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## **Football Hooliganism as a Criminal Activity: The Case of the Czech Republic**

## **Fotbalové chuligánství jako trestná činnost: příklad České republiky**

### **Abstract**

Football hooliganism is not only in the focus of sociology, psychology, or cultural anthropology, but it can also be approached from the point of view of criminology, security studies, or legal sciences. The paper comes with the definition of football hooliganism, which is seen as referring to specific crimes. Thus, football hooliganism is defined as a set of specific crimes or individual crimes listed in Act No. 40/2009 Coll., the Criminal Code, as amended. The text is based on secondary data recorded by the Police of the Czech Republic for the period 2011-2021, but it is supplemented by statistics of the courts of law. The basic aim of the text is to present the phenomenon of football hooliganism from the point of view of criminology and to discuss trends in this criminal activity over the last 12 years. At the end of the article, possible preventive measures against this specific crime are also discussed.

**Keywords:** Football hooliganism, criminal activity, statistical data, violence prevention, racism.

### **Abstrakt**

Fotbalové chuligánství je v centru pozornosti nejenom sociologie, psychologie či kulturní antropologie, ale na toto jednání lze nahlížet i z pohledu kriminologie, bezpečnostních studií či právních věd. Text přichází s vymezením fotbalového chuligánství, na které je nahlíženo jako na konkrétní trestné činy. Fotbalové

chuligánství je tedy vymezeno jako soubor specifické trestné činnosti či jednotlivých trestných činů, které jsou uvedeny v zákonu č. 40/2009 Sb., trestní zákoník v platném znění. Text vychází ze sekundárních dat, které jsou evidovány Policií České republiky za období let 2011–2021, ovšem doplněn je ze statistik soudů. Základním cílem textu je představit fenomén fotbalového chuligánství z pohledu kriminologie a diskutovat trendy této trestné činnosti za období posledních 12 let. V závěru textu jsou diskutována i možná preventivní opatření proti této specifické trestné činnosti.

**Klíčová slova:** Fotbalové chuligánství, trestná činnost, statistické údaje, prevence násilí, rasismus.

## Introduction

With regard to the fact that spectator violence or directly organized football hooliganism is not as serious a phenomenon as, for example, terrorism or organized crime, it nevertheless constitutes a disturbing form of upsetting the public order, often also involving serious crimes. Spectator violence takes place in various areas of sport, most often football matches, but it also occurs in futsal, basketball, or ice hockey. Although the topic is often perceived only from the perspective of sociology, social psychology, or cultural anthropology, it can be stated that even criminological findings have significant informative value on individual trends in the field of football hooliganism.

## Criminals at football matches

At the outset, it should be noted that we are inclined to divide groups of visitors at football stadiums into several groups, as previously discussed. These are mainly football spectators, football fans – ultras,<sup>1</sup> and football hooligans. However, these groups are often mutually permeable in practice, with no precise boundaries, which is especially true of football ultras and hooligans. The group focused on violence is primarily that of football hooligans, whose main goal is to provoke violent incidents, especially with analogous groups supporting another football team. However, the police or security service can also be the target.<sup>2</sup> The aggressiveness of these groups is associated with unmanaged emotionality, interpersonal conflicts, but also frustration.<sup>3</sup> However, it is often instrumental aggression, which is set up, most often directed against other groups of football hooligans or ultras.

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<sup>1</sup> If it can be characterized one of the main difference between ultra and hooligans, so it is necessary to say that ultras groups are more often connected with right wing extremism scene and they are known for thier rasist proclamations and far right ideas. What is a football ultra? Seria A hardcore fun culture explained. Goal, 2019. [online]. [cit.2023-11-01]. Dostupné z: What is a football ultra? Serie A hardcore fan culture explained | Goal.com  
On the other hand, hooligans are much more violent but thier violence is frequently without extreme attitudes without any prejudice.

<sup>2</sup> Cf. SMOLÍK, Josef. *Subkultury mládeže: Uvedení do problematiky*. Praha: Grada Publishing, p. 152; KASAL, Josef. *Násilí na stadionech jako odraz kultury*. Hradec Králové: Gaudeamus, 2013, pp. 125-126; DANIEL, Ondřej. *Násilím proti "novému biedermeieru"*. Příbram: Pistorius&Olšanská, 2016, pp. 45-46.

<sup>3</sup> Cf. LEŠKA, Dušan. Športoví diváci ako súčasť moderného športu. In: SEKOT, Aleš. (ed.): *Sociální dimenze sportu*. Brno: Masarykova univerzita v Brně, 2004, pp. 141-158.

In general, we can describe football hooliganism as a type of social deviation (sometimes reaching the level of crime), which is manifested, for example, by throwing objects on the pitch, illegally entering the pitch during the game, vandalism (for example, damaging the facilities of football stadiums, graffiti, tearing out seats, burning seats, etc.), and verbal and physical aggression of individual hooligan groups against each other as well as against players and referees. Groups often also use specific symbols to help distinguish each group and to improve the sense of identification and belonging within their own group. A common feature is the trust between individual members of a hooligan group and an aversion to the police, courts, sports officials, and football associations<sup>4</sup>. A lot of research has been carried out in the field of football hooliganism since the 1960s with many theories or individual approaches applied. At the same time, it can be stated that the strategies and tactics of football hooligans have changed, as have the repressive or preventive measures.<sup>5</sup>

The term “spectator violence” is inextricably linked to hooliganism, which is dealt with in detail, for example, by the European Convention on Spectator Violence Misbehaviour at Sports Events and in Particular at Football Matches. This international convention understands “spectator violence” as conduct in which persons, in connection with a sports event, exhibit behaviour that causes or may cause damage to property, physical harm to other persons, or disturb public order. The Czech government expands this definition to cover conduct that can take place in the vicinity of the stadium, in transport, or during the transfer of fans to the stadium. It is manifested in the form of throwing objects (such as smoke bombs, bottles, etc.) on the pitch, skirmishes with the police or the organizing service, in the form of pulling out seats and throwing them away, while racist manifestations are also frequent (booing, whistling, use of Nazi symbolism on banners) and it is common for various forms to be present at the same time.<sup>6</sup>

As far as the incidence in the Czech Republic (hereinafter referred to as the CR) is concerned, the majority of fans do not resort to violence. Instead, they enjoy the “fan choreographies”. It is believed that the more creative and cheerful will be the entertainment at the stadium, the more people are likely to want to visit it. Some authors used the term “disneylandisation” for this type of conduct, where football, through supporting activities, tries to bring a complete family to the stadium and secondarily reduce rioting.<sup>7</sup> The football stadium - in this case, a kind of “Disneyland”

<sup>4</sup> Cf. SMOLÍK, Josef. *Subkultury mládeže: Uvedení do problematiky*. Praha: Grada Publishing.

