

IN THE MATTER OF

Complaints made under s 73 & 74 of the Private Security Personnel and Private Investigators Act 2010 (the Act)

AGAINST

TIGERS EXPRESS SECURITY LIMITED and **RAYMOND DEANE**

DECISION

The Investigation

[1] In March 2022 I forwarded a complaint against Tigers Express Security Limited¹, then known as Visions Security Limited, to the Complaints Investigation and Prosecution Unit (CIPU). I asked CIPU to investigate:

- Whether Tigers Express had employed or engaged security workers who did not hold the required certificates of approval (COAs).
- Did Tigers Express's directors have the required 12 months experience in the classes for which Tigers Express applied for a company licence?
- Is Mr Deane suitable to be a certificate and licence holder?

[2] I subsequently asked CIPU to investigate whether Tigers Express was employing patched gang members as security guards and whether it was in breach of s 39 of the Act by carrying on business under a name different to the name under which the company was registered or incorporated. In addition, I asked CIPU to investigate further allegations made in relation to the behaviour of security guards employed by Tigers Express.

[3] CIPU concluded that much of the information in relation to the behaviour or conduct of individual security guards was third hand and hard to substantiate. Other than specific allegations that have already been investigated by Tigers Express and appropriate disciplinary action taken, CIPU have been unable to identify specific behaviour by guards that could provide grounds for any complaint against Tigers Express or its director.

[4] The investigation however concluded that some security workers had been employed who did not hold a COA and continued to be employed after their applications for a COA were declined. While Tigers Express did not employ the security workers there is evidence their employer, Visions of a Helping Hand Charitable Trust (Visions), subsequently relied on Tigers Express's licence to continue to employ security guards who had been declined a COA.

[5] As Mr Deane is both the chief executive of Visions and the sole director of Tigers Express, the information in the CIPU report raised questions about whether Mr Deane contravened the Act and is guilty of misconduct by:

- allowing Visions to use Tigers Express's licence to continue to run a security business; and
- engaging security workers without a COA and continuing to employ them after their COAs had been declined.

¹ In this decision referred to as Tigers Express from when it was first registered as Visions Security Limited

[6] CIPU's investigation also established that Tigers Express traded as Tiger Security from May to late September 2022. The Investigation also raised questions about whether Mr Deane had the required 12 months experience to be the sole officer of a security company and whether he was a fit and proper person to be the sole director of a security company licence holder.

[7] Mr Deane advises that when Visions first started employing security guards he understood they were in house security and therefore Visions did not need a licence. Once he was advised of the Ministry of Housing and Urban Development's (HUD) requirements for security guards to be employed by a security licence holder he incorporated Tigers Security and applied for a licence. He advises Tigers Express was set up as an arm of Visions and therefore he thought it was appropriate for Visions to continue to employ the security guards even though the licence was held by Tigers Express.

[8] Mr Deane says that it was not until May 2022 that HUD issued a direction that the social service providers of emergency housing could not be the security provider. He then separated the security company from Visions and changed its name to be Tigers Express Security Limited. Now all security workers are employed by Tigers Express, and it has its own administrative staff and premises. Mr Deane however continues to be the managing director and sole shareholder of Tigers Express and the chief executive of Visions.

[9] Mr Deane accepts that Tigers Express traded as Tiger Security in contravention of the Act but advises that this was not a deliberate breach and he stopped trading as Tiger Security as soon as it was brought to his attention. He says this and any other breaches of the Act were not intentional or deliberate. He has always tried his best to ensure he did what was right for the people for whom he was providing services and to comply with the appropriate requirements once he was made aware of them.

The Issues

[10] The issues I therefore need to decide are:

- a) Did Mr Deane or Tigers Express contravene the Act by:
 - Trading as Tiger Security without the approval of the Licensing Authority.
 - Being a party to Visions engaging security guards without COAs and continuing to engage them after their COAs had been declined.
 - Being a party to Visions providing security services without a security licence.
- b) If any of the above are established is Mr Deane or Tigers Express guilty of misconduct?
- c) Does Mr Deane have the required 12 months experience in the last five years to be the sole officer of a security licence holder?
- d) If breaches of the Act or misconduct are established what is the appropriate disciplinary action?

[11] I note that many of the issues raised in the CIPU report relate more to Visions than to Tigers Express. As Visions is not a licence holder while CIPU can prosecute them, I have no authority to take any disciplinary action against them. In addition, as outlined at the hearing, I accept Visions board was largely acting on advice they were given. Therefore,

CIPU have concluded that no further action will be taken against Visions for any past actions or inactions.

