

**IN THE MATTER OF**

A complaint under s 74 of The Private Security Personnel and Private Investigators Act 2010

**BETWEEN**

**THE POLICE**

**AND**

**HARON MOHAMED** also known as  
**HUSSEIN FARAH**

**HEARD** by telephone on 3 March 2021

**ATTENDANCES**

Sergeant D Gallagher for NZ Police  
H Mohamed, no appearance, written submissions only

**DECISION**

[1] The Police laid a complaint against Haron Mohamed as he was facing active charges. After a defended hearing Mr Mohamed was found guilty of speaking threateningly but was discharged without conviction. The Police continued with their complaint as they say Mr Mohamed is no longer suitable to be a security worker given the circumstances of his offending and his mental health issues.

[2] The complaint was set down for hearing on 3 March 2021, but Mr Mohamed did not attend. Mr Mohamed tried to join the hearing shortly after it had concluded and subsequently asked for the hearing to be rescheduled. I advised Mr Mohamed that I would consider rescheduling the hearing provided he filed an outline of his response to the Police complaint together with a supporting letter from his doctor or mental health specialist by 8 March 2021. I note Mr Mohamed had previously been directed to provide this information in advance of the hearing but failed to do so.

[3] Mr Mohamed filed a short response to the Police complaint on 25 March, but despite granting several extensions to the timetable, he has neither filed a supporting letter from his doctor nor any other documents in his support. Therefore, I am not rescheduling the hearing but am making my decision based on the evidence the Police provided together with Mr Mohamed's response.

[4] The Police submit that Mr Mohamed is no longer suitable to be a certificate holder because of his inability to exercise self-control and his ongoing mental health issues. They advise that there have been seven warrants for Mr Mohamed's arrest in recent years after he has failed to appear when required. In addition, in 2019 he was detained under the Mental Health Act and then failed to return after being granted leave. The Police submit that unless Mr Mohamed accepts the seriousness of his medical issues, achieves stability in his lifestyle, and manages his mental health his COA should be cancelled.

[5] The Police provided evidence of several incidents involving Mr Mohamed over the last few years. For example, in one incident in June 2020 the Police were called by a member of the public as Mr Mohamed was acting strangely and walking in and out of traffic. When the Police arrived, he behaved aggressively. After being taken into custody Mr Mohamed threw his food on the floor. When the Police contacted Mental Health Services, they said they had been trying to get in touch with Mr Mohamed for several months as he had not been engaging with his treatment. There have also been recent complaints about Mr Mohamed's behaviour at a respite unit where he is currently living.

[6] The Police provided a supporting letter from a consultant psychiatrist who has the care of Mr Mohamed. She advises that Mr Mohamed has been unwell for at least three years and has had several mental health admissions. She says that Mr Mohamed suffers from schizophrenia which results in paranoia. This has led to a gradual loss of functionality, loss of jobs and being trespassed from various commercial premises.

[7] Mr Mohamed's psychiatrist says he does not accept his diagnosis of schizophrenia and has limited insight into his illness. This has resulted in long periods of non-engagement and non-compliance with his mental health specialists.

[8] Mr Mohamed's response tends to confirm his limited insight into his illness as he says his mental health issues were caused by the Police laying charges against him and painting a bad picture of his behaviour. He also says that the Police charged him when he had not done anything wrong and there was no basis to the Police charges against him. However, Mr Mohamed was found guilty after a Judge alone trial. Although he was subsequently discharged without conviction the guilty finding clearly shows that there was a factual basis for the Police laying charges.

[9] I also do not accept Mr Mohamed's submission that his mental health issues were a result of his treatment by the Police. While they may have increased his paranoia, the medical evidence is clear that Mr Mohamed's mental health issues started well before the incident which lead to him being charged with speaking threateningly. They are a result of his schizophrenia and his reluctance to engage fully with his treatment regime.

[10] I conclude that the Police have established ongoing conduct by Mr Mohamed that shows that he is currently unsuitable to hold a certificate. This is a discretionary ground for cancelling his certificate under s83(ab) of the Act. The background and circumstances leading to Mr Mohamed's unsuitability are long term and ongoing. I therefore conclude that the appropriate penalty is to cancel Mr Mohamed's certificate of approval.

[11] Mr Mohamed's certificate of approval is accordingly cancelled with immediate effect. Mr Mohamed may reapply for a certificate of approval once his mental health has been stable for 12 months provided, he can provide confirmation of this from his mental health specialist as well as confirmation that he accepts his diagnosis and is engaging fully with his treatment regime.

**DATED** at Wellington this 7<sup>th</sup> day of April 2021



P A McConnell  
**Private Security Personnel Licensing Authority**