

IN THE MATTER OF

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

DECISION

- [1] MA held a Certificate of Approval (COA) in the classes of Crowd Controller, Property Guard and Personal Security Guard that was valid until 25 March 2026.
- [2] The Police laid a complaint against Mr MA in April as he had allegedly provided them with false information. They are concerned about his ability to use sound judgement given that he was allegedly willing to use his position as a security guard to deceive/obstruct Police in the execution of their duty, which in itself is an imprisonable offence. Essentially, the Police are saying that Mr MA, pursuant to s74(4) of the Act, is guilty of unsatisfactory conduct or conduct that is unbecoming of a security worker. Mr MA does have a previous disqualifying conviction for an offence involving dishonesty although it is historical.
- [3] Mr MA was directed to respond to the Police complaint by 26 April 2023. However, as he had not done so, his COA was cancelled on 8 May 2023.
- [4] Shortly thereafter Mr MA contacted the Authority and advised that his contact details were incorrect therefore he had not seen the previous directions of the Authority. Given his submission the complaint was reopened.
- [5] Upon direction of the Authority Mr MA has provided a reference from his previous supervisor at First Security who said that he never had any reason to doubt his honesty or integrity. Mr MA has been upfront with the Authority regarding his health limitations and understanding of the complaint process.
- [6] Given this reference, and Mr MA's submissions, I am prepared to reinstate his COA, however on condition. Therefore, Mr MA's COA is to be reinstated and will therefore be valid until 25 March 2026. It will be subject to the following conditions:
 - [i] That Mr MA not come to the attention of Police; and
 - [ii] That Mr MA works co-operatively with the Police and other law enforcement agencies in his security work.
 - [iii] Should Mr MA breach either of the first two conditions, the Police can apply to immediately suspend his certificate.
 - [iv] Mr MA must provide his security employer with a copy of this decision.

[6] This decision is to be published on the Authority website however redacted given the reference to Mr MA's health information.

DATED at Wellington this 1 day of June 2023



K A Lash
Deputy Private Security Personnel Licensing Authority