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Counter Terrorism Policy, PALs & Protect Duty

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Protect & Prepare, Homeland Security Group, Home Office

16th November 2022

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Home Office Priorities

- Cut crime and the harm it causes, including cyber-crime and serious and organised crime

- Manage civil emergencies (within the remit of the Home Office)

- Protect vulnerable people and communities

- Reduce terrorism

- Control migration

- Provide world-class public services and contribute to prosperity

- Maximise the benefits of the United Kingdom leaving the European Union

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Our CT vision

Objective: Reduce the risk to the UK and its citizens and interests overseas from terrorism, so that our people can go about their lives freely and within confidence

Achieved by: Working domestically, online and overseas to Prepare, Prevent, Protect and Pursue against terrorist risk

Underpinned by: CT Systems Leadership

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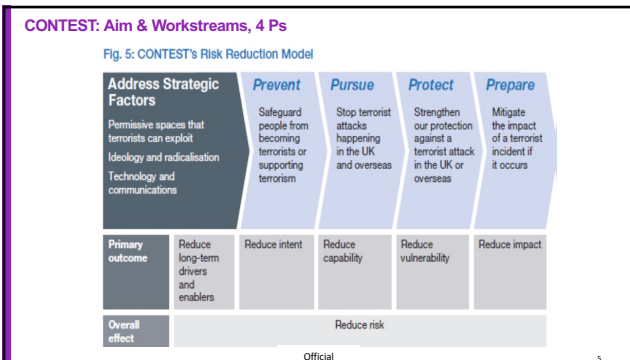
CONTEST

- CONTEST – Fourth version published in June 2018

- Sets out how we will continue to reduce the risk to the UK and its citizens and interests overseas from terrorism, so that people can go about their lives freely and with confidence

- The Integrated Review of Security, Defence, Development and Foreign Policy identifies terrorism as one of the highest priority risks to the UK

- Vision for an integrated, whole of government approach to countering terrorism, using capabilities across security, defence, diplomacy and development

CONTEST

The United Kingdom's Strategy for Countering Terrorism

Presented to Parliament
by the Secretary of State for the Home Department
by Command of Her Majesty

June 2018

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CONTEST: Aim & Workstreams, 4 Ps

Fig. 5: CONTEST's Risk Reduction Model

Address Strategic Factors	Prevent	Pursue	Protect	Prepare
Permissive spaces that terrorists can exploit. Ideology and radicalisation. Technology and communications	Safeguard people from becoming terrorists or supporting terrorism	Stop terrorist attacks happening in the UK and overseas	Strengthen our protection against a terrorist attack in the UK or overseas	Mitigate the impact of a terrorist incident if it occurs
Primary outcome	Reduce long-term drivers and enablers	Reduce intent	Reduce capability	Reduce vulnerability	Reduce impact
Overall effect	Reduce risk				

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Protect & Prepare

Protect: Strengthen our protection against a terrorist attack in the UK or our interests overseas and so reduce our vulnerability. By:

❖ Reducing the risk to and improving the resilience of non-aviation transport sectors, critical national infrastructure and crowded places.

❖ Protecting vulnerable groups and high-profile individuals at specific risk of terrorist attack.

❖ Reducing the risk to British nationals overseas through improving host state capabilities.

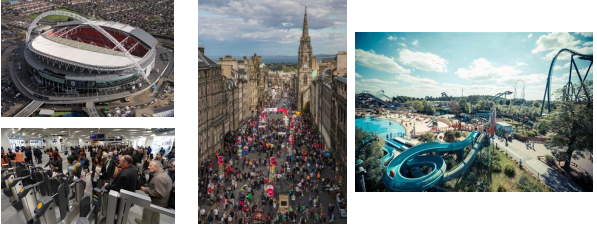**Prepare:** Mitigate the impact of a terrorist attack where that attack cannot be stopped. By:

❖ Continuing to build specific capabilities to respond effectively to and recover from terrorist attacks.

❖ Improving the ability of the emergency services to work together during a terrorist attack.

❖ Enhancing communications and information sharing during terrorist attacks.

