

IN THE MATTER OF

A complaint under s 74 of The Private Security Personnel and Private Investigators Act 2010 (the Act) against **VERNER SAIMASI**

HEARD virtually on 9 April 2024

APPEARANCES

Detective L Delamere for NZ Police
V Saimasi – Certificate holder

DECISION

[1] Police have applied to cancel Mr Saimasi's certificate of approval. They say Mr Saimasi is no longer suitable to be a certificate holder employee because he is a patched member of the Tribesmen which is a criminal gang.

[2] Mr Saimasi accepts he was a member of the Tribesmen but says he left the gang in December 2022 as he wanted to turn his life around. He says that he surrendered his patch and no longer associates with the Tribesmen or any other gangs.

[3] Mr Saimasi first applied for a COA in June 2020. That application was subsequently declined after police established that Mr Saimasi was a patched member of the Tribesmen. Mr Saimasi reapplied for a COA in December 2023. As Senior Constable Pillay advised the police had no objection to his application, we understood Mr Saimasi was no longer a gang member and his COA was granted.

[4] Within two months of filing no opposition to Mr Saimasi's application Senior Constable Pillay asked for immediate suspension of Mr Saimasi's COA as he said police had recent information to suggest he was an active gang member. There is however no recent information to establish Mr Saimasi is still an active gang member or that he has associated with the Tribesmen since their national gathering in March 2022.

[5] Detective Delamere gave evidence of meetings with Mr Saimasi at gang events from 2019 through until March 2022 when Mr Saimasi attended a Tribesmen national gathering. Detective Delamere also produced photographs of Mr Saimasi wearing the Tribesmen patch and other clothing that only patched members of the Tribesmen are entitled to wear. He also provided photographs of Mr Saimasi MCing or attending gang events. The most recent relevant photograph was taken in March 2022.

[6] This evidence clearly established that Mr Saimasi was a patched member of the Tribesmen from 2019 through to at least March 2022. Detective Delamere however conceded he had no evidence later than March 2022 to establish that Mr Saimasi was still associating with or a patched member of the Tribesmen.

[7] As there is no evidence to the contrary, I accept Mr Saimasi's evidence that he surrendered his patch and ceased his gang membership in late 2022 and before his COA was granted. There is accordingly no evidence to establish that Mr Saimasi is no longer suitable to be a certificate holder.

[8] Mr Saimasi also confirmed he would cooperate fully with police if he found himself in a situation while working where he had to provide information or evidence against a former gang associate or friend.

[9] The complaint against Mr Saimasi is therefore dismissed and he is allowed to keep his certificate of approval and continue to work in security. Mr Saimasi is however advised that should he resume any gang association or refuse to cooperate with police in the future his certificate of approval is likely to be immediately suspended.

DATED at Wellington this 11th day of April 2024


P A McConnell
Private Security Personnel Licensing Authority

