

**IN THE MATTER OF**

An anonymous complaint made under the Private Security Personnel and Private Investigators Act 2010

**DECISION**

[1] An anonymous emailer has filed a complaint against a Security Company and several of its current and former employees. The complainant makes serious allegations against the company and says that various of its employees or former employees have worked in security without holding a current certificate of approval (COA).

[2] Section 73(2) of the Act states that a member of the public may only file a complaint with the leave of the Authority. Section 73(3) provides that I should only grant leave if I am satisfied that the complainant has an interest, greater than that of the public generally, in the subject matter of the complaint, and that the complaint is made in good faith. Section 73(4) of the Act sets out the grounds upon which a complaint against a licence holder can be made.

[3] The Licensing Authority does not accept complaints on an anonymous basis unless there are compelling reasons why the complainant's identity should remain confidential. In most cases complainants are also required to provide their name and contact details to the Authority even if it is agreed they are to be kept confidential. In this case the complaint has been made anonymously and there are no contact details for the writer other than an email address which does not identify the writer. There is no information to suggest that she/he has an interest greater than the public generally in the subject matter of the complaint. For that reason alone, leave to file the complaint must be declined.

[4] I have however looked at the details provided in the complaint to see whether there is some evidence of wrongdoing on the part of any licence or certificate holder which would, if established, warrant disciplinary action against them.

[5] In general, the information provided in support of the complaint are screen shots of various people's LinkedIn profiles or Facebook pages which are compared to details of when that person held a COA. The complaint writer says there are inconsistencies in this information that require further investigations.

[6] The details about individuals falls into two general categories:

- Some individuals started working for a security company before they applied for a certificate of approval or are continuing to work in security although their COA's have expired. However, the information provided does not show that the role they have, or had, with a security company required a COA. For example, one person is said to have been a work force rosterer, others have the title customer service representative and another operations manager. None of these roles necessarily require the holder to have a COA.
- Three named individuals did not apply for their COA to be renewed before their previous COA expired. There was accordingly a period of time between their previous COA expiring and their new COA being granted when they most likely continued to work in security.

[7] If any of the alleged breaches of the Act were to be established, they are likely to be caused by oversight or were unintentional. In addition, they are largely historic and have, as far as possible, already been remedied. Therefore, I do not consider they warrant any further investigation or are enough for disciplinary action to be taken against the individuals concerned or their employer.

[8] While the complaint writer makes other serious allegations against one security company, he/she has provided no evidence to support such allegations. The nature of the allegations is such that they would be impossible to investigate further without further details. The Licensing Authority and our investigators cannot go on a fishing expedition and trawl through employees' private details without evidence to justify such action.

[9] Leave to file the complaint is refused as the complaint writer does not have an interest in the subject matter of the complaint that is greater than the public general. In addition, there is not enough information to support the allegation that the security company or any of its employees have breached the Act to warrant further investigation. The complaint is accordingly dismissed.

**DATED** at Wellington this 28<sup>th</sup> day of January 2022

The image shows a handwritten signature in blue ink, which appears to read 'P A McConnell'. To the right of the signature is a circular official seal. The seal features a central crest with a crown and two figures, surrounded by the text 'THE PRIVATE SECURITY PERSONNEL LICENSING AUTHORITY' in a circular border.

P A McConnell  
**Private Security Personnel Licensing Authority**