❖ Improving preparedness (including through exercising) for the highest impact risks in the National Risk assessment.

❖ Providing support to victims of terrorism.

COUNTER TERRORISM POLICING

CPNI®
Centre for the Protection of National Infrastructure

POOL Re

[dstl]
The Science Inside

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Crowded places vs PALs – what does that actually mean?
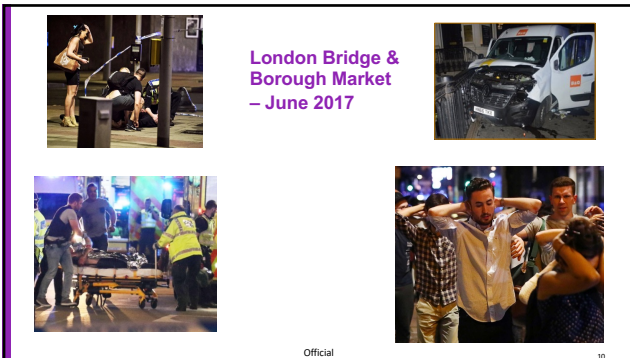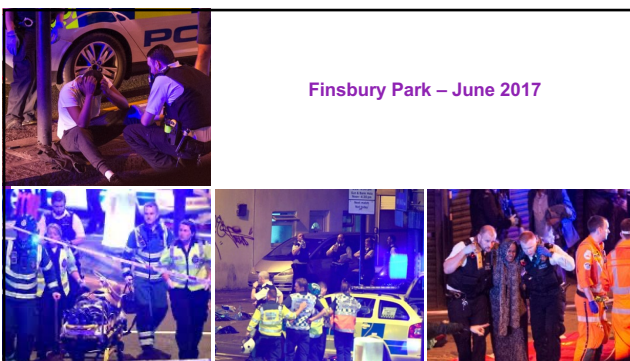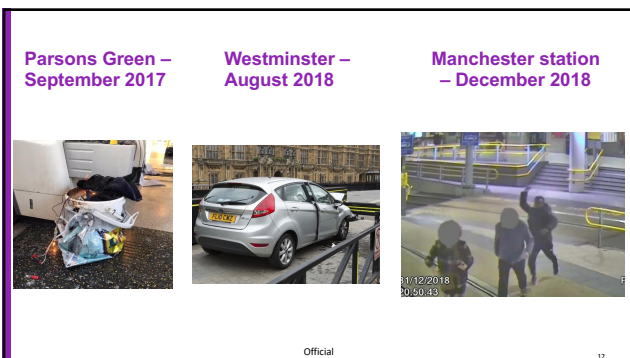
Crowded places model

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Westminster – March 2017

Manchester Arena – May 2017

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London Bridge & Borough Market – June 2017

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Finsbury Park – June 2017

Parsons Green – September 2017

Westminster – August 2018

Manchester station – December 2018

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London Bridge – November 2019

Streatham – February 2020

Reading – June 2020

Sir David Amess, Essex Constituency - October 2021

Liverpool - November 2021

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Drivers - continued

Learning and recommendations: inquests and inquiries

Manchester Arena Inquiry

"*The lack of any specific duty* to identify and mitigate the risk of terrorism means that the system *is inadequate to provide a proper level of protection to the public,......we do need to have in place protective measures* which provide security against the threat but do not prevent us enjoying the freedoms which are part of our way of life"

(Sir Jon Saunders, Chair, Mcr inquiry)

London Bridge/Borough Market Inquests

"a matter for concern that London Bridge was not within the definition of a priority Crowded Place.....one aim should be to ensure that the criteria are not excessively rigid so as to exclude sites which may be particularly attractive and vulnerable to terrorists"

(Chief Coroner, London Bridge preventing future deaths)

Public campaigns

Martyn's Law

Figen Murray (mother of Martyn Hett), Brendan Cox (husband of Jo Cox) and Nick Aldworth (former Met supt.) have been strongly campaigning for a change in the law to require venues to protect their visitors from terrorism.

