

IN THE MATTER OF The Private Security Personnel and
Private Investigators Act 2010

AND

IN THE MATTER OF An application for a Certificate of
Approval by **PL**

DECISION

- [1] PL has applied for a certificate of approval (“COA”) and temporary COA in the classes of crowd controller, personal guard and property guard. He is not eligible for a temporary COA as he has disqualifying convictions.
- [2] The Police object to PL’s application as in 2021 he was convicted and sentenced on two firearms offences. He has also served a term of imprisonment on convictions of aggravated robbery, carrying a firearm and threatening to kill in 2012 and 2013. Having served a term of imprisonment and having been convicted of an offence pursuant to the Arms Act 1983 are disqualifying factors to holding a security COA.
- [3] On 22 June 2022 the Authority directed that PL provide a written response to the police objection with supporting references including explaining why he failed to disclose his convictions effectively as an application for a waiver of the disqualifying convictions he has. He submitted certificates of completion of an Alcohol and Drug programme and a rehabilitation programme in 2016 and 2015 respectively.
- [4] Accordingly the objection was set down for hearing. PL attended as did Acting Sergeant Thomas and Constable Su for the Police. The Police detailed their strong opposition to PL’s application based on his history of gun related offending. They are concerned that he is susceptible to fall back into patterns of his earlier behaviour and his gang associations.
- [5] PL gave clear evidence as to how he has turned his life around since his imprisonment. He said that his conviction in 2021 came about as a result of turning to his old friends when his mother passed. He said it was a one-night slip that occurred as a result of his grief. He says he no longer associates with his previous gang affiliates and is heavily involved in his Church which is where he derives his support.
- [6] PL was provided with time after the hearing to provide his certification of training and a letter from his Church, which he has done.
- [7] Despite PL’s submissions I remain concerned at the gravity of his history. Convictions for firearms offences are exceptionally serious and his most recent

involvement was less than two years ago. Other than his attendance at Church he has not subsequently undertaken any formalised counselling or training in an effort to keep away from this life. Further, he does have previous gang affiliations which have connected again with him albeit at a time of grief.

- [8] Alongside the convictions, of concern is PL's attempt to mislead the Authority by failing to disclose his convictions in his application and then advising that the Police had the wrong person in their objection.
- [9] Having thoroughly considered the situation, I cannot be satisfied that PL is currently suitable to be a security worker. This is not to say that with further time passing and/or counselling or training he may well become suitable, however currently I am concerned about the recency of his 2021 conviction and his response to the Police objection.
- [10] Accordingly I decline PL's application for a COA at this time however should he apply again in the future that application would be considered fully on his circumstances at the time.
- [11] A copy of this decision is to be forwarded to PL and the Police and an anonymised decision published on the Authority website. I do not consider it in the public interest to publish PL's name as I accept his intention to continue on a better path for himself.

DATED at Wellington this 11th day of August 2022



K A Lash
Deputy Private Security Personnel Licensing Authority