td>
<td>Jamarat Bridge (Saudi Arabia)</td>
<td>36</td>
<td>150</td>
</tr>
<tr>
<td></td>
<td>Ellis Park (South Africa)</td>
<td>47</td>
<td>155</td>
<td>Pak Patten (Pakistan)</td>
<td>51</td>
<td>100</td>
</tr>
<tr>
<td>2002</td>
<td>Ghana (West Africa)</td>
<td>126</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2003</td>
<td>Ivory Coast (Africa)</td>
<td>1</td>
<td>39</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2004</td>
<td></td>
<td></td>
<td></td>
<td>Nasik (India)</td>
<td>32</td>
<td>100</td>
</tr>
<tr>
<td>2005</td>
<td></td>
<td></td>
<td></td>
<td>Srirangam (India)</td>
<td>51</td>
<td></td>
</tr>
<tr>
<td>2006</td>
<td></td>
<td></td>
<td></td>
<td>Jamarat Bridge (Saudi Arabia)</td>
<td>249</td>
<td>252</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Wai (India)</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>2005</td>
<td>Iraq - stampede</td>
<td></td>
<td></td>
<td></td>
<td>1000</td>
<td>(?)</td>
</tr>
<tr>
<td>2006</td>
<td></td>
<td></td>
<td></td>
<td>Jamarat Bridge</td>
<td>363</td>
<td>289</td>
</tr>
<tr>
<td>Year</td>
<td>Concert</td>
<td>Dead</td>
<td>Injured</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>------</td>
<td>----------------------------------------------</td>
<td>------</td>
<td>---------</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1988</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1989</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1990</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1991</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1992</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1993</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1994</td>
<td>MTV Europe (Poland)</td>
<td>7</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Art Palace (Taiwan)</td>
<td>223</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1995</td>
<td>Karaoke Bar (Taiwan)</td>
<td>64</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1996</td>
<td>Ozone Disco (Philippines)</td>
<td>162</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1997</td>
<td>Top One (Hong Kong)</td>
<td>17</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1998</td>
<td>Macedonian Gothenburg (Sweden)</td>
<td>63</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1999</td>
<td>Karaoke Inchon (South Korea)</td>
<td>55</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2000</td>
<td>Dongdu (China)</td>
<td>309</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Durban (South Africa)</td>
<td>13</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Roskilde (Denmark)</td>
<td>9</td>
<td>26</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2001</td>
<td>Cancao (Brazil)</td>
<td>6</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Green Festival (Glasgow UK)</td>
<td>45</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Aracaju (Brazil)</td>
<td>4</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Indigo (Sofia, Bulgaria)</td>
<td>7</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2002</td>
<td>Airshow (Western Ukraine)</td>
<td>78</td>
<td>115</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2003</td>
<td>The Great White (USA)</td>
<td>100</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Cotonou (Benin)</td>
<td>15</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Epitome (USA)</td>
<td>21</td>
<td>7</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2004</td>
<td>Republica Cromagnon (Brazil)</td>
<td>169</td>
<td>375</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Lantern Festical (China)</td>
<td>37</td>
<td>15</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2005</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Schedule of Major Sports Disasters (Pre-1988)

• 1955, June 11, Le Mans, France – racing car hurtles into spectator grandstand: 82 dead;

• 1964, May 24, Lima, Peru – soccer riot b/w Peru/Argentinian spectators: over 300 dead & 500 injured;

• 1971, January 2, Glasgow, Scotland- Spectator crush at soccer match: 66 dead;

• 1972, September 5, Munich, Germany – 1972 Olympic Games: 11 Israeli athletes, 1 policeman & 5 Arab Guerrillas killed;
Schedule of Major Sports Disasters (Pre-1988)

- 1980, January 20, Sincelejo, Columbia – structural collapse at Bullring: 222 dead;

- 1982, October 20, Moscow, Russia – spectator crush at soccer match due to Police negligence: 340 dead;

