

FROM THE OFFICE OF THE MINISTER OF JUSTICE



Department of

Justice

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Ms Christine Darrah
Clerk to the Committee for Justice
Northern Ireland Assembly
Parliament Buildings
Stormont
BELFAST BT4 3XX

27 July 2011

Dear Christine

**LONDON OLYMPIC GAMES AND PARALYMPIC GAMES (AMENDMENT)
BILL: LEGISLATIVE CONSENT MOTION**

Officials recently provided the Committee with an oral presentation on the above subject. The Minister appreciates the Committee's concerns but is grateful that, on balance, it is able to support the Legislative Consent Motion.

Members asked for two points to be followed up: conveying the views of the Committee to the Department of Culture, Media and Sport (DCMS), the sponsors of the Bill; and a request for statistics on the use of existing football ticket touting powers.

The Hansard record of the Committee session was provided to DCMS, conveying the concerns of the Committee. These included the points raised about ticket touting websites operating outside the United Kingdom; whether the legislation would deter



major criminality; and why the powers related to London 2012 only and not to other sporting and cultural events. With the help of the Home Office (who have also provided the statistical information below), DCMS has provided additional information on the points raised by the Committee.

With regard to extra-jurisdictional and web-site operations, DCMS advises that the offence will apply to conduct carried out anywhere in the world – though clearly a prosecution can only be brought if a person is within the United Kingdom jurisdiction. With regard to major crime deterrence, DCMS has referred to the evidence given to Westminster by Assistant Commissioner Allison of the Metropolitan Police Service that police resources would be concentrated on organised criminal gangs. For the Committee's assistance, the text of their reply on the two final points is attached at Annex A. I realise that the Committee's concerns, particularly on the potential for extra-jurisdictional interference, will still maintain, but I hope the attached information will be helpful in further filling out the background and rationale for action.

Mr McCartney requested that statistics be provided on the number of arrests and convictions for the equivalent ticket touting offence linked to regulated association football matches in England and Wales. The offence is established by section 166 of the Criminal Justice and Public Order Act 1994. The number of arrests and convictions for this offence in the last five seasons for which figures are available are:

Season	2009/10	Arrests	69	Convictions	15*
	2008/09		96		37
	2007/08		80		22
	2006/07		72		15
	2005/06		102		27

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[* The figure for convictions in 2009/10 is still being validated by the Home Office.]

I hope the Committee finds this helpful.

B. McAtamney

BARBARA McATAMNEY
DALO

Targeting major criminality

In his evidence on 17 May 2011 to the Westminster Parliamentary Committee considering the London Olympic Games and Paralympic Games (Amendment) Bill, Assistant Commissioner Chris Allison of the Metropolitan Police Service, who has been appointed National Olympic Security Coordinator, made it clear that police resources would be concentrated on organised criminal gangs involved in ticket touting and ticket fraud. In his evidence he said:

”We are saying to criminals: “The fine is going up, we are targeting you. We are actively targeting you as touts between now and the games time....I have no doubt that the 9 million tickets for the Olympics will be significantly oversubscribed, especially for the major events. As a result, ticket touts will look to make many, many thousands of pounds on each ticket if they possibly can. There will be a network behind them. I want to create an environment in which it is not possible for those touts to operate on the ground. If it were not possible to operate on the ground, it would be harder for them, first, to make the money that they should be making and, secondly, to sell the counterfeit tickets.”

“Our assessment is that the increase from £5,000 to £20,000 is an appropriate increase. If we are talking about an organised crime group, and we arrest five of them, and the courts on conviction choose to impose the maximum fine, that is £100,000 between the five of them.”

Legislating for ticket touting for London 2012 alone.

DCMS reflects the discussions at Commons Second Reading of the Bill to the effect that the scale and global significance of the Games make them very different from other major sporting and cultural events and that their immediacy means that they need to act now rather than defer to later.

At Commons Second Reading, the Minister for Sport and the Olympics stressed that the proposal was driven by the specific threat of organised criminals targeting London 2012 tickets, distinct from other events. This evidence has been generated by Operation Podium, the Metropolitan Police Service response set up to deal with criminal activity tackling the Games economy. There is no equivalent evidence base for potential organised criminal intent to tout tickets at other events, but the Minister for Sport and the Olympics said that he had an “open mind on this as we move forward” – and, thus, that should equivalent evidence emerge, the case to extend the proposed penalty more widely might be considered in slower time.”