<sup>5</sup> Cf. SMOLÍK, Josef; DORDEVIČ, Vladimír. From Repression to Prevention in Centrum Europe: Football Anti-Hooligan Policies in the Czech Republic, Poland, and Slovakia. *Problems of post-communism*. 2023, vol. 70, no. 1, pp. 66-75.

<sup>6</sup> Cf. MAREŠ, Miroslav; SMOLÍK, Josef; SUCHÁNEK, Marek. *Fotbalová chuligáni*. Brno: Centrum pro studium demokracie a kultury, 2004, pp. 142-146; MIKŠÍK, Oldřich. *Hromadné psychické jevy (Psychologie hromadného chování)*. Praha: Karolinum, 2005, pp. 185-191; SCHOLZ, Petr. *Problematika fotbalového diváctví v České republice, aneb, “Quo vaditis, fotbalová příznavci?”* Brno: Paido, 2018, pp. 54-56.

<sup>7</sup> KASAL, Josef. *Násilí na stadionech jako odraz kultury*. Hradec Králové: Gaudeamus, 2013, p. 157; cf. SMOLÍK, Josef. *Subkultury mládeže: sociologické, psychologické a pedagogické aspekty*. Brno: Mendelova univerzita v Brně, p. 154.

- should bring a higher number of spectators who will spend more money, thus also making the environment more attractive for sponsors.<sup>8</sup>

Approximately in the mid-1990s, special police units began to be established in the CR to deal with the issue of spectator violence. There was a change in the legislation and new facts came to being in response to the needs of law enforcement authorities (hereinafter referred to as "LEA"). In connection with the greater activity of the police and the LEA in general, a more sophisticated approach also occurred on the part of football hooligans. With the advent of the Internet, they start to use it to communicate and organize their activities through it, arrange fights, write reports from events, and share their experiences.

This environment gradually begins to attract other types of people, more often there are new young people who are attracted by almost adventure violence. These are no longer only youth from secondary vocational schools, but at the turn of the millennium, people from among grammar school and later also university students, and in general, people across social strata begin to appear in the groups of hooligans.

The current trend in the typology of hooligans are trained athletes, who prepare themselves mainly in fitness centres or gyms, where they do not focus only on body building or popular boxing, but are gradually switching to the currently most dynamically developing martial sport, MMA (Mixed Martial Arts). In recent years, there were also cases of moving from the MMA environment to hooligan groups.<sup>9</sup>

This fact brings a number of issues. It is clear that a traditional hooligan does not stand a chance against a professionally trained fighter, as unlike the latter, that the former is not trained in strength, speed, punch and kick technique, or physical endurance.

The question is whether engaging professional wrestlers in the hooligan environment is a sustainable and constant trend. Recruiting into hooligan groups or participating in fights, can bring even more animosity and rivalry between opposing groups, moreover, such a thing can also harm the sport itself, sponsors, and media. Another related issue is the relationship between football hooligans and the so-called bouncers (security guards) of entertainment venues (e.g. discos). Certain code of confidentiality, which is characteristic of football hooligans and bouncers, defining two types of capital, fighting and social, from the sociological point of view. Fighting capital corresponds to cultural capital in the sense of acquiring a set of skills that permit violently subduing the opponent. Social capital is given by the circle of acquaintances that arise together with the accumulation of fighting capital.<sup>10</sup>

Measures taken during the Covid-19 pandemic, when a large number of matches in 2020-2021 took place without the presence of spectators, were also reflected in football hooliganism. If they participated in the match, the most common was the use

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<sup>8</sup> KASAL, Josef. *Násilí na stadionech jako odraz kultury*. Hradec Králové: Gaudeamus, 2013, p. 157.

<sup>9</sup> RUSŇÁK, Pavel a Jakub SCHOŘ. *Zpráva za problematiku diváckého násilí za rok 2021*. Internal report of the Police of the Czech Republic, Regional Police Directorate of the Capital City of Prague - Department of Extremism and Terrorism, Prague, 2022.

<sup>10</sup> KUPKA, Petr. *Násilí, podvody a každodennost. Jak zkoumat organizovaný zločin*. Brno: Centrum pro studium demokracie a kultury, 2017, p. 104.

of pyrotechnic products such as flares, blasts, and smoke bombs, but apart from that, there were all known manifestations of spectator violence. In the context of sports matches, there is still unorganized violence consisting in hooligan groups attacking each other or attacking members of the organizing service or club officials. The strongest security measures are applied during the matches of AC Sparta Praha, SK Slavia Praha, FC Baník Ostrava, 1. FC Slovácko, and FC Fastav Zlín. The biggest hatred is between supporters of FC Baník Ostrava and SK Slavia Praha (the latter cooperating with high-risk individuals from the Polish club Zagłębie Sosnowiec). Thanks to the established relations with Polish radicals and the ongoing punishments in the form of a ban on entry to sports events for FC Baník Ostrava fans, "Tribuna Sever" (Slavia Praha) has reached an imaginary peak among hooligan groups in CR. On the contrary, the activities of radical fans of AC Sparta Praha have had a moderate trend lately.<sup>11</sup>

### **Football hooliganism from the point of view of criminal law**

In CR, the term spectator violence is also used in connection with football hooliganism. This phenomenon is often associated with manifestations of racism, intolerance, and xenophobia. In the event of a physical confrontation near the stadium, when security forces are usually present, the violence of football hooligans often turns against the intervening police forces and organizers. It is not uncommon for violent groups to meet outside football matches at events where they have the opportunity to manifest violence - an example is the demonstration against Covid-19 related government regulations convened on the Old Town Square in Prague in October 2020, where there was a hard clash with the police.<sup>12</sup>

Due to security measures at stadiums by the organizing service (or even the summoned police) and police measures in the vicinity of stadiums, for many years, it has been a trend to arrange battles of competing groups at more distant locations. These often very violent clashes take place according to certain rules regarding the number of fighters and their equipment (typically, for example, a ban on the use of weapons). Some hooligan groups may have links to organized crime, especially at the lowest levels of performance. Often, these groups are also connected with radical political groups, looser ideological ties are frequently evident, e.g. in relation to racism (especially anti-Roma), as shown, for example, by the riots in Janov in 2008 or in České Budějovice in 2013.<sup>13</sup>

Criminal law also responds to these incidents, which was also reflected in the adoption of Act No. 40/2009 Coll., the Criminal Code, as amended, containing a number of crimes that football hooligans can or do commit. Below is a list of examples of specific crimes:

- damage to a thing of another - Section 228,
- public menace - Section 272,

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<sup>11</sup> RUSŇÁK, Pavel a Jakub SCHOŘ. *Zpráva za problematiku diváckého násilí za rok 2021*. Internal report of the Police of the Czech Republic, Regional Police Directorate of the Capital City of Prague - Department of Extremism and Terrorism, Prague, 2022.

