

IN THE MATTER OF

Objection by the **POLICE** against **KJ** under sections 49 and 62 of the Private Security Personnel and Private Investigators Act 2010

HEARD virtually on 14 September 2023

APPEARANCES

KJ

Senior Constable Donaldson for the Police

DECISION

1. Upon provision of a reference, KJ' Certificate of Approval is approved on the following conditions:

- i. That he complete the 1:1 counselling sessions through Te Whatu Ora he has been enrolled in, and provide evidence of that upon completion.
- ii. That he provide a copy of this decision to his future security employer.
- iii. That he only be employed by a reputable security company for at least the first 12 months of his COA.
- iv. That his first 12 months of security work be supervised by an experienced COA holder.

2. KJ' Certificate of Approval will be issued in the classes of crowd controller, property guard, and personal guard.

Reasons:

- [1] KJ has applied for a Certificate of Approval (COA), and temporary COA in the classes of crowd controller, property guard, and personal guard. He was not issued with a temporary COA as he has disqualifying convictions.
- [2] The Police filed an objection to KJ's application as he has disqualifying convictions pursuant to section 62(c) of the Act as he has previously been sentenced to a term of imprisonment. They are concerned that many of his convictions have alcohol as a contributing factor particularly his most recent in March 2023. KJ also has a number of convictions between 2009 and 2012.
- [3] KJ has filed a letter from his alcohol clinician confirming that he has attended an initial assessment and agreed to attend their psycho-educational group and engage in 1:1 counselling. He has also filed a character reference.
- [4] A hearing was held to consider the matter. KJ advised that he has completed the psycho-educational group which has addressed alcohol consumption and anger management. He considers he has learnt a lot from the group and is committed to attending the 1:1 counselling when it commences. He says he has not consumed alcohol since March 2023.

- [5] KJ says he is committed to working in security and to that end completed his mandatory training in June. He has support from his partner and has a new baby and is involved in his iwi. He keeps away from the circle of people he grew up with who contributed to his offending when he was younger. His offending in 2022 he says was as a result of poor choices made when he was grieving the passing of his father.
- [6] Having thoroughly considered all the evidence available to me, I am satisfied that KJ is currently suitable to work in security, provided he remains on the same track he is currently on. Accordingly, I make the following directions:
- [a] KJ is to immediately provide a reference from his security trainer.
- [b] When the reference has been provided, KJ can be issued with a COA on the following conditions:
- [i] That he complete the 1:1 counselling sessions through Te Whatu Ora he has been enrolled in. When he has completed it he is to provide evidence of that to the Authority.
 - [ii] That he provide a copy of this decision to his future security employer.
 - [iii] That he only be employed by a reputable security company for at least the first 12 months of his COA.
 - [iv] That his first 12 months of security work be supervised by an experienced COA holder.
- [7] If KJ is unsure whether a security company is what the Authority deems a 'reputable' employer, he should contact the Authority to check.
- [8] If the Police have any new concerns about KJ during the period in which he holds a COA, they may, in accordance with the Act, lodge a complaint and if necessary, seek the suspension of his COA.
- [9] This decision is to be published with Mr Davis' name redacted given the personal issues disclosed.

DATED at Wellington this 18th day of September 2023



K A Lash
Deputy Private Security Personnel Licensing Authority