

IN THE MATTER OF

A complaint under s 74 of The Private Security Personnel and Private Investigators Act 2010 (the Act) against **ANGELICA TOUTAI**

HEARD virtually on 24 November 2023

APPEARANCES

A Toutai, certificate holder

Constable H Samuela – written complaint only no appearance

DECISION

[1] Police have made a complaint against Angelica Toutai as they consider she is not a fit and proper person to be a security certificate holder. Police say that Ms Toutai has been recently involved in a firearms incident when she lied to them and was seen laughing while her boyfriend assaulted the victim.

[2] Ms Toutai accepts her boyfriend is facing serious charges following the incident. She however advises that she did not laugh while it happened but was frightened and tried to break up the fight. She also denies lying to the police.


[3] Unfortunately, police did not provide a copy of the recording of the incident as requested. In addition, police neither attended the hearing nor provided a witness statement to support their version of events.

[4] Police have therefore failed to establish that Ms Toutai is no longer suitable to be a security worker. I note that even if police had provided evidence to prove their version of events it is likely that the outcome would have been a penalty short of cancellation of Ms Toutai's certificate. Ms Toutai works in a call centre rather than as a front-line security guard and more is required than one incident of inappropriate behaviour for someone's certificate to be cancelled.

Summary & Conclusion

[5] Police have failed to establish that Ms Toutai is no longer suitable to be a certificate holder or that there are any other grounds for disciplinary action to be taken against Ms Toutai. The complaint is accordingly dismissed.

DATED at Wellington this 28th day of November 2023


P A McConnell
Private Security Personnel Licensing Authority

