Football Banning Orders

Consultation

December 2025

Scottish Government
Riaghaltas na h-Alba

Football Banning Orders

Summary

In Scotland, football has the highest match attendance per capita in Europe. Fans are passionate about the sport, and supporting a local football team, and the national team, can provide a sense of belonging and togetherness, which can be seen in communities across Scotland. Football fans know that the vast majority of football supporters are well behaved and attend matches to encourage their team, but they, and sometimes their team, are also affected by a minority that cause issues.

A Football Banning Order (FBO) is a court order that restricts a person's ability to attend football matches. FBOs are aimed at keeping football games safe for everyone. FBOs were introduced in Scotland as part of the Police, Public Order and Criminal Justice (Scotland) Act 2006. This legislation has remained largely unchanged since then, and FBO legislation was last reviewed in 2011.

The Scottish Government is seeking views and evidence on the current legislation and if it needs to be improved and updated to meet current needs.

With the rise in social media over the last 20 years football supporter behaviour and the way in which fans show support for their team has changed. Communication, engagement and interaction between fans, players and clubs through social media can be positive or negative. Behaviours and displays of support by fans for their club have also developed in ways which were not considered when the current FBO legislation was implemented and last reviewed. For example, we continue to see the growing misuse of pyrotechnics at football matches. Such behaviour had rarely been seen in Scotland when the 2006 Act was introduced.

A court can impose an FBO on a person over 16 years of age if they are convicted of an offence which involved the person engaging in violence or disorder related to a football match. An FBO would place restrictions on that individual. This would include prohibiting them from attending football matches and could also restrict their ability to travel abroad when certain football matches are being played, or to enter specific venues (such as a pub where disorder took place). A person who is the subject of an FBO would be committing a criminal offence if they did not adhere to the restrictions placed on them.

A chief constable can, by summary application to the court, impose an FBO on any person, however this route is rarely used. For an FBO to be imposed in this way, the sheriff must be satisfied the person against whom the order is sought has at any time contributed to any violence or disorder in the UK or elsewhere, and that there are

reasonable grounds to believe that making the order would help prevent violence or disorder at, or in connection with, any football match. The same standard of "violence and disorder" applies for a summary application FBO as when an FBO is considered as part of sentencing on conviction.

Consultation

It is important that the Scottish Government periodically reviews the legislation to ensure it remains fit for purpose and responds to changes in fan behaviour and the sport's evolution and supports keeping fans at matches and communities safe. Since the introduction of the 2006 Act, the Scottish football league structure has changed. A pyramid structure has been established which includes Highland and Lowland league clubs. In addition, women's football has grown significantly in popularity over the past 20 years.

Alongside changes to the football structure in Scotland there have also been changes in society, as noted above. The Scottish Government committed to a public consultation on FBOs in the **Programme for Government 2025 to 2026 - gov.scot.** Through this consultation it wishes to understand if the current legislation should be revised or changed to make it more effective.

Siobhian Brown MSP
Minister for Victims and Community Safety

Questions

Introduction

Football is Scotland's national sport. More than 5 million supporters attended Scottish Professional Football League matches during the 2024-25 season. The vast majority of them were well behaved and attended matches to support their teams, however some games were marred by disorder.

An FBO can be applied to prohibit a person from attending any regulated football match in the United Kingdom. It is a court order that restricts a person's ability to attend football matches. An FBO can be imposed on a person over 16 years if they are convicted of an offence, and the offence involved the person engaging in violence or disorder related to a football match.

About you

Question 1: Do you attend football matches in Scotland?

☐ Frequently (11+ per season)
☐ Occasionally (1 to 10 per season)
☐ Never

Question 2: Have you ever been given a Football Banning Order?

☐ Yes
☐ No

Question 3: Are you involved in running regulated football matches in Scotland?

☐ Yes
☐ No

Question 4: If you selected 'yes' to question 3, who do you represent?

☐ Football Club
☐ Match Officials
☐ Scottish Professional Football League (SPFL)
☐ Football Safety Officers
☐ Scottish Football Association (SFA)
☐ Steward or Security officer
☐ Police Scotland
☐ Other

If you selected ‘other, please provide details:

About your experience of football in Scotland

During 2024-25 and previous seasons, there has been continued and frequent use of pyrotechnics at football stadiums across Scotland. Taking a pyrotechnic into a football stadium, and pyrotechnic misuse in football stadiums, is illegal. It poses danger to those using the pyrotechnic, fellow supporters, stadium security, police officers, players and match officials. Similarly, missiles have continued to be thrown onto the pitch endangering players and officials. Several players have been struck with objects such as coins, culminating in the former Aberdeen FC player Jack MacKenzie being hit and injured by part of a stadium chair, which was thrown onto the pitch on 17 May 2025.