<sup>12</sup> JELÍNEK, Jiří et al. *Kriminologie*. Praha: Leges, 2021, p. 532.

<sup>13</sup> GŘIVNA, Tomáš; SCHEINOST, Miroslav; ZOUBKOVÁ, Ivana a kol. *Kriminologie*. Praha: Wolters Kluwer, 2014, pp. 363-364.

- violence against a public authority - Section 323,
- obstructing the enforcement of an official decision - Section 337,
- etc.<sup>14</sup>

To combat spectator violence, an alternative penalty of prohibiting entry to sports, cultural, and other social events was introduced, enshrined in Section 76 of Act No. 40/2009 Coll., the Criminal Code, as amended, the essence of which is a court-issued ban on entry to sports matches for up to ten years.<sup>15</sup>

At the same time, along with the ban, the offender is obliged to report to a designated police department according to the instructions of the probation officer in the time period directly related to the prohibited action. The penalty applies to all actions in connection with a sports event, including, for example, when travelling to its place. In the event of a breach of this penalty or failure to report at the police department without a serious reason, the offender is at risk of criminal prosecution for the offence of obstructing the enforcement of an official decision and expulsion, under the provisions of Section 337 of Act. No. 40/2009 Coll., the Criminal Code, as amended.

This penalty also has a preventive effect, as the probation and mediation services continue to work with the punished individual in the form of psychological counselling and social training, which should discourage the individual from repeating the criminal activity.

Table 1 – Number of sentences imposed under Act No. 40/2009 Coll., the Criminal Code, as amended, in connection with the prohibition of entry to sports, cultural, and other social events, pursuant to the provisions of Section 76 of the above-mentioned Act.<sup>16</sup>

Provisions of the Criminal Code														Tot.
Section														
Year	145	146	158	173	205	228	325	326	337	353	355	358	404	
<b>2011</b>	1	2	0	0	0	0	11	1	0	0	0	27	1	<b>43</b>
<b>2012</b>	1	2	0	1	0	2	10	0	1	0	0	36	1	<b>57</b>
<b>2013</b>	8	2	0	0	0	3	2	0	1	1	0	41	0	<b>58</b>
<b>2014</b>	1	6	0	1	0	4	16	0	1	0	1	47	1	<b>78</b>
<b>2015</b>	1	0	0	3	1	4	4	0	0	1	0	42	1	<b>57</b>
<b>2016</b>	1	3	0	2	1	4	9	2	1	0	0	47	1	<b>81</b>
<b>2017</b>	0	2	1	0	0	5	4	1	0	0	0	41	0	<b>56</b>
<b>2018</b>	1	4	1	2	1	0	6	0	1	0	0	23	0	<b>39</b>
<b>2019</b>	1	5	0	7	4	5	2	0	0	0	0	42	0	<b>66</b>
<b>2020</b>	3	3	9	17	1	9	0	0	0	0	0	27	1	<b>70</b>
<b>2021</b>	0	3	0	7	1	0	0	0	0	0	2	17	0	<b>31</b>

<sup>14</sup> SOBOLČIK, Vojtěch. *Divácké násilí na fotbalových zápasech* [Diploma thesis, Vysoká škola CEVRO institut]. Praha: Informační systém CEVRO, 2017, [online]. [cit.2023-04-02]. Dostupné z: [https://is.vsci.cz/th/nk0v4/diplomova\\_prace\\_sobolcik.pdf](https://is.vsci.cz/th/nk0v4/diplomova_prace_sobolcik.pdf)

<sup>15</sup> JELÍNEK, Jiří a kol. *Kriminologie*. Praha: Leges, 2021, p. 532.

<sup>16</sup> An overview of individuals with legal authority according to the courts (punished + settled differently). [online]. 2023 [cit. 18. 5. 2023] Available from: <https://cslav.justice.cz/InfoData/statisticke-rocenky.html>

The above Table 1 shows that the provisions of Section 76 of Act No. 40/2009 Coll., the Criminal Code, as amended, were most often used by the court in the period 2011-2021 in connection with Section 325 (violence against a public officer) and Section 358 (disorderly conduct). When it comes to the frequent association of football hooliganism with extremist manifestations, this trend cannot be clearly confirmed. In those years, other provisions of a special part of the Criminal Code were also used, but only marginally, because Section 76 is not limited to sports matches, but applies also to other cultural and social events (e.g. Section 211 - credit fraud - 1x in 2017; Section 276 - damage and compromise of operation of publicly beneficial facility - 1x in 2012; Section 283 - unauthorised production and other disposal with narcotic and psychotropic substances and poisons - 1x in 2021; Section 352 - violence against group of people and individuals - 1x in 2017; Section 356 - instigation of hatred towards a group of people or of suppression of their rights and freedoms - 1x in 2012; Section 367 - non-prevention of criminal offence - 1x in 2012).

An important document in this area is Act No. 115/2001 Coll., on the support of sport, formulating elementary obligations in the organization of sports events. It also provides for sanctions in case of non-compliance. The owner or operator of the sports facility are obliged to take measures to ensure order and must publish the visitor regulations defining the rules of entry to the stadium along with the tasks of the organizing service, if necessary to ensure the safety of people and property. An important paragraph is Section 7b, which provides for the authorization of the Ministry of the Interior to prohibit the presence of visitors at the sports venue for up to one year in the event that the owner has not implemented all measures to prevent the occurrence of an unlawful state.<sup>17</sup>

Act No. 417/2021 Coll., effective from 1 February 2022, and amending Act No. 250/2016 Coll., on Responsibility for Offences and Procedures, Act No. 251/2016 Coll., on Certain Minor Offences, and Act No. 40/2009 Coll., the Criminal Code, brought changes in the field of security during sports matches, consisting, for example, in the competency of the Police of the Czech Republic to supervise compliance with the restrictive measures imposed or in the general prohibition of bringing and using pyrotechnics at the match or on the way to it - an attempted offence is also punishable.<sup>18</sup>

### **Activities of the Police of the Czech Republic and the Ministry of the Interior of the Czech Republic in the field of combating football hooliganism**

The Police of the Czech Republic (hereinafter referred to as the “police”) is a unified armed security corps established by the Act of the Czech National Council of 21 June 1991. Since 2009, police have not supervised order at football stadiums, whereas this activity is entrusted to the organizing service. The police intervene only in cases where the organizing service does not manage its tasks and there is a significant disturbance of public order. The riot police take security measures near

<sup>17</sup> *Zákon č. 115/2001 Sb., zákon o podpoře sportu.* [online]. [cit.2023-04-02]. Dostupné z: <https://www.mvcr.cz/clanek/kriminalita-146433.aspx?q=Y2hudW09Mg%3D%3D>

<sup>18</sup> RUSŇÁK, Pavel a Jakub SCHOŘ. *Zpráva za problematiku diváckého násilí za rok 2021.* Internal report of the Police of the Czech Republic, Regional Police Directorate of the Capital City of Prague - Department of Extremism and Terrorism, Prague, 2022.

the stadium, supervise the arrivals and departures of buses with fans, and watch over their marches to the football stadium.

