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## Security at the Games: Things can only get better or where's my crystal ball?

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### Abstract

Major international sporting events are much more than that. "Mega" sports events as they are sometimes known regularly celebrate the very best in elite sporting competition but they also provide opportunities for host countries way beyond simply the enjoyment of the sporting spectacle.

Bidding for and then hosting such events is a risky business. The risks are many and varied and start as soon as a country decides to bid to host. As such mitigating identified risks is a major part of the planning, preparation and management of the Games. Security is an obvious risk at Games-time. This paper will analyse the requirements for, and provision of, security and the issues around the procurement of security contracts at some of the more recent Commonwealth Games and the Olympic Games (and Paralympic Games) held in the UK. The paper will also consider how these UK-hosted mega-sporting events have taken heed (or not) of the lessons learned from previous events when contracting-out for such services. Security and crowd management is fast becoming one of the single biggest costs attributable to such events so the key message should be: start early, pay attention to detail, contract shrewdly and build in significant contingency.

Keywords: *Mega events, Event Management, Risk Management, Security, Olympic Games, Commonwealth Games, Planning*

*[First submitted as part fulfilment of the degree of LLM in International Sports Law, Staffordshire University]*

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## INTRODUCTION & RESEARCH QUESTION

Major international sporting events are much more than that. “Mega” sports events as they are sometimes known regularly celebrate the very best in elite sporting competition but they also provide opportunities for host countries way beyond simply the enjoyment of the sporting spectacle.

Bidding for and then hosting such events is a risky business. The risks are many and varied and start as soon as a country decides to bid to host. As such mitigating identified risks is a major part of the planning, preparation and management of the Games. Security is an obvious risk at Games-time. This paper will analyse the requirements for, and provision of, security and the issues around the procurement of security contracts at some of the more recent Commonwealth Games and the Olympic Games (and Paralympic Games) held in the UK. The paper will also consider how these UK-hosted mega-sporting events have taken heed (or not) of the lessons learned from previous events when contracting-out for such services.

## THE COMMONWEALTH GAMES

The city of Manchester in the UK was awarded the status of Host City for the 2002 Commonwealth Games in 1995<sup>1</sup> having announced their intention to bid in 1993.<sup>2</sup> With 281 separate events and disciplines held, the Manchester Games still hold the record for the number of Commonwealth events held. There were ‘only’ 261 events in Glasgow during the summer of 2014.

Glasgow hosted the XX<sup>th</sup> Commonwealth Games in the summer of 2014. It was the biggest multi-sport event that Scotland had hosted in a ‘generation’.<sup>3</sup> Approximately 6,500 athletes and team officials from 71 nations and territories will take part in 17 sports with a further 22 Para-Sport medal events in five sports.<sup>4</sup> Glasgow 2014, taking place 12 years after Manchester, would always be compared to the 2002 event and whilst organisers, governments and tourist boards always seem to try to consider their event and its ‘legacy’ successful, there are always lessons to be learnt along the way. With any major event like these, problems and challenges always appear along the journey to Games-time, but one thing that is important with such recurrent events is how each Organising Committee learns from the last. Glasgow therefore also had the advantage of taking place two years after the London Olympics and Paralympics so should have had the opportunity to learn from the experiences of both LOCOG and M2002.

London 2012 saw 10,568 athletes from 204 countries compete in 302 events across 26 sports; the Paralympic Games saw 4,302 athletes from 164 nations competing in 503 events across 20 sports.<sup>5</sup> With such a scale of event comes unprecedented levels of risk, and planning for any ‘Games’ now includes, out of

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<sup>1</sup> Author uncited, “An Evaluation of the Commonwealth Games Legacy Programme” ECOTEC Research & Consulting Limited [undated] (online) [[http://www.manchester.gov.uk/download/downloads/id/2810/evaluation\\_of\\_the\\_commonwealth\\_games\\_legacy\\_programme](http://www.manchester.gov.uk/download/downloads/id/2810/evaluation_of_the_commonwealth_games_legacy_programme)]

<sup>2</sup> Author uncited, ‘Commonwealth Games: Manchester plans bid’ *The Independent online* (11 November 1993) (online) [<http://www.independent.co.uk/sport/commonwealth-games-manchester-plans-bid-1503597.html>]

<sup>3</sup> Edinburgh hosted in 1970 and 1986

<sup>4</sup> The Scottish Government: The Games Legacy Evaluation Working Group 2012, ‘An Evaluation of the Commonwealth Games 2014 Legacy for Scotland’ (Scottish Government Social Research, 2012) para 1.1 (online) [<http://www.scotland.gov.uk/Resource/0040/00408160.pdf>]

<sup>5</sup> *Wikipedia*, ‘The 2012 Summer Olympics’ (online) [[http://en.wikipedia.org/wiki/2012\\_Summer\\_Olympics](http://en.wikipedia.org/wiki/2012_Summer_Olympics)]

apparent necessity, extensive risk management processes and particularly with regards 'security' which seems to play an ever more significant role.

