

IN THE MATTER OF Complaint by the Police against **BA**
under s 74 of the Private Security
Personnel and Private Investigators
Act 2010

DECISION

- [1] BA holds a Certificate of Approval (COA) that is currently valid until 15 June 2026 in the classes of property guard, crowd controller and personal security guard.
- [2] When BA originally applied for his COA, Police objected to his application pursuant to s53(3) of the Act based on Youth Court charges in 2018. BA subsequently provided references from his mother and his employer to establish that he was suitable to hold a COA at that time. Upon consideration of the evidence, on 15 June 2021 the Authority accepted that BA had made changes since his youthful offending and was suitable to be a security employee and his COA was granted.
- [3] However, on 17 June 2022 the Police lodged a complaint against BA pursuant to s74 of the Act. They sought the cancellation of his COA on the basis that on 16 June 2022 BA was convicted and sentenced on charges of shoplifting, possessing an offensive weapon and driving while disqualified. Section 62(f)(vi) of the Act disqualifies a person from holding a COA if they have been convicted of an offence relating to dishonesty within the preceding seven years.
- [4] Given this conviction, a hearing was directed for consideration of the complaint. BA was advised that if he did not attend the hearing it would be likely that his COA would be cancelled.
- [5] BA advised that he is no longer working in security but did wish to keep his license. He had indicated that he would attend the hearing, however, he did not. The Police did attend and outlined their concerns.
- [6] Unfortunately given BA's failure to attend the hearing and follow the Authority's directions, his COA is to be cancelled, effective immediately. If he wishes to apply again in the future, he should include submissions as to how he has made life changes since his offending and why he is fit to be a security worker at that time.
- [7] This decision is to be published on the Authority's website however given his age I do not consider it in the public interest for BA's name to be published and direct that his identifying details be redacted from the published order.

DATED at Wellington this 4th day of August 2022



K A Lash
Deputy Private Security Personnel Licensing Authority