At the matches, there are also plainclothes criminal investigators with good knowledge of high-risk fans, the so-called operatives, who carry out monitoring and document the activities of high-risk fans. The municipal police supervise traffic around the football stadium, provide a trouble-free access thereto, and also act as one of the elements of protection.<sup>19</sup>

On the basis of the Cooperation Agreement on Ensuring Security and Order at Football Matches (Dohoda o spolupráci k zajišťování bezpečnosti a pořádku při fotbalových utkáních; hereinafter referred to as the "Agreement") concluded in March 2017 between the police, the Football Association of the Czech Republic (hereinafter referred to as "FA ČR"), and the League Football Association (hereinafter referred to as "LFA"), certain principles and forms of activity in the organization of football matches under FA ČR, LFA, and matches with an international scope are established.<sup>20</sup> For example, the police provide the club or the security officer of FA ČR with information for the successful prevention of spectator violence by the organizing service. Based on the number of high-risk fans, evaluation of past measures, and some other criteria, in agreement with the football club, FA ČR, or LFA, they determine the risk nature of a given football match, which is evaluated on three levels: non-risk match, risk match, and high-risk match.

During the first and second football league matches, cups, international matches, and possibly other high-risk matches, the participation of the so-called spotter - observing police officer is provided. During the match, the commander of the measures is in contact with the technical delegate of the FA ČR or LFA as well as the principal organizer. The Ministry of the Interior is authorized to control, coordinate, and evaluate the cooperation, which is based on the aforementioned Agreement. As part of this controlling activity, the parties to the agreement cooperate with the ministry and provide it with the necessary information or documents.

The Ministry of the Interior has created a manual called Safety at Sports Matches,<sup>21</sup> which offers football clubs clearly elaborated authorizations and recommendations for more effective prevention of spectator violence at stadiums. The organizing service is entitled to limit the freedom of visitors caught during activities displaying the characteristics of a crime (for example, disorderly conduct, damaging someone else's property) and then hand them over to the police. In the regulations for visitors, it may define the types of conduct that will result in removal from the stadium.

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<sup>19</sup> ANTALÍKOVÁ, Lenka. *Postoje občanů k chování fotbalových fanoušků*. Bakalářská práce, Hradec Králové: Univerzita Hradec Králové, 2019. Theses.cz. <https://theses.cz/id/h3jyed/33971373>.

<sup>20</sup> Ligová fotbalová asociace. *Dohoda o spolupráci k zajišťování bezpečnosti a pořádku při fotbalových utkáních z 21. března 2017*. 2017. [online]. [cit.2023-04-18]. Dostupné z: <https://www.mvcr.cz/clanek/kriminalita-146433.aspx?q=Y2hudW09Mg%3D%3D>

<sup>21</sup> Ministerstvo vnitra České republiky. *Bezpečí na sportovních utkáních – Manuál pro fotbalové kluby*. 2008. [online]. [cit.2023-04-11]. Dostupné z: <https://www.mvcr.cz/clanek/kriminalita-146433.aspx?q=Y2hudW09Mg%3D%3D>



The organizing service is obliged to:

- perform checks of incoming spectators,
- provide the police with information regarding spectators disturbing the order,
- prevent situations that threaten public order,
- deny access to the stadium to spectators with items capable of endangering the security and order at the stadium,
- ensure that high-risk fans of rival teams are not mixed within one sector.

The same manual represents minimum safety standards, such as enough emergency exits that cannot serve as entrances at the same time, the capacity of the sector in accordance with the safe capacity of the stadium or separating the rival fans by reasonable means.<sup>22</sup>

### **The international dimension of football hooliganism**

The issue of football hooliganism is regularly addressed by international organizations. Measures against manifestations of football hooliganism are the subject of security policy in virtually all European countries and the European Union. The need for greater responsibility and involvement of sports clubs, which should have the highest interest in solving problems related to spectator violence, became the basis of the new philosophy.<sup>23</sup>

At the international level, the Convention on an Integrated Safety, Security and Service Approach at Football Matches and Other Sports Events, adopted by the Committee of Ministers of the Council of Europe, was adopted on 4 May 2016. Its main goal is to make football matches and other sports events more friendly and safer.<sup>24</sup>

This Convention continues the work done at the international level since the adoption of the European Convention on Spectator Violence in 1985. Its aim was to move from an approach that was focused on violence, to an interconnected approach that rests on three mutually influencing pillars.<sup>25</sup> The three pillars are safety, security, and services. The Convention emphasizes the mutual overlap of security, protective measures, and measures leading to the provision of services. Due to the interdependence of their effects, the measures must be balanced and implemented, or proposed, jointly.

At the same time, international coordination of the police in the fight against football hooligans began. The police in each country began to monitor football

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<sup>22</sup> Ministerstvo vnitra České republiky. *Bezpečí na sportovních utkáních – Manuál pro fotbalové kluby*. 2008. [online]. [cit.2023-04-11]. Dostupné z: <https://www.mvcr.cz/clanek/kriminalita-146433.aspx?q=Y2hudW09Mg%3D%3D>

<sup>23</sup> Cf. GRIVNA, Tomáš; SCHEINOST, Miroslav; ZOUBKOVÁ, Ivana a kol. *Kriminologie*. Praha: Wolters Kluwer, 2014, pp. 363-364.