KEY GENERIC ASPECTS THAT UNDERPIN THE PROVISIONS OF THE DRAFT BILL AS THEY PERTAIN TO HIGH RISK EVENTS

- Enforcement of safety & security must be in the hands of professional people;
- Improved fixture scheduling;
- Event fixtures must be categorized according to clearly defined risk-profile criteria;
- Proper, timeous & proactive safety & security contingency & operational planning by senior safety & security stakeholders for all fixtures/events;
- Expert certification of safe capacities of stadiums/venues & accurate counting of spectators;
- Safety Certification of Stadiums/Venues;
- Proper traffic management around all host stadiums/venues;
KEY GENERIC ASPECTS THAT UNDERPIN THE PROVISIONS OF THE DRAFT BILL AS THEY PERTAIN TO HIGH RISK EVENTS

- Installation of proper robust outer perimeter physical measures at all venues hosting high risk events;
- Orderly secure channeling & queuing of spectators;
- Effective, secure & centrally administered match/event ticketing design;
- Prevention of crowd congestion at spectator entry points;
- Communication of essential disaster management information to spectators;
- Establishment of centralized Venue Operations Centres (VOC’s) at all stadiums/venues manned by senior/experienced Safety/Security representatives;
- Proper crowd monitoring procedures must be in place i.e. CCTV surveillance & recording systems;
KEY GENERIC ASPECTS THAT UNDERPIN THE PROVISIONS OF THE DRAFT BILL AS THEY PERTAIN TO HIGH RISK EVENTS

- Pre-sales of match/event tickets only through secure, centrally controlled system with nationwide 24 hour outlets;
- Adequate public address systems both inside & outside stadiums/venues;
- The maintenance and keeping of proper records by safety & security role players re stadium/event planning activities;
- Implementation of restricted item schedules for all stadiums/venues);
- Proper alcohol control;
- Establishment of safety committees, headed by national safety officers;
- State security services (SAPS) presence at all PSL matches & other high risk events;
- Specialized SAPS units must be present at high risk events;
KEY GENERIC ASPECTS THAT UNDERPIN THE PROVISIONS OF THE DRAFT BILL AS THEY PERTAIN TO HIGH RISK EVENTS

• SAPS must appoint senior national safety & security officer to oversee safety & security of high risk events;

• Implementation of proper invasive/non-invasive spectator search procedures at stadiums/event by SAPS/registered security officers property trained for this purpose;

• SAPS national safety & security officer must be authorized to postpone, delay or stop games/events;

• Proper protocols for stadium/venue public address announcements;

• Safety & security education of spectators;

• Efficient & committed event management which puts the broader sport/recreational interests above their own with a heavy emphasis on the safety, security & convenience of spectators.
STRUCTURE OF DRAFT BILL

PRIMARY LEGISLATIVE DRAFTING FOCUS

“… to ensure the proper planning; resourcing & provision of internationally bench-marked risk management (safety & security) at all public sports & recreational events hosted at stadiums & venues in the Republic …”

DRAFTING STRUCTURE

Principal Legislation (Bill)
– 4 Chapters
– 33 Sections
– 20 Pages

– Provision for Regulations to coincide with the promulgation of the Bill
DRAFT BILL- Chapter & Clause Headings

Chapter 1
Definitions & Application of Act

1. Definitions
2. Application of Act

Chapter 2

Responsibility for Safety & Security at Events

3. Responsibility for Safety & Security at Events
4. Prohibition
5. Provisional Risk Categorization of Events
6. Categorization of Events
7. Safety Certificates
8. Existing Stadium or Venue safety Certificate
9. New Stadium or Venue Design Certificate
10. Certificate in respect of Alteration or extension to Stadium or venue
11. High Risk Event Safety Certificate
12. Contents of Safety Certificates
13. Amendments to Safety Certificates
14. Inspectors and Powers of Entry & Inspection
15. Private Events

Chapter 3
Measures to ensure Safety & Security at Events

16. Event Safety & Security Planning Committee
17. Functions of Event Safety & Security Planning Committee
18. Venue Operations Centre
19. Accreditation & Access to Designated Areas
20. Event Ticketing
DRAFT BILL- Chapter & Clause Headings

Chapter 3 (cont’d)

