

# Consumer Affairs Victoria

## Liquor Licensing Factsheet

### **Barring problem customers**

December 2003

*There is a long tradition of licensees controlling the behaviour of customers through a bit of summary justice, particularly by "barring" problem customers for specified periods of time.*

#### ***Need more information?***

Call Consumer Affairs Victoria Helpline on 1300 65 03 67.

#### ***Quick Tip***

In Victoria, the Equal Opportunity Act 1995 recognises and promotes everyone's right to a fair go by making discrimination and harassment unlawful in public life.

Particularly within "pub culture", this approach is usually well understood and accepted by most customers and is often the most effective means of dealing with the problem.

However it is important that licensees are aware of their responsibilities under equal opportunity law when refusing entry or service to a person.

The right to a fair go (equal opportunity) is one of our society's fundamental beliefs. In Victoria, the Equal Opportunity Act 1995 recognises and promotes everyone's right to a fair go by making discrimination and harassment—based on 17 personal characteristics—unlawful in public life.

It is against the law to treat someone unfairly or harass them because of their actual or assumed:

- age
- breastfeeding
- disability/impairment
- gender identity
- industrial activity
- marital status
- parental status
- physical features
- political belief or activity
- pregnancy
- race
- religious belief or activity
- sex
- sexual orientation
- carer status
- lawful sexual activity
- personal association with someone who has, or is assumed to have one of these characteristics.

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Date of Issue:  
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Licensees should also be aware that Section 114 of the *Liquor Control Reform Act 1998* provides that a person who is drunk, violent or quarrelsome, must leave licensed premises if required to do so by the licensee or an employee.

The option of "barring" a problem customer is an effective and time-honoured means of addressing behaviour in hotels; however it is important that appropriate regard is had to equal opportunity and discrimination issues when taking such action.

## **Important**

The option of "barring" a problem customer is an effective and time-honoured means of addressing behaviour in hotels; however it is important that appropriate regard is had to equal opportunity and discrimination issues when taking such action.

## **More information**

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Information on liquor licensing is available from:

**Consumer Affairs Victoria  
Victorian Consumer &  
Business Centre**

113 Exhibition Street  
Melbourne 3000

Telephone: 1300 65 03 67

Website [www.consumer.vic.gov.au](http://www.consumer.vic.gov.au)



The information contained in this fact sheet is of a general nature only and should not be regarded as a substitute for a reference to the legislation or professional advice.  
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