

IN THE MATTER OF

An application for a Certificate of Approval by **MUAWIN HUSSAIN** and an application by **F H M ELECTRIX LIMITED** for a Company Licence under the Private Security Personnel and Private Investigators Act 2010

HEARD virtually on 28 October 2022

DECISION

[1] Muawin Hussain has held a certificate of approval in the classes of security technician and security consultant since 2011. His company, F H M Electrix Limited has held a company licence in the same classes since 2017. In 2021 Mr Hussain applied to renew his certificate and F H M Electrix applied to renew its licence. Both applications for renewal were put on hold after the police filed an objection.

[2] The Police objected to Mr Hussain's renewal as he was facing an active charge of causing harm by posting digital communications. Mr Hussain has been convicted on that charge and sentenced to 180 hours of community work, 9 months supervision and ordered to pay \$1000 compensation. The Police consider the conduct that resulted in Mr Hussain's conviction, makes him unsuitable to be a certificate holder on character grounds.

[3] Mr Hussain says he is deeply sorry and regrets his offending. The offending was primarily family related and not related to his work. He has been working in the security industry for 18 years without any other issues. While Mr Hussain has not completed his sentence, he advises that his probation officer considers there is little risk of him reoffending and he now only needs to report monthly. Mr Hussain is the primary income earner for his family and his company has employees who depend on the company licence being renewed to keep their jobs.

[4] Mr Hussain has provided supporting references from clients of his business who confirm he has the skills and professionalism to run a security business. Mr Hussain has also provided letters of support from the victim of his offending and members of his wider family. They all advise that they consider Mr Hussain's offending to be a one off, that they have forgiven him, and believe he deserves a second chance.

[5] While Mr Hussain's conviction is serious it is not a disqualifying conviction under s 62 of the Act. As no grounds for disqualification apply to Mr Hussain, I must grant the renewal of his certificate of approval and his company licence unless I am satisfied, based on the available evidence, that he is not suitable to be a responsible security worker.

[6] I am satisfied that Mr Hussain's offending was out of character and he has learnt from his mistakes. He is in all other respects a competent and experienced security technician and consultant and therefore suitable to be a certificate holder.

[7] I accordingly make the following orders:

- Mr Hussain's application to renew his certificate of approval in the classes of security technician and security consultant is granted.
- F H M Electrix Limited's application to renew its company licence in the classes of security technician and security consultant is granted.

DATED at Wellington this 31st day of October 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 coat of arms with a crown on top, flanked by two figures. The text 'THE PRIVATE SECURITY PERSONNEL LICENSING AUTHORITY' is written around the perimeter of the seal.

P A McConnell
Private Security Personnel Licensing Authority