

EVENTS

This webinar will start shortly

Martyn's Law: Legal Responsibilities and Enforcement

With Kuljit Bhogal KC

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• • • cornerstone
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Martyn's Law: Legal Responsibilities and Enforcement

Kuljit Bhogal KC

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The Terrorism (Protection of Premises) Act 2025

- Royal Assent on Thursday 3 April 2025.
- This Act delivers the Government's manifesto commitment to strengthen the security of public premises and events following terror attack at an Ariana Grande concert at the Manchester Arena in May 2017.
- There will be an **implementation period** of at least **24 months** before the Act is brought into force. This period will allow those responsible for premises and events to plan and prepare appropriately.



Schedule 1 uses

Shops

—

Hospitals

**Food and
drink**

**Entertain
ment and
leisure**

Sportgrounds

**Libraries,
museums
galleries**

**Visitor
attractions**

**Hotels,
hostels,
holiday
parks**

**Bus/coach/rail
tram/aerodromes**

Excluded premises

**Legislatures and
devolved
administrations**

**Parks,
gardens,
recreation
grounds**

**Sports ground
that is not a
designated
sports ground**

In a nutshell

Persons responsible for **qualifying premises** or a **qualifying event** are required to take steps to **reduce**:

- The risk of physical harm to individuals arising from acts of terrorism, and
- For larger QPs and all QEs, their vulnerability to acts of terrorism.



Licensed premises

Amends Licensing Act 2003 and
Licensing (Scotland) Act 2005.

Applicants for a new premises licence
will be required to supply two plan to
the Local Licensing Authority:

- i. A detailed plan for LLA's use
- ii. A less detailed plan that will
be made available for public
inspection





01

Qualifying premises

Section 2:

Two types:

- Standard duty premises - 200
 - Enhanced duty premises - 800
- 

02

Qualifying events

Section 3:

- Where premises are not enhanced duty QP
 - 800 or more
 - Measures to check access
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Key concepts

**Public
protection
procedures**

**Responsible
persons**

**Enhanced
duty
premises
and QEs**

**Determinations
by the
Tribunal**

**Enforcement
and
appeals**

Offences

What do you have to do?

Ensure that public protection procedures (“PPPs”) are in place for the QP or QE.

What are PPPs?

- Evacuation
- Moving individuals to a place on premises where there is less risk of physical harm being caused
- Preventing people entering or leaving
- Providing information to individuals



Responsible persons

- Responsible for QP if the person has **control of the qualifying premises** in connection with the Schedule 1 use
- Responsible for a QE if the person will have **control of the premises at which the event** is held in connection with their use of the event
- If more than one person is responsible for a QP or QE, references to the person responsible are to each such person
- If the RP is not an individual, a person must be designated (section 10)

Demonstrating what you have done (EDP and QEs)

- a) Statement of procedures
- b) An assessment of how those procedures reduce the risk mentioned in s5(2) (physical harm in the event of a terrorist act)
- c) Statement of the measures in place or proposed
- d) An assessment of those measures reduce the vulnerability and risk mentioned in s.6(2) (vulnerability of premises and risk of physical harm)
- e) Other information required by regulations



Determinations by the tribunal

- (a) whether premises are qualifying premises;
- (b) whether qualifying premises are enhanced duty premises;
- (c) the relevant Schedule 1 use of qualifying premises;
- (d) whether an event is a qualifying event;
- (e) the premises at which a qualifying event is to be held;
- (f) whether a person is responsible for qualifying premises or a qualifying event;
- (g) whether a person is required to co-operate with the person responsible for enhanced duty premises or a qualifying event (see section 8(5) and (6)).

"interested person" means—

- (a) the Security Industry Authority, or
- (b) any person who has (or, in relation to an event, will have at any point during the event) control to any extent of the premises or event to which the application relates.

The SIA

- Compliance notices (s.13) and restrictions notices (s.14)
- **Compliance notices** can specify the steps to be taken to comply with a relevant requirements imposed by s.5-10 and can be issued to QPs and QEs
- **Restriction notices** require a person to comply with specified prohibitions or restrictions relating to enhanced duty premises or a qualifying event
- Penalty notices, s.17



Restriction notices

Restriction notices for a EDP or EQ may:

- a. Prohibit the use of the premises in certain ways or prevent the event from taking place
- b. Restrict the times at which the premises may be used or the event can take place
- c. Limit the number of people that may be permitted to be on the premises or to attend the event



Appeals against notices

Available **grounds** of appeal:

That the decision to give or vary the notice was—

- (a) based, wholly or partly, on an error of fact;
- (b) wrong in law;
- (c) unfair or unreasonable for any other reason.

In determining an appeal under this section, the tribunal may review any determination of fact on which the decision to give or vary the notice was based and take into account evidence which was not available to the Security Industry Authority.

Notice is of no effect until the appeal is determined or withdrawn (unless the tribunal orders otherwise).

Tribunal has the power to vary or cancel the notice (or dismiss the appeal).

Offences

s.24: failure to comply with a compliance notice or a restriction notice

s.25: providing false or misleading information

Summary conviction: six months, a fine or both
Conviction on indictment: two years, a fine or both

Defence: showing they took all reasonable steps to comply

s.26: liability for an offence committed by a body: a relevant person also commits an offence if the offence was committed with their consent or connivance or is attributable to their neglect



Resources

- [Martyn's Law Factsheet](#)
- [Terrorism \(Protection of Premises\) Act 2025 Factsheets](#)
- [Café Lockdown Drama](#) | [NPSA](#)

Kuljit Bhogal KC

"Kuljit has provided excellent advice on cases involving anti-social behaviour, rough sleepers and injunctions."
Chambers and Partners 2025

"Kuljit excels in her clarity of thought and strong communication skills, both of which contribute to her robust advocacy. She possesses an in-depth understanding of the law, which allows her to construct compelling arguments." Legal 500, 2024

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