EXPLANATORY MEMORANDUM TO

THE FOOTBALL SPECTATORS (2025 FIFA CLUB WORLD CUP CONTROL PERIOD) ORDER 2025

2025 No. 303

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, Fire and Crime Prevention at the Home Office confirms that this Explanatory Memorandum meets the required standard.

2.2 Anna Weeden, SCS 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 email: martin.gooday@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 This instrument establishes a control period as defined by section 14(6) of the Football Spectators Act 1989[1] for the 2025 Fédération Internationale de Football Association (FIFA) Club World Cup.

4.2 During the control period, the enforcing authority for football banning orders - the Football Banning Orders Authority (FBOA) - can require persons subject to such orders to surrender their passport to local police. Failure to comply with such a requirement is an offence. Police have additional powers during a control period to commence immediate banning order proceedings against persons who pose a risk of involvement in football-related violence and disorder.

Where does the legislation extend to, and apply?

4.3 The extent of this instrument (that is, the jurisdiction 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 The 2025 FIFA Club World Cup is an international football tournament for which two English teams – Manchester City Football Club and Chelsea Football Club – have

[1] www.legislation.gov.uk/ukpga/1989/37/section/14.

qualified. It is the first edition of the tournament under an expanded format with 32 teams participating. The tournament will be held in the United States of America (USA) across 11 different cities between 14 June and 13 July 2025. The UK Football Policing Unit (UKFPU) anticipate that banned and high-risk fans of Manchester City and Chelsea will be interested in attending the tournament.

5.2 Football banning orders prevent subjects from attending regulated football matches in the UK and selected overseas matches and tournaments where the enforcing authority, the FBOA, has notified the subject. As of 1 August 2024 (the last published official statistics[2]), 2,172 football banning orders were in force. 63 of these applied to fans of Manchester City and 54 to fans of Chelsea. It is expected that these fans will be required to surrender their passport to police during the control period.

5.3 Individuals subject to football banning orders or who police otherwise assess as posing a risk may attempt to travel to USA with a view to engaging in disorder or other criminality. This instrument therefore establishes a control period for this tournament, beginning on 9 June 2024 - which is five days before the first match of the Tournament - and ending when the last football match included in the Tournament is finished or cancelled (due to be 13 July 2024, subject to rescheduling or postponement). This control period will effectively prevent persons subject to a football banning order and other supporters who might pose a risk from travelling to the USA and contributing to violence or disorder.

5.4 During the control period, section 19 of the 1989 Act empowers the FBOA to issue a notice to a person subject to a banning order to report to their designated police station and surrender their passport as specified by their notice. Persons subject to football banning orders will be advised of the requirement upon them to surrender their passport to police during the control period shortly after the instrument establishing the control period comes into effect. Such persons can apply to the FBOA for an exemption from their requirements under section 20 of the 1989 Act.

5.5 Local police will take enforcement action against any banned individual who fails to comply with the instructions issued by FBOA. Details of banned individuals to whom the FBOA have issued section 19 notices are shared with police undertaking ports policing operations during the control period to ensure such individuals cannot travel to the tournament. Failure to comply with reporting instructions is a criminal offence.

5.6 Police have additional powers during a control period to commence immediate banning order proceedings against persons who pose a risk of involvement in football-related violence and disorder. Summary police powers under sections 21A and 21B of the 1989 Act enable police to prevent an individual from travelling when there are reasonable grounds to suspect that that person has caused or contributed to any violence or disorder. Section 21B empowers the police to issue a notice to an individual requiring him to attend a magistrates' court at a time, or between times, not to leave England and Wales before that time and to surrender his passport. The notice will require the individual to appear before a magistrates' court within 24 hours, and the court will then treat the notice as an application for a banning order. Failure to comply with the above is a criminal offence.

5.7 In addition, bail conditions can be imposed on individuals requiring them to surrender their passports during a control period under section 14A (banning orders made on conviction of an offence) and section 14B (banning orders made on complaint) of the 1989 Act.

[2] https://www.gov.uk/government/statistics/football-related-arrests-and-banning-orders-2023-to-2024-season

5.8 Establishing a tournament control period is consistent with the approach taken for previous overseas major international football tournaments. Statutory instruments have defined the control periods for European Championship, World Cup and other tournaments since 2002.

6. Legislative and Legal Context

How has the law changed?

6.1 This instrument prescribes the control period under the Football Spectators Act 1989 for the 2025 FIFA Club World Cup. There is no wider change to the law.

Why was this approach taken to change the law?

6.2 This is the only possible approach to establish a tournament-long control period.

7. Consultation

Summary of consultation outcome and methodology

7.1 The UKFPU, which hosts the FBOA and the UK's National Football Information Point, has requested the establishment of an effective control period as a part of the security arrangements for the 2025 FIFA Club World Cup in order to minimise the risk of football-related disorder. Accordingly, the Government does not deem it necessary to consult on this control period.

7.2 Control periods have been successfully used for previous international football tournaments.

8. Applicable Guidance

8.1 Guidance is not required because the police and FBOA are already familiar with the powers that are available to them during control periods. UKFPU provides briefings for those officers responsible for collating the passports from individuals subject to football banning orders. Each force is also asked by UKFPU to plan for a proactive response to deal with those who fail to hand in their passports.

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 it has no impact on business. It will enable the statutory enforcing authority and policing to operate in the most effective way for a short, defined period. No significant financial impact is anticipated.

Impact on businesses, charities and voluntary bodies

9.2 There is no, or no significant, impact on business, charities or voluntary bodies because it relates to the powers of the relevant statutory enforcing authority and policing.

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 the additional powers during the control period are within business-as-usual operations of the enforcing authority, courts and policing.

10. Monitoring and review

What is the approach to monitoring and reviewing this legislation?

10.1 This instrument will not be subject to formal review as the changes it makes are timebound and specific. UKFPU, which includes the FBOA, will work closely with local police during the tournament and subsequently review passport surrender compliance, exemption applications and football banning order proceedings initiated during the control period.

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 The Minister for Policing, Fire and Crime Prevention has made the following statement regarding Human Rights:

"In my view the provisions of the Football Spectators (2025 FIFA Club World Cup Control Period) Order 2025 are compatible with the Convention rights."

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").