

Right to Refuse

- The right to refuse a person to enter your licensed premises may be found to be discrimination if based on one of the following:
 - Not allowing males/females enter i.e. gender ground
 - Person is of different marital status i.e. marital status ground
 - Person has different family background i.e. family status ground
 - Person has different sexual orientation i.e. sexual orientation ground
 - Person has different religious belief i.e. religion ground
 - Person is of different age than another i.e. age ground
 - Person has a disability i.e. disability ground
 - Person is of different race, colour, nationality or ethnic origins i.e. ground of race
 - Person is a member of the Traveller Community
 - Person has made a complaint or co-operated with investigation under the Equal Status Acts i.e. the victimisation ground
- The law governing the above is the Equal Status Act 2000.
- It should be noted that it is not discrimination to refuse entry to a person provided you apply that rule to every person equally who seeks entry.
- You cannot refuse someone entry based on association i.e. refusing friends of someone who was barred, entry to the premises.
- It is not discrimination to refuse entry or service to a person if licence holder (or its employee) has a reasonable belief that such entry/service would produce a substantial risk of criminal or disorderly behaviour or damage to property at or in the vicinity of its premises.
- It's also a defence to show you acted in good faith for purpose of complying with the Licensing Acts i.e. if barman makes a mistake as to the threat someone poses and refuses service, then not discrimination if mistake was made in good faith.

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