



Policy

Dress Standards for Licensed Premises

Disclaimer

This Policy is designed to provide information in regard to the subject matter covered, and with the understanding that the Director of Liquor Licensing is not passing legal opinion or interpretation or other professional advice. The information is provided on the understanding that all persons undertake responsibility for assessing the relevance and accuracy of its contents.

Introduction

Under section 115(4a) of the *Liquor Control Act 1988* ('the Act') it is the prerogative of all licensees to set dress standards which are suitable for their particular premises.

In this regard, dress standards should reflect local community expectations, for example, the dress standards which one would expect in the public bar of a remote country tavern may be quite different to a lounge bar of a five star hotel in Perth.

Notwithstanding the dress standards that apply in a particular case, the Act requires that the licensee must notify the public (by way of appropriate signage) as to the dress standard that are applicable. In this regard, section 115(4a)(c) of the Act provides that a licensee has reasonable cause to refuse entry to a person if:

...the person is not dressed in conformity with a particular standard of dress required by the licensee, being a standard that was at the relevant time, reasonable in the circumstances, of which a requirement notice had been conspicuously displayed at each entrance to any part of the licensed premises where the standard was required to be observed.

The above provision, therefore, provides the legal right for licensees to refuse entry to any person who does not conform to the advertised dress standard.

In addition, the provisions of section 115(8) of the Act entitle a member of the WA Police, on request by an authorised person (eg: licensee or approved manager), to prevent entry or remove a person from licenses premises, where that person has been refused entry to, or is liable to be removed from, licensed or regulated premises.

Strategy for reducing harm

The setting of an appropriate standard of dress can influence patron attitudes and behaviour.

Most responsible licensees apply a minimum standard of dress for either the whole, or part, of their premises, as it is a control strategy that can be used to effectively manage their premises. For example, licensees may require that patrons:

- are dressed in neat, casual clothing;
- wear appropriate footwear;

- are not permitted to wear jackets, clothing or visible body markings bearing patches or insignia of any Outlaw Motor Cycle Gang (OMCG).

With respect to clothing worn by OMCG, inconsistent dress standards can increase the risk of conflict if applied differently by licensees:

- from one community to the next; or
- between one licensed premises and another; or
- between one patron and another; or
- at different times during the evening (eg. if OMCG members are required to remove their jackets after 7.00 pm).

If licensees choose to apply a Dress Standard for their licensed premises, appropriate signage should be displayed at each entrance to the licensed premises. The following is an example of wording that licensees may wish to incorporate into signage:

Management reserves the right to refuse admission or service to any person or persons failing to comply with the following dress requirements:-

- *Neat casual dress is to be worn at all times.*
- *Footwear is to be worn at all times.*
- *Jackets or any other clothing or accessory, or any visible body markings bearing patches or insignia of any Outlaw Motor Cycle Gangs not limited to but including the listed Outlaw Motor Cycle Gangs are not permitted to be worn or to be visible on these premises at any time:-*

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| • Bandidos | • Gypsy Jokers |
| • Brothers 4 Life | • Hells Angels |
| • Club Deroes | • Lone Wolf |
| • Coffin Cheaters | • Mongols |
| • Commancheros | • Outlaws |
| • Finks | • Rebels |
| • Gods Garbage | • Rock Machine |

This standard has been developed by the licensing authority in collaboration with the Western Australian Police to help licensees adopt a consistent approach for licensed premises throughout the State.

Some licensees within particular communities (and with the support of police) have agreed to adopt a uniform dress standard, similar to the above, under the terms of their local Liquor Accord. While licensees are encouraged to enter into similar voluntary arrangements, this is not always possible and in those circumstances, licensees can ask the licensing authority to consider imposing, as a condition of licence, a dress standard under section 64(3) of the Act.

DIRECTOR OF LIQUOR LICENSING