| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-3242  Responded to: 05 January 2024 |
| --- | --- |

Your recent request for information is replicated below, together with our response.

## I'm getting in touch regarding football banning orders in Scotland over the past 10 years, between season 2013-2014 and last season, 2022-2023

## 1. Could you please also confirm the number of football banning orders that have been issued so far this season, up until the end of this month (December)?

I must first clarify that the data provided refers to the number of cases, correct as at 31/12/2023, where a Football Banning Order (FBO) was granted at court as opposed to sought.

Sheriffs can grant FBO’s where an FBO has not been “sought” or mentioned as a consideration by the reporting officer. Please note that due to the legal process, FBOs are not always issued in the same season that the offence occurred.

Furthermore, the FBO authority relies on Procurator Fiscal returns as well as match reports sent by Police Scotland to identify such cases where an FBO may be a disposal. However, it cannot be guaranteed that all such cases have been identified. Please note that due to the court process, cases can be issued up to two years after the offence, and therefore there may be some cases still to be completed by the Procurator Fiscal.

On that basis I can confirm that there have been 35 FBO’s issued this season, up to 31/12/2023.

## 2. Could you please offer a breakdown of banning orders by club, season, and if you are able to confirm what the nature of the offences were e.g. inappropriate language/chanting, violence, banned items (weapons/flares) that would be me much appreciated

I am required to answer this question in two parts:

i) Please be advised that requested data for the seasons between 2012/13 and 2022/23 is publicly available.

As such, in terms of Section 16 of the Freedom of Information (Scotland) Act 2002, I am refusing to provide you with the information sought.

Section 16 requires Police Scotland when refusing to provide such information because it is exempt, to provide you with a notice which:

(a) states that it holds the information,

(b) states that it is claiming an exemption,

(c) specifies the exemption in question and

(d) states, if that would not be otherwise apparent, why the exemption applies.

I can confirm that Police Scotland holds the information that you have requested and the exemption that I consider to be applicable is set out at Section 25(1) of the Act - information otherwise accessible:

*“Information which the applicant can reasonably obtain other than by requesting it under Section 1(1) is exempt information”*

The information you are seeking is available on the Police Scotland website via the below link (document 22-2257 Data refers)

[22-2257 - Football Banning Orders - by reason for issue - 12/13 - 22/23 - Police Scotland](https://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log/disclosure-log-2022/december/22-2257-football-banning-orders-by-reason-for-issue-12-13-22-23/)

ii) The requested data for the season 2022/23 and to 31st December 2023 is attached – ‘23-3242 Information’ refers.

If you require any further assistance please contact us quoting the reference above.

You can request a review of this response within the next 40 working days by [email](mailto:foi@scotland.police.uk) or by letter (Information Management - FOI, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH). Requests must include the reason for your dissatisfaction.

If you remain dissatisfied following our review response, you can appeal to the Office of the Scottish Information Commissioner (OSIC) within 6 months - [online](http://www.itspublicknowledge.info/Appeal), by [email](mailto:enquiries@itspublicknowledge.info) or by letter (OSIC, Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS).

Following an OSIC appeal, you can appeal to the Court of Session on a point of law only.

This response will be added to our [Disclosure Log](http://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log) in seven days' time.

Every effort has been taken to ensure our response is as accessible as possible. If you require this response to be provided in an alternative format, please let us know.