

# Martyn's Law – Capacity Myth-Buster

Separating fact from outdated information

## **FACT: Standard Tier starts at 200 people**

Myth: Martyn's Law applies to venues with 100–799 people.

Reality: The Terrorism (Protection of Premises) Act 2025 defines the Standard Tier as premises where 200–799 people are reasonably expected to be present at the same time, at least occasionally. Premises below 200 people are out of scope.

## **FACT: 100–799 came from early consultation drafts**

Myth: Government guidance still says 100–799.

Reality: The 100-person threshold only appeared in pre-legislative consultation material. During parliamentary scrutiny, the lower threshold was raised to 200 to reduce unnecessary burden on smaller venues.

## **FACT: Martyn's Law has only two tiers**

Reality: There are only two tiers under the Act: Standard Tier (200–799) and Enhanced Tier (800+). There is no third tier and no legal duty below 200 people.

## **FACT: Capacity is not average attendance**

Reality: Capacity is the greatest number of people reasonably expected to be present at one time. This includes customers, staff, contractors, volunteers, and event personnel — even if this only happens occasionally.

## **FACT: Standard Tier does not require physical security**

Reality: Standard Tier premises are not required to install CCTV, barriers, scanners, or security guards. The duty focuses on simple procedures: evacuation, invacuation, lockdown, and communication.

## **FACT: Enhanced Tier begins at 800+**

Reality: Only premises or events where 800 or more people are reasonably expected fall into the Enhanced Tier, which may require additional protective security measures.

## Quick Reference Summary

Question	Correct Answer
Does Martyn's Law start at 100 people?	No
Is Standard Tier 200-799?	Yes
Is 100-799 still valid?	No (historic consultation only)
Are physical measures required for Standard Tier?	No
Do staff count towards capacity?	Yes

## Authoritative Sources

- ProtectUK (Official Police Counter Terrorism Guidance)
- Home Office Statutory Guidance – Terrorism (Protection of Premises) Act 2025
- GOV.UK legislation and guidance