

20th November 2015

Dear Professor Waterson

I am writing in response to the call for evidence to inform the Independent 'Review of Consumer Protection Measures relating to Online Secondary Ticketing Platforms'.

I was an _____, retiring after 30 years' service in May 2014. Prior to my retirement, I was the National Olympic Security Coordinator responsible for planning and then leading the delivery of the national police operation to secure the 2012 Olympic and Paralympic Games. Since my retirement, I have run my own consultancy business working for both public and private sector clients. Most recently I was the Strategic Security Advisor for England 2015, the organisers of the Rugby World Cup.

For the 2012 Games, the UK Government enacted primary legislation that related to ticket sales and increased the maximum fine for touting Games tickets from £5,000 to £20,000 following evidence that was heard by a Parliamentary Committee. I was one of the witnesses and the link to the record of that hearing is <http://www.publications.parliament.uk/pa/cm201011/cmpublic/olympic/110517/pm/110517s01.htm>.

The legislation for the Games was highly effective as it allowed police to close down UK based unauthorised websites that were offering Games tickets for sale and allowed for the targeting and arrest of criminal gangs attempting to tout tickets on the streets. While a number of websites hosted abroad did appear and attempts were made to deal with them, the legislation enabled both the event organiser LOCOG and the police to conduct a highly effective communication strategy that warned members of the public about the dangers of using unauthorised ticket sites. This, in conjunction with the enforcement strategy that was put in place by the Operation Podium team (a dedicated team that dealt with Games related serious and organised crime), significantly reduced the numbers of the public who became a victim of fraud.

Following the Games, I commissioned a number of debrief reports. The one produced by the Operation Podium Team had clear recommendations about the secondary ticketing market and was formally presented to the Home Office in February 2013. I have attached a copy of that report.

England 2015 requested that the UK Government put in place similar legislation for the 2015 Rugby World Cup but this was declined. Both in the run up to and during the tournament, we witnessed large numbers of websites, based both in the UK and abroad, offering to sell tickets for our event. The public had no way of knowing which websites actually had the tickets for sale, which websites hoped to get the tickets in time to provide them and which websites were a complete fraud never intending to provide any tickets. England 2015 worked closely with the City of London Police to try to deal with this issue but the lack of primary legislation meant we were very limited in the action we could take. Despite a significant communication strategy warning the public of the dangers of buying off the internet, we are aware that large numbers of people were the subject of fraud. Some lost money personally while in other cases, the credit card companies covered the loss but in truth this

loss is always passed onto general consumers. While some have reported the fraud to police, evidence from the past shows that a significant number will not have made a formal report and so it is difficult to quantify the exact levels of fraud that happened at the Rugby World Cup. The lack of control on who could sell our tickets also resulted in very significant levels of street touting. This meant the public had to deal with a very large numbers of touts on their way to the various stadia, some acting in an aggressive and anti-social manner, and a small number were able to sell counterfeit tickets. This does not make for a pleasant environment.

The focus of this review is the effectiveness of the current consumer protection legislation. Since the legislation has been in place, those secondary ticketing organisations who would purport to be virtuous appear to have failed to fully comply with the legislation and there are many examples where Rugby World Cup tickets were advertised for sale without the necessary seat details being provided. Sadly this causes me to believe that, as they opposed it in the first place, these organisations have chosen to ignore the legislation and the apparent unwillingness of those organisations charged with enforcing the legislation to take any action has allowed secondary ticketing companies to follow their apparent non-compliance strategy.

One of the reports I had to learn when joining the Police Service over thirty years ago was a description of the role of the police and it started with 'The primary object of an efficient police is the prevention of crime'. Crime is constantly evolving and more and more of it is being undertaken on-line. The lack of control on the secondary market means that those who would wish to defraud the public can create a website that looks like any other secondary ticketing platform and the unknowing public purchase tickets through it, only realising they have become a victim of crime when the website closes down or when the tickets fail to materialise often many months later. By failing to put the necessary controls on the secondary market, we are allowing people to become victims of crime rather than preventing it happening in the first place. The 2013 Annual Fraud Indicator produced by the National Fraud Authority estimated that there was £1.5 billion of ticketing crime taking place and so I believe that it is time for legislation to be put in place that clearly protects the public.

The success of the legislation that was in place for the Games leads me to suggest that similar legislation should be put in place for other events. This legislation contained clauses that protected the consumer. To take advantage of this legislation, I would accept that an event organiser would be required to put in place a resale platform to allow that customers who could no longer attend an event to receive a full refund if their tickets were sold on. Such a platform was put in place for the Rugby World Cup and was very effective, being used by a very large number of people who did not want to profit from the resale and wanted their tickets to go to real fans.

As well as reducing the chances of the public being defrauded, putting Olympic like controls on the secondary market would have a number of additional benefits:-

- It reduces the opportunity for counterfeit tickets to be sold which means that those who might invest time and money in creating them don't do so.
- It prevents tickets being harvested by those who only seek to make a profit to the detriment of the real fan and the event organiser and would mean that ticket pricing strategies designed to attract a new fanbase are not undermined by those seeking to profiteer.

- It would prevent ticket touts from being able to operate outside venues.
- It would also ensure that there is a greater knowledge of who has actually bought the tickets which could assist the event organisers or police in the event of some pre-emptive action being required or a subsequent investigation into a major incident.

The lack of control of the secondary market helps to create an environment in which people can become victims of crime. In all other aspects of our society, we have sought to design out crime so that it doesn't take occur in the first place. We should be doing the same with the secondary ticket market.

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