



## **Blackenings ... keep safe and enjoy**

Orkney Community Safety Partnership has undertaken to provide information for people arranging blackenings, following concerns over safety and legality raised from a number of sources.

Whilst there is no wish to take away anything from an established practice, the Community Safety Partnership would like to try to ensure that all those taking part in and observing blackenings have the information needed to avoid breaking the law or putting themselves or others at risk.

Remember that:

- It is the driver's responsibility, and that of the owner, to ensure that any vehicle used in a blackening is insured for that use. For example, if a vehicle is insured for business use and is then used for carrying passengers, its use has changed to social, domestic and pleasure and so the driver may not be insured. This could lead to the vehicle being seized and liable for confiscation - and both the owner and driver being charged with having no insurance.
- Vehicles on Bridge Street, Albert Street and Victoria Street may be subject to specific rules according to the time of day.
- Drivers have a legal duty to carry their passengers in a safe manner. They can be prosecuted if they fail to do so even where no injury occurs, if, for instance, the safety and security of seating arrangements is inadequate. Some circumstances could lead to a prosecution for dangerous driving. Factors such as speed, acceleration and deceleration, and manner of driving may be taken into account.
- Drinking alcohol in public within the Kirkwall Town Limits is still permitted, unless a person is required by a Police Officer not to do so. Where the behaviour of participants is such that it appears that alcohol is fuelling antisocial behaviour, intervention may be considered.
- Complaints from the public about clothes being damaged by molasses, alcohol or other matter being sprayed from trucks, or swearing and over rowdy behaviour, may lead to allegations that the participants are breaching the public peace.
- You should clean up any mess you make during blackenings. Any type of littering is a public offence.

There are people in Orkney who can remember when the only vehicle involved in a blackening was a wheelbarrow, but in recent years it has become the custom to transport participants in vehicles such as open trucks.



While we don't want to spoil people's fun, everyone involved in blackenings needs to enjoy themselves responsibly, to protect both themselves and the general public. By providing this information, the aim of the Community Safety Partnership is not to stop blackenings but to help people reach an informed decision, so that they can continue in a reasonable and responsible manner.