EXPLANATORY MEMORANDUM TO

THE FOOTBALL (OFFENCES) (DESIGNATION OF FOOTBALL MATCHES) (AMENDMENT) ORDER 2025

2025 No. 876

1. Introduction

1.1 This explanatory memorandum has been prepared by the Home Office and is laid before Parliament by Command of His Majesty.

2. Declaration

2.1 Dame Diana Johnson, Minister for Policing and Crime Prevention at the Home Office confirms that this Explanatory Memorandum meets the required standard.

2.2 Lizzy Gummer, Deputy Director for the Neighbourhood Crime Unit, at the Home Office confirms that this Explanatory Memorandum meets the required standard.

3. Contact

3.1 Martin Gooday at the Home Office Telephone: 03000725495 or email: fdpteam@homeoffice.gov.uk can be contacted with any queries regarding the instrument.

Part One: Explanation, and context, of the Instrument

4. Overview of the Instrument

What does the legislation do?

4.1 The Football (Offences) Act 1991 is designed to reduce public disorder at designated football matches. The 1991 Act's provisions make it an offence to throw any object at or towards the pitch or spectator areas; take part in indecent or racialist chanting; or go onto the pitch without lawful authority or lawful excuse. The football competitions and matches to which the Act applies are set out in the Football (Offences) (Designation of Football Matches) Order 2004.

4.2 This Order updates the definition of a designated match under the 1991 Act to reflect the updated names of four football competitions. It ensures it is clear that the Women's Super League (formerly the Football Association Women's Super League), the Women's Super League 2 (formerly the Football Association Women's Championship), the National League (formerly the Football Conference) and the Cymru Premier (formerly the Welsh Premier League) remain within the scope of the Act, reflecting current terminology and ensuring legal clarity.

Where does the legislation extend to, and apply?

4.3 The extent of this instrument (that is, the jurisdiction(s) which the instrument forms part of the law of) is England and Wales.

4.4 The territorial application of this instrument (that is, where the instrument produces a practical effect) is England and Wales.

5. Policy Context

What is being done and why?

5.1 This instrument updates the names of three football competitions to reflect changes in naming conventions (as outlined in paragraph 4.2). These updates ensure that the top two tiers of women's football in England, the fifth and sixth tiers of men's football in England, and the top tier of men's football in Wales continue to fall within the definition of a "designated match" for the purposes of the Football (Offences) Act 1991.

5.2 Maintaining coverage of these competitions under the 1991 Act is important to help prevent football-related disorder, hate crime and antisocial behaviour. This ensures that the police are able to act against individuals who throw missiles, engage in racist or indecent chanting, or unlawfully enter the pitch. It also enables courts to impose preventative football banning orders (FBOs) under section 14A of the Football Spectators Act 1989, following a conviction for an offence under the 1991 Act.

What was the previous policy, how is this different?

5.3 The previous and current policy for the 1991 Act to apply to matches involving teams in the top two tiers of women's football in England, the fifth and sixth tier of men's football in England, and the top tier of men's football in Wales has not changed. This Order ensures that coverage of the Act remains uninterrupted and clear, despite changes in naming conventions.

6. Legislative and Legal Context

How has the law changed?

6.1 This Order does not introduce any substantive legal changes. It reflects updates to naming conventions to ensure the continued and consistent application of the Football (Offences) Act 1991.

Why was this approach taken to change the law?

6.2 This is the only possible approach to make the necessary changes.

7. Consultation

Summary of consultation outcome and methodology

7.1 The Home Office engaged with Women's Super League Football, the National League and the Football Association of Wales to confirm the accuracy of the updated names of their relevant competitions. No consultation was undertaken, as the purpose of this Order is to maintain consistency with existing policy rather than to introduce substantive change.

8. Applicable Guidance

8.1 No formal guidance is required. When this Order is made, the Home Office will advise relevant stakeholders, including the police and football authorities, of the updated naming conventions.

Part Two: Impact and the Better Regulation Framework

9. Impact Assessment

9.1 A full Impact Assessment has not been prepared for this instrument because there is no impact on business.

Impact on businesses, charities and voluntary bodies

9.2 There is no, or no significant, impact on business, charities or voluntary bodies because there is no change in policy.

9.3 The legislation does not impact small or micro businesses.

9.4 There is no, or no significant, impact on the public sector because there is no change in policy.

10. Monitoring and review

What is the approach to monitoring and reviewing this legislation?

10.1 The Home Office monitors the operation of this legislation through ongoing engagement with relevant stakeholders including the police, the Crown Prosecution Service, and the football authorities. As part of this process, stakeholders are encouraged to notify the Home Office in advance of any changes to the names of their competitions or to the ownership of their organisation.

10.2 The instrument does not include a statutory review clause.

Part Three: Statements and Matters of Particular Interest to Parliament

11. Matters of special interest to Parliament

11.1 None.

12. European Convention on Human Rights

12.1 As the instrument is subject to the negative resolution procedure and does not amend primary legislation, no statement is required.

13. The Relevant European Union Acts

13.1 This instrument is not made under the European Union (Withdrawal) Act 2018, the European Union (Future Relationship) Act 2020 or the Retained EU Law (Revocation and Reform) Act 2023 (“relevant European Union Acts”).