## RISK MANAGEMENT

Risk management is a key element of any sport event plan and the risks faced by the organising committee are many and varied. At the macro-level, organisational risks may be split across a range of categories including but not limited to: strategic, business, financial and security. Drill down further into these categories and there is a long list of potential risks. These range from poor environmental impact, theft & pick-pocketing, from fraud and 'green' issues to ticket touts, and from personal and fire safety through to domestic or international terrorism. As such, the extent and complexity of any risk management plan, and particularly in relation to security and crowd management, means the security plan is very expensive. At the London Games in 2012 estimates suggest that the actual security costs may have reached in the region of £2 billion and that almost 50,000 workers were on duty each day. That is a lot of risk management for one event but reflects the changing approach to security one that seeks to deter crime and prevent harm rather than respond to it if it happens. That industry has grown exponentially over the last few decades feeding on the fears of those with the duty to protect.

### ***Security & "Securitization"***

The notion of security is complex. It is a multi-faceted concept whose definition can depend very much on the context in which it is being used. Bernhard and Martin (2001) when evaluating security risk and planning for Olympic Games suggested that:

*"When people talk about security, it is mostly unclear exactly what they mean. In the Olympic usage, security seems to mean all of the military, police, intelligence, and surveillance resources deployed around the host city, with the aim of preventing acts of violence."<sup>6</sup>*

Houlihan and Giulianotti reported that the Olympic Security Directorate created by the UK Home Office to co-ordinate the security operation for London 2012 had "identified 27 risk scenarios"<sup>7</sup> that fell into five broad categories: terrorism, serious crime, domestic extremism, public disorder, and natural hazards.<sup>8</sup> Both these definitions seem to focus on more significant and more extreme risks but seem to ignore the lower level, and probably much more frequent, risks. For all its criticisms, Wikipedia gives a broader definition which better provides a framework for this analysis and seems closer to what the common perception of security is:

*"Security is the degree of resistance to, or protection from, harm. It applies to any vulnerable and valuable asset, such as a person, dwelling, community, nation, or organization."<sup>9</sup>*

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<sup>6</sup> D. Bernhard & A. K. Martin, *Rethinking Security at the Olympics* (2012) 1(34) Routledge Online Studies on the Olympic & Paralympic Games 37, 42

<sup>7</sup> B Houlihan & R Giulianotti, 'Politics and the London 2012 Olympics: the (in)security Games' (2012) 88 *International Affairs* 701, 707

<sup>8</sup> Home Office, *London 2012 Olympic and Paralympic Safety and Security Strategy* (March 2011) (online)

[[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/97983/olympic-safety-security-strategy.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/97983/olympic-safety-security-strategy.pdf)]

<sup>9</sup> From *Wikipedia*, the free encyclopedia (*sic*) 'Security' (online) [<http://en.wikipedia.org/wiki/Security>]

There is clear evidence that mega-sports events have experienced a process of ‘*securitization*<sup>10</sup> in modern times. Security planning and delivery has become one of the major elements of the event planning process and a major item in the overall Games budget. Houlihan and Guilianoti report that the cost per athlete<sup>11</sup> rose from around US\$7,000 at the Barcelona Games in 1992 to an estimated US\$181,000 at London 2012. Unpinning this process has been an increased awareness by governments and organisers to the fact that these events have such a long list of many and varied risks that could bring harm to many. This awareness has come from real events. The bombing at the Atlanta Games in 1996, and the attacks on America in 2001 (9/11) to more recently the bombing of the Boston Marathon clearly demonstrate that no western target or event can be 100% safe hence event organisers now seem to have developed a new “*culture of intense risk aversion, and the more specific allocation of resources to provide security on the basis not of probability.....but of possibility and the intense aversion to risk.*”<sup>12</sup>

The UK has had, and continues to experience, serious terrorist incidents on its shores.<sup>13</sup> Further incidents have been prevented, other plots have failed and the security services have used counter-terrorism powers to detain or control those individuals who may pose a threat. Incidents of civil unrest have also added further dimension to the risk profile such as the riots in Tottenham in 2011. The problem for organisers is that their venues are a clear target for those with political motives, or a grievance, due to the profile of the event and any incidents like these will draw significant media interest. These facts make event managers ever more uneasy.

