

**IN THE MATTER OF**

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

**AGAINST**

**PETERONI LILOMAIAVA**

**DECISION**

[1] In November 2019 police laid a complaint against Peteroni Lilomaiava after he was charged with assault and injuring. On 16 March 2023 Mr Lilomaiava was convicted on both charges and sentenced to five months home detention. These convictions are grounds for grounds for disqualification under s 62 of the Act

[2] Being convicted of a disqualifying offence is a mandatory ground for the cancellation of Mr Lilomaiava's certificate of approval provided the grounds for disqualification are not waived. Mr Lilomaiava has neither responded to the police complaint nor applied for waiver of the grounds for disqualification.

[3] As Mr Lilomaiava's offending involved serious violence I consider he is no longer suitable to be a security worker. I would therefore have cancelled Mr Lilomaiava's certificate if it had not already expired. Mr Lilomaiava's certificate was however suspended for over two and a half years before it expired. The suspension served together with a formal reprimand is an appropriate penalty.

[4] Mr Lilomaiava is advised that his recent convictions remain grounds for disqualification for seven years from the date of the convictions. If Mr Lilomaiava wants to apply for a new certificate before 26 March 2030 he will need to declare his convictions in his application and provide sufficient supporting evidence to show that he has addressed the issues that resulted in his offending and is again suitable to be a responsible security worker.

**Summary & Orders**

[5] Mr Lilomaiava has been convicted of a disqualifying offence and because of this he is not suitable to be a certificate holder. The complaint has accordingly been proved.

[6] As Mr Lilomaiava's certificate of approval has already expired the appropriate penalty is the suspension period already served. In addition, Mr Lilomaiava is formally reprimanded.

**DATED** at Wellington this 14<sup>th</sup> day of April 2023



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