[12] I have jurisdiction to consider complaints against Mr Deane as a COA holder and as the sole officer of a security licence holder. As Mr Deane is both the CEO of Visions and the managing director of Tigers Express, in deciding the complaint against Mr Deane, I also need to consider potential breaches of the Act by Visions and Mr Deane's responsibility for such breaches.

Background

[13] Security work now undertaken by Tigers Express was originally carried out by Visions. Visions engaged security guards for motels that it used for providing emergency and Covid related housing. Mr Deane and his wife were the founders of Visions, and he is its chief executive.

[14] Visions signed a contract with HUD dated 29 March 2020 which stated Visions was to provide 9 security guards for the motels being used for emergency housing. A further contract which came into force on 1 July 2021 was signed by Mr Deane on behalf of Visions. It included a payment for security guards and contained the following clause:²

Security Services must comply with the Private Security Personnel and Private Investigators Act 2010 which requires an organisation to hold a valid licence for each class of service provided, for example Property Guard. All personnel must hold a valid Certificate of Approval or licence for that class of service. Providers who do not hold a current licence for the class of security service required will have until 31 October 2021 to gain the appropriate licences. HUD will not pay for Security Services by Providers who do not hold the appropriate licences from 31 October 2021.

[15] On 29 June 2021 the PSPLA sent Mr Deane an email which accepted that Visions providing in house security at the motels it managed fell into a "little bit of a grey area". However, it went on to say that if the contract for managing the motels:

includes an allocated payment for providing security services this is likely to be enough to mean you fit within the definition of someone who needs to hold a security licence as a property guard under s 9 of the PSPPI Act.

[16] HUD also sent an email to Mr Deane on 2 July 2021 with an attachment that outlined the requirements in relation to security licences. Paragraph 4 of that document stated:

There should be a clear separation of services between the agency contracted to deliver social service support to clients and that of security services hired to oversee and support safety on the property.

[17] The document also set out the requirements for security guards working at emergency housing sites which largely summarise the key provisions of the Act. This included the necessity for all security guards working at emergency housing motel sites to hold and display the appropriate certificates of approval.

[18] Mr Dean advised CIPU that from that time on all security guards had appropriate certificates of approval. However, this is not correct as the two security guards for which

² CIPU Investigation File Document 00029 page 36

CIPU obtained more detailed information worked in security for several months without COAs.

- Security Guard A was employed by Visions on 1 July 2021 and continued to work in a security role until 6 March 22 when he was shifted to other duties. He applied for a COA on 21 June 2021, and it was declined on 30 July 2021.
- Security Guard B started working for Visions on 1 July 2021 and continued to work in a security role for Visions until 26 October 2021. He applied for a COA on 16 June 2021, but it was declined on 5 August 2021 after a police objection based on his conviction history and gang membership.

[19] Mr Deane registered Visions Security Limited with the Companies Office on 31 August 2021 and on the same day applied for a company security licence. The directors and shareholders of the company were Mr Deane and Mr Ripia. It was granted a company security licence in the classes of crowd controller, property guard, and personal guard on 11 October 2021.

[20] Although the security licence was held by the security company all security workers continued to be employed by Visions until at least 24 May 2022 when Visions Security changed its name to Tigers Express Security Limited. Mr Deane has been the sole director and shareholder of Tigers Express since 31 March 2022.

[21] Following the change of name Tigers Express began trading under the name Tiger Security. There is a separate and unrelated company that holds a security licence in the name of Tiger Security Limited. Tigers Express changed its trading name and branding from Tiger Security to Tigers Express Security in late September 22.

Did Tigers Express breach the Act by trading as Tiger Security?

[22] Section 39(4) of the Act states that company licence holders may only carry on their security business under the name by which the company is registered or incorporated. Contravention of this provision is an offence under the Act. Tigers Express registered name at the relevant time was Tigers Express Security Limited and that is the name under which its security licence is held.

[23] Tigers Express contravened s 39(4) of the Act by trading as Tiger Security from May 2022 when the company changed its name. A separate and unrelated security company called Tiger Security Limited came under unwanted attention after Tigers Express, trading as Tiger Security, attracted negative media attention. As a result, Tiger Security Limited received abuse over social media and had to contact all its clients to assure them they were not the same company and were no way related to the Rotorua based company trading as Tiger Security.