Organisers must also consider that at the micro (individual) level there are even bigger numbers for event managers to worry about. In the London area, in the months leading up to the Olympics, reports suggested that up to 1,700 pick-pocket thefts were taking place every day and that Eastern European gangs would be targeting Olympic event visitors.<sup>14</sup> With all the above data in mind it is clear to see why so much diligence is given over to mitigating the security risks at mega-sports events and why the security budgets for these events are proportionately large; estimates are in the range of 15-20% of total event budget.<sup>15</sup> It is also clear that there is a general agreement that the steps needed to protect the spectators, athletes, staff and local communities are worth taking and that:

*“there is something about the Olympics that radically alters society’s representations of danger and the leeway we afford to governments on special occasions to take extraordinary precautions to keep us safe.”<sup>16</sup>*

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<sup>10</sup> A concept used by Waever 1995 and Buzan et al. 1998, *Cited in* D. Bernhard & A. K. Martin, *Rethinking Security at the Olympics* (2012) 1(34) Routledge Online Studies on the Olympic & Paralympic Games 37, 43

<sup>11</sup> The total cost of the security operation divided by the total number of athletes. B Houlihan & R Giulianotti, ‘Politics and the London 2012 Olympics: the (in)security Games’ (2012) 88 *International Affairs* 701, 707

<sup>12</sup> *Ibid*, 706

<sup>13</sup> More recently these include: 7 July 2005: London bombings; January – February 2007: letter bombs; 30 June 2007: Glasgow International Airport; 22 May 2008: Exeter; 22 May 2013: Woolwich attacks by Islamist extremists; and April - June 2013: Lone terrorist campaign Wolverhampton

<sup>14</sup> J. Doyle, ‘Invasion of the pickpockets’ *Daily Mail Online* (19 July 2012) [<http://www.dailymail.co.uk/news/article-2175867/London-Olympics-2012-As-1-700-fall-victim-pickpockets-day-Eastern-European-gangs-it.html>]

<sup>15</sup> B Houlihan & R Giulianotti (n7). 701, 717

<sup>16</sup> D. Bernhard & A. K. Martin (n6). 37, 42

As it happens there were only a small number of reported arrests (242)<sup>17</sup> made at London 2012, probably due to both an over estimation of risk and the unprecedented security levels.

## PLANNING & PROCURING EVENT SECURITY

Organisers of major sporting events are accountable for the safety and welfare of all those who attend the event, including athletes, staff, volunteers, spectators and of course the wider community around the venues. In the UK there are both legal and many commercial reasons why the security plan is central to the overall event framework. Organisers must abide by the *Health and Safety at Work regulations*, *Occupiers' Liability Act (1957 & 84)*, various *Fire Safety* rules, *Safety at Sports Grounds Act 1975* and the *Fire Safety and Safety of Places of Sport Act 1987* and apply the guidance and recommendations laid down in both the *Events Safety Guide* – also known as the '*Purple Guide*' – and the *Guide to Safety at Sports Grounds*, known as the '*Green Guide*'. With this vast array of rules and support available it is easy to see just how onerous the planning for security is especially when there is undoubtedly pressure from the Government to ensure both a successful *and* serious incident-free event.

In planning their security provision, all three events made use of the local strategic police authority to take the lead in the early stages and these all played their part to varying degrees. The organising committees also all had clear procurement strategies to deliver the security plan but in the run up to all three Games there were significant problems in delivering on their pledges. What seems to have been a common set of problems at all three events. These were the significant underestimation of the numbers of personnel required to staff the security operation, the ability of private contractors to provide personal to it and (as a result) a dramatic increase in costs as the Games got nearer.