Football clubs can ban their supporters from their own stadium if they are engaging in disruptive or disorderly conduct or breaching stadium rules. Club bans are an important measure which can be taken but they are limited to only one stadium and carry no criminal consequences, unlike an FBO, where a person commits a criminal offence if they breach the order’s conditions and can offer a wider deterrent to football supporters. The Scottish Professional Football League (SPFL) has been applying sanctions to some SPFL clubs in season 2024-25 for the conduct and behaviour of their supporters. These are significant steps which both the clubs and football authorities can and have taken to try and address ongoing disorder at football matches.

Question 5. In your experience, has the behaviour of football fans in Scotland changed in the last 10 years?

☐ Behaviour is a lot better
☐ Behaviour is a little better
☐ Behaviour has not changed
☐ Behaviour is a little worse
☐ Behaviour is a lot worse
☐ Don’t know

Question 6: If football fans' behaviour has worsened in your experience, what has changed? Please select all that apply or provide comments in the box below:

☐ Alcohol misuse
☐ Drug misuse
☐ Throwing missiles
☐ Verbal abuse
☐ Abusive behaviour based on protected characteristics
☐ Sectarian behaviour
☐ Possession of pyrotechnics
☐ Setting off pyrotechnics
☐ Abuse of match officials
☐ Abuse of police officers
☐ Abuse of match stewards
☐ Online abuse
☐ Other

If you selected 'other', please provide details:

Question 7. Have you been discouraged from attending football matches in Scotland because of any of the behaviours you have identified in question 6?

☐ Yes
☐ No

Any other comments:

Consultation

Question 8: Would you like to see more done to tackle and prevent the behaviours identified at question 6? If yes, please use the textbox below to explain your answer and suggest what action might be taken.

☐ Yes
☐ No

Comments:

Question 9: Do you think the police, criminal justice system, football authorities or football clubs are doing enough to address disorder by supporters at football matches?

☐ Yes
☐ No

If you selected ‘no’ please provide details:

Consultation

Football Banning Orders

The Police, Public Order and Criminal Justice (Scotland) Act 2006 (the 2006 Act) introduced FBOs in Scotland. The provisions came into force in September 2006.

A FBO is a measure which the court can make in addition to, or instead of, any sentence when a person is convicted of an offence. The primary purpose of an FBO is to prevent the person attending football matches. Under the current legislation, it does this by prohibiting the individual from attending any premises in which a regulated football match[1] is being played in the UK. It can also require the person to report to a police station when certain regulated football matches are played overseas[2]. For the duration of the FBO, the person commits an offence if they breach the conditions of the order. FBOs were introduced to tackle problematic fan behaviour, in particular violence and disorder, by banning individuals from the places they were most likely to commit these acts.

Criteria for an FBO to be applied by the court

The 2006 Act provides that, where a person is convicted of an offence and the person was aged over 16 at the time the offence was committed, if the court is satisfied as to the following three criteria, then an FBO can be granted:

i. the offence involved the person who committed it engaging in violence or disorder.
ii. the offence related to a football match.
iii. that there are reasonable grounds to believe that making an FBO would help prevent violence or disorder at or in connection with football matches.

Violence is defined in the 2006 Act as “violence against a person or intentional damage to property and includes threatening violence and doing anything which endangers the life of a person”.

Disorder is defined as including:

i. stirring up hatred against a specific group of people based on their membership (or presumed membership) of a group defined by reference to colour, race, nationality (including citizenship), ethnic or national origins, membership of a religious group or a social/cultural group with a perceived religious affiliation, sexual orientation, transgender identity or disability;
ii. using threatening, abusive or insulting words or behaviour or disorderly behaviour;

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[1] Regulated football matches are association matches which covers the vast majority of matches in the UK, including the top four leagues in Scotland and the national team. It includes matches played in the UK organised by UEFA or which involve a club which is a member of a national footballing association which is a member of FIFA.

[2] The Football Banning Orders Authority is responsible for notifying individuals if they are to comply with reporting requirements set in relation to a specific match. The surrendering of a person’s passport is limited to the control period of five days (normally linked to the individual’s team is playing abroad) although longer reporting periods can be set so that individuals surrender their passport for the duration of certain external tournaments.

iii. displaying any writing or other thing which is threatening, abusive or insulting.

