

**IN THE MATTER OF**

Complaint by The Police under s 74 of the Private Security Personnel and Private Investigators Act 2010 against **TIMOTEO VAIUSU**

**DECISION**

- [1] Timoteo Vaiusu has held a certificate of approval (COA) in the classes of crowd controller, property guard and personal guard since 3 September 2020 which is valid until 3 September 2025. The Police have made a complaint against Mr Vaiusu as on 22 November 2021 he was convicted of common assault. He also has a previous similar conviction from 2015.
- [2] A telephone hearing was held on 20 January 2022 with the Police and Mr Vaiusu both giving evidence. As a result of the hearing Mr Vaiusu was directed to file a letter from his Probation Officer including any support documentation regarding the education and improvement work he was expected by Corrections to undertake, particularly with respect to alcohol use and violence. Probation subsequently advised that they have assessed him as low risk.
- [3] The Authority has now received confirmation from the alcohol and drug assessment unit Mr Vaiusu was referred to by Probation. They have confirmed that he was assessed as not requiring any further intervention. Mr Vaiusu has also provided two supportive references from his employer Te Kura O Kimi Ora stating that he is reliable and trustworthy and confirming that the offending was out of character.
- [4] The Police were also provided with further opportunity to file updating information however have not done so.
- [5] Accordingly, on the information available to me at this time, I am satisfied that Mr Vaiusu is still suitable to work in security despite now having a disqualifying conviction. He has undertaken work to address his offending which appears to have been out of character. Accordingly, I dismiss the complaint however add the following conditions on to Mr Vaiusu's COA:
- [a] That he not come to the negative attention of the Police.
- [b] That he works cooperatively with Police in his security work.
- [6] Should Mr Vaiusu breach either of these conditions, the Police may apply to immediately suspend his COA.
- [7] This decision is to be provided to the Police and Mr Vaiusu and published on the Authority website.

**DATED** at Wellington this 17th day of November 2022

  
K A Lash  
Deputy Private Security Personnel Licensing Authority

