

IN THE MATTER OF

A complaint under s 74 of The Private Security Personnel and Private Investigators Act 2010 (the PSPPI Act) against **SIMELI MIRANALASEKULA**

HEARD virtually on 9 January 2024

APPEARANCES

B McFaul on behalf of the complainant
Mr Miranalasekula – no appearance

DECISION

[1] Brent McFaul has filed a complaint against Simeli Miranalasekula. He says that Mr Miranalasekula is guilty of misconduct as he stole a laptop and mobile phone from a site where he was working as a static guard. Mr Miranalasekula has not responded to the complaint and did not attend the hearing.

[2] Mr McFaul has made several attempts to contact Mr Miranalasekula to resolve the matter with no success. A complaint has been filed with police, but they have also been unable to locate or speak with Mr Miranalasekula. He is currently wanted for questioning.

[3] The information provided in support of the complaint proves that Mr Miranalasekula stole articles while working as a security guard from a site he was supposed to be guarding. I am satisfied that a reasonable person would consider such behaviour to be disgraceful and therefore it amounts to misconduct as defined by s 4 of the PSPPI Act.

[4] Misconduct is a discretionary ground for the cancellation of Mr Miranalasekula's certificate of approval. Mr Miranalasekula did not attend the hearing and has not provided any explanation for his misconduct. In addition, he has failed to respond to requests to return the goods he took or to try and resolve the issue with his employer.

[5] I am therefore satisfied that Mr Miranalasekula is no longer suitable to be a responsible security worker and that the appropriate outcome of the complaint is for Mr Miranalasekula's certificate to be cancelled.

[6] If Mr Miranalasekula wants to apply for a new certificate in the future, he will need to establish that he has returned the stolen goods or resolved the issue in some other way such as paying restitution for the goods taken.

Summary and Orders

[7] Mr Miranalasekula is guilty of misconduct after stealing goods from a site he was guarding while working as a security guard. I therefore make the following orders:

- a) Mr Miranalasekula's certificate of approval is cancelled effective immediately.

- b) Mr Miranalasekula is to return his security ID to the Authority within 7 days of receipt of this order. Failure to do so is an offence under the Act.
- c) Mr Miranalasekula is formally reprimanded.

DATED at Wellington this 10th day of January 2024

The image shows a handwritten signature in black ink, which appears to read 'P A McConnell', written over a circular blue official seal. The seal features the Royal Coat of Arms of New Zealand in the center, surrounded by the text 'THE PRIVATE SECURITY PERSONNEL LICENSING AUTHORITY' in a circular border.

P A McConnell

Private Security Personnel Licensing Authority