The offence the person is convicted of must be considered by the court to meet the definitions of either violence or disorder set out in the 2006 Act.

An offence relates to a football match if committed at a football match, or while entering or leaving the ground where the match is held; on a journey to or from a football match; or if the offence is motivated (wholly or partly) by a football match. An FBO can only be given to someone over the age of 16.

A person who receives an FBO must report to a police station within five days of when the order is made. For the duration of the FBO the person must update the Football Banning Order Authority (a statutory body, which is defined as the Chief Constable of the Police Service of Scotland) of any changes of certain circumstances.

Further additional requirements can be imposed if the sheriff considers they would help prevent violence or disorder at, or in connection with, any football match. Examples include prohibiting the person from: entering exclusion zones around football stadiums on match days; using public transport on match days; visiting potential ‘hot spots’, such as town centres, pubs and bars during risk periods; and attending amateur/junior matches. The person can also be required to report to a police station and/or to surrender their passport for a period of time if this is considered necessary or expedient to reduce the likelihood of violence or disorder at, or in connection with, a regulated match outside the United Kingdom.

The FBO period cannot exceed 10 years. If an FBO is imposed where no sentence of imprisonment has also been imposed, then it cannot exceed five years.

Question 10: Do you think a Football Banning Order, which prevents individuals from attending football matches if they are found guilty of an offence of violence or disorder related to a football match, is a suitable punishment for a football-related offence?

☐ Yes
☐ No

Consultation

Question 11: Do you think Football Banning Orders should be extended to include other behaviours which can be prosecuted as an offence but do not include behaviour or actions which meet the definition of violence or disorder, as set out above, such as possessing drugs or an offensive weapon?

☐ Yes
☐ No

If yes, what behaviour(s) should be covered:

An FBO prohibits an individual from attending any “Regulated Football Match” in the UK. This covers the vast majority of matches taking place in the UK, including all the top four leagues in Scotland, the top seven leagues in England and the top two leagues in Wales. In relation to Scottish football, the matches not covered are those where both participating teams are not members of the Scottish Football Association, which covers a minority of junior and women’s football matches.

Question 12: The definition of a ‘Regulated Football Match’ in the 2006 Act does not include all matches that take place in Scotland. Do you think this definition should be expanded to include all football matches?

☐ Yes
☐ No

Consultation

The Fireworks and Pyrotechnic Articles (Scotland) Act 2022

Pyrotechnic misuse has increased in Scottish football over the last decade. During the 2024-25 season there were high profile incidents pre, mid and post-match. In November 2024, both Scottish League Cup semi-final kick-offs were delayed due to pyrotechnic misuse. Three of the four clubs involved were subsequently found to have breached SPFL rules and were sanctioned for their supporters' conduct.

The misuse of pyrotechnics at and within Scottish football stadiums before, during and after matches is against the law and is dangerous to the person using the pyrotechnic, fellow supporters, match stewards, police officers, players and officials. Significant injuries have been inflicted through the misuse of pyrotechnics.

The Fireworks and Pyrotechnic Articles (Scotland) Act 2022 (the 2022 Act) introduced new offences related to pyrotechnics and gave the police stop and search powers where they have reasonable grounds to believe that the person may be in possession of a pyrotechnic in a public place, which are relevant to football matches.

The 2022 Act makes it an offence to possess a pyrotechnic article in a public place or at a designated event, including the vast majority of football matches taking place in Scotland. This means football match attendees travelling to a game or entering a stadium with a pyrotechnic article in their possession are committing an offence. The penalty for these offences is up to six months in prison and/or a fine of up to £5,000.

The 2022 Act also grants police the power to search individuals without warrant where they suspect a person has committed or is committing an offence under the Act. Police also entitled to stop and search a vehicle without a warrant if they suspect the same. They may also seize and retain any item found during a search which may be relevant to the commission of the offence.

An offence of possessing a pyrotechnic at or around a regulated football match under the 2022 Act would not automatically lead to a sheriff being able to grant an FBO as part of the sentence for conviction. Any football-related breach of the 2022 Act would need to meet the threshold of violence or disorder in the 2006 Act before an FBO could currently be granted.

Question 13: Do you think a sheriff should be able to consider applying a Football Banning Order on conviction for the offences mentioned under the 2022 Act in every case?

