

DAVID MCILHATTON & RACHEL MONAGHAN

PROTECTING PUBLICLY ACCESSIBLE LOCATIONS FROM TERRORISM

Professors David McIlhatton and Rachel Monaghan examine some of the barriers to and incentives for the inclusion of protective security measures within the development of publicly accessible locations.

In the aftermath of the Manchester Arena suicide bomb attack of May 2017, there has been a growing demand for greater security at public spaces and venues, culminating in the call for Martyn's Law, named after Martyn Hett, who lost his life in the attack.

Martyn's Law seeks to create a clear and proportionate approach to protective security in a single piece of legislation, thereby fostering good protective security practice and clarifying responsibility for such practice, while also making sure that public bodies are prepared for terrorism so that the public is protected.

Proponents of Martyn's Law suggest it will fill the gaps in existing legislation and work more closely with cognate areas such as planning. Moreover, in February 2021, the government launched a Protect Duty Consultation, which will run until early July (Home Office, 2021). This consultation will consider how the government might utilise legislation to improve the protection of publicly accessible locations in the United Kingdom from terrorist attacks and ensure organisational preparedness of owners or operators at such locations.

The consultation is open to the public and targets those organisations, businesses etc. who own or operate at publicly accessible locations that a Protect Duty would potentially affect. As such, the consultation seeks responses to four key questions:

1. Who or where should the law apply to?
2. What should the requirements be?
3. How should compliance work?
4. How should the government best support and work with partners? (see Read More, *Home Office, 2021*).

The current counter-terrorism literature base predominantly focuses on policies and strategies concerned with preventing people from being drawn into terrorism. There is, however, a much smaller body of work concerned with protective security, essentially the defensive measures designed to counter and/or mitigate the threat and impact of terrorist attacks. Previous

research (McIlhatton et al., 2019, 2020) has highlighted that enhancing the protection of publicly accessible locations from issues such as terrorism has been difficult for policymakers and practitioners.

Our research has focused on addressing this gap and examined some of the critical issues around the inclusion of protective security measures within the development of new publicly accessible locations with a specific focus on:

1. the potential barriers that may inhibit the adoption of protective security measures
2. what may incentivise the inclusion of these measures
3. recommendations for enhancing the consideration of protective security in future developments.

To address these issues, we drew on qualitative research, namely semi-structured interviews. The interviews were conducted in the United Kingdom, the United States, and Australia with over 140 professionals working in architecture, urban design, engineering (structural, civil, electrical and mechanical), planning, project management, local government representatives, real estate development and investment sectors.

