

IN THE MATTER OF

A complaint under s 74 of The Private Security Personnel and Private Investigators Act 2010

BETWEEN

THE POLICE
Complainant

AND

JAMES JONES-ATAONGO
Respondent

HEARD

By telephone on 12 February 2020

APPEARANCES

Sergeant A McMillan for NZ Police
J Jones-Ataongo, no appearance

DECISION

[1] The Police laid a complaint against Mr Jones-Ataongo after he assaulted a patron outside an Auckland bar in January 2019. Mr Jones-Ataongo's actions resulted in him being convicted of assault with intent to injure. This conviction is grounds for disqualification under s 62 of the Act. The Police are therefore seeking the cancellation of Mr Jones-Ataongo's certificate of approval.

[2] The assault occurred while Mr Jones-Ataongo was working as a security guard. It was serious and included Mr Jones-Ataongo punching the victim in the face at least four times. I therefore accept the Police submission that Mr Jones-Ataongo actions also amount to misconduct under the Act.

[3] Mr Jones-Ataongo did not attend the hearing and has not provided any evidence that he has attended further training or any anti-violence counselling since his arrest. I am therefore satisfied that grounds for disqualification now apply to Mr Jones-Ataongo and that given the nature and circumstances of his offending Mr Jones-Ataongo is no longer suitable to hold a certificate. This is a mandatory ground for cancellation of Mr Aiuta's certificate under s 82 of the Act.

[4] I therefore make the following orders:

- Mr Jones-Ataongo's Certificate of Approval is cancelled from 14 February 2020.
- Mr Jones-Ataongo is to return his certificate of approval to the Licensing Authority within seven days of the receipt of this order. Failure to do so is an offence under the Act.

DATED at Wellington this 12th day of February 2020



The seal of the Private Security Personnel Licensing Authority is circular, featuring a central crest with a crown and two figures holding a shield. The text 'THE PRIVATE SECURITY PERSONNEL LICENSING AUTHORITY' is written around the perimeter of the seal.

P A McConnell

Private Security Personnel Licensing Authority