<sup>24</sup> Council of Europe. *Integrated Safety, Security and Service Approach at Sports Events*. 2016. [online]. [cit.2023-04-18]. Dostupné z: <https://www.mvcr.cz/clanek/kriminalita-146433.aspx?q=Y2hudW09Mg%3D%3D>

<sup>25</sup> LEŠKA, Dušan. Športoví diváci ako súčasť moderného športu. In: SEKOT, Aleš. (ed.): *Sociální dimenze sportu*. Brno: Masarykova univerzita v Brně, 2004, p. 155.

hooligans, databases of these people were created, and information about them was exchanged between the involved parties.<sup>26</sup>

The safety pillar includes measures related to the protection of individuals from injuries, threats to well-being and health during sports events. It includes the stadium infrastructure and certification, emergency plans, and alcohol consumption measures. The measures also protect people traveling to a sports event and people in spectator areas outside the stadium.

The security pillar includes all measures intended to discourage, prevent, and sanction manifestations of violence and inappropriate behaviour in the context of a football or similar sports event. This area includes cooperation between the police and other competent authorities, determination of sanctions, and risk assessment. In the last pillar, we find all measures that aim to create a pleasant and friendly environment at sports events. These are not only measures applied at the stadium, but also in various public areas in which people meet before, during, and after the match.

The parties are obliged by this Convention, inter alia:

- to draw up arrangements aimed at identifying, analysing and evaluating existing risks in the field of protection, security, and provision of services,
- to share information on risk assessment,
- to ensure coherent operating rules of stadiums and to determine specific procedures applicable to crowd management, use of pyrotechnics, violent behaviour, and discriminatory manifestations of participants,
- to define and evaluate policing strategies on a regular basis, taking into account experience in data gathering, risk-based policing, or dialogue with fans,
- to take all measures to reduce the risk of involving people in violent incidents or to prevent their organization,
- to exchange experiences in the framework of international cooperation.

This Convention has also established a Committee on Safety and Security at Sports Events, which is responsible for supervising compliance with the provisions of the Convention by its contracting parties. The Committee is composed of delegations of the contracting countries and such delegations are composed of representatives of the principal government agencies primarily responsible for safety in sport, representatives of national football information points, and, where appropriate, observers from sports organizations. The application of the Convention is monitored through visits to the contracting countries by the members of the Committee.<sup>27</sup>

The CR ratified this Convention in 2019. The chairman of the advisory group is the Czech policeman Lt. Col. Jakub Schoř, who is responsible for negotiations with international associations and unions, such as UEFA or the International Olympic Committee, on behalf of the Council of Europe.

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<sup>26</sup> Cf. MAREŠ, Miroslav; SMOLÍK, Josef; SUCHÁNEK, Marek. *Fotbaloví chuligáni*. Brno: Centrum pro studium demokracie a kultury, 2004, pp. 161-171; LEŠKA, Dušan. Športoví diváci ako súčasť moderného športu. In: SEKOT, Aleš. (ed.): *Sociální dimenze sportu*. Masarykova univerzita v Brně, 2004, p. 155.

<sup>27</sup> Council of Europe. *Integrated Safety, Security and Service Approach at Sports Events*. 2016. [online]. [cit. 2023-04-18]. Dostupné z: <https://www.mvcr.cz/clanek/kriminalita-146433.aspx?q=Y2hudW09Mg%3D%3D>

The fact that spectator violence also receives considerable attention within individual EU Member States is also evidenced by the implementation and performance of various national strategies related to the topic. However, it is important to realize what can be understood as “spectator violence”, often associated only with football matches. The phenomenon of spectator violence has its historical roots and can be found as far as back as in Antiquity, but also in other historical periods.<sup>28</sup>

In the context of hooligans, it is important to define what activities are actually concerned and what can be subsumed under the question of “spectator violence”. Veuthey & Freeburn exemplify the fact that although the term hooligans is associated with acts of violence and unrest that can occur among sports spectators, the term is most often associated with the football environment<sup>29</sup>. Connection between hooligans and football, calling these manifestations the English disease or the British disease.<sup>30</sup>

It is also important that hooligans and the issue of spectator violence are very problematic to grasp. On the one hand, there are theories that describe football hooliganism as a term that affects a wide range of areas, both individually and in the entire context. On the other hand, there are authors who oppose the fact that there is no usable and clear definition of hooliganism, or a clear definition of this phenomenon. It is important to remember that many violent manifestations may not be limited to the period set by the time of the match and the space of sports stadiums alone. It is often possible to encounter manifestations of hooliganism and spectator violence outside sports stadiums (parks, fields, remote areas outside urban agglomerations, etc.).

The concept of “spectator violence” can also be problematic, as it contains the concepts of violence and aggression, which are usually associated with physical attacks among the general public, not only at stadiums, but mainly at the general level. If we were to define the meaning of the words violence and aggression, aggression in particular belongs to the natural repertoire of behaviour. However, it is important to distinguish it in a twofold sense, namely in a broader sense, when it is an activity or its deliberate rejection, aimed at damaging or reducing a certain value. In a narrower sense, aggression is illustrated by various verbal expressions, curses. In this sense, the concept of aggression also coincides with its general understanding, i.e. with physical violence and attack.<sup>31</sup>

If we talk about the variability of various violent manifestations at stadiums, it can be stated that they have a variety of forms, however, there are several common features, including:

1. use of pyrotechnics,
2. pre-arranged violent clashes,
3. violence related to alcohol or people under the influence of alcohol.

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<sup>28</sup> ZIMNIAK, Robert. The Sociological and Psychological Aspect of Football Hooliganism. *Teisé*. 2020, p. 153.

<sup>29</sup> Cf. FREEBURN, Lloyd; VEATHEY, Alexandra. The Fight Against Hooliganism in England: Insights for Other Jurisdictions? *Melbourne Journal of International Law*, 2015, pp. 203-255.

<sup>30</sup> For more details see: FROSDICK, Steve; MARSH, Peter, E. *Football Hooliganism*. Willan Publishing. 2005.

<sup>31</sup> Cf. ČÍRTKOVÁ, Ludmila. *Policejní psychologie*. Plzeň: Aleš Čeněk, 2006.

It is not without interest that the hooligan scene is usually associated with extremist manifestations and these are rather common at stadiums. Nevertheless, it appears in European materials that EU countries have no problem with extremist violent manifestations of hooligans.

The fact that pyrotechnics is one of the problematic areas associated with spectator violence was also on the agenda of the legislative bodies of the CR, and an amendment to the act on offences was proposed. In this amendment, the use of pyrotechnics in stadiums was also addressed and a change was proposed to impose a fine on the perpetrator for this illegal activity, ranging from CZK 10,000 to CZK 50,000.<sup>32</sup> Of course, in this legal regulation there are also provisions related to the prohibition of entry to the stadium (e.g. the provisions of Section 52(1) of Act No. 250/2016 Coll.).

