

Planning for the Protect Duty

An update on the progress of the
Draft Terrorism (Protection of Premises) Bill

A G4S Academy White Paper

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Contents

- 03 Introduction from Tim Kendall
- 04 What is the background to Martyn's Law?
- 04 The Draft Bill has been extensively debated so, what does it actually say?
- 04 What Happens After Royal Assent?
- 04 Has any guidance been issued?
- 04 So, what are the Standard Duty compliance requirements?
- 05 What are the compliance requirements for the Enhanced Duty?
- 06 Who is responsible and how does this cascade down throughout an operation?
- 06 Will there be training available?
- 07 Are there exemptions?
- 07 Aren't there plenty of experts offering compliance services that can do this for me?
- 07 How will all this be regulated and enforced?
- 07 How can G4S help?
- 07 What happens next?
- 07 What protective security advice already exists?

An introduction from Tim Kendall

President – G4S Secure Solutions (UK & Ire)



Welcome to the latest in an occasional series of White Papers we will be drafting in relation to Martyn's Law.

The work to get The Draft Terrorism (Protection of Premises) Bill, or Martyn's Law, through legislative scrutiny has almost run its course. The draft legislation completed its scrutiny in the House of Lords and has now received its final reading in the House of Commons before receiving Royal Assent shortly thereafter.

Much has been written about security officers, safety stewards, control room staff and training for these roles in the context of Martyn's Law compliance but it's important to recognise two key points. Until Royal Assent, everything remains in "draft" format so no one can definitively scope what compliance will look like and, securing a venue or event doesn't just rely on human intervention. To achieve a safe and secure venue or event will require a holistic solution that includes proportionate systems for the security officers, control room staff and safety stewards (where deployed) to understand and operate. Whether that be CCTV, access control, security lighting, search and screening arrangements, dynamic lockdown capability or any one of a host of other measures it will be essential for venues to have the optimum integrated solution to hand to protect the public.

At G4S we're very conscious that a one-size-fits-all operational security plan won't work across every in-scope location so we have drafted this document to give guidance on what we think are key questions a venue owner / operator might want to ask themselves as they consider the best way to respond to the requirements of Martyn's Law.

We will continue to develop our guidance as official guidance documents are released by the Home Office, the SIA and counter Terrorism policing.

If you would like to be kept informed of our ability to support you please contact enquiries@uk.g4s.com and we will be delighted to help.

In the meantime, I hope you find this document of interest and stay safe in everything you do.



Tim Kendall
President – Secure Solutions (UK and Ire)

What is the background to Martyn's Law?

Martyn's Law grew from the horrific events of 22nd May 2017 when Salman Abedi detonated a bomb in The Manchester Arena at the end of an Arianna Grande concert. Twenty two innocent people lost their lives and a campaign began for better security at public events led by Figen Murray OBE, the mother of one of the victims, Martyn Hett who the legislation has been named after.

The Draft Bill has been extensively debated so, what does it actually say?

The proposed legislation, will enhance public safety by ensuring there is better preparedness for, and protection from, terrorist attacks. Martyn's Law will place requirements on those responsible for certain premises and events to fulfil necessary, but proportionate, steps.

The proposal distinguishes between premises according to their capacity and applies different requirements to each of the two resulting "tiers". There are two layers originally called tiers – the Standard Tier and the Enhanced Tier – but now referred to as the Standard Duty and Enhanced Duty each with separate compliance requirements.

The compliance measures are designed to mitigate the impact of a terrorist attack and reduce harm. Through Martyn's Law, premises will be better prepared and ready to respond in the event of a terrorist attack

What Happens After Royal Assent?

After Royal Assent the Act does not immediately become enforceable. There will be an implementation period of at least 24 months to allow businesses and events to prepare for whichever duty they sit-in. This period will also allow the regulator (the Security Industry Authority – SIA) to prepare for their role and to confirm a date (likely to be sometime in 2027) when the new law will become enforceable.

Has any guidance been issued?

As the Act has yet to complete its Parliamentary scrutiny no official guidance has been issued but as soon as it does, the Home Office, NaCTSO (National Counter Terrorism Security Office) and the regulator (the Security Industry Authority – SIA) will be issuing comprehensive guidance to enable businesses and events to understand their obligations.

