

## **Martyn's Law overview and what you need to know**

### **ProtectUK publication date**

20/01/2025

The Bill will improve protective security and organisational preparedness across the UK by requiring, for the first time, that those responsible for certain premises and events take steps to reduce the risk of harm to individuals arising from acts of terrorism. The Bill has been designed to bolster the UK's preparedness for, and protection from, terrorism. Those responsible will be required to implement public protection procedures and/or measures, and as such be better prepared and protected, ready to respond in the event of a terrorist attack.

Premises that reasonably expect 200-799 individuals to be present at the same time from time to time will fall within the standard tier. Where a premises or event reasonably expect 800 or more individuals to be present at the same time they will fall in the enhanced tier.

### **What you need to know about Martyn's Law:**

The Bill builds upon the Protect and Prepare strands of the Government's wider counter terrorism strategy, CONTEST.

This Government has been conscious of the need to ensure the Bill strikes the right balance between public protection and avoiding undue burdens on premises and events. The provisions in the Bill have been developed following engagement with expert security partners, businesses, local authorities and the Martyn's Law campaign team. This includes two public consultations and pre-legislative scrutiny of the draft Bill. The feedback received from this scrutiny has been reflected in the Bill.

The Bill establishes a tiered approach, premises in the standard tier will be required to have in place appropriate and reasonably practicable public protection procedures to reduce the risk of physical harm in the event of an attack. Some actions could be as simple as locking doors, closing shutters and identifying a safe route to cover.

The requirements for standard tier premises are focused on simple, low-cost activities to enact procedures and the Bill does not require those responsible for premises in this tier to physically alter their premises or purchase equipment. The aim of public protection procedures is to improve staff preparedness and responses.

Those responsible for larger 'enhanced tier' premises and qualifying events will be required to have in place, so far as is reasonably practicable, additional public protection measures. These measures are those that could be expected to reduce the vulnerability of the premises or event to acts of terrorism. For example, those responsible for enhanced duty premises will be required to have measures relating to the monitoring of the premises or event and its immediate vicinity. They will also be required to document their compliance with certain requirements of the Bill and provide this to the regulator.

For all premises and events, requirements relating to procedures and measures are subject to the concept of 'reasonably practicable'. Those responsible for many premises and events will be familiar with this exercise of judgement through their duties under health and safety legislation. Making reasonably practicable considerations will allow those responsible for premises and events to take into account the nature of their activities, operating environment, and available resources when fulfilling their obligations under the legislation, ensuring a proportionate approach that is specific to the premises or event specific.

Dedicated guidance and support will be provided for duty holders to ensure that those in scope have the required information on what to do and how best to do it. The guidance will be easy to follow, needing no particular expertise.

## **Prepare to act, protect the public**



**Martyn's Law Q&A**

# **How has the Terrorism (Protection of Premises) Bill changed since original 2023 draft**

## **The addition of Reasonably Practicable in both tiers**

The 'reasonably practicable' standard of requirements is now applicable in both tiers. This is designed to allow procedures and measures to be tailored to the specific circumstances of a premises or event. This will enable duty holders to take into consideration what is within their control and the resources they have available to them, as well as what is suitable and appropriate for their premises or event.

## **The increase in Standard Tier threshold**

We have raised the standard tier threshold from 100 to 200, which we believe creates a more appropriate scope of the duty

## **The move from capacity to reasonable expectations**

The Government have moved away from requiring an assessment of the capacity of premises. We have replaced capacity calculations with the number of people that may reasonably be expected to be present at the same time at qualifying premises or events. This approach is considered a fairer basis to reflect actual usage of premises or attendance at events.

The responsible person can draw from a range of methods when assessing the number of individuals who may reasonably be expected to be present at their premises or event. This includes methods which the responsible person may already be familiar with and have readily available e.g. safe occupancy calculations for the purposes of fire safety or use of historic data.

## **The announcement of the SIA as the regulator**

The Security Industry Authority (SIA) has been named as the regulator for Martyn's Law. This will be delivered as a new function of Authority.

## **Who will be in scope?**

Premises that satisfy the following criteria fall within scope of the Bill:

1. Premises as defined in the Terrorism (Protection of Premises) Bill
2. Wholly or mainly used for one or more qualifying activity
3. Be reasonably expected to host 200 or more individuals at the same time, from time to time.

