

Decision Number: 60F [2025] 22470

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

AND

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

BEFORE THE CHRISTCHURCH DISTRICT LICENSING COMMITTEE

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

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

[1] This is an application by **HARRIS WILLIAM HUNTER** ('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 a considerable criminal and traffic offence history between 2018 and 2024 including some serious offending. The application therefore went to a public hearing on 22 September 2023.

[3] Mr Hunter attended the hearing. He said that he regretted his record of offending and was working towards achieving a clean slate status. He had attended drug and alcohol related courses and resat his full licence in order to obtain an Alcohol Interlock device. He said he no longer owned a vehicle.

[4] Mr Hunter commenced working in the hospitality industry in 2019. His offending continued during that time culminating in a drink drive offence in 2024. He spoke about being intoxicated himself on licensed premises in his own time and did not seem to appreciate the expectation on Duty Managers of setting an example to others when socialising.

[5] He had only worked less than six months at any one venue. He had completed an LCQ Certificate online in July 2020. When asked about training, he said he had not received any

training but felt he did not need it, given his experience. He was keen to progress his career in hospitality.

[6] Constable Bensley presented a brief of evidence outlining Mr Hunter's offending. She noted that Mr Hunter had ticked the box "no convictions" when completing the application form and this was a considerable concern for the Police. She said there was nothing she had heard from the applicant in the course of the hearing that would change her mind as to his suitability. In fact his actions show considerable immaturity for his age.

[7] The Inspector, Mr Hay, advised that he had tried to contact Mr Hunter, without success, to arrange for him to be tested on his knowledge of the Sale and Supply of Alcohol Act. Mr Hunter had failed to attend and failed to respond to numerous messages.

[8] It was only following the issue of a hearing notice that he had advised he would attend the hearing in an endeavour to obtain a Manager's Certificate.

[9] On his CV under Qualifications, Mr Hunter has "Previous Duty Manager's Certificate" but when questioned about that at the hearing he said that he had previously applied but had never held a Duty Manager's Certificate. In addition, once he had chosen a career in hospitality, which relies on the integrity of Duty Managers to uphold the law, he failed to take responsibility and stop his offending.

[10] In **Deejay Enterprises**¹ the Authority said at page 6:

"The "guiding hand" or "hands-on operator" of any company, or the potential holder of a General Manager's Certificate, now receive greater scrutiny from both the police and other reporting agencies. Character and reputation are closely examined. The law and human desires of patrons frequently tug in different directions. The police cannot be everywhere. Little but a licensee's or manager's character and suitability may stand between upholding the law and turning a blind eye. Self-imposed standards in accordance with the law must be set by licensees and by holders of General Managers' Certificates who control and manage licensed premises."

[11] In the view of the Committee Mr Hunter has failed to apply those required "self-imposed standards in accordance with the law" to himself. It is acknowledged that there has been no further criminal offending since 2022, but ongoing traffic demerit points up until June 2024.

[12] The suitability issue was described in the High Court in *Re Sheard*² where, in an appeal against a decision of the Authority, Holland J commented:

¹ *Deejay Enterprises* [Re Millward LLA PH531/97, PH532/97]

² *Re Sheard*² [1996] 1 NZLR 751 at page 13

"The real test is whether the character of the applicant has been shown to be such that he is not likely to carry out properly the responsibilities that are to go with the holding of a licence".

[13] Those responsibilities relate not only to upholding the law under the Act, but also personal responsibilities.

[14] We refer to **G L Osborne**³ in which the Authority was asked for some "guidance" on the period of "stand down" before a further application may be considered. The Authority responded:

"Without fettering ourselves in this or other applications, it may be helpful if we indicate that we commonly look for a five year period free of any serious conviction or any conviction relating to or involving the abuse of alcohol, or arising in the course of an applicant's duty on licensed premises.

Less serious convictions are also weighed. By way of example is an isolated excess breath/alcohol conviction, or single driving offence disclosing no pattern of offending. Nevertheless all convictions must be weighed as required by s.121(1)(b). In these and similar cases we frequently indicate that a minimum of two years from the date of conviction may result in subsequent favourable consideration – providing suitable reports from both the Police and a Licensing Inspector are received."

[15] The Committee's considers that Mr Hunter's offending would fit within the serious conviction category taking into account the continued offending over number of years.

[16] The Committee would look to a five-year standdown period from the date of the last criminal offending, being May 2022, making Mr Hunter eligible to apply for a Manager's Certificate in May 2027.

[17] A Committee would usually look at discounting some time, if an applicant could demonstrate having made changes to their behaviour to the extent that they could be relied on to uphold the law, particularly in relation to the Sale and Supply of Alcohol.

[18] However, Mr Hunter not only failed to disclose previous convictions in his application, he also has a CV which indicates to prospective employers that he has previously held a Manager's Certificate, which is untrue.

[19] A Duty Manager's Certificate is a privilege, not a right, and Mr Hunter by his conduct of deliberately misleading Licensing Teams and Employers shows he is not at this stage of his life worthy of that privilege.

³ G L Osborne NZARLA 2388/95

[20] At this time Mr Hunter's application for a Manager's Certificate is declined.

DATED at CHRISTCHURCH this 26th 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