So, what are the Standard Duty compliance requirements?

The Home Office has produced a factsheet for this which is accessible [here](#).

The responsible person for standard duty premises will be required to ensure that, so far as is reasonably practicable, appropriate public protection procedures are in place at the premises. These protections are arrangements concerned with evacuation, invacuation, lockdown and communications and the awareness training of these arrangements to those individuals and / or groups who need to be aware of them.

The responsible person will also be required to notify the regulator (the SIA) when they become responsible for the premises and if they cease to be responsible.

What are the compliance requirements for the Enhanced Duty?

The Home Office has produced a factsheet for this which is accessible [here](#).

The requirements for an enhanced duty premises or event don't differ from those required for a standard duty premises in terms of public protection procedures - arrangements concerned with evacuation, invacuation, lockdown and communications and the awareness training of these arrangements to those individuals and / or groups who need to be aware of them.

There is also a requirement of enhanced duty premises or events to confirm a greater degree of protection against terrorism threats and deliver appropriate mitigations, referred to as public protection measures.

To be effective, the public protection measures they put in place must be tailored to their particular premises or event including how they operate, their resources and the types of acts of terrorism that might reasonably be expected to occur there. It will be imperative to consider the effect of all measures when integrated together, to form an accurate understanding of how their vulnerabilities will be reduced in order to mitigate the impact of a terrorist attack, should one occur.

The delivery of these measures will vary between different premises and events and may be implemented through people (e.g. training), processes (e.g. a bag search policy) or physical measures (e.g. CCTV and access control). The measures will also need to be delivered holistically, for example, installing CCTV would not address a vulnerability if it were not operated by people who have appropriate awareness of relevant threats.

The four types of measures that must be put in place, as appropriate and reasonably practicable, are:



Measures in relation to **monitoring the premises or event**, and their immediate vicinity to identify and report signs of suspicious activities, behaviours, items or other potential indicators of a potential or actual terrorist attack, and their immediate vicinity, to protect members of the public.



Measures in relation to **controlling the movement of individuals** into, out of and within the premises or event focusing on employing appropriate deterrents and mitigations to reduce vulnerabilities to attacks and to protect members of the public entering, within and exiting the premises or event.



Measures in relation to the **physical safety and security of the premises** or event that could include the strengthening of premises and events structures to prevent certain attack methodologies from occurring and/or to mitigate their impacts.



Measures in relation to the **security of information** which may assist in the planning, preparation or execution of acts of terrorism. In particular, understanding the sensitivities of information, particularly what is appropriate to share, where and who with and that might include website information, blog content, event publicity, promotional video content etc.



With a higher minimum occupancy figure (800+ individuals) and in some cases considerably higher occupancy totals that could be measured in the tens of thousands, this is likely to be more complicated, cover a large geographical footprint and involve significantly more stakeholders. It would not be unexpected for plans to involve the production of a security threat and vulnerability assessment (with resultant actions) and, for example, a comprehensive and very structured training programme for individuals operating across multiple service delivery lines (e.g. security, catering and hospitality, cleaning etc).

Who is responsible and how does this cascade down throughout an operation?

The Home Office has produced a factsheet detailing who will be regarded as the “responsible person” for either a qualifying premises or a qualifying event. This factsheet can be accessed [here](#).

It’s unclear if the “responsible person” role for a qualifying premises can be contracted out to, for instance, a contracted security or risk management partner. For enhanced duty qualifying events and premises responsibility cannot be delegated to contracted services and will remain the responsibility of the event organisers or premises owners.

Their job, in short, is to ensure compliance with the requirements of whichever category the premises or event falls into – Standard Duty or Enhanced Duty.

The responsible person, irrespective of whether for a premises or event or within the standard or enhanced duty, will be required to notify and register their details with the regulator (the SIA) when they become responsible for the premises or event and, if and when they cease to be responsible.

There is also the ability for those in the enhanced duty to appoint a Designated Senior Individual (DSI). Home Office guidance states,

“Where the responsible person for an enhanced duty premises or event is not an individual, they must appoint a designated senior individual (DSI). The DSI must be someone who has responsibility for managing the affairs of the responsible person as a whole, such as a director or partner, rather than a lower-level employee.

