

Decision Number: 60F [2025] 23910

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

AND

IN THE MATTER OF an application by **LISA CLACK** for a
Manager's Certificate pursuant to
section 219 of the Act

BEFORE THE CHRISTCHURCH DISTRICT LICENSING COMMITTEE

Chairperson: Mrs M S Redstone JP
Committee Mr D Ivory
Mr D Blackwell

**DECISION ON APPLICATION FOR MANAGER'S CERTIFICATE
HEARING: 22 SEPTEMBER 2025**

[1] This is an application by **LISA CLACK** ('the applicant') for a Manager's Certificate pursuant to section 219 of the Sale and Supply of Alcohol Act 2012 ('the Act').

[2] The application was opposed by the New Zealand Police supported by the Licensing Inspector in that the applicant had been involved in an altercation on licensed premises in December 2024. The application therefore went to a public hearing on 22 September 2023.

[3] Ms Clack presented well at the hearing. She had filed a brief of evidence in which she said there had been provocation, but she accepted full responsibility for her actions in retaliation and had regretted her actions ever since. She agreed with the Police Summary of Facts. She explained that she was stressed at the time, although she did not seek to use that as an excuse, and said she very much regretted her actions which were out of character. She was clearly remorseful. She is to commence counselling arranged by her General Practitioner.

[4] Following the offending Ms Clack was offered the opportunity of engaging in an alternative resolution process via the Te Pae Oranga program. Prior to attending that programme she had immediately sent a letter of apology to those involved.

[5] Ms Clack produced references from her employers which showed she is a hard-working and highly valued member of staff. She is experienced and assists by managing some quite large events, with a Duty Manager present, and trains new staff.

[6] Constable Bentley filed a brief of evidence, which was taken as read, and answered questions. She said Ms Clack had been provoked, but that did not excuse her retaliation. She said further that were it not for the altercation that took place, she would consider Ms Clack to be suited to the position of a Duty Manager.

[7] The Licensing Inspector, Mr Tweed, advised that Ms Clack had attended an interview and her knowledge was found to be suitable to hold a Manager's Certificate. In addition, she has passed her LCQ.

[8] The Committee is guided by the ARLA decision in G L Osborne¹ which indicated relevant standdown periods for convictions and suggested a two-year standdown for a single offence showing no pattern of offending. The Committee also notes the authority commencing that paragraph by saying "*without fettering ourselves in this or other applications*".

[9] The Committee is further guided by the decision in DT Hayford v Christchurch District Licensing Authority² in which Holland J said:

"... I said a few moments ago that a finding should not be infinite ... it may well be that he should be given another chance. That will be for the Tribunal having the authority of deciding whether or not a new licence is to be granted. I would not want it to be said that because this Court has said he is a person unsuitable to carry on a licence that that should permanently be regarded as the situation."

[10] In this case the Committee takes into account that the offending would appear to be a one-off, with the applicant showing extreme remorse for her actions. The Committee was minded therefore to look at a starting point of a one-year standdown.

[11] It has then taken into account that almost ten months has passed since the offending, the applicant showed genuine remorse, she wishes to achieve in her chosen career within the hospitality industry, she was supported by references from her employer as being a valued employee, the Inspector was impressed with her knowledge at interview, and the Police believed she would be a responsible Duty Manager and would have supported her application were it not for the one offence.

¹ G L Osborne NZARLA 2388/95

² DT Hayford v Christchurch District Licensing Authority (High Court Christchurch AP201/92), 3 December 1993 at page 10

[12] In these circumstances the Committee intends to take the unusual step of giving Ms Clack the opportunity to prove herself able to perform responsibly and professionally in the role of a Duty Manager without any further standdown being imposed.

[13] We approve the application for a period of 12 months.

DATED at CHRISTCHURCH this 22nd day of September 2025

A handwritten signature in black ink, appearing to read 'Merelyn Redstone', written in a cursive style.

Merelyn Redstone
Chairperson
Christchurch District Licensing Committee