21. Spectator & Vehicle & Access Control
22. Prohibition Notices
23. Spectator Exclusion Notices
24. Event Safety & Security measures
25. Deployment of State Security Services
26. Appeal Board
27. Appeals
28. Public Liability Insurance

Chapter 4
General Provisions

29. Fees
30. Offences & Penalties
31. Regulations
32. Delegation
33. Limitation of Liability
34. Short Title & Commencement
• **EVENT** means:

“sporting, entertainment, recreational or similar activities hosted at a stadium, venue or along a route or within their respective precincts;”

• **EVENT ORGANIZER** means:

“any person who plans, is in charge of, manages, supervises, or holds an event or sponsorship rights to an event or in any manner controls or has a material interest in the hosting of an event as contemplated in this Act;”
• **“STADIUM OWNER”** means:

  “a person who owns, manages or is entitled to exercise the rights of an owner or occupier of a stadium used for events”

• **“VENUE OWNER”** means:

  “a person who owns, manages or is entitled to exercise the rights of an owner or occupier of a venue used for events”;
• “CONTROLLING BODY” means:

“a national federation as defined in section 1 of the National Sport and Recreation Act, 1998 (Act No. 110 of 1998), or an international controlling body governing a code of sport or recreational activity in the Republic, but excludes the National Department of Sport and Recreation of the Republic of South Africa and the Sports Confederation contemplated in section 1 of the National Sport & Recreation Act, 1998.
• “Event Safety & Security Planning Committee” means:

“the committee contemplated in Section 16 (of the Act) which is a committee established by an authorized SAPS member consisting of a minimum of 12 safety & security stakeholders to co-ordinate safety & security planning and functions at an Event”
KEY CONCEPTS CONTAINED IN DRAFT BILL

• Legislation will not apply to exempted Private Events

• Joint & Several Responsibility of Controlling Bodies; Event Organizers & Stadium/Venue Owners;

• Annual Risk Categorization & Designation of Events;

• Application of varying levels of safety & security measures at Events dependent on levels of identified Risk;

• Safety Certification & Grading of Stadiums/Venues;

• Compulsory Public Liability Insurance for Events;

• Phasing-in periods for compliance by existing Stadiums/Venues;
KEY CONCEPTS (Cont’d)

• Identification of safety & security role-players at Events;

• Establishment of Event Safety & Security Planning Committees;

• The assignment of duties & responsibilities to Event safety & security role-players;

• Prohibition of Events due to safety and/or security risks;

• Exclusion of Spectators from Events;

• Creation of Offences & Penalties

• Creation of a legislative framework i.r.o the provision of safety & security at Events inc. the promulgation of Regulations
SCOPE OF BILL

To determine, maintain & ensure the physical safety & security of all persons (participants & members of the public) & their property present at sports & recreational events at venues & their precincts in the Republic
APPLICATION OF BILL

• Provisions of Bill prevail where they may conflict with other existing general legislation;

• Bill does not apply to “gatherings” per the Regulation of Gatherings Act, 1993;

• Bill does not apply to any form of water-sport.
RESPONSIBILITY FOR SAFETY & SECURITY AT EVENTS

- Primary responsibility to ensure that proper Event safety & security measures are in place rests, jointly & severally, on Controlling Body, Event Organizer or Stadium/Venue Owner;

- The above persons/bodies must co-operate with & assist the SAPS i.r.o. the performance of SAPS duties at Events;

- The National Commissioner must:

  - establish event safety & security planning committees for Events; and

  - appoint VOC commanders; and

  - where authorized, issue spectator exclusion notices.
RESPONSIBILITY FOR SAFETY & SECURITY AT EVENTS (Cont’d)

- The National Commissioner may, amongst others:
  
  - direct a person to implement additional safety & security measures for an Event;
  
  - prohibit the sale of Event tickets on the day of an Event;
  
  - stipulate conditions for the hosting of high risk event;
  
  - prohibit or restrict admission of certain persons to an Event;
  
  - issue spectator exclusion notices;
  
  - amend or replace a safety certificate.
RESPONSIBILITY FOR SAFETY & SECURITY AT EVENTS (Cont’d)

