

Eviction & Refusal of Entry



Policy
BA-P005

1. Applicability

This document is a policy of BURN Arts, Inc. (“**Association**”).

This document applies to all members of the Association (“**Members**”), and any individuals attending, participating in or accessing our resources at any of our event venues, including East Brisbane Bowls Club and Hackerspace Brisbane (“**Participants**”).

2. Purpose

To set out the circumstances in which an Authorised Representative of the Association may refuse entry to or evict an individual from an event or workshop.

3. Overview

The Association holds events, meetings and workshops for the enjoyment of all Participants. For some events, the Association has been granted a licence to hold the event under strict conditions of public safety, prevention of disorder and prevention of public nuisance. Similarly, our access to use certain premises to hold workshops is granted under strict conditions that we maintain a safe and orderly environment.

Therefore, the Association reserves the right to refuse entry, evict or ban an individual from an event or Workshop where:

- (a) they have breached one or more of our Principles or Policies, or put the Association in breach of any conditions of our specific event licence/permit (“**Breach**”); and
- (b) such action is deemed, on balance, to be of benefit to that individual or other Participants.

4. Definitions

Events	Events produced, managed or supported by the Association held throughout the year.
Assessment Team	The team responsible for assessing and deciding whether an individual should be evicted or banned. This team comprises of one event, workshop or site manager and two current board members of the Burn Arts Management Committee. The members of the Management Committee should ideally be in attendance at the event, however they may be called in if physical attendance is not reasonably possible.
Workshops	Workshops organised and facilitated by the Association throughout the year.
Principles	Refer to our website: www.modifyre.org/philosophy
Authorised Representative	Authorised Representative refers to any nominated individual that has a key role in producing a BURN Arts event and keeping it safe. Authorised Representatives are to be nominated prior to the event in writing to the Management Committee.

5. Refusal of entry

Any individual can be refused entry into an event or workshop by the relevant event manager, security, ranger lead or other authorised representative of the Association. This may be challenged by the individual, and if so, it will be referred to the Assessment Team.

6. Eviction & banning

6.1 General

In recognising that it is a serious act to evict or ban an individual from an event or workshop, the Association has set out below the grounds and procedure to assess whether an individual should be evicted or banned.

In all circumstances, members involved in any incident that could result in a potential eviction or banning must report the incident to the Event or Workshop manager and/or a member of the Management Committee in attendance as soon as possible. The process for eviction or banning an individual from attending events is governed by the Assessment Team.

6.2 Assessment Team

The decision to evict or ban a person will be at the discretion of the Assessment Team, following consultation with Event security staff (where applicable) and any involved third parties.

The action taken or outcome determined by the Assessment Team is dependent on the type and seriousness of the Breach and any extenuating circumstances. This may include:

- immediate eviction of the premises / event;
- being banned from attendance and participation in future Events (for a stipulated period of time or lifetime); and/or
- referral of the matter to relevant authorities.

Each incident will be dealt with on a case-by-case basis.

6.3 Confidentiality

Incidents arising in a potential or actual eviction or banning are to be handled with discretion and confidentiality. A member of the Assessment Team cannot be involved in the relevant incident that is being reviewed.

6.4 Grounds for Eviction at Events

Trespass / gate crashing	It is expressly prohibited to enter an Event site without a ticket. Non-ticket holders may also be fined by a relevant authority for trespassing and will be removed from site immediately. These cases are still to be recorded as evictions and the evictee's ID is to be sighted (make a note or photograph it) where possible for our records.
Sexual misconduct	Sexual misconduct, rape, non-consensual and predatory games are expressly prohibited. Such incidents may require an extra Medics/Green Dot Ranger support member for the victim in these circumstances.

