

**IN THE MATTER OF**

A complaint by the Police against  
**SIMON WILLIAMS** under the Private  
Security Personnel and Private  
Investigators Act 2010 (the Act)

**HEARD** virtually on 18 April 2023

**APPEARANCES**

Sgt J Moody for NZ Police  
S Williams with Counsel L Archer

**DECISION**

[1] In February 2023 Simon Williams was convicted of theft. As this is a disqualifying conviction, police say it raises questions about Mr Williams' suitability to be a certificate holder. Mr Williams advises the background to his conviction was more a civil than a criminal matter. However, he accepts what he did was wrong, and he has learnt from his mistake. He accordingly asks for the grounds for disqualification to be waived.

[2] The theft charge arose after Mr Williams recovered a camera from a customer who had failed to pay his outstanding accounts. At the time Mr Williams believed he was entitled to recover the camera to help meet the money he was owed. Mr Williams now accepts the way he went about collecting the debt was wrong. It was however a one off and he has not done anything similar in the 10 years he has been in business. His lawyer outlined the processes Mr Williams has since put in place to enforce any future debts and to ensure he does not offend in a similar way again.

[3] Mr Williams has been self-employed since 2013 and has worked as a security technician and security consultant for at least five years. He has provided letters in support from several clients who speak highly of his work ethic, technical knowledge, and ability. The evidence before me therefore establishes that Mr Williams is a competent and experienced security consultant and technician who is well thought of by his clients.

[4] I accept Mr Williams' recent conviction is grounds for disqualification under s 62 of the Act. Although at the time Mr Williams believed he was entitled to repossess the goods he had installed, he now accepts what he did was wrong. He has taken appropriate steps to ensure he does not offend in a similar way again. In addition, prior to his conviction he wrote a letter of apology to the victims of his offending and paid them reparation.

[5] I am therefore satisfied that despite the disqualifying conviction Mr Williams remains suitable to be a certificate holder. I waive the grounds for disqualification under s 64 of the Act and conclude it is not appropriate to suspend or cancel Mr Williams certificate.

[6] In deciding whether any other penalty should be imposed I have considered the cost Mr Williams has already paid for his offending. Not only does he have a conviction, but he incurred significant legal fees, paid reparation, and a \$500 fine. I do not consider that a further financial penalty is required but conclude that the appropriate penalty is a reprimand and a formal warning.

**Summary & Orders**

[7] Police have established that grounds for disqualification now apply to Mr Williams as he was convicted of theft in February 2023. I am however satisfied that despite this conviction Mr Williams is still suitable to be a responsible security technician and security consultant. I therefore make the following orders:

- The grounds for disqualification are waived under s 64 of the Act.
- Mr Williams is formally reprimanded and warned that if he is convicted on any further offences of dishonesty or offends in a similar way again his certificate is likely to be suspended or cancelled.
- Mr Williams application to renew his certificate of approval is granted.

**DATED** at Wellington this 18<sup>th</sup> day of April 2023

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

The seal of the Private Security Personnel Licensing Authority is circular, featuring a central coat of arms with a crown on top. The text "THE PRIVATE SECURITY PERSONNEL LICENSING AUTHORITY" is written around the perimeter of the seal.