### ***The Manchester Experience***

Coming well before the events in 2012 and 2014, the Manchester Games experienced significant problems with security provision and in particular problems with the contracted-for services. The one thousand staff originally required by M2002 increased to 3000 staff, to be supplied by a contractor in an agreement reached only eight months before the start of the Games. Showsec, the major event security company, were awarded this contract for a "*total contractor turn-key solution for all security activities*"<sup>18</sup> but then in early March 2002 recognised that the role was more complex than first thought and undertook major re-organisation to ensure they could meet their obligations. They then undertook an extensive recruitment drive to identify over 3,000 staff most of whom would be casual workers. This in itself was cause for concern as the level of skills, knowledge and experience were relatively low for such a high profile event and there was still a concern that whilst the staff had been recruited, there was still a worry over whether they would even turn up for their duty following the time lapse between recruitment and first deployment.

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<sup>17</sup> There were almost 250 arrests made by police working on Olympics security. The arrests have been made for a total of 29 different alleged offences ranging from assault, robbery, possession dangerous weapons, a bomb hoax to swimming in the Thames: Author uncited, 'Police make 250 Olympic Games arrests' *BBC News Online* (12 August 2012) (online) [<http://www.bbc.co.uk/news/uk-england-london-19233944>]

<sup>18</sup> effectively a single contractor to deliver the entire security plan: M2002 Post Games Report, Volumes 1-5 (online) 98 [[http://www.manchester.gov.uk/downloads/download/4399/commonwealth\\_games\\_legacy\\_documents](http://www.manchester.gov.uk/downloads/download/4399/commonwealth_games_legacy_documents)]

In order to deal with this issue, M2002 developed a two pronged solution, firstly to recruit two other security companies at late notice and to recruit and use “*large numbers of volunteers in lieu of paid staff*”.<sup>19</sup> This volunteer programme that evolved through the Manchester Games is still widely regarded as a model of good practice in event management and general volunteer recruitment and is still in operation today, but at the time was a risky strategy and one that is now considered poor practice in the deployment of security staff and major events.

### **London 2012 and the G4S Story**

The Olympic Games in London was one of the largest global sports events ever held with 8.8 million tickets sold and a total workforce of around 200,000 people. The venue security contract was awarded in 2010 to G4S, considered at that time to be the world’s largest security contractor, who already held public sector contracts in the UK worth over £700m each year.<sup>20</sup> The company was required under the original contract at that time to deliver and manage a workforce of 10,000 personnel at both Games-time and in the run up to the event.

The risks around the delivery of the security programme were continually assessed by the LOCOG and in late 2011 the security plan was revised significantly – the number of security staff required was raised to a total workforce requirement of around 23,700<sup>21</sup> with the ‘plan’ managed by G4S. Even more importantly for the ‘public purse’ the value of the contract rose from the original agreement of £84m to £284 and the overall cost to the taxpayer rose dramatically once the additional costs of armed forces involvement and additional management fees were included - from £282 million to £553 million.<sup>22</sup> Whilst the costs of security spiralled in the months ahead of the Games, it was not until just before the event was due to start that it became clear that G4S would be unable to fulfil its agreement and supply enough staff in accordance with its contract. Estimates of daily shortfall ranged from 10%-35% with the missing workforce being covered by military sources. Lord Coe the Games chairman went on record suggesting that the inability of G4S to deliver to its contract became the largest challenge facing LOCOG and the success of the Games.

### **Glasgow 2014 and Security Provision**

Two years post London, the Commonwealth Games came to Scotland. Strathclyde Police were given the lead role in co-ordinating the City-wide security plan for the Games with the Organising Committee ultimately responsible for planning security at the venues. In October 2011 the Commonwealth Games Federation (CFG) was “*satisfied*” with the progress that the Police had made in relation to the security plan but had highlighted that the Organising Committee still “*needed to clarify the approach to (providing) security at venues*” which would then inform the number of personnel required, which would then identify any shortfall

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<sup>19</sup> Ibid, page 102

<sup>20</sup> Home Affairs Committee, *Olympics security (HC 2012-13, 531-I)* 2

[<http://www.publications.parliament.uk/pa/cm201213/cmselect/cmhaff/531/531.pdf>]

<sup>21</sup> 10,400 staff supplied by G4S; 5,000 armed forces personnel; 3,000 volunteer Games Makers recruited by LOCOG; 3,700 students recruited through a programme called Bridging the Gap; 1,000 guards employed by Wilson James (another security company); and some ‘smaller groups’: Ibid, page 4.

