

IN THE MATTER OF

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

DECISION

[1] In August 2022 Police filed a complaint against Joshua Timoti as he was facing charges of murder and assault with intent to injure. I suspended Mr Timoti's certificate of approval (COA) and put the complaint on hold until there was an outcome on the charges.

[2] On 2 February 2024 Mr Timoti was convicted of manslaughter and injuring with intent. He was sentenced to five years six months imprisonment with a non-parole period of two years two months. Both the convictions and prison sentence are grounds for disqualification from holding a COA and a mandatory ground for the cancellation of Mr Timoti's COA.

[3] Mr Timoti's certificate however expired on 6 August 2023, and he has not filed an application for it to be renewed. I therefore consider this is a complaint that can appropriately be decided on the papers in accordance with s 77(8) of the Act.

[4] I am satisfied that grounds for disqualification now apply to Mr Timoti and because of this he is no longer suitable to be a responsible security worker. If his COA had not expired, I would have cancelled it. As Mr Timoti is serving a lengthy prison sentence the only other appropriate penalty is to bar Mr Timoti from applying for a licence or certificate. I consider the appropriate period for the bar is six years.

[5] I also note that Mr Timoti's convictions are grounds for disqualification from reapplying for a certificate for seven years from the date of his convictions and his prison sentence is a permanent ground for disqualification. Therefore, to reapply for a COA even after the bar expires, Mr Timoti will need to provide evidence that he has addressed the issues that contributed to his offending, undertaken further training, has not reoffended, and is again suitable to be a responsible security employee.

[6] I make the following order:

- a) Mr Timoti is barred from applying for a licence or certificate of approval for a period of six years from the date of this order.

DATED at Wellington this 9th day of February 2024


P A McConnell
Private Security Personnel Licensing Authority

