

IN THE MATTER OF Complaint against **MALIGI MALIGI**
under s 74 of the Private Security
Personnel and Private Investigators
Act 2010

ADDENDUM DECISION

- [1] Maligi Maligi previously held a certificate of approval (COA) that commenced in June 2019. On 20 January 2022 his COA was cancelled by the Authority when he was found guilty of misconduct in the course of carrying out his security work. This decision is issued as an addendum to that decision.
- [2] As a result of a recent complaint filed by the Department of Internal Affairs (DIA), an investigation by the Complaints, Investigation and Prosecution Unit (CIPU) was undertaken which involved Mr Maligi.
- [3] CIPU have made the following findings:
- [i] Mr Maligi provided security services to various organisations after the cancellation of his COA in contravention of section 44 of the Act.
 - [ii] Mr Maligi provided security services and employed security workers through his business Shepard Security between at least early 2023 and late May 2023. This was in contravention of sections 23 and 45(2) of the Act.
- [4] I find therefore that Mr Maligi continued to breach the Act until at least May 2023.
- [5] Had Mr Maligi still been working in security or intending to, I would have recommended him for prosecution under the Act. Had he been prosecuted, the following penalties may have been applied:
- [i] For employing a crowd controller who did not have a COA to provide such services, he may have been held liable on conviction to a fine not exceeding \$20,000.¹
 - [ii] For providing restricted security services without a COA to do so, he may have been held liable on conviction to a fine not exceeding \$20,000.²
 - [iii] For running a security business without the appropriate licensing to do so, he may have been held liable on conviction to a fine not exceeding \$40,000.³

¹ Section 45 of the Act

² Section 44 of the Act

³ Section 23 of the Act

- [6] However, given Mr Maligi no longer works in security and appears to have passed his security business on to another individual, I follow the recommendation of CIPU and direct that he be issued with a warning letter. Should Mr Maligi apply for a further COA or license in the next three years, it is unlikely he would be successful. Should Mr Maligi be found to be contravening the Act again, it is likely he will face prosecution.
- [7] I also accept CIPU's recommendation to issue warning letters to the following individuals:
- [i] Mr Logovae who was working without a COA for Mr Maligi.
 - [ii] Mr Magowan-Wilson – Director of Beer Barron Limited who contracted Mr Maligi to provide security services.
 - [iii] Mr Wilson - Director of Strathmore Limited & Beer Barron Limited who contracted Mr Maligi to provide security services.
 - [iv] Mr Samson – Director of Calendar Girls NZ Limited who contracted Mr Maligi to provide security services.
- [8] I accept CIPU's findings that Strathmore Limited, Beer Barron Limited and Calendar Girls NZ Limited are likely to have been aware that Mr Maligi did not hold the correct licensing to provide security services when they contracted him. I therefore request CIPU to send the above-named warning letters specifically referencing their involvement. A copy of this decision is to be sent with those letters and they are to be made aware of the findings of CIPU to the extent that they relate specifically to them.
- [9] I further consider it appropriate that this decision be published without redaction as I find Mr Maligi's transgressions to be in the public interest.

DATED at Wellington this 17th day of April 2024



K A Lash
Deputy Private Security Personnel Licensing Authority