

IN THE MATTER of the Sale and Supply of
Alcohol Act 2012

AND

IN THE MATTER of an application by
SIERA ALANI DEARDEN
for a Manager's
Certificate pursuant to
s219 of the Act.

DECISION OF THE CHRISTCHURCH DISTRICT LICENSING COMMITTEE

Chairperson Mr R J Wilson
Members Mr P Rogers
Mr G Buchanan

[1] We are dealing with an application by Siera Alani Dearden for a Manager's Certificate pursuant to s219 of the Act. The application was presented with the required documentation and Ms Dearden is supported by her employer. The Inspector has reported in favour of the applicant but the application is opposed by the NZ Police. The Police opposition is based solely on the fact that Ms Dearden has 2013 convictions for EBA and Disqualified driving. The *Osbourne* decision is cited in support of the need for a further stand down period.

[2] s202 of the Act provides that opposition by the Police does not necessarily trigger a requirement for a public hearing. The Committee has a discretion in the matter and on this occasion has decided that it can deal with the application on the papers.

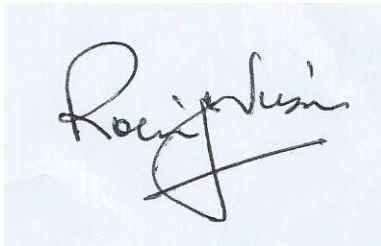
[3] Ms Dearden is otherwise of good character and seems well suited to a career in the hospitality industry. The offending, which was three years ago, was of a one off nature and occurred when she was only 18 years of age. The Committee relies on the *Osbourne* decision for guidance when considering situations such as this one. Usually a period of five years free of conviction is looked for and this is the

basis of the Police opposition. However *Osbourne* makes plain that it is a matter for the discretion of the Committee in each individual case and a lesser period of stand down may be appropriate in some cases. In respect of Ms Dearden we are satisfied that the three years which have passed since the isolated offending is sufficient and we propose to grant the Certificate. We are reassured by the support Ms Dearden has from her employer and the fact that she has given a written undertaking that she will only use the Certificate in connection with her employment at the Christchurch Golf Club for the first twelve months of its currency.

DECISION

[4] Siera Alani Dearden is granted a Manager's Certificate pursuant to s219 of the Act for a period of one year.

DATED at Christchurch this 28th day of November 2016.

A handwritten signature in black ink on a light blue background. The signature is cursive and appears to read 'R J Wilson'.

R J Wilson
Chairperson
Christchurch District Licensing Committee