

IN THE MATTER OF

A complaint under s 74 of The Private Security Personnel and Private Investigators Act 2010 against **PENI KEPU**

DECISION

[1] The police laid a complaint against Peni Kepu after he was charged with assault with intent to injure. Mr Kepu's certificate was suspended, and the complaint was put on hold until there was an outcome on the criminal charge.

[2] Mr Kepu was convicted of assault with intent to injure in March 2022. This conviction is grounds for disqualification under s 62 of the Act and therefore a mandatory ground for cancellation of Mr Kepu's certificate of approval. A video hearing into the complaint was held in June 2022. At the end of the hearing, I put off making a final decision on the complaint until after Mr Kepu was sentenced.

[3] Mr Kepu has been sentenced to 1 year 6 months supervision with special conditions regarding attending alcohol and drug assessment and other counselling. The police consider the appropriate outcome is for Kepu's certificate to be cancelled.

[4] The assault took place early one morning after Mr Kepu had been out drinking. In submissions filed prior to the hearing Mr Kepu advised it was his first offence and at the time he was battling with depression and suicide but promised it would not happen again.

[5] Mr Kepu was asked to provide evidence of steps he had taken to address his depression and alcohol problems. He was also asked to provide confirmation from his doctor or a mental health professional that he had been assessed and was complying with any treatment or medication programme prescribed.

[6] Mr Kepu neither attended the hearing, nor provided the additional information requested. In addition, Mr Kepu had been working in security while his certificate of approval had been suspended. This is a breach of the Act and amounts to misconduct.

[7] Mr Kepu has recently been convicted of an offence of violence which is grounds for disqualification under s 62 of the Act. I am satisfied that because of this Mr Kepu is no longer suitable to hold a certificate. Mr Kepu's certificate of approval is accordingly cancelled effective immediately.

Mr Kepu may apply for a new certificate of approval once he has completed his sentence, provided he can provide evidence that he has completed the counselling, assessment, and other programmes that form part of his supervision sentence without any breaches.

DATED at Wellington this 27th day of October 2022



P A McConnell

Private Security Personnel Licensing Authority