[24] After receiving a letter from Tiger Security Limited's lawyer and my directions dated 9 September 2022, Tigers Express took steps to change its branding and ceased trading as Tiger Security in late September 2022.

[25] Mr Deane accepts he made a mistake but advised it was not intentional and as soon as he was made aware of the requirements he took steps to comply with the Act. While this may be correct, as the owner and sole director of Tigers Express, Mr Deane should have ensured he was aware of his responsibilities as set out in the Act. If he had not done this at the time he applied for a licence he should have done it before he separated Tigers Express

out from Visions and started running it as a commercial operation. At that point he had the sole responsibility for ensuring Tigers Express complied with its responsibilities as a licence holder and he did not do so.

[26] Mr Deane was advised in writing by HUD as early as 2 July 2021 that his security company needed to comply with the requirements of the Act. At the time the name of the licenced security company changed its name to Tigers Express and set itself up as a stand-alone security business it was already under investigation following the initial complaint that was filed against Mr Deane and his company. If nothing else, this should have put Mr Deane on notice to ensure he knew about his responsibilities under the Act and comply with them.

[27] Mr Deane did not do this. He accepts he neither read the advisory information on the PSPLA's website nor the sections in the Act that set out the responsibilities of licence holders. In addition, he paid little attention to the summary of the obligations of a licence holder sent to him by HUD.

[28] Therefore, while the contravention of the Act by Mr Deane and Tigers Express may not have been intentional it was negligent and raises questions about whether Mr Deane is suitable to be the managing director of a security company.

Did Mr Deane or Tigers Express contravene the Act by being a party to Visions engaging security guards without COAs and continuing to engage them after their COAs had been declined?

[29] Mr Deane accepts that he made the decision to engage security guards A and B knowing they had gang affiliations. They commenced working for Visions on 1 July 2021 although their temporary COAs had been declined due to their disqualifying convictions. They continued to be employed by Visions for several months after their full COAs had been declined, Security Guard A until 6 March 2022 and Security Guard B until 26 October 2021.

[30] Mr Deane advised the CIPU investigators that both Security Guards A and B no longer worked in security after their COAs were declined. This was clearly incorrect. In his statement filed prior to the hearing Mr Deane changed his story and accepted that Security Guard A had continued to work in security until March 2022 when he was offered a new role. He said they continued to employ Security Guard A as they could see merit in him, and he was a high performer.

[31] In his statement Mr Deane says that they continued to employ Security Guard B after his COA was declined as they contacted the Harm Reduction Coordinator of the Rotorua Police to advocate on his behalf with the PSPLA. When this was unsuccessful he was stood down.

[32] No evidence was provided to support this and the PSPLA had no contact from anyone on behalf of Security Guard B after 5 August 2021 attempting to have the decision declining his COA reversed. In addition, no appeal was filed against that decision. Security Guard B should not have been engaged until he obtained a COA and even if he was wrongfully engaged the continuation of his contract should have been conditional upon him obtaining a COA. When it was refused he should have been stood down immediately.

[33] Section 44 of the Act requires all people who are working as security guards to hold a certificate of approval. Section 67(2) of the Act requires all security guards to wear an identification badge issued by the Authority while working as a security guard. It is an offence under s 45 of the Act to employ or engage someone to work as a security guard who does not hold a certificate of approval. This applies even if the security guard is working under supervision.

[34] Mr Deane accepted at the hearing that he made the decision to engage security guards A and B. However, he says that any breaches by him, Visions, or Tigers Express were not intentional, and he did not deliberately breach any security industry related regulations or requirements. He also says that he took from the information he received from HUD that they only needed all guards to hold COAs by 31 October 2021.

[35] I do not accept any of these claims. In his statement Mr Deane accepted that he had received advice from HUD in June 2021 that for the new contracts each provider needed to hold a security licence and each staff member needed to hold a COA.³ This is also evidenced by the fact that around that time the security guards working for Visions started applying for COAs.

[36] Mr Deane was again advised by HUD in the 2 July 2021 email that all security guards working at emergency housing motel sites must hold and display the appropriate certificates of approval. The 31 October 2021 deadline given by HUD was only in relation to obtaining a security licence. Even if Mr Deane took the 31 October date to also apply to security guards he continued to employ Security Guard A for several months after that date knowing he did not have a COA.

