

What does the draft terrorism (Protection of premises) bill (Martyn's Law) mean for insurers?

27 June 2024  Lauren Wilkinson

Following a [previous article on the Draft Terrorism \(Protection of premises\) Bill](#) (“the Bill”), we take a look at recent updates on the Bill's progress.

By way of reminder, the Bill, also known as Martyn's Law, is named in recognition of Martyn Hett, a victim of the May 2017 Manchester Arena bombings. Published in May 2023, it aims to create provisions relating to the assessment and mitigation of the risks of terrorist activity in relation to premises and events accessible by the public.

As currently drafted, the Bill applies to those responsible for publicly accessible venues with a capacity of 100 or over (standard tier) and those with capacity over 800 (enhanced tier). Enhanced tier venues and events with a public capacity over 800 are subject to an enhanced duty, which will require further and more costly requirements.

The Government [ran a consultation](#) earlier this year to seek the views of operators of standard tier venues. During the consultation, the Government proposed more flexible revised requirements for these venues, but they are [yet to publish](#) the outcome of that consultation.

The Bill had been included in the King's November Speech as part of the legislation that the Government intended to pursue in the 23/24 parliamentary session. However, Parliament has now been dissolved ahead of the July election, so it will be for the new Government to decide whether to continue with its progress.

Considerations for insurers

The [Home Office's 2021 Consultation outcome](#) addressed the desire to see compliance with the Protect Duty incentivised in the insurance industry. In response to this consultation, concerns were raised that the duties would have a negative financial impact on organisations, including the potential increase in insurance costs for liability and terrorism lines.

The [Home Office's Impact Assessment](#) commented on the potential insurance implications raised by the Bill, suggesting that premiums may be reduced where a premises implements a proportionate security plan and that the increased awareness around terrorism could increase the applications for terrorism policies.

Addressing the awareness around the Bill, a [poll taken during a Biba Conference session held by Homeland Security Group](#) revealed that only 17% of brokers and their clients are aware of, engaged with and prepared for the new Protect Duty, whilst over half of the participants were aware to some extent but still had work to do.

We will continue to track the progress of the Bill and report on developments in future editions of The Word.

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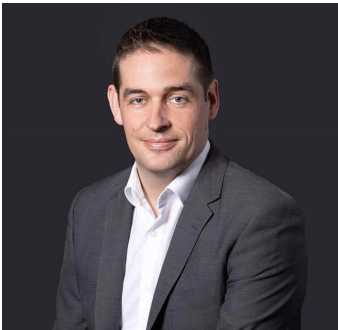
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Key contact



Tim Johnson

Partner

tim.johnson@brownejacobson.com

+44 (0)115 976 6557

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