



Jim Shannon MP
House of Commons
London
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BY EMAIL ONLY

31 October 2024

Dear Jim,

Terrorism (Protection of Premises) Bill

Thank you for your important and helpful contributions made during the Terrorism (Protection of Premises) Bill Second Reading debate on 14 October and your continued support for the Bill.

You made a vital point that we learn from history, not least the particular experiences in Northern Ireland, to ensure the legislation will operate effectively for all regions of the United Kingdom. I can assure you that Home Office officials have engaged with a range of civil society, public bodies and private sector partners in Northern Ireland in designing this legislation and will continue to do so.

I promised to write with further information on the specific points that you raised.

Guidance and support

You enquired about the help and support that will be made available to aid businesses in understanding how they are to be expected to fulfil their obligations. I would first like to reassure you that the requirements in the Bill are subject to a reasonably practicable test, meaning the requirements that apply to those who are in scope will take account of their specific circumstances and the resources they have available.

The Government wholeheartedly agrees that the Bill's requirements should not deter any business from expanding, which is why the requirements have been designed to be straightforward and easy to understand. The Government will publish guidance, informed by experts in the sector, which will ensure responsible persons have all the information they need to understand how to comply with the Bill's requirements. Additionally, following Royal Assent, we expect the implementation period for this Bill to be at least 24 months. This is to allow for the set-up of the regulator, and to ensure there is sufficient time for those responsible for premises and events in scope to understand their new obligations, and to plan and prepare.

The Home Office will work closely with the Security Industry Authority to produce a suite of free, easy to access advice and guidance, to aid those responsible on how to best comply with this legislation. The Security Industry Authority will also support organisations through

guidance and advice to understand what may be considered reasonably practicable against their circumstances.

The above is in addition to what is already freely available. Government security experts, including National Protective Security Authority, have produced detailed advice and guidance designed for those who operate premises and events to help them understand threats and to take forward appropriate mitigations on a voluntary basis. This incorporates learning from different sectors and geographical locations, including the valuable lessons learnt from Northern Ireland. This forms part of the extensive programme of free, trusted guidance, training and tools available through ProtectUK.

Enforcement

You also queried whether the requirements could be voluntary and why civil penalties were needed. A voluntary system is, essentially, the status quo. Our engagement with industry indicates that preparedness and counter-terrorism protective security often falls behind areas where there are long-established legal requirements, such as health and safety.

However, similar to your experiences of businesses in Northern Ireland taking the appropriate actions, we expect the majority of those in scope will want to comply with their statutory obligations. This is also the Government's experience across other regulatory regimes. For this reason, the primary role of the Security Industry Authority will be to provide advice, guidance, and support to aid those in scope to meet their obligations.

Nevertheless, due to the severity of the risk posed by terrorism, it is important that the regulator has the necessary tools – including the option of civil penalties – to remedy serious or persistent non-compliance swiftly. Clause 20 of the Bill ensures a proportionate approach will be taken when determining penalty amounts. The Security Industry Authority will need to consider a range of factors including an organisation's ability to pay.

Places of worship and schools

You were concerned that places of worship should take appropriate precautions. Due to their operating model, and their open and welcoming nature, the Government determined that it would not be appropriate to include places of worship in the enhanced tier. All places of worship that are reasonably expected to accommodate 200 or more people will therefore be placed in standard tier. This view is supported by the feedback from the two public consultations and extensive engagement with stakeholders.

As you noted, there will be some places of worship which may face more specific and targeted threats. The Home Office's work with places of worship includes developing measures to better mitigate threats through local police engagement and Government funded work programmes. Protective security schemes are already in place to provide a range of mitigating measures at places of worship to reduce their vulnerability to terrorism and hate crime. Work is also currently underway to develop a new Faith Security Training scheme (following a successful pilot) to raise awareness amongst faith communities of how to improve their safety and security, and to help them prepare to mitigate any threats they face. My officials will continue to work with faith communities to respect the unique nature of places of worship and how they operate.

You also asked how the Bill would operate in respect of schools. All education premises (other than higher education establishments), which are reasonably expected to accommodate more than 200 individuals will fall within the standard tier. This reflects the

balance the Government is seeking to strike between taking forward the right requirements for the sector, whilst recognising that they are not immune to terrorist threats. These education premises are not routinely publicly accessible. Existing safety and safeguarding policies and procedures mean there are already a range of measures and procedures in place at childcare, primary, secondary and further education establishments – for example regarding access control measures, lockdown and evacuation procedures.

In comparison, the operating environment for higher education premises is usually freely accessible to members of the public and are more frequently used for different events. As such, higher education establishments are treated the same as other premises in scope.

Once again, I would like to thank you for your important and valuable contributions at the Second Reading of the Terrorism (Protection of Premises) Bill. I hope this letter has provided sufficient assurances and has clarified the Government's position on these important issues. I look forward to further discussion on this vital Bill.

I am placing a copy of this letter in the House of Commons Library.

Very best wishes,

A handwritten signature in black ink, appearing to read 'Dan Jarvis', with a horizontal line underneath it.

Dan Jarvis MBE MP
Security Minister