• The Controlling Bodies, Event Organizers the Stadium Venue Owners must, amongst others:

  - appoint sufficient persons responsible for safety & security inc. private security officers, stewards, event safety officers to implement reasonable safety & security measures for an Event;

• The Controlling Bodies, Event Organizers the Stadium Venue Owners may appoint Volunteers to assist with safety & security support functions other than a security service.
RESPONSIBILITY FOR SAFETY & SECURITY
AT EVENTS (Cont’d)

• An Event Organizer must (if a natural person) :

  - be at least 18 years of age; and

  - have the necessary capacity, resources & experience

  to organize an Event.
PROHIBITIONS

• No person may organize an event unless that person has:
  - submitted an annual schedule of events for provisional risk categorization to the National Commissioner of Police;
  - ensured that public liability insurance for the Event is in place;

• No person may:
  – obtain event tickets to re-sell or use for commercial purposes; or
  - directly/indirectly sell or promote event tickets without prior permission of the event organizers.
CATEGORIZATION OF SPORTS & RECREATIONAL EVENTS

• **Annual submission** (in advance) by controlling bodies, event organizers & stadium/venue owners of a written schedule containing relevant information regarding a planned Event to be hosted at a stadium/venue to the National Commissioner (SAPS) for a **provisional risk categorization**;

• **National Commissioner** considers and assesses the annual submission for the purposes of the allocation of a risk profile i.r.o. the scheduled Events;

• **National Commissioner** then gives notice to the **Minister of Sport & Recreation** and the relevant Local Authority as well as the Event Organizer of the provisional Risk Categorization of the Event;

• **The Minister** considers the Provisional Risk categorization and accepts or rejects it and notifies the Commissioner, the Local Authority and the Event Organizer accordingly;

• The Bill provides for an **administrative mechanism** to be followed by an Event Organizer in the event they do not agree with the decision of either the Minister of Sport & Recreation or the National Commissioner.
RISK PROFILING OF EVENTS

• Bill provides for 21 risk profiling criteria to aid categorization process, including:
  – Historic data re popularity of event; relevance of outcome of Event;
  – Venue location & expected attendance based on historic/current factors;
  – Suitability of a stadium/venue from a safety & security infrastructure perspective;
  – Certified safe capacity of stadium/venue;
  – Crime statistical trends at stadium/venue;
  – Historical incidents at prior/similar events;
RISK PROFILING OF EVENTS (Cont’d)

– The day of the week, time of day the event is to be hosted;

– Sport event factors (rivalry of teams, historic fan behaviour);

– Historic medical, safety & security data relating to an event;

– Age profile of attendees to an event;

– International, domestic or local socio-economic, political or security related factors;

– The expected weather or other natural conditions in the lead-up to & during the event.
SAFETY CERTIFICATES

• Bill provides for the application & issuing of the following categories of safety certificate:

Local Authority

– general safety certificate for existing stadiums/venues;
– safety certificate for new stadiums/venues;
– safety certificate for planned alterations/extensions to existing stadiums/venues;
– grading certificate (high, medium or low risk event hosting capability)

National Commissioner

– high risk event safety certificate
EXISTING STADIUM/VENUE SAFETY CERTIFICATES

• Provides for the administrative process i.r.o. the annual application to Local Authorities & issuing of safety certificates for existing stadiums/venues by Stadium/Venue Owners;

• The Bill provides for a **phasing-in period** i.r.o. existing Stadiums/Venues to comply with the technical provisions of the Bill *(2, 3 or 5 years)* depending on the risk grading of the Stadium/Venue);

• Certificate must be accompanied by **separate grading certificate**, issued by a Local Authority, which determines the:
  - safe spectator capacity of a Stadium/Venue, and
  - level of event risk (low, medium or high) may be hosted at the Stadium/Venue.
NEW STADIUM/VENUE DESIGN SAFETY CERTIFICATES

• Provides for the administrative process i.r.o. the annual application to Local Authorities & issuing of safety certificates for planned stadiums/venues by Stadium/Venue Owners;

