



HOME OFFICE
QUEEN ANNE'S GATE
LONDON SW1H 9AT

31 May 1985

Dear Tim,

FOOTBALL VIOLENCE

Your letter of yesterday to Phil Dykins records the outcome of the Prime Minister's meeting yesterday with other Ministers, including Mr Shaw. The current position on matters concerning the Home Office is as follows.

Legislation on alcohol

The Home Secretary has written today to the Lord President with his proposals on alcohol legislation, for enactment this session. The Prime Minister has of course received a copy of that letter.

Police action

The police in Merseyside and in Kent have been in touch with Belgian police to offer all assistance. In Merseyside the police have a video film of the TV transmissions which is being viewed by a number of officers who are regularly on duty at Liverpool FC and Everton FC. The BBC and ITV are also providing high quality recordings of their transmissions. The Belgian authorities are supplying TV film through the FCO, and this will also be viewed. Other still pictures will also be examined. In London similar film material is being viewed both by the Special Branch and by officers at Chelsea (in view of the claims by Mr John Smith that Chelsea NF members were involved).

To date the Special Branch have no evidence of central co-ordination of football violence by the National Front, either at Brussels or in previous matches. But they do not discount the possibility that individual NF members, or small groups, may have been involved.

Message to Minister of the Interior

The Home Secretary has written to the Minister of the Interior for Belgium to express sympathy and offer the assistance of the British police.

Offences abroad

As the note of the Prime Minister's meeting records, UK law does not allow those who may have committed offences in Belgium, short of homicide, to be tried in this country; the difficulties over securing evidence of a kind to satisfy the English courts argue against any offer to amend our law; and such an offer would be of no use in relation to those who have committed offences in Belgium because the extension of our jurisdiction could not, on normal principles, be retrospective.

/The same

Tim Flesher, Esq

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The same difficulties do not apply to the removal to this country of persons who may be given custodial sentences in Belgium. The Home Secretary believes that it will be helpful, as part of the Statement on Monday, to announce that we intend to offer Belgium arrangements which would prevent this. I attach a copy of the material which we are sending to the DOE for the statement. There are problems, not least that the obvious vehicle for repatriation is the Council of Europe Convention, which Belgium is at present unable to ratify. However, enquiries are being made through the Embassy in Brussels into whether present Belgian law would permit an interim agreement of any sort to be concluded in advance of the Convention coming into effect between the UK and Belgium. The material which we are offering now depends upon the answer to that enquiry and may therefore need revision in the light of the FCO's findings.

"Hoolivans"

The Prime Minister will be aware of the existing plans to make available to police forces a van mounted with cameras for use in policing events where public disorder is possible, and therefore particularly relevant to football matches. In the light of events in Belgium the Home Secretary has decided that two further vans should be produced and equipped by the Home Office, and made available on demand to police forces (probably for a fee). This should help ensure that no police force is handicapped by the unwillingness of its police authority to purchase a van. An announcement on this is probably too small beer for the statement, but we shall let the Prime Minister have a supplementary to cover it.

I am copying this to Colin Budd (FCO), John Ballard (DOE), Phil Dykins (Minister of Sports' Office) Peter Westmacott (Minister of State's Office FCO) and Steve Pike (Mr Shaw's Office here).

Jan
Neyel

N A PANTLING

REPATRIATION OF PRISONERS: DRAFT CONTRIBUTION TO STATEMENT

We are anxious to give the Belgian authorities every possible assistance in bringing to justice and dealing appropriately with people from this country who have committed offences in connection with this match. It is entirely for them to decide how to tackle that matter, but we want to remove any possible difficulty or disincentive which it is within our power to remove. One possible disincentive may be that it is less trouble simply to remove Britons who may have committed offences from the country than to prosecute and sentence them appropriately. We intend to offer the Belgians the opportunity, in accordance with the Repatriation of Prisoners Act, to remove to this country anyone who may be given a custodial sentence. Belgium is not yet a party to the Council of Europe Convention on the Transfer of Sentenced Persons, which will come into effect for the United Kingdom on 1 August. If she wished and were able to enter into an interim agreement with us, we should be ready to do so, and we shall be informing the Belgian Government accordingly.

POSSIBLE RETURN TO THE UK OF BRITISH NATIONALS WHO MAY BE GIVEN
CUSTODIAL SENTENCES IN BELGIUM

Background Note

Ministers are concerned to ensure that the Belgian authorities are not deterred from vigorous prosecution of persons who may have committed offences in connection with the Brussels match, or from the imposition of suitably severe sentences, by considerations of convenience or expense. They therefore wish to offer Belgium their cooperation in exploiting to the maximum extent possible, if the Belgians wish to do so, any opportunity to return the persons concerned to this country to serve their sentences here.

2. The Repatriation of Prisoners Act 1984, which came into effect on 15 April 1985, allows the UK to give effect to any arrangements concluded with another country for the transfer of prisoners. The Council of Europe Convention on the Transfer of Sentenced Persons provides such arrangements. The United Kingdom ratified the Convention at the end of April, and it comes into effect for the UK on 1 August 1985. Belgium has signed the Convention, but has not yet ratified it. We understand the Belgian authorities have previously said that they are unlikely to be able to ratify until 1987, and that the reason for the delay is that Belgium needs still to enact domestic legislation to enable her to give effect to the provisions of the Convention.

3. We should be pleased, both in the present context and generally, if Belgium were able to ratify the Convention earlier.

4. The Convention provides that transfers shall not normally be arranged if the prisoner has less than six months of his sentence left to serve. There is, however, provision in the Convention for this rule to be relaxed in exceptional cases by agreement between the two States concerned. When the Convention was drawn up, it was envisaged that the six-month rule might be relaxed if the prisoner's rehabilitation seemed particularly likely to be assisted by a transfer or if a transfer could be effected expeditiously and at low cost, for example between neighbouring states. The latter consideration, if not the former, would apply in the present case.

5. In the interval before Belgium is able to ratify the Convention, we should also be willing to enter into a special bilateral agreement, if the Belgians wished it and their law allowed it, to provide for the return to this country of Britons given custodial sentences in connection with the Brussels match. Such an arrangement would have to reflect the safeguards contained in the Act, such as the requirement that the prisoner's consent to transfer should be forthcoming. If Belgian law does not allow her to ratify the Convention, nor presumably does it allow her to enter into a bilateral arrangement akin to the Convention. Possibly, however, her law might allow a "one-way" agreement, whereby she could "export" prisoners from Belgium even if she could not "import" them. This is a matter for the Belgian authorities to consider. We should not want the precedent of a "one-way" agreement, or of a special agreement with a country which plans to become a party to the Council of Europe Convention, to be followed widely elsewhere; but it seems right to make the offer of such an agreement in the particular circumstances of this affair.

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