

Martyn's Law Frequently Asked Questions

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Q&A

Will Martyn's Law apply to all of the UK?

The legislation applies across the UK and, whilst counter-terrorism and national security are reserved matters, we have worked closely with the administrations of Scotland, Wales and Northern Ireland to ensure the Act will operate effectively across the UK.

Why are Places of Worship (POW) treated differently to other premises?

The Government considers it appropriate for all places of worship that can reasonably be expected to host 200 or more individuals in the standard tier, even if the number expected is 800 or more.

Places of worship play a unique and important role in communities across the country. We recognise this and will continue to work with faith communities to respect the unique nature of places of worship and how they operate.

Why is it appropriate to treat schools, further education and childcare premises differently to other premises?

Enhanced tier requirements will not apply to premises used for childcare or primary, secondary, or further education.

These premises are different to other premises within scope. There are existing safety and safeguarding policies and procedures which establish a range of procedures and measures, for example regarding access control measures and evacuation procedures.

However, these premises can be subject to attack, and establishing a basic legal minimum requirement for procedures is regarded as helpful by Government.

The operating environment for these establishments is significantly different to higher education premises which are usually more openly accessible to members of the public and are more frequently used for events. As such higher education establishments are treated the same as other premises in scope.

What about events not captured under this legislation, do they not need protecting too?

The Government will continue to encourage and support premises, events and all public spaces outside of the Act's scope to consider public safety and protective security.

The Government provides significant support, in the shape of access to expertise, advice, guidance and training on how to do just that. For example, on ProtectUK, there is guidance for protecting venues and free access to the ACT Awareness eLearning package.

The Home Office is working with colleagues across the Counter Terrorism (CT) system to deliver a revised approach to protective security at a local level. Following a pilot conducted in partnership with the NaCTSO, a new approach to how local authorities and government are supported by the CT Network has been rolled out in September and is available on ProtectUK. Renamed ACT for Local Authorities, it has been designed to support this work at a local level.

Are volunteers and community premises responsible for the requirements of the Act?

Where there are community premises in scope, those responsible for them - which may be a charity or committee of trustees - will be required to ensure appropriate procedures are in place so far as is reasonably practicable.

In having in place appropriate procedures only insofar as it is reasonably practicable, the approach will be tailored to the resources that the responsible person reasonably has available and other relevant factors.

Those responsible under the Act need not do anything that is outside their control, or that would impose a disproportionate burden on their finances or resources.

Will those working at my premises or event require training?

Following pre-legislative scrutiny, it was determined that prescribing specific training obligations that applied to both tiers was not necessary or desirable. It represented an additional burden on businesses and a one size fits all approach was not considered appropriate. Whilst there is no specific training requirement, it is essential in fulfilling the Act's requirements to ensure that those with responsibility for carrying out public protection procedures and measures have been appropriately instructed. Additionally as needed, trained to ensure people can effectively carry out their roles, rather than requiring the completion of specific modules or courses.

This approach will ensure that training is focussed on ensuring those working at premises and events are better prepared to respond quickly to evolving situations.

Will Government be providing extra funding for businesses to pay for training?

The Government does not consider it necessary to provide financial support to businesses to deliver the requirements in the Act. There will be statutory guidance to help understand the requirements, which may assist in identifying relevant training. It is intended that this guidance will not require any particular expertise. The Government will consider how and where it can otherwise support those in scope, such as through guidance and other tools.

How will Martyn's Law be enforced?

To support enforcement of the regime, a new regulatory function will be established within the Security Industry Authority (SIA). The SIA will seek to support, advise and guide those responsible for premises and events in meeting the requirements of this legislation. Where there are instances of serious or persistent non-compliance the SIA will be able to take enforcement action including compliance notices, monetary penalties and restriction notices. The legislation also includes some criminal offences. The SIA must prepare statutory guidance about how it will discharge its functions under the Act, which must be approved by the Home Secretary before it is published.

There will be a period of time prior to the implementation of the legislation, i.e. when it will come into

force. We expect this period to be at least 24 months to allow for the set-up of the regulator and to ensure sufficient time for those responsible for premises and events in scope to understand their new obligations before they come into force, being able to plan and prepare accordingly.

KEYWORDS

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