<sup>22</sup> Public Accounts Committee, *Preparations for the London 2012 Olympic and Paralympic Games (HC 2010-12, 1716)* [8]

[<http://www.publications.parliament.uk/pa/cm201012/cmselect/cmpubacc/1716/1716.pdf>]

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in available workforce and in turn inform the recruitment and training need for security staff at the event.<sup>23</sup> This report had an all too familiar ring to it as only four months prior to this LOCOG were facing similar issues albeit being much closer to the event.

The same report that identified the planning gap also went on to scrutinise the budget for security. When considering the identified increases in security costs the auditors reflected on the fact that other Games had experienced increases in security costs: Manchester by £3million, Melbourne by \$6.6 million, and that the overall total security costs in London rose from £600million to over £1 billion.<sup>24</sup> In the end the organisers more than trebled the Glasgow security budget to £90m adding extra spending on securing the athletes' village, hotels and training venues, and providing additional CCTV and perimeter fencing.<sup>25</sup> Clearly, at all three events, issues with the provisions for security and crowd safety were problematic for the organising committees but with hindsight and taking the experiences from earlier events surely security provision must get easier to plan?

## WHY DOES IT SEEM SO DIFFICULT TO GET IT RIGHT?

It appears that there are a whole host of issues facing organisers of mega-sporting events when it comes to security. Elements such as resourcing estimations, budget estimations, planning for yet-to-be built facilities, predicting the 'numbers' (participants, staff, visitors, volunteers, spectators), timescales, risk profiling, global financial crises, changing laws and regulations relating to safety, and rules on procurement, all seem to impact on the plan as it moves towards Games-time. As such the actual delivery and costs often seem to bear no resemblance to the initial plan or budget.

### **Budgeting**

When preparing budgets the overarching issues for mega-events seem to be time-lapse and future-proofing. In the case of M2002, there was a nine year gap between the start of the bidding process and the delivery of the Games. The London 2012 bidding team were awarded Host City status in 2005. David Leather the finance director for M2002 gave three basic reasons why the budget was so badly underestimated:

1. Budget was prepared based on 1994 Games in Victoria with only 10 sports and run by volunteers; and,
2. Manchester's sports competition got big – changes to the performance standards allowed for many more athletes to compete
3. 9/11 happened and the estimations of terrorism risk changed forever.<sup>26</sup>

<sup>23</sup> Auditor General for Scotland, *Commonwealth Games 2014. Progress Report 2: Planning for the delivery of the XX Games* (March 2012) (online) [[http://www.audit-scotland.gov.uk/docs/central/2012/nr\\_120322\\_commonwealth\\_games.rtf](http://www.audit-scotland.gov.uk/docs/central/2012/nr_120322_commonwealth_games.rtf)]

<sup>24</sup> *Ibid.* [53]

<sup>25</sup> Author uncited, 'Glasgow 2014 Commonwealth Games security cost up 200%' *BBC News Online* (18 December 2012) (online) [<http://www.bbc.co.uk/news/uk-scotland-glasgow-west-20769485>]

<sup>26</sup> D Leather & Wood, 'Manchester 2002 and London 2012, the FDs speak' (2004) *Financial Director* (online) [<http://www.financialdirector.co.uk/financial-director/feature/1743551/manchester-2002-london-2012-fds-speak>]

A further issue, not mentioned by Leather, that may have impacted on the costs of security at these events was the effect of the Police Act 1996 which refers to the provision of 'special police services' to events, normally meaning football matches and music events. Case law such as the 'Wigan Ruling'<sup>27</sup> in 2008 and a series of other cases<sup>28</sup> from both before and after the enactment of the 1996 statute, helped define the rules on attributable policing costs and more specifically where the organisers must pay and where the police authority must shoulder the costs. The resultant trend has been the shift to private contractors (and in some cases, volunteers) blended with the police in order to reign in some of these escalating costs from this and other factors. But even so the expenditure incurred on overall event security still rose drastically. It seems clear that each event seems to have struggled with similar issues. Much was made of the final underspend by LOCOG on the London Games and that over £300m would be handed back to the Government. However it should be remembered that the overall £9.3 billion was in fact itself a revision from the original Labour Government's initial bid budget of £2.4 billion. In fact the UK Home Office went on record suggesting that LOCOG's original estimates for the cost and scale of venue security were based on a "finger in the air estimate".<sup>29</sup> At which point it is necessary to consider the guidance that is (or was) available to help with event planning.

