

Martyn's Law (Terrorism (Protection of Premises) Act 2025)

Expectations vs Statutory Guidance

Introduction

The Statutory Guidance supporting the Terrorism (Protection of Premises) Act 2025 was published by the Home Office in April 2026, marking a significant milestone in the implementation of what is commonly known as Martyn's Law.

The guidance has been issued to support organisations in understanding how to comply with the Act once it comes into force. It brings together the key principles of the legislation and provides clarity on how duties should be interpreted and applied across different types of premises and operational models.



In particular, the guidance sets out:

- The scope of the Act, including which premises and events are in or out of scope
- The tiered structure (standard and enhanced) and how thresholds should be assessed
- The responsibilities of the “responsible person” and how control is determined
- The legal requirements relating to public protection procedures and, for enhanced tier, public protection measures
- The expectations around coordination, cooperation, and regulatory oversight by the Security Industry Authority (SIA)

Importantly, the guidance also clarifies how concepts such as “reasonably practicable,” “vulnerability,” and “appropriate measures” should be interpreted in practice, providing a more operational lens on what compliance will look like in real-world settings.

The Purpose of this Update

This document provides a clear, practical update on how the published Statutory Guidance compares to prior industry expectations. It highlights where assumptions have changed and what organisations—particularly duty holders and FM operators—should now focus on.

The intention is to support decision-making, prioritisation and client communication by separating what was expected from what is now required in practice.

Key Message – A Change in Approach

The most important takeaway is:

The Act is not a prescriptive security standard—it is an accountability framework.

Rather than mandating specific measures, the legislation requires organisations to:

- Understand their vulnerabilities
- Take proportionate steps
- Be able to justify their decisions

Areas Where Guidance Aligned with Expectations

Tiered Approach Confirmed

The retained model:

- Standard Tier: 200–799 persons
- Enhanced Tier: 800+ persons

This confirms the expected proportional structure and ensures scalability across sectors.

Emphasis on Procedures

The Act maintains a strong focus on:

- Evacuation
- Invacuation
- Lockdown
- Communication

This aligns with the original intent to improve response capability rather than solely preventive security.

Proportionality Principle

The continued use of “reasonable practicability” ensures that:

- Cost, feasibility and risk are balanced
- A one-size-fits-all approach is avoided

Where Expectations Were Dialed Back

Several areas have been significantly lighter-touch than anticipated.

No Mandated Training Requirements

Expectation:

- Mandatory ACT training
- Formal accreditation or certification

Reality:

- No mandated format or scoring system
- Focus on vulnerability and proportional response

Implication:

- Organisations must adopt a risk-based approach but retain flexibility

No Prescribed Terrorism Risk Assessment

Expectation:

- Formal terrorism risk assessments with defined methodology

Reality:

- No mandated format or scoring system
- Focus on vulnerability and proportional response

Implication:

- Organisations must adopt a risk-based approach but retain flexibility

No Automatic Requirement for Physical Security Measures

Expectation:

- Mandatory installation of CCTV, hostile vehicle mitigation, or screening

Reality:

- No requirement to implement physical measures unless reasonably practicable

Implication:

- Investment must be justified, not assumed

No SIA Approval of Consultants

Expectation:

- Accreditation of assessors or approved providers

Reality:

- No formal approval scheme

Implication:

- Responsibility remains with the duty holder regardless of who advises

Where the Guidance is Stronger Than Expected

While some areas are lighter, others place significantly greater responsibility on organisations.

Enhanced Tier – Formal Documentation Requirement

Enhanced tier premises must:

- Document procedures and measures
- Justify why they are appropriate
- Demonstrate how they reduce risk

This effectively requires:

- Structured assessment
- Recorded decision-making
- Ongoing review

Defensibility Over Prescription

Rather than specifying solutions, the Act requires organisations to:

- Evidence their thinking
- Justify omissions as well as actions

This creates a higher burden in:

- Governance
- Record keeping
- Senior decision-making



Stronger Coordination Requirements

Where premises sit within larger sites (e.g. shopping centres):

- Responsible persons must coordinate procedures
- Interfaces must not conflict

Implication:

- FM operators and managing agents become central to compliance

Immediate Vicinity Considerations

Organisations must consider areas outside their premises where relevant, such as:

- Queues
- Entrances and exits
- External circulation areas

Implication:

- Responsibility extends beyond the physical boundary of control when planning response

Control-Based Responsibility

Responsibility is determined by control, not ownership.

Implication:

- FM companies, operators, and managing agents may be the duty holder
- Landlords may not hold primary responsibility if they do not control operations

Practical Impact on Organisations

For Smaller (Standard Tier) Premises

- Lower barriers to entry
- Focus on simple, effective procedures
- Limited need for formal documentation

For Enhanced Tier Premises

- Increased accountability and scrutiny
- Requirement for structured justification of decisions
- Need for coordination across multiple stakeholders

For FM and Managing Agents

- Likely to be the responsible person in many cases
- Must act as the coordinating authority
- Must ensure site-wide consistency and operability

Key Risks Identified

Organisations should avoid:

- Treating compliance as a tick-box exercise
- Relying solely on third-party reports without internal ownership
- Failing to integrate tenants or stakeholders into procedures
- Assuming existing fire or H&S arrangements are sufficient

Recommended Approach

To align with the Act, organisations should:



Conclusion

The Statutory Guidance confirms a clear direction of travel:

- Less prescription, more accountability
- Lower mandatory burden, higher evidential expectation

Organisations that succeed under the Act will not necessarily be those with the most security controls, but those that can clearly demonstrate:

- Understanding of their risks
- Proportionate decision-making
- Effective, coordinated response capability

Key Message for Clients

You are not required to do everything—but you are required to **justify what you do and do not do**.

This is the core principle that should underpin all compliance activity moving forward.

