



Preventing sexual assault and sexual harassment against women in clubs and pubs

Issued August 2024

Let each of you look not only to his own interests but also to the interests of others.

Philippians 2:4

In 1991 the National Assembly meeting of the Uniting Church in Australia resolved:

- (a) That sexual violence be deplored as a sin against God and humanity, ...*
- (e) That the church be committed to hearing the voices of those who are victims of sexual violence,*
- (f) That the actions of people who work for the end of such violence and who support its victims/survivors be supported.*

People attending clubs and pubs in Victoria continue to experience sexual assault and harassment. Venue staff also experience sexual harassment. The Victorian Government has failed to make it a requirement for venue staff to be trained in how to prevent and respond appropriately to situations of sexual assault and harassment.

Research by the University of Melbourne released in 2024 surveyed people who attended nightclubs in central Melbourne. Of those surveyed:

- 53.8% reported they had been subjected to unwanted sexual touching or groping;
- 19% had been threatened with sexual assault;
- 20.9% had been sexually assaulted when they were too drunk or high to be able to consent;
- 17.5% had been sexually assaulted, having not consented to sex; and,
- 12.9% had been sexually assaulted while unconscious or asleep.

Of those who carried out sexual assault or harassment were 74% were men and in 68% of cases they were a stranger to the victim.

Some of those sexually assaulted or harassed reported that venue staff took action when the victim reported the incident, such as ejecting the perpetrator from the venue or helping the victim leave the venue safely. In other cases, the responses were highly inappropriate. For example, one respondent reported:

They were dismissive. They inferred that I was a sex worker. That I was upset by non-payment.



Another reported:

I am a plus size woman. I frequently find venue staff and security are much less helpful if I report harassment than my smaller bodied friends. There is sometimes an attitude of “you’re fat so you should enjoy the attention” or a sense that they don’t care about your patronage so don’t care to look out for you.

Research conducted by Deakin University in 2023 found that over half of all women and nearly one in three men had experienced sexual harassment while in a nightlife setting in the three months before they were interviewed.



A study published by the Newcastle Youth Studies Centre in August 2023 interviewed workers in bars in Melbourne and Newcastle. Many of the workers reported that sexual harassment from patrons, managers and work colleagues was seen as “just part of the job”.

It would appear the majority of licensed venues do not operate in such a way that people become intoxicated. At the same time, there are clearly venues that create an environment in which people drink to become severely intoxicated and seek to attract such people. Pub and club owners should have a duty of care placed on them to take reasonable steps to ensure the safety of people on their premises at all times. Where the venue has allowed people to become intoxicated the duty of care should mean the pub or club makes reasonable efforts to ensure the person can safely return home or can safely stay on the premises and not be sold more alcohol until such time that they are able to leave the venue safely. Such an approach is likely to encourage clubs and pubs not to create environments in which people consume alcohol to levels that make them a danger to themselves or others.

Since the venue owner has benefited from allowing someone to become dangerously intoxicated, they should be the party that carry the costs of keeping a person safe on their premises.

What you can do

Write a polite and respectful letter to:

The Hon Melissa Horne

Minister for Casino, Gaming and Liquor Regulation
Level 16, 121 Exhibition Street
Melbourne VIC 3000

E-mail: minister.horne@minstaff.vic.gov.au

Salutation: Dear Minister

Points to make in your letters:

- Express concern that the venue owners and managers in many pubs, clubs and bars are not doing enough to protect women in their venues from sexual harassment and sexual assault.
- Ask that the owners of pubs, clubs and bars be required to have their staff trained to identify signs of sexual harassment and respond appropriately to ensure the safety of patrons and staff in the venue.
- Welcome that the Minister has the power to require venues trading after 1 am to have a plan to prevent and respond to gender based violence, including sexual harassment, developed in consultation with staff.
- Ask that the requirement to have a plan to prevent and respond to gender based violence be extended to all larger pubs, clubs, bars and live music venues serving alcohol after 10 pm.
- Also, ask that the *Liquor Control Reform Act* be amended so that once a person becomes intoxicated, the venue must take reasonable steps to ensure they are able to exit the premises for another location safely. The obligation to take reasonable steps to ensure the safety of the patron should mean the intoxicated person can remain on the premises until it is safe for them to leave. However, the venue should not be permitted to continue to sell them alcohol once they have become intoxicated.
- Point out that by creating a duty of care to intoxicated patrons, venues will have an incentive to manage their business to prevent people from becoming intoxicated.