[37] I therefore conclude that Mr Deane intentionally breached the Act by engaging Security Guards A and B on behalf of Visions although they did not have a COA and by continuing to employ them after their COAs were declined. I accept that it was not Tigers Security that engaged security guards without a licence. However, as CEO of Visions and the person who advised the Board of their security requirements Mr Deane is the person primarily responsible for these breaches.

Were Tigers Security and Mr Deane a party to Visions providing security services without a security licence?

[38] I accept that when Visions first started employing security guards it did so under the misapprehension that they were 'in house' and therefore the guards employed did not need to have COAs and Visions did not need to have a security licence.

[39] Mr Deane accepts this was the advice he gave the Visions board. In his 6 April statement Mr Deane says he reached this conclusion based on regular correspondence with the PSPLA. In addition, he states that he had correspondence with the director of another Rotorua security company who advised the "in house" model they were using did not require them to have a licence.

[40] At the hearing Mr Deane accepted that other than the 29 June 2021 email from the PSPLA there was no such correspondence but only oral advice. As advised at the hearing PSPLA case managers did not and would not give the type of advice Mr Deane said he received from them. In addition, while the 29 June email from the PSPLA accepted that in

³ Para 21 Raymond Deane Statement 6 April 2023

house security was a grey area it also concluded by saying that if Visions' contract included a sum for providing security this was likely to mean that Visions was required to have a security licence.

[41] Any exemption for in house security is set out in the definition of property guard in s 9 of the Act and only applies to property guards if the premises guarded are owned or occupied by the security employer or entity providing the security service. The motels at which Visions were providing emergency housing were neither owned nor occupied by Visions. Therefore, the security provided cannot appropriately be categorised as in house.

[42] In addition, Visions security guards were also working as crowd controllers as their work included screening entry, keeping order, and removing people from the premises. There is no in house exemption in the Act for crowd controllers who work on premises owned or occupied by their employer. All people working as crowd controllers need to have the appropriate COAs.

[43] The HUD contract that came into force from 1 July 2021 also required the organisation providing the security services to hold a security licence and this was reinforced by the 2 July 2021 email which outlined the PSPLA requirements for security licence holders and for COA holders.

[44] In response to this advice Mr Deane established Visions Security Limited and obtained a company security licence before the 31 October date set by HUD. However, even though the security licence was granted on 11 October 2021, Visions continued to employ and manage all the security workers working at the motels it managed until May 2022.

[45] Mr Deane says this was because Tigers Express was set up as an arm of Visions. While this may have been his intent this is not in fact what happened. Tigers Express was neither set up by Visions, nor was it owned by Visions or its directors. Taniya Ward, the co-chair of Visions, said that the Visions board did not give prior approval for the establishment of the company or its application for a security licence as they were not advised about it until after the company was established.

[46] She also said the board relied on Mr Deane's advice that Visions could continue to employ all the security guards relying on Tigers Express's licence. This advice was not only incorrect but contrary to the HUD requirement that there needed to be a clear separation of services between the agency contracted to deliver social service support to clients and that of security services hired to oversee and support safety on the property.

[47] Ms Ward advised the Visions Board did not see a copy of 2 July HUD email and were not aware of these requirements until several months later. It was after this that the security company changed its name to Tigers Express and took over the employment of staff and management of the security work.

[48] Mr Deane has not provided the advice he says he obtained saying it was acceptable for Tigers Express to hold the security licence and for Visions to rely on that licence to run the security business and employ the security guards. If he received any such advice, it could only appropriately have been given based on incorrect information that Tigers Express was a charitable company owned by Visions. The security company was neither

set up by, nor owned by Visions. It was set up by Mr Deane and owned by Mr Deane and Mr Ripia.

[49] Visions contravened the Act by running a security business without a licence. However, they did so in reliance on the incorrect advice given to them by Mr Deane that they could do so under the security licence issued to Tigers Express.

[50] Even if Mr Deane was initially confused about whether this was appropriate he knew by 31 October 2021 at the latest that the security side of the operation needed to hold a security licence. In addition, he knew there needed to be a clear separation of services between the agency that provided social services and that of security services.

[51] In addition to requiring a clear separation of services HUD also advised that it was the security company that needed to meet the vetting requirements before guards were employed and ensure all guards held COAs and complied with the Act. As a director of the security company, it was not appropriate for Mr Deane to delegate these responsibilities to Visions.

