

IN THE MATTER OF

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

DECISION

- [1] JH holds a Certificate of Approval (COA) in the classes of Crowd Controller, Property Guard, and Personal Security Guard that is valid until *[redacted]* 2027. His COA was suspended on *[redacted]* 2023 as a result of a Police complaint.
- [2] The Police initially laid a complaint against JH on the basis of a charge of assault with intent to injure. They have now laid an additional complaint and seek the immediate revocation of his COA as he has been charged with nine further charges including kidnapping, theft ex person, wounds with intent to cause grievous bodily harm and injures with intent to cause grievous bodily harm. He is currently remanded in custody and if convicted will likely face a term of imprisonment.
- [3] On 9 June JH was directed to respond to the complaint by 21 June 2023 and advised that if he did not, a decision on the Police complaint would be made on the basis of the information available to the Authority at the time.
- [4] JH has not responded to the Authority's directions.
- [5] The information therefore currently available to the Authority is as follows:
 - [i] Three complaints have been lodged against JH, including one from a member of the public.
 - [ii] A Complaints Investigation and Prosecution Unit (CIPU) report which states a finding that on *[redacted]* 2023 JH was involved in an altercation with a patron of the bar he was guarding. The complainant alleges JH head butted him. JH says he "flinched towards" the complainant but did not make contact.
 - [iii] On *[redacted]* JH was charged with assault to injure regarding an incident that also occurred whilst he was working as a security guard. This charge is still before the Court.
 - [iv] On *[redacted]* JH was charged with kidnapping, theft ex person, wounds with intent to cause grievous bodily harm and injures with intent to cause grievous bodily harm. These charges are still before the Court.
 - [v] JH has not responded to any of the number of directions by the Authority regarding the three complaints laid against him.

[6] On the basis that JH has not followed any of the directions made by the Authority in an effort to resolve these complaints, nor engaged at all with the Authority, that he is currently remanded in custody and is facing charges that will take some time to progress through the courts, I make the following directions:

- [a] JH's COA is cancelled, effective immediately. He must return his identification badge to the Authority immediately.
- [b] JH may apply again in the future for a further COA however he would have to address the issues raised in these complaints at that time for his application to be progressed.

[7] Given that JH's matters are still before the court I direct that this decision be published in a redacted format in order that JH is not identifiable.

DATED at Wellington this 29th day of June 2023



K A Lash
Deputy Private Security Personnel Licensing Authority