

# Martyn's Law: A closer look at the UK's new proposed anti-terror measures

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Public-facing businesses, education facilities, events venues, shopping venues (among others) will need to be prepared for the implementation of Martyn's Law. Those responsible for premises and events will be required to take steps to mitigate the risk of a terrorist attack and reduce harm to the public in the event of a terrorist attack occurring.

In the wake of increasing global terrorism threats, the UK has introduced the Terrorism (Protection of Premises) Bill, set to enhance the nation's resilience against terrorist attacks. This legislation, which is now at Report stage in the House of Commons, aims to strengthen protective security measures and organisational preparedness across a range of premises and events in the UK.

The impetus for the Bill stems from the tragic 2017 Manchester Arena bombing that killed 22 people and injured many others, and subsequent reports calling for legislative action to improve public safety.

The Bill imposes obligations, subject to the size of the event or venue, to implement measures aimed at reducing the risk of a terrorist attack, and/or mitigating the risk of harm to individuals in the event of a terrorist attack. It introduces a tiered system of responsibility, based on the type of activities conducted on the premises and the expected number of individuals present simultaneously. Additionally, amendments to the Licensing Act 2003 and the Licensing (Scotland) Act 2005 are made to safeguard premises plans from being exploited for terrorist purposes.

Central to the Bill is the concept of control over the premises, a principle already familiar in regulatory regimes such as fire safety. It defines responsibility for ensuring compliance with the Bill's requirements, extending to operators of arenas, governing bodies of schools, and those managing events. In scenarios where multiple parties share responsibility for a premise or event, coordination and joint action is required.

The legislation categorises premises into 'qualifying premises', determined by their use, size, and the expectation of hosting 200 or more individuals at any given time. These are further divided into 'standard duty' and 'enhanced duty' premises, with the latter expected to host 800 or more individuals occasionally. Special provisions are made for childcare facilities, schools and further education venues, treating them as standard duty premises regardless of their size and capacity.

For events to be considered 'qualifying', they must meet specific criteria, including expected attendance and the nature of the premises. The Bill outlines distinct requirements for standard duty premises and enhanced duty premises or qualifying events, focusing on public protection procedures and measures that can feasibly reduce the risk of harm and the vulnerability to terrorist attacks, such as evacuation procedures and the provision of information to attendees. There is also a requirement for enhanced duty premises to document compliance and share this with the regulator.

The Security Industry Authority is designated as the regulator, tasked with inspections, enforcement, and providing compliance advice. The Bill empowers the Authority with various investigative and enforcement capabilities, including issuing compliance notices, restriction and prohibition notices and monetary penalties. It also introduces criminal offences for non-compliance and obstructive behaviours.

To support duty holders, the Secretary of State is required to issue statutory guidance on compliance with the Bill's requirements. Furthermore, amendments to licensing laws will necessitate new licence applicants to submit two plans of their premises, enhancing security by limiting public access to sensitive information.

The Martyn's Law bill, shaped by extensive consultations and recommendations, reflects the UK's commitment to improving national security while balancing the operational burden on businesses and organisations and developing important protective measures in the face of the threat of a terrorist attack.

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