• Stadium/Venue Owner must comply with:
  - the Local Authority safety & security requirements/conditions set out in the certificate;
  - applicable National & Local Authority building legislation & SABS building design guidelines;
  - applicable Stadium/Venue technical requirements of international Controlling Bodies e.g. FIFA, IRB, ICC, IAAF & domestic Controlling Bodies;
  - applicable National, Provincial & Local medical facility requirements; and
  - any other prescribed criteria.
CERTIFICATES FOR ALTERATIONS/EXTENSIONS TO STADIUMS/VENUES

• Provides for the administrative process i.r.o. intended alterations/extensions to existing Stadiums/Venues in possession of a safety certificate;

• Local Authorities must take into account the following factors:

  - certified safe capacity of a stadium/venue;
  - the seating design of a stadium/venue;
  - spectator turnstiles of a Stadium;
  - emergency access/egress routes/gates inside a Stadium/Venue and their respective Precincts;
  - physical spectator barricading;
  - traffic management planning inside and around a Stadium/Venue;
  - whether the proposed alteration will affect the safety & security of persons at a Stadium/Venue.
HIGH RISK EVENT SAFETY CERTIFICATE

• Provides for the administrative process i.r.o. any event categorized as high risk by the National Commissioner or the Minister for Sport & Recreation.

• The issuing of a high risk event safety certificate by the National Commissioner may be made subject to the compliance with certain conditions by the Event Organizers.
CONTENTS & AMENDMENTS OF SAFETY CERTIFICATES

• Provides for the administrative mechanisms i.r.o. the issuing and amendment of safety certificates by either the Local Authority (low & medium risk stadiums/Venues) or National Commissioner (high risk events only).

• Conditions regarding the contents and amendments of safety certificates may be prescribed.
INSPECTORS

- Enforcement mechanism of the Bill - Inspectorate falling under auspices of Local Authorities – use of existing infrastructure restricts financial burden on the State;

- Powers of inspectors are tempered in as far as Constitutional safeguards are concerned e.g. inspections limited to business premises only;

- Local Authority must issue certificates of appointment to Inspectors;

- Inspectors may be accompanied by SAPS member or any other person reasonably required to assist in conducting an inspection;

- All persons present at an inspection must furnish assistance to an Inspector or Police Official performing their functions in terms of the Bill.

- Bill provides for stringent qualification criteria regarding the appointment of inspectors, in particular relating to their experience, integrity & impartiality;
PRIVATE EVENTS

- The Minister of Sport & Recreation, after consultation with the National Commissioner, may by notice in the Government Gazette exempt certain private events from the operation of the Bill.
EVENT SAFETY & SECURITY PLANNING COMMITTEES

• National Commissioner must appoint a SAPS officer as an “authorized member” to, amongst others, establish an Event Safety & Security Planning Committee (“ESSPC”) for each event categorized as medium or high risk.

• The Authorized Member, as Chairperson of the ESSPC:
  - appoints the members of the committee;
  - manages and co-ordinates the powers & duties of the Committee; and
  - directs measures relating to safety & security at an event.
EVENT SAFETY & SECURITY PLANNING COMMITTEES (Cont’d)

- The Committee consists of persons appointed & authorized by:
  - National Commissioner/Authorized member;
  - Local Disaster Management;
  - Controlling Body;
  - Stadium/Venue Owner;
  - Event Organizer;
  - Emergency Service provider;
  - Health & Medical service provider;
  - State Security services;
  - Provincial health;
  - Private security service provider;
  - Volunteer representative (where applicable);
  - Any other person deemed necessary by the SAPS Authorized Member.
Functions of Event Safety & Security Planning Committees

• Consider the categorizations of events and where appropriate, due to changed circumstances, make written recommendations to the National Commissioner or the Minister for Sport & Recreation for risk re-classification;

• Prepare a written event specific safety & security plan (High Risk Events=National Commissioner approval) to co-ordinate the functions of event safety & security role-players;

• Assignment of specific tasks to role-players relating to:
  - safety measures;
  - medical measures;
  - security measures;
  - deployment of SAPS members;
  - deployment of private security service providers;
  - emergency & essential service measures;
  - the VOC.
Functions of Event Safety & Security Planning Committees (Cont’d)

