



Martyn's Law

Introduction

Martyn's Law is a draft bill which follows a campaign by the mother of 29-year-old Manchester bomb victim Martyn Hett. The Bill places a statutory duty on qualifying premises and events to take proportionate and reasonable measures to improve public safety and protect against the threat of terrorism. It was mentioned in the King's Speech on 7 November, signaling the Government's intention to pass it into law in 2024. A public consultation is currently underway.

[Martyn's Law Factsheet - Home Office in the media](https://www.blog.gov.uk/2024/01/23/martyns-law-factsheet-home-office-in-the-media/)
([blog.gov.uk](https://www.blog.gov.uk/))

Scope

The new legislation will apply to premises and events:

- Accessible to the public
- Used for a purpose listed in the Bill (e.g. entertainment and leisure, retail, food and drink)
- Have a capacity of 100 or more individuals
- Including buildings or outdoor locations which have a readily identifiable physical boundary and access by express permission
- Including temporary events such as festivals that have express permission to enter and a capacity of 800 or more individuals.

The Bill places the requirements on the person who has control of the premises; this is usually the operator or occupier. It also requires the co-operation of those with aspects of control of the premises (e.g. the owner of a premises) where necessary to deliver requirements.

The legislation will apply across England, Wales, Scotland and Northern Ireland.

Key provisions and recommendations

1. Mandatory security assessments

One of the central elements of Martyn's Law is the requirement for venue operators to conduct and regularly update security assessments, designed to identify vulnerabilities and address them to minimise the risk of attacks. The Home Office has created a new online platform which provides guidance on the Protect Duty [HO Protect Duty].

2. Counter-terrorism training

Venue staff should receive proper training in identifying suspicious activity and responding to threats.

3. Bag searches and metal detectors

These two practical examples of security measures will be expected.

4. Evacuation

Procedures must be in place for the evacuation of persons from the premises or event, where it is safe and appropriate to do so.

5. Improved communication systems

Robust communication systems with emergency services and effective communication plans for both staff and visitors in case of an incident.

6. Public awareness

Raising awareness among the public about security measures and the importance of vigilance is a key aspect of Martyn's Law. Engaging with the community and fostering a sense of shared responsibility for security can be a powerful deterrent.

7. Reporting mechanisms

Establishing a system for reporting suspicious behaviour or security concerns. This empowers visitors and staff to share information that could help prevent potential threats.

Implications for public spaces

Martyn's Law aims to improve security and highlights the importance of a collaborative approach between the government, emergency and intelligence services, venue operators, and the public. Key implications include:

- Enhanced security culture
- Improved public confidence
- Industry standards
- Stronger resilience

Potential Impact on Casualty Claims

The intention of the bill is to protect against terrorism, **NOT place a statutory duty on those who occupy premises to compensate for acts of terrorism** and the draft Bill provides that claims for damages cannot be brought against a responsible person for breach of statutory duty in failing to fulfil the requirements of the Bill.

Nonetheless, it is possible that lack of compliance with the measures introduced may be used as evidence of negligence in a common law action.

Potential Considerations for Property Claims

Currently, we do not believe this legislation will significantly impact commercial property claims, but will be conducting a detailed review when the legislation is enacted.

Contact



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