Research and insights

Westminster Bridge	Manchester Arena	London Bridge & Borough Market	Finsbury Park Mosque	Parson's Green	Fishmonger's Hall	Streatham High Rd	Forbury Gardens

2017 | 2018 | 2019 | 2020

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So what's a PAL then?

PALs include:

- Sports stadiums and venues, festivals, theatres, cinemas, museums, galleries and music venues
- Hotels, pubs, restaurants, clubs, bars and casinos
- High streets, retail stores, shopping centres and markets
- Schools, colleges and universities
- Medical centres and hospitals
- Places of worship
- Government buildings and job centres
- Transport hubs and networks
- Parks, beaches, public squares and other open spaces e.g. pavements and those with no obvious operator (Grey Space)
- Temporary venues e.g. Christmas Markets

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The challenge

- **600,000+ different organisations** which may own or operate at least one publicly accessible location in the UK

- **99% of these are SMEs** and Micro enterprises (83%).

- Organisations are more receptive to engagement and advice at **local level** and prefer to **embed CT in existing schemes/practices**

- Without **legislation,** CT engagement from organisations will be limited

But there is some good news

- **£££** - subject to the usual SR processes, we're hoping to have some more budget to start implementing changes to improve the situation

- The majority of those we consult **support the concept of a Protect Duty** (70%) – more details to follow…

- There are a lot of other **initiatives**, beyond legislation, that we're scoping and/or delivering/supporting that can and will make a big difference

- Fantastic delivery and operational partners

- Research suggests that basic initiatives, undertaken broadly, can have impact

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What we want to achieve

Strategic Impact	Public safer from terrorist attacks when using publicly accessible locations

1. **Blended Approach -** Compel and encourage responsible parties to give due regard to security considerations and put in place effective, proportionate mitigation.

2. Through legislation help **clarify responsibility for security** in any given location and improve the consistency and quality of considerations by owners and operators to introduce effective security outcomes.

3. Broader engagement to **reach and influence a much wider group of stakeholders** – raising the bar so that the public are safer at all PALs

4. **A more security aware and engaged Public**; better able to protect themselves and others

5. A truly 1-HMG approach with **stronger, coordinated partnership** across public and private sectors, and a greater role/increased ownership within the private sector to support delivery

6. **Improved assurance** that all activity we deliver is sufficiently improving security outcomes and clear roles and responsibilities for all partners delivering PALs Programme

7. A nimble system able to mitigate risks for specific **higher risk sectors, sites, groups and zones** through additional measures/resources

8. A **private security industry that provides high quality products and services** to support organisations

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Protect Duty

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Protect Duty: Overview

Legislative approach to improve protective security and organisational preparedness at publicly accessible locations.

- **2019** Manifesto commitment
- **February 2020** - Consultation announced; paused due to COVID
- **February 2021** - Consultation launched
- **18 week** consultation (as opposed to usual 12 weeks)
- UK wide

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Protect Duty Vision

Our ambition is to **embed and normalise protective security and preparedness** as a **routine consideration** for organisations akin to Health and Safety, Fire Safety and Data Protection provisions. We aim to ensure **effective, risk-based and proportionate security** in places and spaces, to keep the public safe.

Making places safer – a model for risk reduction

Raise awareness

Quality assurance, guidance and compliance

Take proportionate and appropriate action to mitigate risk

In support of this model, the Duty would provide:

- ❖ The **catalyst for a step-change in the culture and ethos surrounding security considerations** across private and public organisations.
- ❖ **A threat informed, ideology agnostic approach**, with terrorism as the driver, but broader outcomes and benefits against a wide range of threats and harms likely to be achieved.
- ❖ **Clarity of responsibility and consistency of application.**
  - Measures and procedures in place to reduce the impact 'harmful events', reducing fatalities and injuries.
  - Improved preparedness to respond to an attack.
- ❖ **Improved assurance and accountability.** Advice, education and guidance to ensure compliance, provided through government support & an inspectorate capability with enforcement powers.

