[2023] NZPSPLA 014

IN THE MATTER OF   A complaint by the Police against n **PEPA FIFITA** under the Private Security Personnel and Private Investigators Act 2010

HEARD virtually on 12 April 2023

APPEARANCES

Snr Constable W Dabb & Sergeant C Thomas – for NZ Police
P Fifita – No appearance

DECISION

[1]   In November 2022 Mr Fifita was convicted of assaulting police, wilful damage, unlawfully taking a motor vehicle, and failure to answer court bail. He is also subject to two warrants for arrest after failing to appear in court on further charges of disorderly behaviour and wilful damage. Police accordingly submit that Mr Fifita is no longer suitable to be a security worker and have applied for his certificate of approval to be cancelled.

[2]   Mr Fifita's convictions for assault and unlawfully taking a motor vehicle are grounds for disqualification under s 62 of the Act and therefore a mandatory ground for the cancellation of his certificate.

[3]   When Mr Fifita applied for his certificate, he disclosed he had previously faced charges in the Youth Court. He advised he had worked hard to fix the mistakes he made, had matured and was now on the right path. He was confident he would not reoffend. However, within a few months of saying this Mr Fifita was reoffending and facing further charges.

[4]   Mr Fifita has neither applied for waiver of the grounds for disqualification nor provided any other information to show that he remains suitable to be a security worker despite his convictions and current charges.

[5]   I am therefore satisfied that one or more grounds for disqualification apply to Mr Fifita and because of this he is not suitable to hold a certificate. I make the following orders:

   a) Mr Fifita's certificate of approval is cancelled effective from the date of this order.

   b) Mr Fifita is to return his certificate of approval and formal ID to the Licensing Authority within seven days of receiving this order.

DATED at Wellington this 12th day of April 2023

P A McConnell
Private Security Personnel Licensing Authority