

IN THE MATTER OF A complaint under s 74 of The
Private Security Personnel and
Private Investigators Act 2010 (the
Act) against **PW**

DECISION

- [1] As a result of a complaint laid against an employee of PW the complaint was enlarged to include PW. This was because it was found that they had been providing inadequate training and supervision for and of their employees, particularly with respect to Police powers. This failure contributed to two employees being charged and going through the criminal justice system.
- [2] PW were provided with time to file their updated training plan which they have done. Questions were then asked of them to elaborate on their submissions, which they have answered adequately.
- [3] I am satisfied that the training plan provided is basic but adequate. I note that PW will train new employees and all employees will undergo refresher sessions every three months. I however remain concerned at the level of active supervision and monitoring PW will provide. This is relevant given the lack of supervision their employees had when the offences were committed.
- [4] I accept [redacted]'s sincere willingness to learn from this situation. To that end he met with Police following the incident and has improved their training procedures. It is to PW's credit that they have engaged with Police and made active changes to ensure that such a situation does not happen again with any of their employees. I also take account of his upfront engagement with the Authority throughout these proceedings.
- [5] Accordingly, I am satisfied that PW has genuinely learnt from this situation and has refined their training procedures to ensure such events will not happen again. Accordingly, I make the following findings:
- [i] PW are guilty of failing to ensure their staff were adequately trained and monitored. This is unsatisfactory conduct.¹
 - [ii] PW are officially reprimanded.

¹ Sections 4 and 78 of the Act

- [iii] PW are to continue with the training plan provided and work towards developing it further.
 - [iv] PW are to ensure that all staff are sufficiently monitored to ensure they are consistently aware of the obligations and responsibilities afforded to their positions.²
 - [v] Should PW come again to the negative attention of Police, the Police may file an application to suspend their company license pending investigation.
 - [vi] Given PW have not filed their annual returns since they were issued with a company license in 2021, they must file their 2022, 2023 and 2024 returns by 30 April 2024. Should they fail to do so, their company license will be suspended pursuant to section 43(6) of the Act until they do comply.
- [6] This decision is to be published as I consider it in the public interest to be aware of the training and monitoring responsibilities of security companies. I direct however that PW's name be redacted as I am satisfied that publication of their name would be disproportionate penalty to the findings given the accountable and upfront position they have taken in these proceedings.

DATED at Wellington this 12th day of April 2024



K A Lash
Deputy Private Security Personnel Licensing Authority

² Section 78 of the Act