



**S100 Marshals Association  
PO Box 21  
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IM99 5UJ**

## **IMPLEMENTING ROAD RACES ACT 2016, EFFECTIVE FROM 31.12.2016**

### **THE ACT**

This is an Act to make fresh provision about road races and passes the responsibilities of the Government and of the Chief Constable onto the Organising Club. The overall conduct of the event falls on to the shoulders of the Clerk of the Course.

### **MARSHALS APPOINTMENTS**

The Organiser (Club) must ensure that, before the race commences, the Marshal has received appropriate training and is competent to discharge the functions of a Marshal.

**We ask all of our Marshal's to attend any training events organised by the Club, OR, to ask for training in anything the Marshal is unsure of.**

**THE IDENTITY CARD: Must be carried and displayed at all times when on duty.**

To fully interpret the Act and make it work for the Club, our intention is to issue a Marshal's Identity Card. This card will be valid for three years and will contain the following; an expiry date, a recent photograph of the Marshal, an individual Marshal number, full name of the Marshal and be signed by the Chief Marshal identifying the person as a Marshal. The card will also state that it is invalid without production of an Authorisation Card which will be produced for each event i.e. Pre TT, Post TT and S100.

In the interim, and in particular for Marshals who sign on late and therefore not obtaining or in possession of a Marshal's Identity Card, other relevant ID in the form of a Passport or Driving Licence only, must be carried whilst on duty.

**Please note! The organiser may revoke a Marshal's appointment at any time, and must do so if the Government or the Chief Constable request its revocation.**

**We request that all Marshal's send a passport sized photograph to us as soon as possible or with the returned, completed signing on form.**

**THE AUTHORISATION CARD: must be carried and displayed at all times when on duty.**

These cards will be in the same format as already issued for events but will now also state that they are not valid without an ID card.

## **MARSHALS POWERS AND FUNCTIONS**

### **What the Act says (summary only)**

The functions of a Marshal are;

- To marshal the race for which the Marshal is appointed
- To administer and enforce the racing authorisation in any directions given to the Marshal by the organiser by whom the Marshal was appointed.

For the purposes of carrying out the above functions, marshalling the race includes taking reasonable steps to;

- Secure the safety of competitors, officials, spectators and the public
- Prevent any person, animal or vehicle from obstructing or otherwise hindering the conduct of the race.

A Marshal, in performing the above functions, may;

- Remove, or cause to be removed, any vehicle, person or animal from any land, road or position.
- Detain a person for so long as is necessary to secure the person's safety or public safety until he/she can be delivered into the custody of a constable.
- Remove a person from any road, land or position and thereafter detain that person so long as is necessary to secure the person's safety or public safety or until he/she can be delivered into the custody of a constable.
- Require any person to stop doing anything which, in the Marshal's opinion, puts the safety of competitors, officials, spectators or the public at risk.
- Stop or otherwise control traffic.
- Erect, maintain or remove apparatus to close a road or otherwise control traffic.
- In exercising the powers conferred by this section the Marshal may, if necessary, use reasonable force and assistance.

Any person assisting a Marshal in the exercise of the Marshal's powers and in the performance of the Marshal's functions has the same powers and immunities as the Marshal and is subject to the same liabilities of the Marshal.

Before exercising any of the foregoing, the Marshal must;

- Warn the person that the Marshal considers the persons conduct to constitute an offence, and inform the person of the Marshal's powers under this section.

Remember, whilst undertaking the duties of a Marshal, the Marshal must be carrying his/her photographic identification. This is whilst performing any Marshal's duties, not just the more extreme examples such as detention or forced removal.

### **What we advise;**

In reality, the Marshal is not expected to do anything that is too dissimilar from the duties he/she has been used to doing during the past. It's all about common sense.

The new Act covers functions such as detention and forced removal. This is obviously only intended for extreme circumstances, for example, a person not in a fit state to realise the immediate danger he/she is putting themselves in or the competitors i.e. Someone who is drunk, or a person with mental health issues.

**REMEMBER;** a Marshal can decide not to get involved with an extreme intervention

**ASLO REMEMBER;** a Marshal can contact RACE CONTROL on 824499 for advice.

**MARSHALS LIABILITIES AND IMMUNITIES**

If a Marshal believes that he/she is acting in a bona fide way i.e. performing the duties and instruction that they have been assigned by the organiser, then he/she is immune from prosecution. If, however, they are not acting in line with the instructions given by the organiser then they may be liable to prosecution. Either way, nothing limits the organiser's vicarious liability.

**FINALLY;**

Perhaps the best piece of advice is to always confront and make any intervention in pairs, this way you always have a witness with you.

**STICK TOGETHER, WORK TOGETHER: IF IN DOUBT, ASK FOR ADVICE OR HELP**