

## FSF FACT SHEET – CAN CLUBS SHARE MY INFORMATION?

We've heard a few tales recently of stewards enforcing their powers a little too zealously when ejecting fans and thought we would take the chance to bust a few of the myths surrounding this. Let's be clear at this point, we're not looking into the specifics of the rights and wrongs of individual cases, it's more about clearing up just what stewards are allowed to do when ejecting an individual, deserved or not.

Most of the complaints revolve around stewards asking people for their names and addresses when ejecting them. Are they allowed to do this? No - stewards cannot legally demand you give your name and address. The police can, but only if it is in pursuit of a criminal investigation. But what happens if you didn't know this and have recently given stewards or police your details? Read on.

- If you have given your name and address and fear it may be shared with other clubs, you can try and prevent this. The football club may argue that for security purposes, they will share your details with other clubs. However, the Data Protection Act (DPA) 1998 expressly prohibits the processing of information that may prejudice the rights and freedoms or legitimate interests of the person involved.
- Under the DPA 'data subjects' such as football supporters are given specific rights in relation to personal data. Section 10(1) of the DPA, makes clear that the data subject (you) may write to the data controller (football club) and request that they do not share your details with other clubs. Information which is likely to cause damage or distress should not be processed. Being banned from another club's ground, it could be argued, would fall into this category. The club will have 21 days to respond to such a notice, and if they do not comply, you can go to court to make sure they do comply.
- Under Section 13 of the DPA, you may be able to seek compensation if damage or distress has been caused as a result of a club's failure to comply with the requirements of the DPA. You could argue this is the case if a club has banned you as a result of another club sharing details with them.
- You can also apply to the Information Commissioner regarding any breaches of the DPA. The Information Commissioner may serve enforcement notices if a club is in breach of the DPA.
- Data controllers must provide reasons for the specific purposes under which the personal data is sought. If a steward cannot explain why he wants your details, he's breaking the DPA. This is the second data protection principle from the Data Protection Act 1998, if you'd like to baffle anyone with science.

If wrongfully removed from the ground, you should make all the above known to the club as quickly as possible and seek guarantees they will not pass on your details.

Lastly, stewards are civilians, and do not have any 'extra' powers. They cannot forcibly remove season tickets. Read more on our fact sheet courtesy of the BPP Law School: <http://www.fsf.org.uk/media/uploaded/Stand%20Up%20Sit%20Down%20Fact%20Sheet.pdf>

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