

IN THE MATTER OF A complaint by **THE POLICE** against **MB** under ss 28, 62, 74, & 82 of the Private Security Personnel and Private Investigators Act 2010

DECISION

- [1] The Police have filed a late objection against MB's application for a Certificate of Approval (COA) which as MB had already been issued with a temporary COA, is being treated as a complaint.
- [2] The Police object to MB holding a COA as he has a significant criminal history and many disqualifying convictions. The most recent, of relevance to the Authority, was in 2016 when he was imprisoned as a result of convictions of violence.
- [3] Given the seriousness of MB's history a hearing was held to determine the matter. MB, through his references and submissions has explained as follows:
 - [i] He has made a number of lifestyle changes since 2016 and is in a much better and healthier place now.
 - [ii] He is continuing his self-improvement journey by regularly meeting with a counsellor and being involved with a martial arts club.
 - [iii] He has started working part-time in security and is very much enjoying the challenge the job presents.
 - [iv] He is aware of what he has lost due to his anger issues and is dedicated to ensuring he loses nothing further for that reason or due to his own mistakes.
 - [v] He has a great deal of respect for the Police and enjoys working with them in his security role.
 - [vi] He owns his mistakes and is open and frank about ensuring they don't happen again.
- [4] MB was extremely forthcoming and ostensibly honest with the Authority. His sincerity and openness do him great credit, as does his willingness to lead a healthy and fulfilling life.
- [5] Acting Sergeant Notman for the Police has indicated that whilst they remain concerned about MB's past, they would not be adverse to him holding a COA with appropriate conditions.
- [6] Having considered all of the evidence available to me, I am satisfied that MB has made the required changes in his life to deem him suitable to work in security at this time. I am impressed at his attitude and the way he has dealt with this process, and particularly his level of self-awareness.

[7] However, MB is still required to complete the necessary training before he can be considered eligible for a full COA. I accordingly make the following orders and directions:

[a] MB's application for a full COA is adjourned to enable him to complete the required training. His application will be granted provided he files a copy of his record of achievement to show that he has completed the required training before any temporary COA he holds expires, and he has not breached his COA conditions within that time.

[b] MB's temporary COA and any further COA he is to be granted is to be subject to the following conditions:

[i] That he not come to the negative attention of Police in any way.

[ii] That he work cooperatively with Police in any role he holds as a security worker.

Should MB breach either of those conditions, Police may apply to immediately suspend his COA.

[8] I note that MB has been employed by a person who does not necessarily have the required license to hire him. Accordingly, I also direct that MB not work for Mr [redacted] until his potential regulatory deficiency is resolved.

[9] A copy of the decision is to be sent to both parties and will be published on the Licensing Authority's website however MB's identifying details will be redacted given the personal nature of these matters.

DATED at Wellington this 21st day of July 2023



K A Lash
Deputy Private Security Personnel Licensing Authority