

IN THE MATTER OF

A Complaint against **JOLYON CATH**
under section 74 of the Private
Security Personnel and Private
Investigators Act 2010

HEARD by telephone on 22 April 2022

APPEARANCES

Constable C Willocks for NZ Police
J Cath, certificate holder

DECISION

[1] The Police have laid a complaint against Jolyon Cath as he was convicted of injuring with intent to injure on 1 March 2022. This conviction is grounds for disqualification under s 62 of the Act and a mandatory ground for cancellation of Mr Cath's certificate of approval.

[2] Mr Cath has applied for waiver from disqualification as he has worked in security since July 2016 and his recent conviction is his only conviction of any sort. He advises that his offending was out of character. At the time he was going through some difficult personal issues which contributed to his offending. Mr Cath's employer confirms that Mr Cath's offending was completely out of character and not how they know him.

[3] Mr Cath has been working for the same employer for five years and his employer advises that Cath is a dedicated and great security worker. They advise that while working for them Mr Cath has frequently been put in a position where he has had to defuse volatile situations and deal with aggressive people. He has consistently shown that he is calm under pressure and has dealt with difficult situations very well. They say Mr Cath leads by example and is a fantastic role model for those new to security.

[4] Balanced against this is the fact that Mr Cath's offending was serious and could have resulted in significant harm to the victim. In addition, he will not complete his sentence of supervision and community work until near the end of the year. In addition he has yet to complete the stopping violence course for which he voluntarily enrolled before his sentencing.

[5] After considering all the evidence before me I am satisfied that Mr Cath is, despite his disqualifying conviction, suitable to be a certificate holder. Therefore, I grant Mr Cath waiver from the grounds for disqualification.


[6] However, given the circumstances of Mr Cath's offending, I do not consider it is appropriate for him to be working in bars and clubs while he is still serving the sentence imposed. I therefore place a condition on Mr Cath's certificate of approval to the effect that he is not to work in security at bars or clubs and similar venues until he has completed his stopping violence counselling and his supervision sentence. This condition will not prevent Mr Cath from working in security at concerts and other events even if a liquor licence is part of the event.


Conclusion and Orders

[6] I make the following orders.

- a) The Police complaint has been established as Mr Cath's recent conviction is grounds for disqualification under s 62(f)(vii) of the Act.
- b) Mr Cath is granted waiver from the grounds for disqualification under s 64 of the Act.
- c) A condition is attached to the grant of waiver and Mr Cath's certificate of approval to the effect that he is not to work in a security role at bars, clubs and similar venues. Provided that Mr Cath is not charged with any further offences this condition will lapse on 1 December 2022 when his term of supervision ends.

DATED at Wellington this 27th day of April 2022


P A McConnell
Private Security Personnel Licensing Authority

The seal of the Private Security Personnel Licensing Authority is circular, featuring a central coat of arms with a crown on top. The text "THE PRIVATE SECURITY PERSONNEL LICENSING AUTHORITY" is written around the perimeter of the seal.