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Protect Duty: Consultation Themes

Through the consultation we explored:

- Proposed **scope** of the Duty

- Likely **impacts** on stakeholders

- UK Government **support**

- **Compliance** options

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Protect Duty: Scope

WHO would a Duty apply to?

- **Public venue** owners and operators with **capacity of 100 persons** or more

- **Large organisations** with 250 staff or more

- Consideration of responsibilities at **public spaces**

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Protect Duty: Impact

WHAT would a proposed Duty require stakeholders to do?

- **Consider** terrorist **threats** and methodologies

- **Assess** the potential **impact** of these (to the public and staff)

- Consider and **take forward 'reasonably practicable'** and appropriate protective security and organisational preparedness **measures.**

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Protect Duty: Support

HOW would Government support those affected by a Duty?

- Significant **advice and guidance** on (e.g. terrorist threat and attack methodologies, risk assessment, reasonably practicable mitigating measures, and security processes)
- Built into **existing mechanisms**
- **Easy** to understand and implement.

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Protect Duty: Inspection and enforcement

WHY should organisations comply?

- **Primary aim** for an inspection and enforcement regime is **to advise** on improving security systems, processes and culture
- **Sanctions** (fines) will be deployed if **repeated non-compliance**
- Consideration ongoing on development of an **inspectorate**

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- Open for 18 weeks – 26th Feb until 2nd July
- **2,755 responses**
- Views from **a range of sectors and organisations across all four nations of the UK,** including places of worship, hospitality, the events and entertainment sectors, visitor attractions, education, retail, sport, the charitable sector, Government, health, transport and finance
- **Over 80 virtual engagement events** led by Home Office officials, and supported by partners from across HMG, the Devolved Administration and operational partners.
- Summary of responses published on 10th January 2022

Consultation Findings

A majority (seven in ten) agreed or strongly agreed with the concept of the Protect Duty with the most cited opinion amongst participants being that **all Publicly Accessible Locations should be 'in scope' for the Protect Duty legislation.**

Responses to proposals for public spaces were more mixed

- There were more participants who opposed proposals to seek the development of strategic plans (by local authorities/other relevant local partners) than those who supported it.
- When asked which organisations could play a role in bringing together partnerships the largest response was local government

Respondents sought **a proportionate inspection regime, that is cost-effective and protected organisations** (rather than creating harmful unintended consequences)

- **c50% supported the use of fines** for non-compliance as a proportionate measure that would lead to an increase in accountability.
- **c50% consider this was an unfair imposition penalising the wrong individuals.**

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Requirements – Outcomes Sought

Accountability.
- Full transparency of responsibility for security activity at locations in scope

Clarity.
- Enable those responsible to establish their own balance of risk reduction against the time, money and effort required to achieve a suitable level of security preparedness
- Provide a legal basis for the PD Inspectorate to assess and make judgement on the actions taken by those under the scope of the PD, with the strength and lucidity to hold scrutiny within a court

Proportionality.
- Adaptable within any organisation, regardless of the Duty's scope, and consequently reflect the significant and diverse user base that the Duty may touch
- Include a variety of defined activities, targeting respective tiers, that provide a proportional balance of maximum impact against the capacity of locations in scope
- Considered in line with comparable regulatory regimes, where applicable, to ensure it sets appropriate requirements and responsibilities and familiar tests.
- Wide variety of requirements, and attached responsibilities, to reflect the unpredictable nature and associated harms of terrorist activity.

Consistency.
- Establish the standard for those responsible under the PD and therefore become a reference point
- Encourage reliable, positive security outcomes through necessitating the consideration of a wide variety of risk factors and scenarios
- Set review periods for activities (and their nuances) to ensure that the measures taken by those responsible are continually in consideration.

