

IN THE MATTER OF

A complaint filed by Police against **TE KAPOTAI-KAURI TOHU** under s 74 of the Private Security Personnel and Private Investigators Act 2010

HEARD remotely on 8 February 2024

ATTENDANCES

Sgt P Quinn for NZ Police
T Tohu – no appearance

DECISION

[1] Police filed a complaint against Te Kapotai-Kauri Tohu as they consider he is no longer suitable to be a certificate holder because of the number of aggressive and mental health occurrences involving Mr Tohu.

[2] Police provided evidence of several incidents dating back to 2020 where Mr Tohu has been arrested, warned, or referred to Mental Health Services after being disorderly, aggressive, threatening, or irrational. The incidents to which police have been called are becoming more frequent with six since April 2023. The most recent was on 29 December 2023 when Mr Tohu was drunk and aggressive at a party and then returned home and became violent towards property at his home. He was arrested but when released in the morning returned home and was again aggressive and violent.

[3] Mr Tohu did not attend the hearing or provide any written response to the police complaint. The behaviour Mr Tohu has demonstrated is inconsistent with what is required of a private security worker.

[4] Based on the evidence provided I therefore conclude that Mr Tohu is no longer suitable to be a responsible security employee. This is both a ground upon which a complaint can be made and a discretionary ground for the cancellation of Mr Tohu's certificate of approval.

[5] I consider cancellation of Mr Tohu's certificate is the appropriate outcome of the police complaint. Until Mr Tohu has learnt to control his anger and has been appropriately assessed and is complying with all prescribed treatment and medication, he is not suitable to be a private security worker.

Summary & Orders

[6] Police have established that Mr Tohu is no longer suitable to be a security guard because of his increasingly aggressive and irrational behaviour. I conclude that the appropriate disciplinary action is the cancellation of Mr Tohu's certificate.

[7] Mr Tohu's certificate of approval is accordingly cancelled effective immediately.

DATED at Wellington this 9th day of February 2024

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' around the top and 'NEW ZEALAND' at the bottom. In the center of the seal is the Royal Coat of Arms of New Zealand.

P A McConnell
Private Security Personnel Licensing Authority