## **Planning Guidance**

Event guidance has also changed over time but not necessarily in a way that allowed for more accurate long range planning. In the UK the now obsolete 'Pink Book'<sup>30</sup> for football matches proposed visitor to security ratios ranging from 250:1 down to 100:1. More recently, some local police forces suggest that ratios of SIA accredited stewards for security purposes should be around 75:1.<sup>31</sup> Confused? As an event organising committee you could easily be.

Whilst some do offer ratios, the majority of bodies offering advice or regulation on crowd management and safety tend to steer away from giving specific ratios and simply offer guiding principles for organisers. The Event Safety Guide (Purple) simply states that in order to promote enjoyment and safety for event go-ers, the planned supervision:

*"will depend largely on the effective management of the crowd. Crowd management, however, is not simply achieved by attempting to control the audience, but by trying to understand their behaviour and the various factors which can affect this."*<sup>32</sup>

This means that it is up to the event organisers to risk assess the event in its entirety. They should: use the guidance available to them, apply any relevant laws and regulations, painstakingly assess the points where the workforce should be deployed. Then with consideration to the profile of the audience such as the demographics, likely activities or movements, environmental conditions, the entertainment on show and any likely threats that may be prevalent, organisers must estimate just what the provision and deployment of

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<sup>27</sup> *Wigan Athletic AFC v. Greater Manchester Police* WLR 1580, [2009] 1 WLR 1580, [2008] EWCA Civ 1449

<sup>28</sup> *Harris v. Sheffield United Football Club Ltd* [1988] QB 77; *West Yorkshire Police Authority v. Reading Festival Ltd* [2006] EWCA Civ 524; and more recently *Leeds United v. Chief Constable of West Yorkshire Police* [2014] EWHC 2738 (QB)

<sup>29</sup> Public Accounts Committee, *Preparations for the London 2012 Olympic and Paralympic Games* (HC 2010-12, 1716) [3] [<http://www.publications.parliament.uk/pa/cm201012/cmselect/cmpubacc/1716/1716.pdf>]

<sup>30</sup> Football Licensing Authority, *Safety Management: A good practice guide to all aspects of safety management at sports grounds (The Pink Book)* (2009) 83

<sup>31</sup> Gloucestershire Constabulary Online, *Stewards Advice for Organising Events* (online)

<sup>32</sup> Health & Safety Executive (HSE), *"The Event Safety Guide"* (Second edition, HSE 1999) 45

staff should look like. They must consider the length of time over which the event will be taking place and with that give due regard to any working time directives that apply, staff breaks, training and induction, and staff welfare amongst other human resources issues. They must also then consider that planning and budgeting for mega-sporting events starts almost a decade prior to the event taking place in venues which may not have even been designed yet. With all this in mind it is not surprising that despite the experiences of others, each organising committee and related contractors have the potential to get it very wrong when they estimate the security resources required and that's is before they even got onto the matter of procuring those services.

### ***Procurement issues***

It appears that the procurement of security and crowd safety contracts has been problematic at all these three events and for a variety of reasons and at varying levels. As the events are accountable to the UK Government and organised on such a scale, they are bound by the same rules that any public body would have to adhere to across the European Union. As such the contracting for goods and services at the events was bound by European Union procurement directives, namely EU directive 2004/18, which regulates contracts for public works, public supply and public service.

The directives establish public procurement rules throughout the governed area. They apply to any public purchases above a set of defined thresholds and there are different rules for different banded values of contract. The purpose of the directives is to open up public procurement within the European Union and to ensure the free movement of supplies, services and works. In the UK, the directives are enacted the Public Contracts Regulations and they aim to ensure transparency, fairness and to prevent corruption taking place. They also ensure that any organisation that has the capacity to bid is able to register interest in bidding and is then assessed on its suitability to bid and as such deliver the goods.

Manchester and London used similar formats for security contracting – big contract, one main contractor. Then with that model came significant problems. The Glasgow approach to providing security services was however very different to the two previous events. They seemed to have learnt the lessons of the other two. Seventeen companies were contracted to deliver either contract security or safety stewarding at the Games. These organisations were drawn from an initial invite list of nineteen and interestingly the organisers went on to publically name Showsec (who were the major contractor at M2002) as one of the two companies who were not chosen to provide services to the event as if to say 'we had learnt lessons from Manchester', despite then going on to award a further contract to G4S for crowd safety services anyway. Glasgow spread the risk, probably in the knowledge that something would go wrong somewhere along the line and that any shortfall could be made up by the other contractors.