- Determine, with regard to a specific event, measures relating to:
  - spectator and vehicle access control;
  - accreditation;
  - the control of liquor and prohibited substances;
  - the control of tobacco usage;
  - environmental control;
  - vendor control;
  - corporate hospitality;
  - volunteers;
  - communication;
  - spectator exclusion notices;
  - accredited training of stadium, venue and event personnel;
  - event ticketing safety measures; and
  - prohibition notices.
Demarcate:
- any site/area for restricted entry by way of accreditation card or event ticket only;
- any zone surrounding or adjacent to stadium/venue or a route as an exclusion zone where only event organizer authorized commercial activities can take place.

Advise:
- any Controlling Body, Event Organizer or Stadium/Venue Owner to take such steps as may be required for the safeguarding of the stadium/venue or a route as well as the protection of the people therein/thereon.
Examples of Security Measures
Examples of Security Measures (Cont’d)
VENUE OPERATIONS CENTRE (VOC)

The nerve centre of any proper safety & security delivery at an event. Draft Bill provides for:

– establishment of VOC (permanent or temporary);

– responsibility for the establishment of the VOC – Stadium/Venue Owner (Stadium/Venue), Event Organizer (event along a route);

– ESSPC may approve VOC exemptions;

– The SAPS Authorized member must determine which role-players or their representatives must staff a VOC during an event;

– the compiling and timeous distribution of a written contingency & operational plan for an event.
VENUE OPERATIONS CENTRE (VOC)-Cont’d

VOC ROLE PLAYERS/STAFFING:

• police officials (SAPS & Metro Police);

• the disaster management services;

• the private emergency medical services;

• the fire department of the relevant local authority;

• the national or provincial health department or a member of the health department of the relevant local authority;

• local authority traffic department;

• the private security service providers;
VENUE OPERATIONS CENTRE (VOC)-Cont’d

VOC Role-Players/Staffing:

- the controlling body;
- the event organiser;
- the stadium or venue owner;
- the safety officer;
- volunteers;
- any person whom the safety and security planning committee designates;
- any person whom the VOC commander authorises in writing.
VOC Commander is an experienced SAPS Officer (minimum rank = Captain) who must ensure that:

- A proper written VOC plan is in place for each event;
- A plan for a High-Risk event is approved by the National Commissioner;
- The said High-Risk event plan is distributed to all of the VOC role-players/staffing for that event within certain specified timeframes.
VOC
ACCREDITATION/ACCESS TO DESIGNATED AREAS

• The controlling body, event organiser, or the stadium or venue owner, in consultation with the ESSPC may, in order to control access to any designated area within a stadium, venue or along a route require any person who is a/an:

  • participant;
  • official;
  • person who provides logistical support;
  • emergency and essential service official;
  • police official;
  • security officer;
  • host stadium or venue employee, contractor or sub-contractor;

  to be accredited for the purposes of access to designated areas.
ACCREDITATION/ACCESS TO DESIGNATED AREAS (Cont’d)

- steward;
- health official;
- invited VVIP or VIP;
- event sponsor representative;
- media representative;
- official event broadcaster representative;
- volunteer;
- VOC representative;
- vendor; or
- person required to provide a support function in terms of the safety and security plan.
ACCREDITATION/ACCESS TO DESIGNATED AREAS (Cont’d)

Measures Applicable to Designated Areas:

• Must be clearly identified;

• Access by accreditation card only;

• Access control officer may refuse access to designated area in specified circumstances;

• Access control officer may remove a person from designated area in specified circumstances;
EVENT TICKETING

- Persons may be required to purchase a ticket for an event;

- Access to an event may only be gained by way of a valid ticket (day & time specific) or with written permission of an event organizer/stadium or venue owner;

- Total tickets sold for an event may not exceed certified safe capacity of stadium/venue;

- Ticket sales at stadium/venue may be prohibited on the day of the event (not closer than 1 km from stadium/venue);

- **Ticket Touting** is prohibited (See prohibition in section 4 (2)).
SPECTATOR & VEHICLE ACCESS