## Foreign experience

In the past, one of the main reasons for the manifestations of spectator violence was associated not only with the rivalry of the sports clubs involved, but also with the consumption of alcoholic beverages. However, alcohol consumption also has its limits, for example, it was found that in the United Kingdom more than 80 % of football matches (not international) were free from any form of violence. The fact that alcohol can play a role in violent clashes is clearly visible in the example of the United Kingdom, operating the BTP (British Transport Police) unit, which ensures the smooth transfer by mass means of transport to the place of the match. If necessary, it deploys so-called “dry trains”, meaning the consumption of alcohol is prohibited. Also interesting is the division of units earmarked for possible intervention against aggressive fans, as well as the training thereof. Significant aid is the cooperation of police forces with individual sports clubs and the organization of individuals in charge of security. In addition to analytical activities related to data collection, intelligence officers, and so-called spotters take the leading position. While the former are in charge of collecting, evaluating, analyzing, and subsequently distributing information in order to reduce the risk of violent clashes, spotters are those officers whose job is to identify and monitor hooligans in the club, especially when traveling to matches outside the home base. These people are relatively close to the sports clubs and fans and thus they can better monitor the whole situation, but also work with the fan base directly.<sup>33</sup>

The situation is similar in Italy, where the manifestations of hooligans and the so-called risk assessment are associated with:

1. possibility of violent clashes between fans from rival clubs,
2. potential pressures between fans and sports clubs and associations,
3. possible conflicts with members of the police and other involved security forces.

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<sup>32</sup> EuroZpravy.cz. *Sněmovna proti hooligans: Za pyrotechniku na stadionech tučná pokuta / zákaz vstupu*. 2021. [online]. [cit.2023-04-18]. Dostupné z: <https://eurozpravy.cz/domaci/politika/snemovna-proti-hooligans-za-pyrotechniku-na-stadionech-tucna-pokuta-i-zakaz-vstupu.8768e19a>

<sup>33</sup> Cf. MILOJEVIC, Sasa; JANKOVIC, Bojan. Police measures and actions in confronting football hooliganism in some European countries. *Conference: Archibald Reiss Days*. Belgrade. 2012, pp. 613-622.

It is interesting that the division of sports spectators is partially different, for example, from that used in the CR. In the CR, sports spectators are divided into three basic categories, namely football spectators, fans, and hooligans, while football fans are often referred to as “ultras” and they are in charge of choreos, creating the atmosphere during matches, etc.<sup>34</sup> In Italy, however, ultras are regarded as the most extreme fan groups.

As for the V4 countries (CR, Poland, Hungary, Slovakia), the situation in Poland, for instance, is similar to that in the UK, where the so-called spotters are used to monitor the hooligans’ activities. The streamlining of the work of the Polish security forces in monitoring these activities is mainly due to the European Football Championship in 2012, which Poland organized together with Ukraine. The improvement consisted mainly in the implementation of the “3T” strategy:

1. (Troska) - fan protection, but also the collection of information about matches, transport, trips to the stadium, etc.,
2. (Tolerancja) - the police should have understanding for the manifestations of fans, unless they are in conflict with local customs,
3. (Tłumienie) - suppressing problem groups of fans and their manifestations.<sup>35</sup>

In connection with combating spectator violence, Poland has started to use computer technology in training, which brings about the possibility of various model situations, with members of the security forces being able to train and educate themselves on how to proceed in the emergence of various problematic situations. This simulator is not only used to practice the elimination of problems arising from spectator violence, but it can also be used in other mass events.<sup>36</sup>

## Method

The selected method for research on trends in the field of football hooliganism research was the analysis of trends based on statistical data available to the Czech police authorities, namely the Police Presidium of the Czech Republic and the Ministry of the Interior of the Czech Republic. In this respect, it is a secondary data analysis. In sociology, it is common sense to reuse already collected data in order to obtain new information.<sup>37</sup> Secondary analysis leads to a deeper look, it is often used to identify the main trends or changes in a particular phenomenon. However, the disadvantage may be the situation where there are problems of data comparability (e.g. criminalization or decriminalization of certain behaviour). That is why the data relate to the period from 2011 to 2021, because Act No. 40/2009 Coll., which introduced a ban on entry to sports, cultural, and other social events (Section 76), came into force in 2010. Secondary analysis also assumes that there is quality archiving and availability of

<sup>34</sup> MAREŠ, Miroslav; SMOLÍK, Josef; SUCHÁNEK, Marek. *Fotbaloví chuligáni*. Brno: Centrum pro studium demokracie a kultury, 2004.

<sup>35</sup> Cf. MILOJEVIC, Sasa; JANKOVIC, Bojan. Police measures and actions in confronting football hooliganism in some European countries. *Conference: Archibald Reiss Days*. Belgrade. 2012, pp. 613-622.

<sup>36</sup> Youtube. *How a simulator is functioning*. 2012. [online]. [cit.2023-04-18]. Dostupné z: <http://www.youtube.com/watch?v=YaXSGZPUqbo>

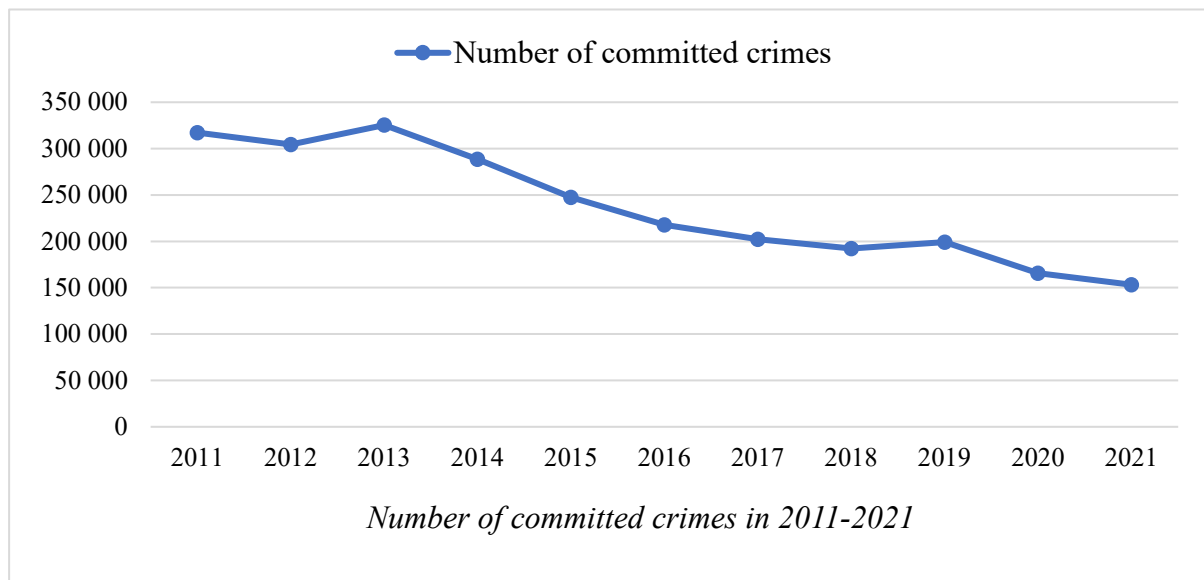
<sup>37</sup> VÁLKOVÁ, Helena; KUČHTA, Josef; HULMÁKOVÁ, Jana a kol. *Základy kriminologie a trestní politiky*. 3. vydání. Praha: C. H. Beck, 2019, p. 43.

primary data, which can be expected from state institutions. For the purposes of this paper, secondary data was processed into overview tables and graphs.

