

IN THE MATTER OF

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

HEARD virtually on 20 December 2023

DECISION

[1] Police filed a complaint against Terry Ruarau as they say he has been guilty of misconduct by failing to wear his identification badge in a reasonably visible place while working as a security guard.

[2] Mr Ruarau accepts he was not wearing his badge on 9 November 2023 when he was working at a downtown shopping centre. He says he did not have his ID on him as he had been moving boxes and pot plants and had removed his ID badge and other items before doing the work so they would not get in the way.

[3] He however told police at the time, and acknowledged at the hearing, that he often carried his ID badge in his wallet or pocket while working rather than wearing it in a visible place. He said he did this because he did not want people to be able to see his badge number.

[4] Mr Ruarau accepts he should have been wearing his badge and advises he now wears his badge attached to his belt while he is working in security so that it can be seen. His employer has taken disciplinary action against him because of this complaint and reminded all their other employees of the necessity to wear their badges in a visible position.

[5] Police accept that Mr Ruarau has learnt from his mistakes and that his employer has taken appropriate steps to remind him of his responsibilities. Police therefore consider the only further disciplinary action that needs to be taken is to formally warn Mr Ruarau of the likely consequences of any similar breaches of his responsibilities as a security worker. I agree that a formal warning is the appropriate outcome for his misconduct.

Summary and Conclusion

[6] The complaint has been established and Mr Ruarau accepts he failed to wear his security ID in a visible place as required under section 67 of the Private Security Personnel and Private Investigators Act

[7] I remind Mr Ruarau that a contravention of s 67 or any other provision of the Act amounts to misconduct which is a discretionary ground for cancelling his certificate of approval. Mr Ruarau is warned that if he in future fails to wear his ID badge in a position that is readily visible while he is working or contravenes any other provision of the Act it is likely to result in his certificate being suspended or cancelled.

DATED at Wellington this 22nd day of December 2023

The block contains a handwritten signature in black ink, which appears to read 'P A McConnell'. To the right of the signature is a circular official seal. The seal has a blue border with the text 'THE PRIVATE SECURITY PERSONNEL LICENSING AUTHORITY' in capital letters. Inside the circle is a royal coat of arms featuring a crown on top, two lions on the sides, and a shield in the center.

P A McConnell
Private Security Personnel Licensing Authority