

DLC Reference: AL407560
Decision Number: [2026] WDLC 190

IN THE MATTER

of the Sale and Supply of Alcohol
Act 2012

**AND
IN THE MATTER**

of an application by HUNTER
JAMIE CAMPBELL pursuant to
Section 216 of the Sale and Supply
of Alcohol Act 2012 for the issue of
a New Managers Certificate.

DECISION OF THE WAIMAKARIRI DISTRICT LICENSING COMMITTEE

Date of Hearing: 25 June 2026

Venue: in the Rakahuri Room, Rangiora Service Centre, 215
High Street, Rangiora, on Thursday, 25 June 2026.

District Licensing Committee: Commissioner N Atkinson (Chairperson)
Councillor J Goldsworthy
Commissioner P Redmond

In Attendance:

For the Applicant:

Mr A Riches (Saunders and Co)

Mr H J Campbell

Reporting Agencies

Ms E Hiscock

District Licensing Inspector

Senior Constable G Craddock

New Zealand Police

CONFLICT OF INTEREST

No conflicts of interest were declared.

DECISION OF THE WAIMAKARIRI DISTRICT LICENSING COMMITTEE

That the application by HUNTER JAMIE CAMPBELL pursuant to Section 216 of the Sale and Supply of Alcohol Act 2012 for the issue of a New Managers Certificate be granted, subject to the following conditions:

- (a) The Manager's Certificate shall be valid only while the holder is employed at Woolworths New Zealand (Rangiora East).
- (b) The Manager's Certificate shall be conditional upon the Applicant remaining free of any further convictions.
- (c) The Licensing Inspector will actively review the Applicant's performance to confirm compliance after six months.

BACKGROUND

1. Before the Waimakariri District Licensing Committee (the Committee) was an application by HUNTER JAMIE CAMPBELL for a New Manager's Certificate.
2. The Applicant applied on 2 March 2026 for an application pursuant to Section 216 of the Sale and Supply of Alcohol Act 2012 (the Act) for the issue of a New Manager's Certificate.
3. The New Zealand Police opposed on 10 April 2026, and the Licensing Inspector opposed on 24 April 2026
4. A minute was issued to all parties by the Committee, seeking submissions on the application and advising them of the proposed hearing. An additional Minute was issued to all parties, informing them that the Applicant's submission was received on 12 June 2026, which exceeded the deadline of 5.00 pm on 11 June 2026. The DLC Chairperson has accepted the late submission. In addition, the Chairperson advised a change in the District Licensing Committee panel, replacing Member Councillor Tim Bartle with Member Councillor Jason Goldsworthy.

HEARING

The Applicant

5. Counsel for the Applicant, Mr A Riches, took his written submissions as read but provided a brief oral overview. Mr Riches noted that the Committee would likely view footage of the incident that resulted in the Applicant's conviction approximately one year earlier and submitted that it was therefore appropriate to outline the Applicant's position at the outset.
6. Mr Riches advised that the Applicant did not seek to avoid, minimise, or otherwise diminish the offending. Mr Riches submitted that Mr H J Campbell was present at the hearing to accept responsibility, as the Applicant had done before the District Court at the time of conviction. The incident was characterised as a momentary lapse of judgment. Mr Campbell accepted that he had acted incorrectly, had already faced the consequences through the court process, and intended to engage with the present proceedings in the same manner.
7. Mr Riches submitted that the principal issue before the Committee was the opposition advanced by both the District Licensing Inspector and the New Zealand Police. Mr Riches observed that their opposition did not appear to rest on the nature of the incident itself, nor on any assertion that the conduct directly undermined Mr Campbell's suitability. Rather, the opposition appeared to rely on an asserted two-year stand-down period said to have become common practice following any driving-related conviction.
8. Mr Riches submitted that, to the extent a two-year stand-down period had been applied in previous applications for manager's certificates or analogous licences. Such an approach had arisen in the context of driving with excess breath alcohol offences or other forms of more serious misconduct. Mr Riches argued that the rationale for such a period did not extend to an incident that did not involve alcohol, did not involve dishonesty, and did not, in his submission, bear directly on the core suitability considerations or the statutory object of the Act.

