



# Police, Crime, Sentencing and Courts Act 2022

## 2022 CHAPTER 32

### PART 10

#### MANAGEMENT OF OFFENDERS

### CHAPTER 5

#### FOOTBALL BANNING ORDERS

#### **190 Football banning orders: relevant offences**

- (1) The Football Spectators Act 1989 is amended as follows.
- (2) Schedule 1 (football banning orders: relevant offences) is amended in accordance with subsections (3) to (7).
- (3) In paragraph 1(c) (certain offences under the Public Order Act 1986 committed at premises)—
  - (a) after “any offence under section” insert “4,” and
  - (b) before “harassment” insert “fear or provocation of violence, or”.
- (4) In paragraph 1(k) (certain offences under the Public Order Act 1986 committed on a journey to or from a football match)—
  - (a) after “any offence under section” insert “4,” and
  - (b) before “harassment” insert “fear or provocation of violence, or”.
- (5) In paragraph 1(q) (certain offences under the Public Order Act 1986 which the court declares to be related to a football match)—
  - (a) after “any offence under section” insert “4,”
  - (b) before “harassment” insert “fear or provocation of violence, or”, and

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**Changes to legislation:** There are currently no known outstanding effects for the Police, Crime, Sentencing and Courts Act 2022, Section 190. (See end of Document for details)

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- (c) omit “or any provision of Part 3 or 3A of that Act (hatred by reference to race etc)”.
- (6) In paragraph 1, after paragraph (u) insert—
  - “(v) any offence under any provision of Part 3 or 3A of the Public Order Act 1986 (hatred by reference to race etc)—
    - (i) which does not fall within paragraph (c) or (k), and
    - (ii) as respects which the court makes a declaration that the offence related to a football match, to a football organisation or to a person whom the accused knew or believed to have a prescribed connection with a football organisation,
  - (w) any offence under section 31 of the Crime and Disorder Act 1998 (racially or religiously aggravated public order offences) as respects which the court makes a declaration that the offence related to a football match, to a football organisation or to a person whom the accused knew or believed to have a prescribed connection with a football organisation,
  - (x) any offence under section 1 of the Malicious Communications Act 1988 (offence of sending letter, electronic communication or article with intent to cause distress or anxiety)—
    - (i) which does not fall within paragraph (d), (e), (m), (n), (r) or (s),
    - (ii) as respects which the court has stated that the offence is aggravated by hostility of any of the types mentioned in section 66(1) of the Sentencing Code (racial hostility etc), and
    - (iii) as respects which the court makes a declaration that the offence related to a football match, to a football organisation or to a person whom the accused knew or believed to have a prescribed connection with a football organisation,
  - (y) any offence under section 127(1) of the Communications Act 2003 (improper use of public telecommunications network)—
    - (i) which does not fall within paragraph (d), (e), (m), (n), (r) or (s),
    - (ii) as respects which the court has stated that the offence is aggravated by hostility of any of the types mentioned in section 66(1) of the Sentencing Code (racial hostility etc), and
    - (iii) as respects which the court makes a declaration that the offence related to a football match, to a football organisation or to a person whom the accused knew or believed to have a prescribed connection with a football organisation.”
- (7) In paragraph 4—
  - (a) the words from “In this Schedule” to “Part II of this Act.” become sub-paragraph (1),
  - (b) after sub-paragraph (1) insert—
    - “(1A) In this Schedule “football organisation” means an organisation which is a regulated football organisation for the purposes of Part 2 of this Act.”, and
  - (c) after sub-paragraph (2) insert—

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“(3) The provision that may be made by an order made by the Secretary of State for the purposes of this Schedule includes provision that a person has a prescribed connection with a football organisation where—

- (a) the person has had a connection of a prescribed kind with a football organisation in the past, or
- (b) the person will or may have a connection of a prescribed kind with a football organisation in the future.”

(8) In section 14 (main definitions), after subsection (2) insert—

“(2A) “Regulated football organisation” means an organisation (whether in the United Kingdom or elsewhere) which—

- (a) relates to association football, and
- (b) is a prescribed organisation or an organisation of a prescribed description.”

(9) Section 23 (further provision about, and appeals against, declarations of relevance) is amended in accordance with subsections (10) and (11).

(10) In subsection (1), for the words from “related to football matches” to the end of the subsection substitute “—

- (a) related to football matches,
- (b) related to a particular football match or to particular football matches,
- (c) related to a football organisation, or
- (d) related to a person whom the defendant knew or believed to have a prescribed connection with a football organisation,

as the case may be.”

(11) In subsection (5), for the words from “related to football matches” to the end of the subsection substitute “—

- (a) related to football matches,
- (b) related to one or more particular football matches,
- (c) related to a football organisation, or
- (d) related to a person whom the defendant knew or believed to have a prescribed connection with a football organisation.”

(12) This section does not apply in relation to an offence committed before the day appointed by regulations under section 208(1) for its coming into force (so far as it has not previously been commenced by section 208(4)(y)).

#### Commencement Information

**I1** S. 190 in force at Royal Assent for specified purposes, see [s. 208\(4\)\(y\)](#)

**I2** [S. 190](#) in force at 29.6.2022 in so far as not already in force by [S.I. 2022/520](#), [reg. 6\(a\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Police, Crime, Sentencing and Courts Act 2022, Section 190.