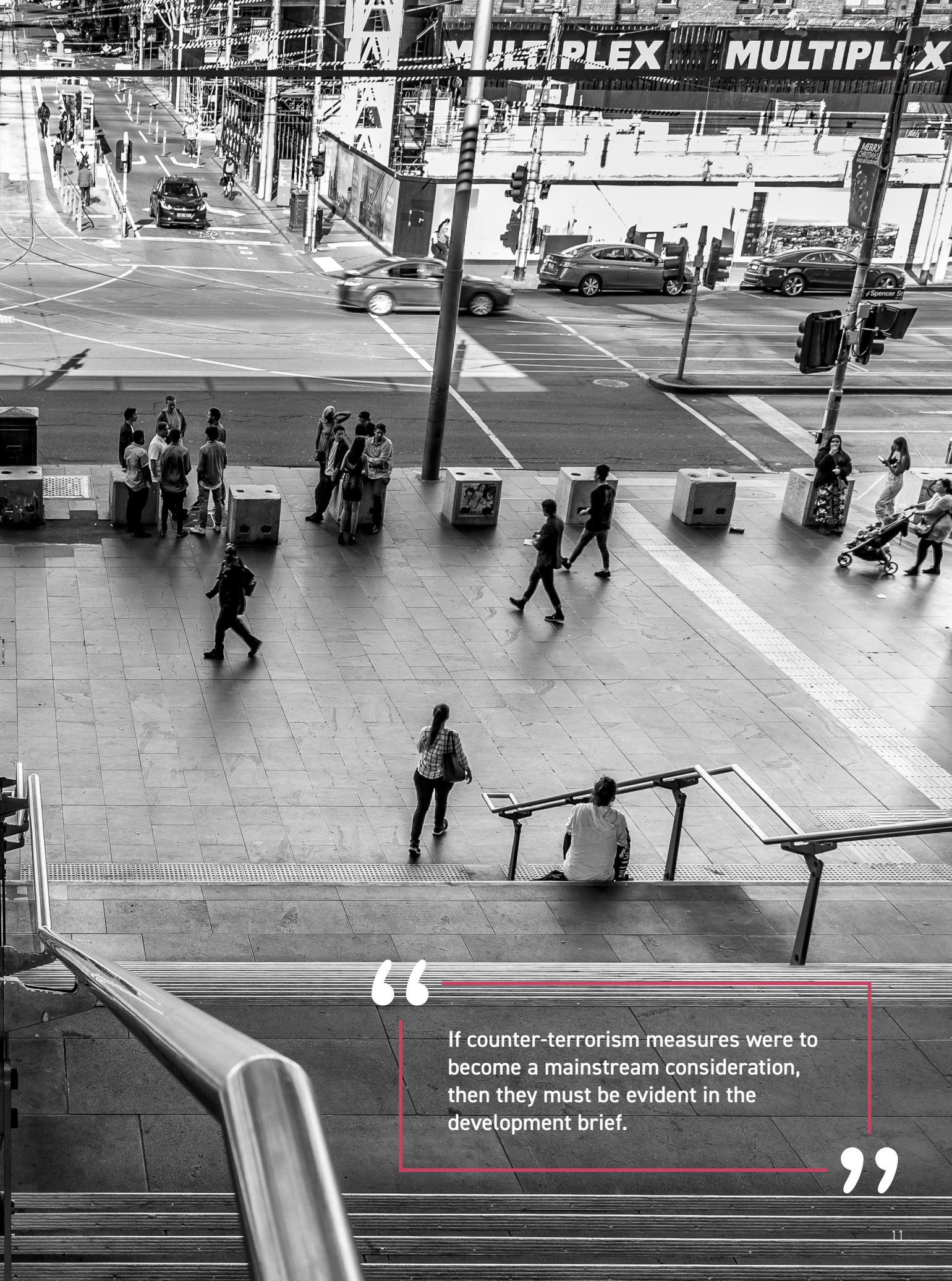
POTENTIAL BARRIERS INHIBITING ADOPTION OF PROTECTIVE SECURITY

We found that key barriers were broad and not necessarily focused on issues such as cost. Some of these included:

Awareness

First, there was a lack of awareness of the terrorist threat landscape at the developer level, except where consultation with security or law enforcement professionals had taken place.

Second, there was a lack of awareness of potential design-based mitigation across the developer community, particularly for small to medium-sized developments.



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Professor David McIlhatton is the Director of the Institute for Peace and Security at Coventry University and Professor of Protective Security and Resilience.

Professor Rachel Monaghan is a Professor of Peace and Conflict at Coventry University.

Type of client and development

Disparity existed between public and private sector developments. It was more likely that public sector clients would include security challenges, such as terrorism, within their projects. Private sector clients were less likely to stipulate such requirements unless the development related to critical infrastructure or attracted significant numbers of people at any one time. There was also a scale issue with large developers having in-house security advisors, which would enhance the likelihood that protective security measures would be considered.

Physical location of development

Some sites may not be conducive to implementing specific approaches, particularly in relation to measures such as hostile vehicle mitigation. Examples might include where site lines extend to the roadside or other infrastructure and where different ownership of land may exist.

The 'won't happen to us' mentality

Our research found a relative consensus among small to medium-sized developments, particularly those not in capital and global cities, that they were unlikely to be attacked. They didn't necessarily consider their sites to be iconic and, as such, felt that risk was low. Thus, consideration of protective security measures was likely to be limited.

Distance decay effect and impact on decision-making

The proximity of attack was expected to influence decision-making, with attacks that have occurred nearby positively influencing decision-making. This impact would decay with distance and time.

Lack of political consideration

At present, it is not mandatory to include measures related to countering and mitigating the impact of terrorism within the real estate development process, and as such, this was reducing consideration. In the UK, the proposed Protect Duty should help overcome this and mainstream the consideration of protective security across many disciplines. However, the research did find that any measures included should be proportionate to the threat and not detract from how the site was originally intended to function and its attraction for visitors and customers.

POTENTIAL INCENTIVES FOR PROTECTIVE SECURITY MEASURES

Our research highlighted that while there are barriers to overcome, there was agreement across the cohort interviewed that counter-terrorism should be a consideration in the early stages of developments. In line with this, we identified from the interviewees that there were numerous potential opportunities

for incentivising their inclusion prior to formal regulation. Some of these included:

Client requirement

If counter-terrorism measures were to become a mainstream consideration, then they must be evident in the development brief. Consequently, this would involve such measures being thought about prior to writing the project requirements and training, awareness-raising, and advice should come in at this stage. In turn, attention at this early stage may reduce any retrospective challenges such as cost and design. Educating clients would be a core part of the incentivisation process.

Staff knowledge within the planning, design, and development community

Enhancing the knowledge of staff within non-cognate counter-terrorism disciplines, such as those related to real estate development – investment, planning, design, construction, costing, management – would significantly enhance the consideration of protective security measures. Many suggested that this could be done through university programs, short courses, or continuing professional development in advance of any formal regulation.

Reputational damage

The concept of reputational damage occurring because of a terrorist attack either directly or within proximity to their brand and assets, would almost certainly enhance the consideration of including protective security measures.

Understanding of threat and knowledge of resources

Many respondents, particularly those from small and medium-sized organisations and who did not have in-house security advisors, highlighted that they were unaware of the terrorist threat, other than what they saw on the news, and how the threat related to them.

Financial incentives

Numerous examples of how the government could financially incentivise protective security without regulation were discussed, including government grants for considering such measures at the earliest stage of development and tax-based incentives. These could be an important way of absorbing the upfront capital costs of introducing measures and recovering these through rebates or reductions.

Our research is broadly captured in two publications (see Read More section) and is part of a much larger research agenda focused on enhancing the scholarly knowledge base in the area of counter-terrorism and protective security, with international collaborators at the University of Ulster, the University of Central Oklahoma, and the University of Technology Sydney.