<p>Violence</p>	<p>Threats of violence, aggressive behaviour or intimidation with abusive intent – such behaviour is not tolerated and will be grounds for immediate eviction.</p> <p>An act of violence against another person may require involving the Medics team and in serious circumstances, the police.</p>
<p>Self-harm</p>	<p>Acts of intentional self-harm may pose an unreasonable ongoing risk to the individual or well-being of witnesses. The appropriate response ranges from supportive engagement, through education and warnings, up to eviction for that individual's own safety in severe cases.</p> <p>An incident may require the involvement of Green Dot Rangers, Medics, security, Ambulance and Police (eg if required by Ambulance attending scene).</p>
<p>Animal abuse</p>	<p>Animal abuse, including to certified medical companion animals and native wildlife.</p> <p>The appropriate response ranges from supportive engagement, through education and warnings, up to eviction.</p> <p>Green Dot Ranger support may be offered if a companion animal is assaulted. Police/RSPCA may be called for severe abuse, e.g. killings.</p>
<p>Property damage</p>	<p>An act of violence against private property; this case may involve police and thus becomes a legal case. However damage done (whether accidental or under the influence of narcotics and/or alcohol) may be amicably handled by the parties involved. In situations where remorse is clear an arrangement may be agreed to between the parties involved to compensate for the damage.</p> <p>wilful damage to Art Installations could be considered immediate grounds for eviction.</p> <p>However, damage done (whether accidental or by altered participants) may be amicably handled by the parties involved. In situations where remorse is clear, an arrangement may be agreed to between the parties involved to compensate for the damage.</p>
<p>Unapproved fires</p>	<p>Due to state forest restrictions and our fire licence, individual campfires, fire pits, or solid fuel fires are not permitted. Lighting open naked flame fire is taken as a serious offence and can be grounds for eviction. Further information is available on the Modifyre website; www.modifyre.org/fire-safety.</p>
<p>Incidents involving children / dependents</p>	<p>Serious mistreatment of dependents, including repeat lost children, is grounds for eviction.</p> <p>Serious neglect of dependents with likely ongoing risk of future harm if staying on-site, including children and vulnerable dependents (e.g. serious disabilities that render one dependant, frail aged, medical companion animals); 'Serious neglect' includes deprivation of basic survival essentials such as access to food, water or appropriate shelter. Green Dot Rangers to be involved, possibly medics, possibly police child protection unit in severe cases.</p>

Misconduct relating to Modcars or other vehicles	where a participant is found behaving unsafely, showing disregard for, or not following the speed limits and DMV rules for Art Cars, they will be issued a warning on their first offence. Further offence will incur eviction, depending on the severity and/or repeated events of misconduct. Ensure their vehicle registration number is recorded.
Repeated flagrant violation of Principles	Repeated flagrant violation of core burn culture; such as widely vending services that are likely to upset others and bring Modifyre into disrepute. - See Code of Conduct, Harassment, Discrimination & Bullying Policy and BAI 11 Principles* for further information
	NOTE: In certain circumstances, particularly at events that are held in remote regions, should the evictee require any medical attention, this will be spent in the medical tent under supervision until the evictee is coherent and the oncall medic has assessed them as coherent.

Please note this is not an exhaustive list.

6.5 Grounds for Eviction at Workshops

Any individual may be evicted or banned from a Workshop or Workshops where the individual has breached community standards as set out in the Principles or our Policies. Such breaches relevant to a Workshop includes, but is not limited, to the following:

- Theft of tools or materials
- Unacceptable, disruptive or anti-social behaviour
- Illegal activity that breaches state or federal law
- Offensive behaviour
- Harassment and/or threatening of violence
- Malicious damage or vandalism
- Unsafe modification of equipment resulting in damage and/or injury
- Intoxication while operating machinery
- Encouraging others to behave badly by incitement
- Committing a criminal offense
- Any other behaviour that leaves the Association open to prosecution or is not conducive to maintaining a safe working environment.

6.6 Procedure

All evictees will be processed via security and local authorities if required and their wristbands will be removed to prevent them re-entering the festival. All persons presented for eviction will be interviewed by an Assessment Team and their details will be recorded in a database with their full personal details, a photograph (with consent), date and time and the reason for eviction within our report protocol.

All evictees will be able to make a free telephone call if they do not have a mobile phone in order to contact a driver, members of their group and/or family.

Evictees will need to phone a friend on site to collect their belongings before their eviction as they will not be permitted back into the event to find them. BURN Arts, Inc. will not be responsible for ensuring they leave site with their belongings and do not accept any responsibility for loss or damage to the evictee's property during this process.

Evictees are liable to receive a lifetime ban from purchasing event tickets, memberships or working/volunteering for any BURN Arts events or workshops.

7. Related documents

- BA-P001 – Code of Conduct
- BA-P002 – Harassment, Discrimination and Bullying
- BA-P003 – Workplace Health and Safety
- BA-P004 – Drugs & Alcohol

8. Contact

For further information, please contact:

Chair

BURN Arts, Inc.

Email: ang@modifyre.org

9. Version control

Version	Date	Comments
V2.00	16 January 2019	Version 2