

IN THE MATTER OF

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

HEARD by telephone on 13 June 2022

ATTENDANCES

Police – no appearance
R Gray, certificate holder, together with D Simi

DECISION

[1] The Police filed a complaint against Robert Gray as he has recently been convicted of unlawful possession a firearm, assault and unlawfully possessing ammunition. These convictions are grounds for disqualification under s 62 of the Act and a mandatory ground for cancellation of Mr Gray's certificate of approval (COA).

[2] The Police have not provided a copy of Mr Gray's criminal and traffic history to prove his convictions or sentence and did not attend the hearing. Mr Gray however accepts that he was convicted on the offences and his probation officer confirmed that his sentence included a term of intensive supervision. Mr Gray also advises the judge imposed a curfew that would allow him to continue to work in security.

[3] Mr Gray has accordingly applied for waiver of the grounds for disqualification as he believes he is suitable to keep his COA despite his recent convictions. He explained that his actions which lead to his convictions were out of character and he has worked in security since he was first granted a COA in 2013.

[4] Dedric Simi, Mr Gray's manager, attended the hearing and the owner of the security company for which Mr Gray works has subsequently provided a written reference. They both support Mr Gray's application for waiver. They advise there have been no issues with Mr Gray since he started working with them and he has proved himself to be an experienced and competent security guard. Mr Simi said that Mr Gray is a great security worker and is very good with people. He is professional in his interactions and remains calm and pleasant even when under stress or working long shifts.

[5] Mr Gray also provided references from the Better Blokes programme where he is attending a peer support programme and his partner who was a victim of his offending. They confirm that Mr Gray's offending was out of character and that he is continuing to get the support and help he needs to ensure he does not offend again.

[6] Based on the evidence before me I am satisfied that Mr Gray is suitable to be a security guard despite his recent disqualifying convictions. I accordingly grant Mr Gray waiver from the grounds for disqualification under s 64 of the Act. This means Mr Gray can keep his certificate of approval and continue to work as a security guard.

DATED at Wellington this 20th day of June 2022



P A McConnell

Private Security Personnel Licensing Authority