☐ Yes
☐ No
☐ Maybe

Any other comments:

England and Wales

There is separate legislation in England and Wales for FBOs, the Football Spectators Act 1989 (the 1989 Act). In England and Wales, the specific connection with violence or disorder was removed from the 1989 Act in 2022. In England and Wales, an FBO applies only where a relevant offence has been committed. Relevant offences are listed in the legislation. There is also a presumption that FBOs will be made on conviction for all listed offences, unless the court considers it unjust to do so. This presumption has been in place since August 2000. It means the court must make an FBO in respect of the offender, unless it considers there are circumstances relating to the offence or the offender which would make it unjust to do so.

In Scotland, there is no such presumption. If an FBO is to be imposed, the court must consider it will help prevent violence and disorder. The court can consider the wider circumstances of the case, in line with Scottish Sentencing Guidelines[3], and whether a fine or other sentencing disposal is considered sufficient for a football-related offence involving violence or disorder without an FBO.

The offences listed in the 1989 Act[4] in England and Wales mainly concern violence and disorder but do extend further. For example, they include any offence under section 12 of the Licensing Act 1872 (persons found drunk in public places, etc.) committed by a drunk person on a highway or in a public place while travelling to or from a football match.

Changes made to the 1989 Act in England and Wales in 2022 also included the addition of the offence of online hate crime. Football-related online offences of abusive behaviour and threatening communications which involve race, sexuality, religion, disability or transgender identity were added to Schedule 1 of the 1989 Act.

In Scotland, online hate crime offences are not covered in the same way because, unlike the Football Spectators Act, the specific offences which attract an FBO are not explicitly set out. In Scotland, the offence would have to satisfy the violence or disorder threshold in the 2006 Act.

Question 14: When someone is found guilty of a football-related offence for which an FBO can be granted there is a presumption in England and Wales that an FBO be applied. In Scotland, no such presumption exists. Do you think there should be a presumption an FBO will be granted upon conviction of a football-related offence in Scotland?

☐ Yes
☐ No

[3] The Court can take into consideration matters such as the age of the accused, whether they have any previous offences, the likelihood of reoffending, and whether the individual has been banned by their club from attending future matches.
[4] The list of relevant offences is within schedule 1 of the 1989 Act.

Consultation

Question 15: Do you have any further comments on how you believe the current legislation can be improved?

Comments:

Consultation

Responding to this consultation

Please respond to this consultation using the Scottish Government's consultation hub, Citizen Space. Access and respond to this consultation online at Football Banning Orders. You can save and return to your responses while the consultation is still open. Please ensure that consultation responses are submitted before the closing date.

If you are unable to respond using our consultation hub, please complete and send the Respondent Information Form to:

Safer Communities Division
Scottish Government
Area 1W
St Andrews House
Edinburgh, EH1 3DG

Handling your response

If you respond using the consultation hub, you will be directed to the About You page before submitting your response. Please indicate how you wish your response to be handled and, in particular, whether you are content for your response to published. If you ask for your response not to be published, we will regard it as confidential, and we will treat it accordingly.

All respondents should be aware that the Scottish Government is subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

If you are unable to respond via Citizen Space, please complete and return the Respondent Information Form provided alongside this document.

To find out how we handle your personal data you can view the privacy policy here: Privacy - gov.scot (www.gov.scot)

Next steps in the process

Where respondents have given permission for their response to be made public, and after we have checked that they contain no potentially defamatory material, responses will be made available to the public at Citizen Space. If you use the consultation hub to respond, you will receive a copy of your response via email.

Following the closing date, all responses will be analysed and considered along with any other available evidence to help us. Responses will be published where we have been given permission to do so. An analysis report will also be made available.

Comments and complaints

If you have any comments about how this consultation exercise has been conducted, please send them to the contact address above or email above.

Consultation

Scottish Government consultation process

Consultation is an essential part of the policymaking process. It gives us the opportunity to consider your opinion and expertise on a proposed area of work.

You can find all our consultations online: Citizen Space. Each consultation details the issues under consideration, as well as a way for you to give us your views, either online, by email or by post.

Responses will be analysed and used as part of the decision making process, along with a range of other available information and evidence. We will publish a report of this analysis for every consultation. Depending on the nature of the consultation exercise the responses received may:

- indicate the need for policy development or review
- inform the development of a particular policy
- help decisions to be made between alternative policy proposals
- be used to finalise legislation before it is implemented

While details of particular circumstances described in a response to a consultation exercise may usefully inform the policy process, consultation exercises cannot address individual concerns and comments, which should be directed to the relevant public body.

This publication is available at **www.gov.scot**

Any enquiries regarding this publication should be sent to us at

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