

IN THE MATTER OF

A complaint by Police against **AB** filed under the Private Security Personnel and Private Investigators Act 2010 (the Act)

HEARD on the papers by consent

DECISION

[1] In May 2022 I granted Mr AB's application for a certificate of approval in the class of security technician. Police had objected to his application, but Mr AB had provided evidence that he was addressing his health and alcohol issues and was therefore suitable to be a certificate holder.

[2] I advised Mr AB that if he wanted to retain his certificate of approval, he needed to ensure he did not reoffend. I gave leave to the police to apply to suspend Mr AB's certificate if he was charged with any further drink driving related charges or other alcohol fuelled offending.

[3] Police advise that on 30 October Mr AB was convicted of contravening a protection order, dangerous driving and his fourth drink driving related offence. He was sentenced among other things to one year's intensive supervision and disqualified from driving under s 65 of the Land Transport Act. This sentence is a ground for disqualification under s 62(e) of the Act and therefore a mandatory ground for the cancellation of Mr AB's certificate.

[4] Police are not asking for Mr AB's certificate to be cancelled but submit it should be suspended for a period that aligns to his supervision sentence. This will enable Mr AB to benefit from probation directed rehabilitative programs.

[5] Mr AB consents to his certificate of approval being suspended for 12 months. He explains the background to his offending and advises that he is receiving mental health care and other counselling and treatment. He has not consumed alcohol for almost one year and is determined not to do so again.

[6] Mr AB has also provided a support letter his wife wrote for the judge at his sentencing. She outlines the struggles Mr AB has faced over many years. Without minimising the difficulties ahead, she confirms the progress he has made in the last six months.

[7] Based on the evidence before me I am satisfied that a suspension of Mr AB's certificate of approval for 12 months is appropriate. Provided Mr AB remains alcohol free, continues to address his depression and addiction issues and completes his supervision sentence without any major breaches he can apply to have the suspension lifted at the end of his 12-month supervision order.

[8] I therefore make the following orders:

- a) Mr AB's certificate of approval is suspended for a period of 12 months from the date of this order.
- b) Mr AB can apply to have his certificate of approval reinstated earlier, provided he has successfully completed his sentence of supervision and has continued to address the issues which contributed to his offending.

DATED at Wellington this 21st day of December 2023

The image shows a handwritten signature in blue ink, which appears to read 'P A McConnell'. To the right of the signature is a circular official seal. The seal features a central coat of arms with a crown on top, flanked by two figures. The text 'THE PRIVATE SECURITY PERSONNEL LICENSING AUTHORITY' is written around the perimeter of the seal.

P A McConnell
Private Security Personnel Licensing Authority