[52] I conclude Mr Deane's actions in this regard were either intentional or negligent. The evidence establishes Mr Deane failed to understand or follow the contract he signed with HUD and the clear advice they gave him as to his responsibilities as an officer of a security licence holder. In addition, he failed to take appropriate steps to understand his responsibilities as manager of a security business. As both a director of Tigers Express and the chief executive of Visions it was Mr Deane who was primarily responsible for any contravention of the Act and breach of the contract with HUD.

Is Mr Deane or Tigers Express guilty of misconduct?

[53] Section 74(4) of the Act states that it is a ground for a complaint if a certificate holder, such as Mr Deane, has been guilty of misconduct or gross negligence. Misconduct is defined in s 4 of the Act as being.

Conduct by a licensee or certificate holder that a reasonable person would consider to be disgraceful, wilful, or reckless or conduct that contravenes this Act or any Regulations made under this Act

[54] I have already concluded that Mr Deane and Tigers Express contravened s 39(4) of the Act by trading under the name of Tiger Security. I have also concluded Mr Deane contravened the Act by engaging Security Guards A and B to work in security without holding a COA and by allowing them to continue working for several months after their COAs had been declined. Mr Deane is also a party to Visions running a security business without holding a security licence and by wrongly advising Visions they could rely on Tigers Express's security licence to run a security business.

[55] Mr Deane's counsel submits that the lack of deliberate intention to infringe the legislation means that even if he did contravene the Act he is not guilty of misconduct. I do not accept Mr Deane lacked the intent needed for his actions to amount to misconduct. As set out above I have concluded that Mr Deane either intentionally or negligently contravened the Act and most likely breached the contract Visions had with HUD.

[56] As Mr Deane and Tigers Express contravened the Act they are guilty of misconduct. Therefore, there is no necessity for me to also determine whether a reasonable person would consider their conduct to be disgraceful, wilful, or reckless.

Does Mr Deane have the required 12 months experience in the classes for which Tigers Express holds a company licence?

[57] To be eligible for a company security licence at least one of the company officers needs to have 12 months experience in the last five years in the classes for which the licence is sought. Tigers Express's licence was initially granted based on Mr Ripia's 12 months experience in working and managing security for Visions.

[58] Mr Ripia resigned as a director in March 2022 and since then Mr Deane has been the sole company officer of Tigers Express. Mr Deane has historical security experience under the previous licensing regime. In addition, Mr Deane has more recent security experience working for the Night Shelter.

[59] As the security work for the Night Shelter was categorised as "in house" it can only have been in the class of property guard. There is however little evidence he has the 12 months experience in the classes of crowd controller or personal guard.

[60] I therefore accept that Mr Deane has had 12 months relevant experience in the class of property guard to qualify for a company licence in that class, but it is unlikely he has the necessary experience in the classes of personal guard or crowd controller which are additional classes for which Tigers Express holds a licence. In addition, as noted earlier, there are concerns about Mr Deane's suitability to be the officer of a security company.

[61] A further concern is that Mr Deane remains not only the sole company officer and manager of Tigers Express but also the chief executive of Visions. This is in conflict with HUD's stated requirement for a clear separation between the social support services to clients and that of the security services. These issues are however more appropriately dealt with in deciding the appropriate penalty.

What is the appropriate penalty?

[62] I have concluded that Mr Deane and Tigers Express have contravened the Act and are therefore guilty of misconduct. Misconduct is a discretionary ground for cancellation of a certificate or a licence. Sections 78(1)(c) and 81(1)(c) of the Act says that in addition to, or instead of, cancellation I can make other orders including suspending a certificate or licence, ordering the certificate holder or company officer to undertake further training, impose conditions on the certificate or licence holder, reprimand the certificate holder or impose a fine of up to \$2,000.

[63] In determining the appropriate penalty, I need to consider the gravity of the misconduct, the impact of any penalty and any other relevant factors in relation to Mr Deane's competency, experience, and character.

[64] I accept that when Mr Deane first got involved in providing emergency housing he did so with good intentions and did his best for those in need who required his support. I also accept that the work was expanding exponentially in 2021 and it would have been extremely difficult to keep up with the ever-growing demands of his job as chief executive of Visions.

[65] It is incomprehensible given the pressures Mr Deane was under with a more than full time job of being the chief executive of Visions that he took on another full-time role as managing director of a security company. This is particularly the case when the HUD

contract specifically required a separation between the security work and the emergency housing and social work services.