A Controlling Body, Event Organizer or a Stadium/Venue Owner may appoint an accredited Access Control Officer who has the following powers:

• Lawful search/screening of any person/vehicle entering a stadium/venue or other Designated Area;

• Lawful seizure of prohibited/restricted items;

• Use of electronic search/screening equipment;

• Failure to abide by the lawful directives of the Access Control Officer or to un-lawfully enter a Designated Area constitutes an offence.
EXCLUSION NOTICES

• If the ESSPC, authorised SAPS member or the VOC commander has reasonable grounds to believe that there is a threat that the attendance of a person or group of persons may result in the disruption of an event or cause injury to a person or damage to property, the SAPS member or VOC commander may issue a Spectator Exclusion Notice.

• International standards or guidelines in respect of spectator exclusion, may be prescribed to be taken into account in deciding whether the attendance of a person or group of persons at an event is regarded as undesirable or not.
Exclusion Notices - The ugly face of SA Rugby Spectator Hooliganism

“Piet van Zyl (aka Peter John Smith)”

“The National Embarrassment”
Un-precedented attack of international rugby test official by SA spectator
EVENT SAFETY & SECURITY MEASURES

The ESSPC, after taking into consideration the risk categorisation of an event, must ensure that prescribed measures relating to:

• safety;
• health and medical services or facilities;
• security;
• the deployment of private security service providers;
• emergency and essential services

are in place for that event.
DEPLOYMENT OF STATE SECURITY SERVICES

• The National Commissioner/Authorised SAPS member must, relative to the risk of an event, ensure that the necessary State security measures and deployments are in place for an event.

• If a number of events are hosted on the same day in a specific area and the authorised SAPS member has reason to believe that the police will not be able to provide adequate policing for an event the said SAPS member must:

  - notify the relevant controlling body, event organiser or stadium/venue owner, as the case may be, accordingly;

  - take such reasonable steps, including negotiating with any person, to mitigate the possible lack of adequate policing to ensure the protection of persons and property at that event.
Draft Bill provides for fair administrative law procedure & processes relating to the prosecution of appeals by persons (natural & juristic) who are aggrieved by administrative decisions effected in terms of the Act. These include:

- risk categorization of an event;
- the issuing of any category of safety certificate;
- administrative amendments to risk categorizations, designations & any category of safety certificate;
- the issuing of a prohibition notice;
- the issuing of a spectator exclusion notice.
PROHIBITION NOTICES

• Draft Bill provides for the issuing of official notices prohibiting/restricting events in certain circumstances:
  • Decision makers:
    – National Commissioner (or his authorized member)
    – Event Safety & Security Planning Committee
    – VOC commander
  • What are the relevant circumstances which will have to be taken into account?
    – serious risk to spectators
  • Practical examples:
    – unsafe temporary grandstand
    – ticket selling irregularities
    – power outages
    – State intelligence information re planned disruption or act of terror of/at an event
  • Provision for Appeals - High Court.
• A Controlling Body, Event Organizer or a Stadium/Venue Owner are jointly and severally responsible to ensure that sufficient Public Liability Insurance cover is in place for an event.
FEES

• The draft Bill envisages the raising of fees to assist with the required funding to administer the Bill once promulgated.
OFFENCES & PENALTIES

• Draft Bill provides for proposed maximum penalty for contraventions of Act = fine or imprisonment not exceeding 10 years or both such fine & imprisonment.

• The following acts/behavior, inter alia, will constitute an offence:
  - entering of designated area without prior authorization;
  - touting/un-authorised event ticket promotions;
  - breaching of event ticket conditions;
  - contravention of spectator exclusion notices;
  - contravention of prohibition notices;
  - failure to put public liability insurance in place;
- failure to comply with lawful directives of event safety & security role-players;
- hindrance/interference/obstruction of VOC commander in the carrying out of his/her duties;
- un-authorized throwing, kicking, knocking, hitting of any object at an event;
- un-authorized destruction of property at an event;
- delinquent/anti-social behaviour (inc. racist, vulgar, inflammatory, intimidatory or obscene acts) by a person at an event.
End of Presentation