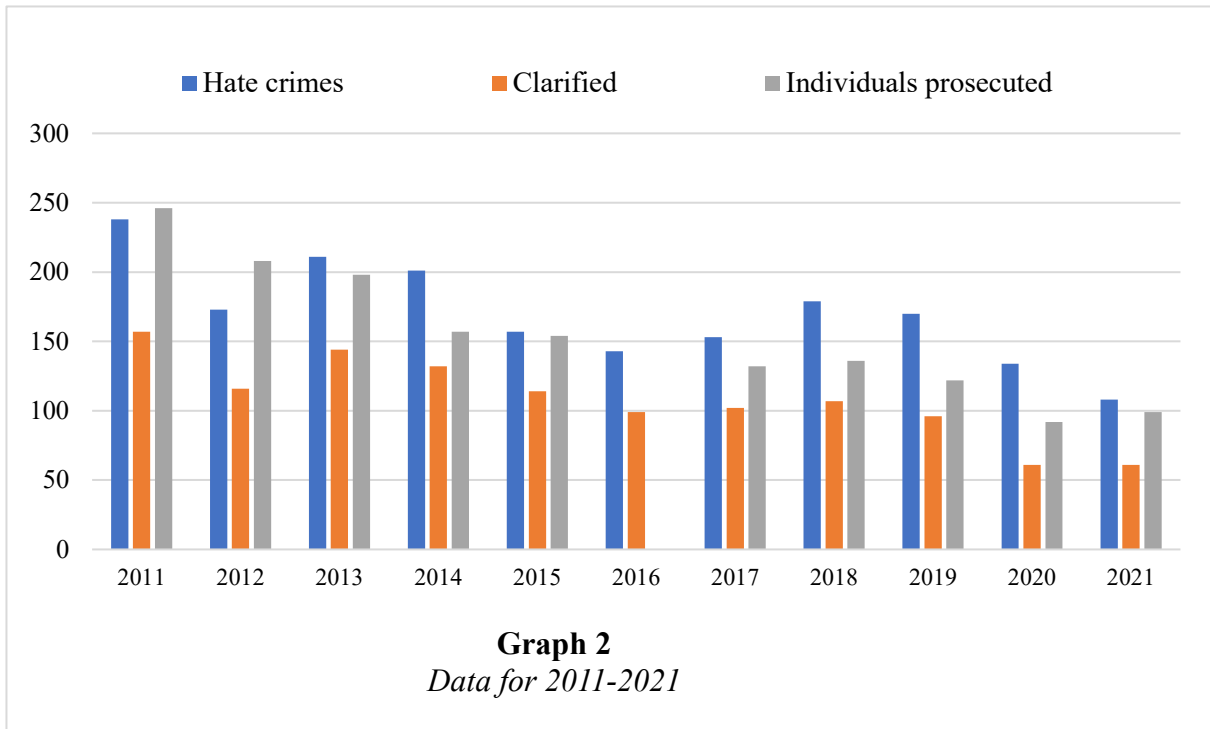
## Results

For the introduction to the statistical data on this crime, a graph was chosen, displaying the development of the number of crimes committed in the territory of the CR in the period 2011 to 2021. As is clear from Graph 1, apart from 2013 and 2019, we can see a gradual decline in crime. The downward trend in the overall crime rate in the CR in 2020 and 2021 was probably also caused by measures taken by the government of the CR in the fight against the Covid-19 pandemic. In the context of football hooliganism, crimes with hate subtext are also significant (see Graph 2 and Table 2 for more details), which are rare in the context of overall crime, but are often covered by media (e.g. in the form of live TV broadcasts or online broadcasts on social networks). Here, too, the Police of the Czech Republic manage to detect a large part of criminal activity (see Table 2).

Graph 1 - Total number of crimes committed in CR



Graph 2 - Overview of the number of detected hate crimes, the number of clarified acts in this category along with the number of prosecuted individuals



In 2016, the Ministry of Interior of the Czech Republic did not provide data on the number of individuals prosecuted for hate crimes. For statistical comparison, MoI CR counts actions of tactical-statistical classifications with a symptom of extremism as acts with a hate subtext.

Table 2 – Number of crimes committed and share of hate crimes in the period 2011-2021.

	Number of crimes in CR	Number of crimes with a hate subtext	Rate of detected crimes (%)	Number of clarified crimes	Rate of clarified crimes (%)	Number of prosecuted individuals
2011	317,177	238	0.08	157	66	246
2012	304,528	173	0.06	116	61.10	208
2013	325,388	211	0.06	144	68.30	198
2014	288,660	201	0.07	132	66.70	157
2015	247,628	157	0.07	114	65.70	154
2016	217,927	143	0.07	99	69.20	n/a
2017	202,303	153	0.08	102	66.70	132
2018	192,504	179	0.09	107	59.80	136
2019	199,221	170	0.09	96	56.50	122
2020	165,525	134	0.09	61	45.50	92
2021	153,233	108	0.07	61	56.50	99

For a better overview, Table 2 is attached, which, in addition to the above data, contains a list of the percentage of hate crimes within the total number of crimes committed in the given years and the conversion of clarified crimes into percentages. The total number of prosecuted individuals in the reporting period decreased from 246 prosecuted individuals to the level of approximately 100 prosecuted individuals in 2020/2021. This trend was probably related to the Covid-19 pandemic, which, at the same time, added a higher degree of polarization of the Czech society, including violent demonstrations, in which some football hooligans participated.<sup>38</sup>

Table 3 – Proportion of crime with an extremist subtext (prepared by the authors)

