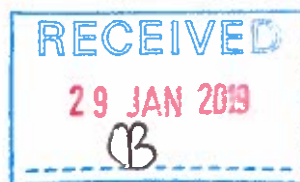


HM Senior Coroner
Coroner's Court
1 Mount Tabor Street
Stockport
SK1 3AG



BY RECORDED DELIVERY

25 January 2019

Dear Ms Mutch

RE: Richard John Whale
Your ref: 8927/CLB

On behalf of Manchester United Football Club Limited (the "Club"), I write in response to your Regulation 28 Report (the "Report") dated 21 December 2018. I note that the Report has also been sent to Trafford Metropolitan Borough Council ("TMBC") and the Department for Digital, Culture, Media & Sport ("DDCMS"), each of whom I understand will also be submitting their own response to the Report.

Opening remarks

Before turning to the specific matters raised in the Report, let me first reiterate that everyone at Manchester United is deeply saddened by the death of Mr Whale. The club continues to extend its sincere condolences to his family.

The health, safety and security of all supporters and visitors at Old Trafford is of utmost importance to Manchester United and we go to great lengths to ensure our procedures are audited, monitored and adhered to at all times. We work with independent safety inspectors from the local authority (TMBC), national stadium safety inspectors (the Sports Ground Safety Authority, "SGSA"), and external safety auditors to ensure the correct procedures are administered.

We believe that the club operates its health, safety and security arrangements to an exceptionally high standard and in full compliance with the law; this is reflected in the consistently excellent feedback we have received from the regulators. However, we are not complacent in this regard and we constantly seek to learn and to improve our procedures. We therefore welcome the observations in the Report on opportunities for further risk reduction.

Following the conclusion of the inquest into Mr Whale's death in November 2018, we have implemented the following additional steps in close consultation with TMBC and the SGSA:

- The match-day slips/trips/falls risk assessment has been further reviewed, updated and enhanced with input and advice from TMBC. It has also been externally validated by an independent health and safety consultant. This now includes the potential risks arising from 'impediments caused by the presence of spectators, staff and stewards'. The risk controls have also been expanded to include the briefings, training and guidance being provided to stewards and the 'real time' monitoring and auditing that is taking place as described further



below. In addition, the risk assessment also includes reference to steward vigilance, customer engagement and steward positioning on vomitories.

- Briefings are continually ongoing to all stewards, which cover their duties, roles and responsibilities. This information is also included in match day briefing notes. Within these briefings, we have increased the focus on the importance of the provisions of the Stewards Code of Conduct. The briefings place particular emphasis on (i) stewards' awareness of their surroundings and prevailing situation, (ii) customer engagement, (iii) ensuring that vomitories remain unimpeded at all times, and (iv) ensuring availability of handrails for supporters at all times.
- In addition, specific steward positioning guidance has been delivered to all stewards who are responsible for vomitory areas which:
 - provides guidance to ensure that steward positioning allows supporters to use the handrails and to ensure that the stewards facilitate their use;
 - emphasises the need for stewards to be continually alert to people coming to use the vomitory and to move accordingly to allow space to pass; and
 - further emphasises to all stewards that their focus must not be distracted by events taking place on the pitch during the match, in order that they maintain their position and awareness of their surroundings as to carry out their regulated duties.
- Regular proactive checks have been put in place to ensure that no more than two stewards are present in the vomitory space (save for exceptional circumstances where an additional stewarding presence is required). In periods of heavy footfall, one steward will stay near the head of the vomitory whilst the other will move down inside so as to maximise accessibility of the handrails.
- As part of this new monitoring and audit process we have introduced new quality assurance compliance check sheets. Head Stewards / Deputies / members of our Safety & Security Team conduct audit checks across the stadium, which involves questions to stewards about their knowledge and understanding of their specific duties, codes of conduct and vomitory protocols. This also includes quality assurance of supervisors' briefings. Outcomes are recorded on the compliance check sheets, and advice and training is given as required (information on these topics is also contained in Stewards Handbook which is issued to all stewards). The completed sheets are collated and evaluated by senior safety staff and filed post every match.

All of the above was fully in place prior to the Boxing Day fixture, and is in addition to our already rigorous and extensive spectator safety measures.