Whilst lessons can be learnt from previous Games, the procurement rules are designed to protect transparency and fairness. Not surprisingly, concern was raised in the Scotland parliament regarding who might bid for the Games security contract particularly after the problems experienced with the contracts in Manchester and London, but the statements from both the organisers and the Government were guarded and it was clear that if either Showsec or G4S were suitable contractors under their criteria then they would be entitled to bid and may have to be awarded the contract:

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*"Two years out from the Commonwealth Games, we are in the early stages of procuring our security provision.....Procurement regulations do not allow the organising committee to prevent compliant organisations from submitting bids"*

and that the

*"companies bidding for contracts will be considered on their merits and assessed in line with detailed tendering procedures".<sup>33</sup>*

In respect of the London contract the story also seemed to get a little murky when it is noted that the contractor, and one that ultimately failed to deliver, had also been part of the contract planning process for the entire security operation – effectively the company designed the security plan for the Games and then bid for and won the contract.<sup>34</sup> Then once it had won the contract, the company paid £5 million (back) to LOCOG for event marketing rights, which allowed it to advertise its connection with the Games.<sup>35</sup> In hindsight, and a lesson for future games organisers, such a relationship could suggest a conflict of interest and may even be a breach of the rules as the same level of detailed information should be available to all bidders and that any specifications should not be written in a way that could *"restrict or distort competition"*.<sup>36</sup> That said the rules do allow the public body offering the contract to *"involve the market in the early processes around establishing requirements"* but that *"care must be taken however, to avoid giving unfair advantage to one or more suppliers and to ensure that all exchanges are transparent and compliant with the procurement regulations"* though through early supplier involvement *"the right approach can help, for example, in creating capacity where previously none had existed – perhaps by encouraging suppliers in an associated sector to develop the new capabilities required."*<sup>37</sup> So such involvement of a supplier can be helpful and is allowed under the rules. But both parties should be very careful not to create an unfair advantage.

Another side to the contracting process that is problematic for any contracting authority is that of any amendments to the terms. In the case of London moving to almost triple the workforce originally contracted for is clearly a significant amendment. In all three recent UK events the organisers had to re-negotiate the terms of the contract, effectively asking the contractor to do or provide (or both) more and, with the events just on the horizon, this too was problematic. The UK's Public Accounts Committee chairperson put it very concisely:

*"It is staggering that the original estimates were so wrong. LOCOG has had to renegotiate its contract with G4S for venue security from a weak negotiating position."*<sup>38</sup>

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<sup>33</sup> T Gordon, 'How the firm behind the Olympics fiasco has targeted Glasgow 2014' *Herald Scotland* (22 July 2012) (online) [<http://www.heraldscotland.com/news/home-news/how-the-firm-behind-the-olympics-fiasco-has-targeted-glasgow-2014-x.18210267>]

<sup>34</sup> Ibid, 3

<sup>35</sup> *"Oral evidence on the Work of the Home Secretary"*, 6/09/2012, HC 563-i, Q 36. See also Q 445–450 (Mr Farr); Cited in Home Affairs Committee, *Olympics security (HC 2012-13, 531-I)* 4 [<http://www.publications.parliament.uk/pa/cm201213/cmselect/cmhaff/531/531.pdf>]

<sup>36</sup> Achilles Information Ltd, 'Brief Guide to Public Sector EU Procurement Legislation' (2011) (online) page 5

<sup>37</sup> Office of Government Commerce, *'An Introduction to Public Procurement'* (2008) 10

<sup>38</sup> Public Accounts Committee, *Preparations for the London 2012 Olympic and Paralympic Games* (HC 2010-12, 1716) [8] [<http://www.publications.parliament.uk/pa/cm201012/cmselect/cmpubacc/1716/1716.pdf>]

LOCOG were accused of late planning by the Government and that this tardiness had undermined its key aim of driving down costs for the Games. However, once G4S had failed to deliver,<sup>39</sup> the balance of power shifted on its axis. It appears that those who felt G4S had abused its negotiating power pre-games took a firm stance once the Games were over and activated the penalty clauses in the contract. The penalty payment was estimated to be in the range of £10-20 million finally settled from a reduction in the 'management fee' and left G4S with a net loss of around £88 million.<sup>40</sup>

Clearly procurement at such events is a difficult and complex process. It appears that lessons have been learnt from the experiences of previous Games but the ever-changing nature of risk and mitigation means that it is easier to get it wrong than right.