	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Section 403 - Section 406	96	78	79	100	85	68	70	72	61	39	0
Section 355	33	33	37	27	16	17	21	36	26	29	20
Section 352	41	20	19	12	17	17	20	29	27	23	35
Section 356	15	to a lesser extent	13	17	13	9	15	25	41	34	26
Section 145- 6	21	15	19	7	7	7	7	7	5	3	2
Section 358	10	/	8	/	18	11	12	7	3	1	0
Section 353	/	/	/	/	3	2	0	0	1	0	16
Section 228	/	/	3	6	3	3	3	0	0	0	0
Section 228/2	/	16	5	/	4	9	5	3	6	5	9

Explanation of sections listed in Table 3:

- Section 403 - establishment, support and promotion of a movement aimed at suppressing the rights and freedoms of people
- Section 404 - expressing sympathies for movements seeking to suppress human rights and freedoms
- Section 405 - denial, impugnation, approval, and justification of genocide
- Section 355 - defamation of nation, race, ethnic or other group of people
- Section 352 - violence against group of people and individuals
- Section 356 - instigation of hatred towards a group of people or of suppression of their rights and freedoms
- Section 145 - grievous bodily harm
- Section 146 - bodily harm
- Section 358 - disorderly conduct at sports and public events
- Section 353 - dangerous threatening
- Section 228 - damaging a thing of another
- Section 228/2 - spraying/graffiti

<sup>38</sup> Cf. SMOLÍK, Josef. Covid-19 a skupinová polarizace. In: *X. ročník Medzinárodnej vedeckej konferencie študentova a mladých vedeckých pracovníkov*. Košice: Univerzita Pavla Jozefa Šafárika, 2022, pp. 7-20.



As shown in Table 3, the largest share of hate crimes was constituted by the group of crimes under sections 403-405 of the Criminal Code. Furthermore, a significant number of criminal offences pertain to Section 355, Section 352, and Section 356. A smaller group then consisted of crimes under Section 145-6, Section 358, and Section 228/2. To a small extent, the criminal offences of dangerous threats and damage to someone else's property are represented.

**Table 3**  
*Number of security measures and infringements (prepared by authors)*

SM <sup>39</sup>	num ber of SM	number of PO <sup>40</sup>	number of crimes	number of offences	disturbance of public order			pyrotechnics	
					assaulting the police officer	civil coexistence	vandalism	outside	inside
Football matches	379	16,133	13	176	6	11	2	28	51
<b>Total number</b>	<b>753</b>	<b>22,947</b>	<b>18</b>	<b>209</b>	<b>7</b>	<b>16</b>	<b>2</b>	<b>30</b>	<b>53</b>

From the Table 3 above, it is possible to trace the number of crimes and offences for the given period, as well as the relatively widespread use of pyrotechnics, which was registered by the Police of the Czech Republic in the statistics.

**Table 4**  
*Number of security measures and infringements*

SM	entering the pitch	inappropriate/ political choreo	racism	other	extraordinary event	detained/arrested/su mmoned individuals
Football matches	5	0	2	178	11	149
<b>Total number</b>	<b>5</b>	<b>1</b>	<b>2</b>	<b>204</b>	<b>13</b>	<b>166</b>

Tables 3 and 4 show the number of security measures and the number of individual infringements. Last year, the police carried out a total of 753 security measures at all sports matches, deploying 22,947 police officers.<sup>41</sup>

## Discussion

Police statistics testify to the true relevance of the phenomenon of football hooliganism. Criminal law as well as criminology and sociology of sport play a key role not only in the fight against football spectator violence, but also in the implementation of preventive programmes.

<sup>39</sup> SM – security measures.

<sup>40</sup> PO – public order.

<sup>41</sup> RUSŇÁK, Pavel; SCHORŤ, Jakub. *Zpráva za problematiku diváckého násilí za rok 2021*. Internal report of the Police of the Czech Republic, Regional Police Directorate of the Capital City of Prague - Department of Extremism and Terrorism, Prague, 2022.

In connection with the manifestations of football hooliganism, there is not only the issue of verbal and brachial aggression before, during, and after sports matches to be discussed, but also the fact that these manifestations are not limited to football matches. Furthermore, the issue of using the symbols in the vicinity of stadiums or in other environments (in the vicinity of schools, public transport stops, etc.) should be brought to attention. These symbols can often include various extremist or self-identifying manifestations in order to disrespect other sports clubs, officials, members of the security forces, etc. The possibility of using younger athletes to incite hostility and hatred towards sports opponents should not be left aside.

## Conclusion

Almost every football team playing in the highest league as well as some teams from lower competitions have a hooligan group attached that accompanies them not only to matches at home, but also to those taking place away, including abroad. Despite the introduction of measures, such as cameras, in the areas of football stadiums, seats secured against damage, and thorough checks on people entering the match, spectator violence has not been completely eradicated, for the very reason that it is much more often relocated outside the football stadium. There is also more professional training in gyms with professional athletes involved in fights between hooligan groups. Regarding the future, it is necessary to continue education and training of the organizing services and police forces, to improve cooperation between FAČR, LFA, and the police, to monitor at-risk persons, and to carry out thorough security checks<sup>42</sup>. Regarding the organizing service, it is necessary to ensure a thorough review of the applicant's records in order to prevent the penetration of extremists among the members of the organizing service.

Clubs, for their part, need to be involved in setting up preventive educational programmes for their fans. Such a worker, or a group of workers, would help fans realize the real consequences that the club must bear for their actions (for example, fines that the club is subsequently obliged to pay, bad reputation of the club). In this way, the worker could help the supporters of the club transform their style of supporting and at the same time get closer to the core of the club.

The CR would benefit from the creation of a single act that would penalize spectator violence as a whole and that would define specific crimes of spectator violence. For example, it could concern a fan running onto the pitch or into the delimited area for referees. In this context, it is possible to propose an increase in penalties for these acts in order to discourage other people from doing so. Currently, acts related to spectator violence are contained in Act No. 40/2014 Coll., the Criminal Code, Act No. 115/2001 Coll., on the Promotion of Sport, and Act No. 251/2016 Coll., on Certain Minor Offences.

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<sup>42</sup> Ligová fotbalová asociace. *Dohoda o spolupráci k zajišťování bezpečnosti a pořádku při fotbalových utkáních z 21. března 2017*. 2017. [online]. [cit.2023-04-18]. Dostupné z: <https://www.mvcr.cz/clanek/kriminalita-146433.aspx?q=Y2hudW09Mg%3D%3D>

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2003–2012 – Prison for men Kuřim

2012 – member of Prison service mission in Afghanistan – interpreter, security consultant

2012–2020 – Prison for women Světlá nad Sázavou

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Doctor degree: „Manifestation of extremism in prisons“

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