[66] The pressure of running both Visions and Tigers Security and the public scrutiny that resulted no doubt contributed to the mistakes Mr Deane made. From the time Tigers Express applied for a company security licence Mr Deane has failed to understand and comply with all his responsibilities as a security business owner and manager. He either did not read or failed to comprehend the clear advice and guidelines with which he was provided.

[67] There is no evidence that he consistently sought advice and guidance from the agencies who he believed to be experts as he claims. For example, there is no evidence or record of any written or telephone communications with the PSPLA following the 29 June 2021 email other than the application for a company licence and documents filed in association with that application.

[68] Mr Deane did not follow the very clear guidelines for security operators provided by HUD on 2 July 2021. I do not accept Mr Deane's initial explanation that these were confusing because they were inconsistent with the PSPLA guidelines, or the more recent explanation that he thought they were a draft only and did not need to be followed. In addition, Mr Deane failed to comply with the HUD contractual requirement for the security work to be separate from the social services and emergency housing services.

[69] The necessary separation could not, and still cannot be achieved with the same person being chief executive of Visions and managing director of a security company. Both roles are full time jobs that require different skills and knowledge base and should not be done by the same person.

[70] Mr Deane mentioned at the end of the hearing that depending on the outcome of this complaint he would be bringing a current staff member who had many years experience as a security guard into a management position within Tigers Express. Mr Deane's counsel describes this person as an experienced security expert, but no evidence has been provided to support this. While the person has several years experience as a security guard, she was not involved at a management level for her previous employer and has no previous hands-on experience or knowledge of running a security company.

[71] Therefore, bringing this person into a management role will neither adequately address the established deficiencies in Mr Deane's management of a security company nor the requirement for separation between his dual roles with Visions and Tigers Express.

[72] I conclude Mr Deane's failures and his misconduct are sufficient to establish that he is not suitable to be the managing director and sole officer of a security company. Therefore, the appropriate penalty is likely to be either a period of suspension together with an order that Mr Deane undertake further training, or cancellation of Tigers Express's licence

[73] However, Tigers Express currently employs up to 50 security guards and it is the only provider of security guards for the emergency housing motels Visions manages. Cancelling or suspending Tigers Express's licence without adequate notice would have serious consequences for both the security guards Tigers Express employs and for Visions ability to meet its contracts and keep its clients safe.

[74] Therefore, given the negative impact that an order cancelling or suspending Tiger Express's security licence would have on the security staff it employs and its clients I will put off making a final decision on the appropriate penalty until after 20 August 2023. This is to allow Mr Deane time to rearrange, sell, or contract out the security business currently run by Tigers Express.

[75] To provide some guidance to Mr Deane and Tigers Express I can indicate that I am likely to suspend or cancel Tigers Express's licence unless by 20 August 2023 Mr Deane can provide evidence that he is no longer involved in the management of the security work currently undertaken by Tigers Express. In addition, he must establish that:

- Tigers Express has contracted out the management of security work and the security guards it employs to an experienced security licence holder; or
- Tigers Express's security business has been sold or transferred to a competent and experienced security licence holder; or
- A new managing director has been appointed who is an experienced and competent licence holder or officer of a company licence holder; or
- Some other similar arrangements are made with the effect that an experienced and competent security company officer or licence holder is managing Tigers Express and Mr Deane is no longer the sole officer of Tigers Express.

[76] Mr Deane can apply for further time to restructure or sell his business if he is unable to do so by 20 August 2023. Any extension application needs to be made in writing before 20 August 2023 and set out why further time is needed and what has been done to date.

Application for Suppression

[77] Counsel for Mr Deane and Tigers Express has requested that a suppression order be made given the close relationship between Mr Deane, Tigers Express and Visions. He says this is required because I have no jurisdiction to deal with any complaints regarding Visions and Mr Deane and Visions are inextricably linked by both structure, operation and in the eyes of the public.

[78] I accept that Mr Deane and Visions are inextricably linked. However, given the outcome of this complaint I do not consider it is appropriate to make any suppression orders in relation to the publication of this decision and Mr Deane's name. The fact he is so closely linked to Visions makes any suppression order in relation to the trust futile.

[79] Final suppression orders are made in relation to the CIPU report and the annexures to that report. The report contains potentially sensitive and private information that would be difficult to redact about Visions and third parties who did not attend and were not parties to the complaint hearing.

DATED at Wellington this 23rd day of June 2023



P A McConnell

Private Security Personnel Licensing Authority