#### 4. Not premises subject to exclusion (in part 1 of Schedule 2)

Events that satisfy the following criteria fall within scope of the Bill:

1. Must take place in a premises as defined in the Terrorism (Protection of Premises) Bill;
2. Must not take place at a premises already in the enhanced tier;
3. Be reasonably expected to host 800 or more individuals at the event at the same time (satisfied if the threshold is met at any point during the event);
4. Individuals must be present at the event to check that attendees have either paid to attend, have an invitation, or have a pass granting access;
5. Be accessible to members of the public; and
6. Not take place at a premises subject to exclusion (in part 2 of Schedule 2).

For more detailed information on Premises please refer to the following factsheet: [Terrorism \(Protection of Premises\) Bill: Scope Factsheet \(Premises\)](#)

For more detailed information on Events please refer to the following factsheet: [Terrorism \(Protection of Premises\) Bill : Scope \(Events\)](#)

## What will the Bill require?

The current draft of the Bill requires those responsible for certain premises and events to take steps to mitigate the impact of a terrorist attack and reduce harm in the event of a terrorist attack occurring. In addition to this, certain larger premises and events must also take steps to reduce the vulnerability of the premises to terrorist attacks.

This tiered approach is linked to the different uses of premises and the number of individuals it is reasonable to expect may be present at a premises or event at the same time. The requirements vary accordingly, acknowledging that larger premises and events may be impacted to a greater extent by an attack and should be expected to do more.

### Standard duty premises

Those responsible for standard tier premises will be required to:

- notify the Security Industry Authority (SIA) that they are responsible for their premises; and
- have in place appropriate and reasonably practicable public protection procedures (as set out in Clause 5 of the Bill) that could be expected to reduce the risk of physical harm being caused to individuals if an attack was to occur there or nearby.

Procedures are to be followed by people working at the premises if an act of terrorism was to occur within the venue or in its immediate vicinity. They are focussed on ensuring workers are prepared and better placed to carry out actions that could reduce physical harm being caused to those present. There are four procedures that must be put in place: i) communication ii) evacuation; iii) invacuation; and/or iv) lockdown.

Link to: [Terrorism \(Protection of Premises\) Bill: Standard duty requirements factsheet - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/672222/Terrorism_(Protection_of_Premises)_Bill_-_Standard_duty_requirements_factsheet.pdf)

### **Enhanced duty premises and qualifying events**

Those responsible for enhanced duty premises and qualifying events will be required to:

- notify the Security Industry Authority (SIA) that they are responsible for their premises or event;
- have in place appropriate and reasonably practicable public protection procedures that could be expected to reduce the risk of physical harm being caused to individuals if an attack was to occur there or nearby
- have in place appropriate and reasonably practicable measures that could be expected to reduce both (i) the vulnerability of the premises or event to an act of terrorism occurring, and (ii) the risk of physical harm being caused to individuals if an attack was to occur there or nearby. For example, an enhanced duty premises will be required, insofar as reasonably practicable, to implement measures relating to the monitoring of the premises and their immediate vicinity;
- document the public protection procedures and measures in place, or proposed to put in place, and provide this document to the Security Industry Authority (SIA). This document should include an assessment as to how those procedures and measures may be expected to reduce, so far as is reasonably practicable, vulnerability and/or risk of harm.

Where the responsible person for enhanced duty premises or a qualifying event is not an individual, they must designate a senior individual with responsibility for ensuring that the relevant requirements are met.

Link to: [Terrorism \(Protection of Premises\) Bill: Enhanced duty requirements factsheet - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/672222/Terrorism_(Protection_of_Premises)_Bill_-_Enhanced_duty_requirements_factsheet.pdf)

### **What is the role of the regulator?**

The Security Industry Authority will be established as the regulator to support, advise and guide those

responsible for premises and events in meeting the requirements of this legislation as well as investigate and enforce compliance of the requirements.

Link to: [Terrorism \(Protection of Premises\) Bill: Regulation, sanctions and enforcement factsheet - GOV.UK \(www.gov.uk\)](#)

## **Who is responsible for requirements at a premises or event in scope?**

The responsible person may be an individual but, it is anticipated, in most cases will typically be a company or other organisation. Responsibility cannot be delegated to contracted services. The responsible person must ensure the requirements of the Bill are met for a qualifying premises or event.

