

Committee(s): Police Authority Board Policy and Resources Committee	Dated: 15 th February 2023 23 rd February 2023
Subject: Protect Duty (Martyn's Law) Update	Public
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	1 People are safe and feel safe
Does this proposal require extra revenue and/or capital spending?	N/A
If so, how much?	N/A
What is the source of Funding?	N/A
Has this Funding Source been agreed with the Chamberlain's Department?	N/A
Report of: Commissioner of Police/Director of Operations, City of London Corporation Pol 36-23	For Information
Report author: Cdr Umer Khan/ Ian Hughes/ Detective Inspector Jo Northcott	

Summary

The report is a joint briefing from the City of London Police (CoLP) and the City of London Corporation (CoL). The purpose of this report is to summarise the current position with the Protect Duty, from now on to be known as Martyn's Law and how the Force is working with partners to sign post advice on the Duty in a timely fashion.

Recommendation(s)

Members are asked to note the report.

Main Report

Background

1. In June 2021, the Chair of the Manchester Arena Inquiry recommended a Protect Duty be enacted into law by primary legislation. The Home Office published a consultation document, the aim of which was to consider how Government could work together with private and public sector partners to develop proportionate security measures in order to improve public security and to counter terrorism. It also considered how those responsible for publicly accessible locations were ready and prepared to take appropriate action should a terrorist attack happen. A publicly accessible location is defined as any place to which the public or any section of the public has access, on payment or otherwise, as a right or virtue of express or implied permission.

2. Martyn's Law has been championed by Figen Murray, the mother of Martyn Hett killed in the Manchester attack and the Survivors Against Terror network. The duty is fully supported by the National Counter Terrorism Office (NaCTSO) within Counter Terrorist Policing (CTP).

Current Position

3. Since the last update, the Home Office and NaCTSO have been working to shape the needs of the Protect Duty and the legislative requirements.
4. In December 2022, the Home Secretary set out the foundational policy for Martyn's Law in Parliament.
5. These proposals have been developed taking into account the 2021 public consultation exercise, and the views expressed by stakeholders.
6. Proportionality is a fundamental consideration for Martyn's Law. It will therefore establish a tiered model linked to activity that takes place at a location and its capacity. This will prevent undue burden on premises in scope.

A **standard tier** will apply to locations with a maximum capacity of over 100. Venues could include larger retail stores, bars or restaurants. The aim is to drive up use and engagement with existing resources that help teams undertake low-cost, simple yet effective activities to improve preparedness. This will include training, information sharing and completion of a preparedness plan to embed practices, such as locking doors to delay attackers progress or knowledge on lifesaving treatments that can be administered by staff whilst awaiting emergency services.

An **enhanced tier** will focus on high-capacity locations in recognition of the potential consequences of a successful attack. Locations with a capacity of over 800 people at any time, will additionally be required to undertake a risk assessment to inform the development and implementation of a security plan to assess the balance of risk reduction against the time, money and effort required to achieve a successful level of security preparedness - a recognised standard in other regulatory regimes (including Fire and Health and Safety). Venues could include music venues and theatres.

7. All places of worship will be placed within the standard tier, regardless of their capacity, barring a small cohort across all faiths that charge tourists for entry and/or hire out the site for large commercial events.
8. The Government will establish an inspection and enforcement regime, promoting compliance and positive cultural change and issuing credible and fair sanctions for serious breaches. However there has been no indication as yet as to what sort of enforcement and monitoring mechanism will be created.

9. Dedicated statutory guidance and bespoke support will be provided by the Government to ensure those in scope can effectively discharge their responsibilities.
10. There has been no suggestion that crowded spaces in the public realm will be covered except for events with a defined boundary that enables capacity to be counted.
11. Legislation for Martyn's Law will be brought forward as soon as parliamentary time allows. Martyn's Law will extend to and apply across the whole of the United Kingdom.
12. As previously advised, expert advice, training and guidance is already available on the online protective security hub, **ProtectUK**. Stakeholders are encouraged to visit the ProtectUK website and to download the app. These platforms are undergoing continuous development to support organisations to evaluate and manage risk posed by terrorism. The overall aim is that both platforms will evolve into the key site and app supporting Martyn's Law.
13. The Counter Terrorism Security Advisors (CTSA's) from the CoLP can also be contacted by both CoL and the wider City community for counter terrorism security advice.
14. The CoLP is fully engaged with the Home Office and reassurance has been provided that partners will be kept informed by the Home Office on the progression of Martyn's Law.
15. To this end, CoLP has been advised by the Home Office, that as part of the engagement programme surrounding Martyn's Law, they will be hosting a series of webinars during February and March, which will involve a presentation on Martyn's Law along with an opportunity for questions and answers. CoLP will be sharing the invite to this event with stakeholders.
16. The information shared on Martyn's Law to date has created no surprises to either the CoLP or CoL and the work done in partnership has both well positioned to respond to the legislation as and when it comes out.
17. Commander Khan (Operations & Security) is monitoring the progress via the Contest Steering Group bi-weekly meetings. Also in attendance at this meeting from the City Corporation is Richard Woolford (CoL Strategic Security Director), Ian Hughes (CoL Operations Director) and Simon Causer (CoL Head of Security for the City's properties).
18. Progress is also being monitored at Senior Security Board, chaired by the Town Clerk with the Chief Officer Team, Commander Khan, Richard Woolford, Ian Hughes, Simon Causer and DCI Tony De-Wilde (Head of CT) also in attendance. Both the CoLP and CoL are working together in partnership to ensure a united response.

Conclusion

19. Full detail of Martyn's Law is currently unknown.
20. As part of the engagement programme surrounding Martyn's Law, the Home Office will be hosting a series of webinars during February and March, which will involve a presentation on Martyn's Law along with an opportunity for questions and answers. CoLP will be sharing the invite to this event with stakeholders.
21. Any further updates will be provided to Commander Khan at Contest Steering Group who will take this onward to the Police Authority Board.

Appendices

None

Background Papers

- Pol 68-22 Protect Duty Update (September 2022). *Author DI Jo Northcott*
- Protect Duty Consultation Paper (June 2021). *Author Ian Hughes*

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Counter Terrorism - Protect

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