The primary function of the DSI is to ensure that the responsible person complies with the relevant legislative requirements with a wider objective of ensuring senior management are engaged in decision-making. The DSI may delegate actions that relate to the requirements but cannot delegate their overall responsibility”.

The roles of responsible person and designated senior individual are critically important for a premises or event to appoint and understand. Our advice is to read all official guidance documentation available now and going forward to ensure complete understanding.

Will there be training available?

Yes. Work has been ongoing to develop a Level 3 Competent Person in the Workplace qualification that will be open to anyone to complete. It will be delivered in much the same way that existing security officer training is delivered by OFQUAL approved training providers via their network of approved training centres and will be available nationwide. Training will be classroom based and comprise a mixture of presentations, workbooks and practice modules, group and individual activities and knowledge checks with summative assessment taking place after the classroom learning. It is anticipated this training will likely be five days in its delivery.

The syllabus will contain the following modules:



Introduction to CT
(counter-terrorism)



Creating a CT
Security Culture



Undertaking a CT
risk assessment



CT preparedness
plans



Articulate
your findings

There will also be a register of specialists or, subject matter consultant experts. These will be individuals who have been reviewed and confirmed as specialists and accepted onto what will be known as the Counter Terrorism Security Specialists Register (CTSSR) which, in turn, will be owned and managed by the Register of Security Engineers and Specialists (RSES).

Are there exemptions?

Yes, Government guidance states that “Parks, gardens, recreation grounds, sports grounds and other open-air premises used for recreation, exercise or leisure are excluded, unless they have individuals employed or otherwise engaged to secure or check that members of the public who wish to access the premises have paid to do so or have invitations or passes allowing access”. Essentially, anywhere that is open access not requiring controlled, ticketed access subject to security checking is exempt.

Aren't there plenty of experts offering compliance services that can do this for me?

Yes there are and individuals and companies are offering courses that when completed suggest that will make you Martyn's Law compliant. G4S (and the Home Office) advise extreme caution. Everything associated with Martyn's Law is still in the draft stage and until Royal Assent is achieved, all draft compliance requirements remain just that, draft compliance requirements.

How will all this be regulated and enforced?



It's confirmed that the Security Industry Authority (SIA) will be the regulator for Martyn's Law. As well as inspecting sites to assess compliance, the regulator will liaise with sites to educate and advise them. The SIA will initially be acting to support and take people on the compliance journey but, they will also have a range of enforcement powers including, the power of entry, the power to be accompanied by a police officer and / or qualified expert, the power to access all areas of a site or event, the power to obtain data and / or documents and the power to formally interview staff and / or contractors.

The SIA will have a range of sanctions available to them ranging from civil sanctions such as issuing Compliance Notices and an ability to impose temporary restrictions or the closure of a site or event up to criminal sanctions for the most serious of breaches (Enhanced Duty only) or where any obstruction of compliance activity is deemed to have taken place. Financial sanctions are capped at £10,000 for Standard Duty premises or events but up to £18m (or 5% of global turnover) for Enhanced Duty premises or events.

How can G4S help?

As stated earlier, no one person or organisation can rightly claim they can deliver services that will make you compliant with the requirements of Martyn's Law.

However, we have extensive experience in operating at publicly accessible venues and at events of all sizes and we understand the complexity and range of threats faced. We also have in-depth, comprehensive experience of securing high profile national, international and globally significant locations and events allowing us a unique insight to the security related challenges and issues faced by venues and event organisers offering a range of integrated security solutions.

If you would like to discuss any element of your security solution, please don't hesitate to contact us at enquiries@uk.g4s.com

What happens next?

The Protect UK website will be updated as soon as more information becomes publicly available (as will the SIA and Home Office websites) and anyone with an interest in Martyn's law is strongly advised to regularly check these websites to remain informed. There will also be a national public awareness campaign to raise awareness in the wider, general population.

What protective security advice already exists?

Additional protective security advice can be accessed at Protect UK [here](#) and via the National Protective Security Authority (NPSA) website [here](#).





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