## LEARNING LESSONS

There is a now constant cycle of PLAN-DO-REVIEW when it comes to mega-sports events. One of the key words in event planning is 'legacy' and both organisers and Governments are obsessed in finding the evidence of the Games legacy as this will justify the political commitment and budget and hopefully secure some votes in the future. Events are thankfully also reviewed in order to gain valuable lessons for the future. The Health and Safety Executive (HSE) commissioned research into crowd safety and security as far back as in 1993.<sup>41</sup> This study found that whilst operational staff at venues seemed to be very aware of the potential risks of large crowds at organised events, the more senior the manager the less appreciative they were of the specific dangers. As such the report recommended that *"it is very important to draw the attention of all levels of venue management to the importance of crowd safety"*.<sup>42</sup> More significantly the research found that *"many venues tend to rely heavily on their own previous experience when deciding the measures to ensure crowd safety"* and that the reliance on *"own experience"* was due to a number of factors, namely:

1. Lack of publicly available guidance and information
2. Lack of *"facilities"* for sharing good practice, problems and concerns and *"in general to learn from each other"*<sup>43</sup>

It is clear that this advice has been heeded – there is plenty of guidance available and sharing happens regularly. It is also now the case that event staff now move from event to event taking their experience with them. But even so, in the early stages of planning for security at major events estimating the breadth and depth of the provision across multiple venues and over several weeks scheduled for almost a decade in the future is a particularly difficult task. Need is uncertain and therefore projections of resource and cost are

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<sup>39</sup> Though an off-the-record discussion on 25/09/2014 with an ex-G4S middle manager suggested that G4S were used as a "scapegoat in this debacle" as a result in the Government's own failings in a scheme called "Bridging the Gap" which was designed to bring newly training people into the workforce who had previously been out of work. G4S settled the fine, albeit begrudgingly, for poor performance in order to "save face" and restore the relationship with the Government and help retain its many other public contracts.

<sup>40</sup> Szu Ping Chan, and agencies, 'Timeline: how G4S's bungled Olympics security contract unfolded' The Telegraph online (21 May 2013) [<http://www.telegraph.co.uk/finance/newsbysector/supportservices/10070425/Timeline-how-G4Ss-bungled-Olympics-security-contract-unfolded.html>]

<sup>41</sup> S Y Z Au, M C Ryan, M S Carey & S P Whalley, 'Managing Crowd Safety In Public Venues: A Study To Generate Guidance For Venue Owners And Enforcing Authority Inspectors' (HSE Contract Research Report, No. 53/L 993) 8 (online) [[http://www.hse.gov.uk/Research/Crr\\_Pdf/1993/Crr93053.Pdf](http://www.hse.gov.uk/Research/Crr_Pdf/1993/Crr93053.Pdf)]

<sup>42</sup> *Ibid.* 8

<sup>43</sup> *Ibid.* 8

also uncertain. Many factors must be taken into account – many are known, but some are unknown. Following all three Games events there were lengthy reviews into all elements of the planning and delivery. These have become more extensive and detailed as time has gone on. As a result things have got a little better at each event and will at future Games. Every Olympics or Commonwealth Games learns from the last though it is often the external factors which can play the biggest part in changing the plans hence, in reality, the final details may simply be unobtainable at the start of the event bidding process.

Some of the most significant skills that organisers have to hone are in the area of procurement. Clearly LOCOG had a detailed agreement with G4S that helped them claw back some costs for failure in delivery. Procurement risks can be mitigated through a range of protectionist clauses (bidder rejection, tender justification on low contract price, remedy clauses, step-in rights, termination due to repudiatory breach)<sup>44</sup> but when it comes to mega-sports events everyone involved would prefer that the contract is well thought through and roughly accurate right from the start rather than deal with the fallout experienced at all three of the major UK Games held in the 21<sup>st</sup> Century. Security and crowd management is fast becoming one of the single biggest costs attributable to such events so the key message should be: start early, pay attention to detail, contract shrewdly and build in significant contingency. And buy a big crystal ball.

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<sup>44</sup> E Heard & L Brearley, 'What can you do when a contractor is unable to deliver?' (13 July 2012) (online) [<http://www.bevanbrittan.com/articles/Pages/contractorperformance.aspx>]

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