



### **Theft of artist/crew items on a festival site - April 2024**

Usually, if there is a theft (or damage) of items belonging to a 3<sup>rd</sup> party on a festival site and the claimant can prove or suggest that the festival organiser was in some way negligent allowing it to happen then the festival Public Liability policy would respond to the claim and cover the cost of repair or replacement. This is under the 3<sup>rd</sup> party property damage section within all public liability policies and subject to an excess/deductible.

However with some artist contracts there is a clause which states that the festival organiser will become liable for items brought to site by the artist and their crew for the duration of their time on site. If this is the case with any of your artist contracts then, in the event of a loss, the public liability (3<sup>rd</sup> party property damage section) will not respond to the claim as in all Public Liability policies there is an exclusion for breach of contract or and exclusion for items that the insured is legally responsible for.

So for artist equipment this is not an issue as, just like with any hire kit that you are responsible for, any artists musical and technical items you are responsible for would be included in the hired in equipment cover that you would usually purchase.

However the issue and potential exposure would be for items like cash, jewellery, personal affects, stage clothes etc None of these items would be considered usual hired in plant or equipment but could be brought to site by artists and potentially you may be being made responsible for them under contract. And in the event of the loss of these items you could therefore be exposed to covering the cost yourself unless we insure them correctly.

Therefore our advice is;

1. Check all the artist contracts and delete or amend any clauses making you liable for 3<sup>rd</sup> party items losses.
2. If that is not possible then ask your insurance broker to include a limit\* of cover for "items held in trust" that includes personal items and cash
3. Ask all artists and crew not to bring any non-essential valuable items to site and if they do then declare them to you if they will be left unattended on site in order that you may arrange additional security
4. Advise all crew and artists to lock their tour bus when unattended and consider how secure the backstage and bus parking area is

\*it will be impossible to calculate the actual exposure here without asking every artist where this type of contract exists to provide a full inventory of everything they are bringing to site.

Steven Howell, Music Insurance Brokers  
[steven@musicinsurance.net](mailto:steven@musicinsurance.net)