For premises, the responsible person is the person who has control of the premises in connection with their Schedule 1 use/s (e.g. the use of a building as a sports ground or a hotel). The responsible person will usually be the premises operator, e.g. if a person leases a building for retail use as a shop and is in control of the building for that use, they will be the responsible person.

For qualifying events, the responsible person is the person who has control of the premises at which the event is to be held for the purposes of that event. In many cases, we expect the responsible person to be the event organiser. The relevant circumstances of the event will need to be considered to determine who the responsible person is. For example, if a concert is to be held in a park and the company putting on the event takes control of an area of the park and has control of that area for the purposes of that concert, the company putting on the event will be the responsible person. However, if a stately home puts on a concert in its grounds and maintains control of the site of the concert for the purposes of that event, the stately home will be the responsible person. This would be the case even if the stately home contracted organisations to do aspects of the event (e.g. to provide door security or ticketing).

Link to: [Terrorism \(Protection of Premises\) Bill: Responsible person factsheet - GOV.UK \(www.gov.uk\)](#)

## **Will all venues have to implement expensive protective security measures?**

The Government is extremely mindful that many premises and events continue to face the challenges

of rising costs. The Bill seeks to achieve public protection outcomes whilst avoiding undue burden on businesses and other organisations. The Bill will not require those responsible for standard tier premises to put in place any physical measures. The requirements focus on increasing preparedness through ensuring there are effective public protection procedures to be followed in the event of a terrorist attack occurring and are intended to be simple and low cost.

Those responsible for enhanced tier premises and qualifying events must put in place reasonably practicable public protection procedures and measures, to reduce both vulnerability to terrorist attacks and the risk of physical harm. This is in order to protect the public and those working at premises and events, acknowledging that larger premises and events may be impacted to a greater extent by an attack and should be expected to do more.

The procedures and measures to be put in place are determined by what is reasonably practicable. Organisations should take into account the nature of the premises or event, their activities, and resources. One size will not fit all and we are conscious of proportionality for businesses of all sizes.

## **Will Martyn's Law apply to all of the UK?**

The legislation applies across the UK and, whilst counter-terrorism and national security are reserved matters, we have worked closely with the administrations of Scotland, Wales and Northern Ireland to ensure the Bill will operate effectively across the UK.

## **Will volunteers and staff be made liable for harms?**

In the event of an attack, the only individual responsible for such horrific harm is the attacker(s). The State, through our security services and counter terrorism police, works to counter and prevent attacks, not those within scope of the Bill. Responsibility will be determined by whether an entity has control over the premises or event. If an individual has control over a premises or an event, they would be the responsible person. However, we anticipate that in most circumstances the person with control will be a company or another organisation. Whilst employees may take forward individual procedures or aspects of measures, it does not mean that they would be directly accountable or liable for them.



## Will those working at my premises or event require training?

Following pre-legislative scrutiny, it was determined that prescribing specific training obligations that applied to both tiers was not necessary or desirable. It represented an additional burden on businesses and a one size fits all approach was not considered appropriate. Whilst there is no specific training requirement on the face of the Bill, it is essential in fulfilling its requirements to ensure those with responsibility for carrying out public protection procedures and measures have been appropriately instructed and as needed, trained to ensure people can effectively carry out their roles, rather than requiring the completion of specific modules or courses.

This approach will ensure that training is focussed on ensuring those working at premises and events are better prepared to respond quickly to evolving situations. They should be aware of the processes they should follow, have the ability to make rapid decisions and can carry out actions that will save lives. Guidance will provide support in identifying training needs and also signpost suitable, free training offers.

## Third Party Suppliers

- As the Bill is going through the Parliamentary stages and has not yet been finalised, it is subject to change. **Neither the Home Office nor the National Counter Terrorism Security Office endorse any third-party products or providers.**
- As the Bill progresses through the Parliamentary process we will continue to consider the suite of information, guidance and other tools that will be required to support organisations to understand and meet their obligations under the legislation. We are not considering solutions from third party providers.
- Under fair and open competition rules, we are unable to comment on any future competitions or submissions related to solutions intended to assist implementation. If you wish to be kept informed of any upcoming requirements, please refer to the Home Office Pipeline that is refreshed regularly.

**KEYWORDS**

MARTYN'S LAW

PARLIAMENT

BILL

LEGISLATION

ORGANISATION

COUNTER TERRORISM

PROTECT

**PAGE CATEGORY**

MARTYN'S LAW