

IN THE MATTER OF

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

AGAINST

CJ

DECISION

- [1] The Police have filed an objection against CJ, however as it was filed late and he had already been issued with a Certificate of Approval (COA), it has been treated as a complaint pursuant to s74 of the Act. CJ currently holds a COA in the classes of property guard, personal guard, document destruction agent and crowd controller that is valid until 24 February 2028.
- [2] The Police object to CJ holding a COA on the following grounds:
 - [a] He is facing two active charges of using a bank card for pecuniary advantage. If convicted, he may face further grounds for disqualification under s62(f)(vi) of the Act.
 - [b] Character grounds being mental health concerns as he has been the subject of over 100 reports of Mental Health and Attempted Suicide to Police since October 2022.
- [3] CJ responded to the complaint in writing stating that he is well currently and has full time work. He says he is doing counselling, taking his medication and has behavioural support. He has provided a supportive character reference and a reference from Trade Assist whom he has been employed by since August 2022. They confirm he has been working at Fulton Hogan as a traffic controller with no incidents.
- [4] A hearing was held to consider the complaint. Sergeant Knight represented the Police and explained their concerns with respect to situations in security employment which may trigger CJ into a mental health episode, of which he has had a significant number over the years.
- [5] CJ attended the hearing and gave evidence as to how he is keeping himself well currently. He says working is crucial to him remaining well and he is currently working as a casual worker for [redacted]. He has been training under another COA holder and is enjoying the security work. He also undertakes counselling through the City Mission and is in supported independent living. He has a support worker who visits regularly to assist him with household tasks and budgeting. The support worker has advised that CJ is highly motivated to work. CJ has also provided a letter from his kaitiaki tuakana (Big Brother Guardian) who has been mentoring him in his security work.
- [6] Having considered all of the evidence available to me, I am satisfied that CJ is suitable to be a security worker at this time however subjection to conditions. I

remain concerned as to his level of understanding of the requirements of a security worker and the high level of responsibility the job commands. I do accept however that he is currently well and taking all available measures to remain well. I also consider it appropriate to leave the complaint on hold until the criminal charges against CJ are resolved.

[7] Accordingly, I make the following directions:

- [a] The complaint is to remain on hold until the criminal charges are resolved.
- [b] The Police are to keep the Authority updated with respect to the charges.
- [c] A decision will be made on the papers when the charges are concluded.
- [d] Whilst CJ may retain his COA, it is to be subject to the following conditions which he must advise any security employer he has of:
 - [i] CJ is to work closely with his supervisor for his first year of work as a security officer.
 - [ii] If the Police have any concerns regarding CJ's mental health, they may apply to suspend his COA.
 - [iii] If CJ faces any further charges with respect to offences of dishonesty, it is likely his COA will be cancelled.
 - [iv] A copy of this decision is to be sent to [his employer redacted].

[8] A copy of the decision is to be published on the Licensing Authority's website however CJ' name is to be redacted given the health issues discussed within.

DATED at Wellington this 4th day of April 2023



K A Lash
Deputy Private Security Personnel Licensing Authority