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Key policy considerations

Scope
- Consultation considerations
  - Venues
  - Organisations
  - Spaces

- Venues/locations
  - Criteria
  - Thresholds
  - Tiers – Enhanced and baseline

- Exclusions and exemptions

- Spaces/zones

Requirements
- Responsible parties

- Enhanced/baseline

- Principles Framework

Inspection/enforcement
- Inspectorate nature
- Enforcement – sanctions

Support
- Significant challenge
- Build on what exists and develop new mechanisms/tools
  - ProtectUK
  - NE CT zones pilot
  - Risk assessment methodology
  - Competent persons scheme

Consideration of how Duty interacts with other regimes
- Legislative interaction (primarily transport security and sports ground safety)
- Planning implications
- Other (e.g. SAGs, licensing, events/SecCo)
- Mitigations leading to potential for conflict
- Achieving clarity in various Guidance

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Timing and next steps

Ongoing work
- Finalise Duty proposals and associated work:
  - Scope – clarity of application
  - Certainty of responsibility and consistency of application (requirement
  - Impact Assessment
  - Inspectorate and sanctions
  - Government support and advice

- Policy instructions turned in to clauses

Bill and next steps
- The Government committed to take forward the Protect Duty as a draft bill in this parliamentary session.
- Date for introduction of Protect Duty Bill into Parliament or when an Act, if agreed, will commence not fixed.

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PALs Policy Delivery

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Sectors

- Core aim of this strand of the model is to improve the CT security awareness and preparedness of a range of sectors (public and private) to protect against and mitigate impact of attacks at a wide range of PALs

- Divided into two parts:
  - Liaison and collaborative working with lead Govt departments
  - Direct business engagement

Sectors
Business sectors, through CT BIE Government sectors – lead government departments supported by NaCTSO

Structured Engagement
Sectors are to receive a formatted engagement plan. That will continue to be best practice moving forward.

Tiered Approach
Understanding that our ability should be tailored to Sectors as they become progress in security maturity

Impact Approach
The impact a CT attack would have on a sector and the public confidence creates a foundation of engagement we must keep.

Cross Government Approach
Linked to Protect Duty

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Zones

- Pilot a new dedicated support and engagement function for Local Authorities (LAs).

- With expert support, engagement and awareness we will build LAs capability to protect their constituents through consideration and implementation of security.

- 1 year phased pilot, based in the North-East.

- The pilot will:
  - Inform the specific requirements of LAs for products, training, guidance and tools
  - Support development of best practice guidance
  - Establish the required skills and training for CTSAs, and advise on the resourcing required for UK-wide implementation
  - Provide accessible threat information

- Desires outcomes:
  - Improved ability to protect communities
  - Best practice models
  - Dedicated support
  - Improved threat information
  - Developed maturity

A zone is a location where the public gather or pass through, which is usually **populated by a combination of PALs** in close proximity, and may or may not have a specific designated security overlay.

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Sites

- The aim is to increase the capability of sites to consider and implement good security, to protect against and mitigate impact of attacks at individual sites

- Again, this is split into two parts:

  - A review of and, in turn, a refreshed risk management process
  - A competent persons scheme

'Central to the whole process of discharging the Protect Duty should be the **preparation of a comprehensive risk assessment, the identification of the control measures** and an explanation of how these will be implemented'.

Competent Consultants

Competent Persons in the Workplace

Sites are effectively the old Crowded Places model condensed into the wider PALs strategy. They are the iconic and attractive places that still require bespoke support.

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Groups

- Work to improve the preparedness and protection of specific groups or communities who may be more vulnerable to terrorist attack is a key focus of the PALs strategy. As the strategy evolves, projects carried out under the group strand will link closely with the other three strands, particularly Zones.
- Work under 'Groups' has focused mainly on faith communities; the next phase is to consider which other groups may be vulnerable and how best to support them to mitigate risk.
- We currently run a number of programmes to support faith communities (FST is in development):

The Government stands against anyone who spreads hatred. Everyone has a right to religious expression.

Jewish Community Protective Security Grant (JCPS)

➢ Available to the Jewish community only.
➢ £14m has been set aside for 2021-22 financial year.

Places of Worship Protective Security Funding Scheme

➢ Available to all other Faiths, except the Jewish community.
➢ £3.5m has been set aside for the 2021-22 financial year.

Faith Security Training (FST)

➢ Development of security training and awareness package available to all faith communities.

Are you CONCERNED ABOUT HATE CRIME happening at your PLACE OF WORSHIP?

