



# Department for Business Innovation & Skills

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Lord Stevenson of Balmacara  
House of Lords  
London  
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28 October 2014

Dear Wilf,

## **CONSUMER RIGHTS BILL**

We had an interesting and stimulating debate about ticket resale during the deliberations in Grand Committee on the Consumer Rights Bill on 15 October 2014. I appreciated hearing all of your comments and will be giving further thought to the issues you raised.

In the debate we agreed it would be useful for me to write to you with more detail on enforcement of the current legislation, once we had gathered the statistics from other Departments:

### Data on enforcement - "ticket touting"

The only sport where "ticket touting" is an offence is for the unauthorized resale of tickets for certain professional football matches in England and Wales. This regime is administered by the Home Office, as its primary aim is the maintenance of public order. Last month the Home Office published updated (which gives a comparison of arrests for "ticket touting" in comparison to other offences. The full report is online<sup>1</sup> but I have included the latest statistics here for ease of reference:

Type of Offence	Arrests (2013-2014 Season)
Violent Disorder	356
Public Disorder	705
Missile Throwing	57
Racist or Indecent chanting	21
Pitch Incursion	174
Alcohol Offences	572

<sup>1</sup> <http://bit.ly/1yoADYD>

<b>Ticket touting</b>	<b>104</b>
Possession of Offensive Weapon	13
Use or Possession of Fireworks or Flares	188
Breach of Banning Order	42
Offences Against Property	41
TOTAL	2,273

On prosecutions for these offences, I am attaching at Annex A to this note the latest data from the Ministry of Justice database. There is an average of 69 prosecutions per year under section 166 of the Criminal Justice and Public Order Act 1994 (sale of tickets by unauthorised persons). As you can see, there has been a steady decline over the last few years for that particular offence.

### The Fraud Act

During the debate, references were made to the Fraud Act and ticketing fraud. The Association of Chief Police Officers<sup>2</sup>, has published data of reports under the Fraud Act for 2013:

<b>Ticket Type</b>	<b>Total</b>	<b>% of Total reports</b>
Flight	1015	22%
Concert	690	15%
Festival	468	10%
Sport	294	6%

During the 2012 London Olympic and Paralympic Games, Operation Podium which...mentioned identified over 200 unauthorised websites and eight confirmed fraudulent websites. Operation Podium also conducted 19 operations targeting "organised criminal networks" behind fraudulent websites purporting to sell tickets for the games, utilising existing fraud and money laundering legislation to disrupt their activities. The Office of Fair Trading also gave details in their 2012-2013 annual report of enforcement action taken during the London 2012 Olympic and Paralympic Games<sup>3</sup>. I was pleased to read in the media this week that the organisers of Rugby World Cup 2015 have had similar success with regards to their online ballot last month.

### Consumer Law

Our debate last week and on 22 October also covered fees and charges levied by primary sellers of tickets. The Committee may therefore be interested to see the Advertising Standards Authority's evidence to the House of Commons Public Bill committee<sup>4</sup> where they explain that, in 2013, the Authority ruled against four theatre ticket providers for quoting misleading ticket prices on their websites. Since September 2013, the Authority has been conducting comprehensive enforcement, including assessing 130 websites. Although the vast majority of companies comply with rulings made by the Authority, it can take additional enforcement action (such as a referral to Trading Standards) in cases of repeat offending.

<sup>2</sup> <http://bit.ly/1yoADYD>

<sup>3</sup> <http://bit.ly/1tNlylf>

<sup>4</sup> <http://bitly.com/1we3wZw>

I am sending a copy of this letter to all peers who took part in debate on this issue, and also placing a copy in the libraries of both Houses.

*Lucy Neville-Rolfe*

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