As noted above, we continue to strive to improve our spectator safety measures. We are therefore keeping all of the above under continuous review in close consultation with TMBC and SGSA.

Response to the specifics of the Report

The Report (at section 5) lists four specific matters of concern. We respond to each of these as follows:



1. The Local Authority had issued a list of recommendations to the club after the death of Mr Whale. There was no mechanism in place for discussion of those recommendations or to ensure that they had been followed or if not followed discussion for reasons.

As noted in paragraph 21.3 of our legal counsel's closing submissions to the inquest, the letter sent by TMBC to the Club did not ask for a written response, nor was any response subsequently requested by TMBC (with whom we met regularly following receipt of the letter). The Club carefully considered the contents of the letter and carried out such actions as were necessary, whilst continuing to regularly consult and confer with TMBC (including verbal discussions of those recommendations). However, on reflection and having conferred further with TMBC following conclusion of the inquest, we accept that it would have been preferable if there had been a more formal mechanism put in place for discussion of those recommendations and their implementation. In future, should we receive written advice from TMBC we will ensure that this is formally responded to in writing. We also understand from TMBC that any future correspondence from them which calls for a reply from the Club will be appropriately time-lined to ensure an auditable response trail (an approach with which we agree).

2. The widths of the staircases ("vomiteries" [sic]) is set in the Green Guide. Those widths take into account the handrails but not the inevitable reduction in width that takes place when stewards are deployed into them. In effect, the vomiteries are significantly narrower at points than the suggested widths.

The content of the Green Guide is a matter for the SGSA, whom we anticipate will be working closely with the DDCMS to provide a substantive response to this concern. As noted and accepted during the inquest, the vomitory in question fully complies with the requirements of the Green Guide as applicable at the time of construction.

3. The green guide does not give guidance as to placement of stewards or suggest best practice to avoid stewards blocking access to the handrails. It was accepted during the course of the inquest that the role and placement of stewards was vital to ensuring the safety of the public at football matches.

Again, the content of the Green Guide is a matter for the SGSA. The positioning of the stewarding at Old Trafford stadium is something that SGSA and TMBC have had (and continue to have) many opportunities to observe and advise upon. Neither organisation has ever indicated to the Club that the positioning of the stewards within the vomitories (which is standard practice across most if not all major football stadia) is a cause for concern. Indeed, I understand that at the inquest the evidence from TMBC was that in their opinion stewards need to be located in the position in question for safety reasons; this concurs with our own view and with long-standing practice. However, in view of the concern raised in the Report we have very carefully reviewed the position. We remain satisfied that the positioning of stewards is appropriate, and as noted above we have issued detailed positioning guidance to all stewards deployed in vomitories in light of the findings at the inquest which explicitly codifies existing good practice.

4. It was accepted by MUFC that the club stewards were not complying with the code of conduct relating to stewards although one was trained and one was undergoing training. A supervisor was



also supervising them. There was no evidence of regular audits of stewards and their compliance with the Code of Conduct.

The Club is naturally disappointed that the two stewards in question exhibited lapses in behaviour which were not in compliance with the Code of Conduct. As noted at paragraph 24 of our legal counsel's closing submissions to the inquest (and confirmed by Mr Phil Rainford in his evidence), the Club's stewarding arrangements are very regularly audited from a health, safety and security perspective. In the 12 month period immediately prior to the inquest, the Club was inspected or audited from a health, safety and security perspective by TMBC on at least five occasions, SGSA on at least four occasions, the Safety Advisory Group on one occasion and external independent safety and security auditors on one occasion (which included viewing two matches). None of these regulators, inspectors or auditors advised the Club of any issue relevant to the inquest relating to stewarding arrangements, including the positioning of stewarding in the vomitories.

Nevertheless, we have fully taken on board the concern which has been raised here. Accordingly, as mentioned above in my opening remarks, we have put into place an additional match-by-match system of proactively checking both stewards' positioning within vomitories and checking compliance by stewards with the Code of Conduct (including live auditing of both issues throughout each match).

I trust that the above response addresses the issues raised in the Report. Should you have any queries regarding the above, please do not hesitate to contact me.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Richard [unclear]'. The signature is fluid and cursive.

**GROUP MANAGING DIRECTOR
MANCHESTER UNITED FOOTBALL CLUB LIMITED**