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Broader portfolio

ProtectUK

Responding to Terrorist Incidents

A number of points have been identified for site security managers to consider as they decide how to mitigate the risks associated with PAW attacks:

- **Engagement strategy and delivery**

- **Public communications**

- **Digital platform & product development**

- **Threat methodologies and counter-measures**

- **Science & Technology**

ENGAGE	Have all the right stakeholders been identified?
ASSESS	Has the risk of a PAW attack been assessed?
PLAN	What planning needs to take place to identify and mitigate the risk?
PROTECT	What protective security and the safety measures can be introduced?
RESPOND	How can the response be developed and improved?
REVIEW	Are all aspects of the plan regularly reviewed?

Planning must ensure that the key internal and external stakeholders are included to make certain that security and fire safety plans are effectively integrated and that if necessary, plans between neighbouring sites have been deconflicted.

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PALs Engagement Strategy

Improved protective security and preparedness in PALs, delivered through:

- Increased **reach and awareness** and Improved **cadence of engagement** of CT content with operators in PALs
- Increased **level of understanding** of protective security considerations both by both those operators and amongst ourselves
- Improved level of **consideration, prioritisation and action** given to CT issues
- Improved **collaboration and coordination** across partners

Achieved through:

- Strategy
- Partnership
- Outreach with PALs
  - Engagement
  - Comms
- LGD Policy Work
- Investment in Content, Products and Comms
- Supportive Tools - ProtectUK inc. app, training, multi-channel campaigns

Role & Responsibilities:

- Deliver the outcomes
- Work collaboratively
- Provide assurance that activities align with desired outcomes
- Provide information that can be reported up through Gov systems attached to critical risks

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Public Communications

- **Critical piece of the puzzle is to improve public engagement with CT messaging**
- **Myriad of research available, some of which we funded in 20/21**
- **Short answer, campaigns are effective but we don't reach enough people as it stands**
- **We're working with comms teams across Govt and with operational partners to look at options to improve that**
- **Some helpful stats for you:**
  - Just over a quarter **(28%) of the public** we've surveyed had seen/heard/read something about how to protect themselves and others from terrorism in recent years
  - Prompted recall of CT comms during our qualitative research was relatively low, with **less than a third of participants able to recall** each of the campaigns shown to them
  - **9 in 10** said visible security measures made them feel **safer or that it had no effect** on them

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Digital and Product Development

ProtectUK

LEARN TO PREPARE
PREPARE TO PROTECT

www.protectuk.police.uk

SCaN
FOR ALL STAFF

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PALs – Threat methodologies and counter measures

- A new(ish) strand of work to consider specific methodologies of concern at PALs and take forward initiatives to address them

- Vehicle as a weapon (VAW) a well established methodology within our discourse and across Govt:
  - Hostile Vehicle Mitigation Oversight Board
  - National Vehicle Threat Mitigation Unit
  - CPNI – product development, ASCEND
  - DfT
    - Rental Vehicle Security Scheme
    - PAS
    - Training
  - Local Govt, DAs etc.

- Fire as a weapon
- Bladed and blunt force weapons
- Crossbows

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PALs – Science and Technology

- Three major priorities for us from a policy perspective:
  - **Affordable mitigations for owners/operators** – particularly with reference to the Protect Duty, what do we have to offer businesses beyond the big expensive tech we've traditionally prioritised with iconic sites in mind
  - **Physical security and technology** – challenge around scale and availability across the system, democratisation of tech
  - **Enhanced importance of behavioural science** – for us as a CT system, owners/operators and public

- Market mapping:
  - **Understand** – What normal looks like in PAL environments
  - **Detect** – How can we detect threats
  - **Deter** – How to deter threats before they materialise
  - **Disrupt** – How to disrupt threats as they begin to materialise
  - **Mitigate** – How can we reduce the impact of an incident
  - **Respond** – What can owners/operators do/use to effectively respond to an incident

- Evaluation – understand the **effectiveness of the current measures** in place for owners/operators to protect from and prepare for an incident

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Questions

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