9. Mr Riches further noted that the authorities relied upon by the District Licensing Inspector and the New Zealand Police appeared to derive principally from the decision in *G L Osborne NZLLA 2388/95*. Mr Riches submitted that the factual matrix in the Osborne case was materially distinguishable from the present case. In *Osborne*, the Applicant had a conviction for driving with excess breath alcohol, a subsequent conviction for careless driving in which alcohol was acknowledged to be a contributing factor, and a history of dishonesty offending. The application in that matter had been declined at the Committee level, in part because the Applicant failed to accept responsibility and sought to minimise his conduct. It was also noted that the offence for which the Applicant was convicted did not exist at the time of *Osborne*, having been introduced approximately 15 years ago.
10. Mr Riches explained that the discussion of a stand-down period in *Osborne* arose only after the application had been declined, when the New Zealand Police indicated that they would not oppose a future application if the Applicant demonstrated a two-year offence-free period (or five years in cases involving two or more offences). Mr Riches submitted that subsequent decisions citing *Osborne*, including *Police v Manson (2015) NZARLA 590* and *NZ LNQ Limited (2014) NZARLA PH229*, similarly involved high-level excess breath alcohol convictions and, in one instance, a theft conviction, circumstances which, Mr Riches argued, were not analogous to those of Mr Campbell.
11. Mr Riches submitted that excess breath alcohol offending was directly relevant to the object of the Act, as such conduct demonstrated harm arising from irresponsible alcohol consumption and raised legitimate concerns regarding an Applicant's ability to uphold the Act's purpose. Mr Riches contrasted this with the present case, noting that there was no suggestion that the Applicant's offending involved alcohol in any respect. The incident was characterised as a momentary lapse of judgment by a young man who had accepted responsibility at the earliest opportunity, incurred significant legal expenses in obtaining limited licences, and remained incident-free in the year since the conviction.
12. Mr Riches submitted that there was no principled basis for applying a two-year stand-down period in this case. Mr Riches accepted that the existence of a conviction, any conviction, was a relevant consideration in assessing suitability. However, Mr Riches invited the Committee to determine the Applicant's suitability on the merits of the individual circumstances, rather than by reference to a generalised stand-down period. Mr Riches noted that the Applicant had already undergone a substantial court process, had borne the consequences of the offending, and had expressed that the present proceedings felt akin to "going through it again," which contributed to the evident nervousness. Counsel submitted that, if granted a manager's certificate, the Applicant would treat the role with considerable seriousness and would discharge his obligations diligently and in full compliance with the Act.
13. Mr Riches then called Mr Campbell, the Applicant, to give evidence. Mr Campbell stated that he was deeply remorseful for the lapse in judgment that had led to the offence. He confirmed that he took his employment responsibilities seriously, particularly in his current role as Store Operations Specialist.
14. In response to questions from the Committee, Mr Campbell confirmed that he was employed by Woolworths New Zealand and had been with the company for nearly five years. The Committee noted that Mr Riches had referred to New World in paragraph 13 of his written submissions and sought clarification. Mr Campbell confirmed that Woolworths had employed him for the entire period and that this was his first job since leaving school.

15. The Committee asked Mr Campbell to confirm the number of convictions recorded against him and whether he had any other matters pending. Mr Campbell confirmed that he had one conviction, as set out in the materials before the Committee, and that he had no other matters pending.
16. The Committee then enquired whether Mr Campbell's current role at the store was contingent upon the ability to hold a manager's certificate, particularly in relation to covering duty manager shifts. The Committee also sought clarification on whether another person with equivalent qualifications or experience would be present during those periods, or whether Mr Campbell would be the sole Duty Manager. Mr Campbell explained that in the morning, when trading was typically quieter, there would be a short interval (between 7am and 8.30am) when he would be the sole qualified Duty Manager on site. Another Team Leader, holding equivalent qualifications, commenced work later in the day.
17. The Committee further questioned Mr Campbell regarding Woolworths' internal policies and the robustness of its in-store compliance programme, particularly in relation to ensuring adherence to the Act by both individual staff and the premises. Mr Campbell confirmed that the compliance processes were rigorous. He explained that the store utilised structured morning and afternoon checklists detailing required tasks, and that staff were required to complete a range of training modules, including the Licence Controller Qualification (LCQ) and the Allied Health Professionals (AHP) course. Mr Campbell noted that both courses addressed statutory responsibilities and the expectations placed upon Duty Managers under the Act.
18. Referring to the transcript of the incident, the Committee asked Mr Campbell whether, with the benefit of hindsight, he would have answered any of the questions put to him on the night differently. Mr Campbell acknowledged that he would have.
19. Mr Campbell was then asked to explain his understanding of the term "good character" in the context of holding a Manager's Certificate. Mr Campbell stated that leadership was a key attribute. Mr Campbell considered that a person in such a role needed to be strong-willed and independent, capable of working both autonomously and collaboratively, and able to exercise appropriate authority when required.
20. Mr Campbell was further asked what additional characteristics, beyond the absence of convictions, he believed a Duty Manager should possess. Mr Campbell responded that a Duty Manager should demonstrate compliance with the law and with the object of the Act, uphold store policies and local alcohol policies, and support colleagues in maintaining compliance.
21. Reference was made to paragraph 35 of Mr Riches' written submissions, which described the premises at which Mr Campbell worked as low-risk. Mr Campbell was asked to explain what constituted a low-risk premises for the sale of alcohol. He advised that the premises was a supermarket operating under an off-licence, with no designated areas and no on-site consumption. When asked why such premises would be considered low-risk, Mr Campbell stated that the absence of designated areas and the absence of on-site consumption significantly reduced risk. He noted that the primary risk related to ensuring that prohibited persons were identified and not sold alcohol.
22. The Committee then asked Mr Campbell to confirm whether Woolworths had already employed him at the time of the offence. Mr Campbell confirmed that he had.

23. The Committee then enquired how long after the incident Mr Campbell had sought promotion within the company. Mr Campbell stated that he had been promoted in November of the same year. He explained that he had been convicted in April 2025, had subsequently decided he wished to progress within the business, and had worked towards that goal, resulting in his promotion in November.
24. Mr Campbell was asked whether he continued to drive the same vehicle he had been driving at the time of the offence. Mr Campbell confirmed that he did not. When asked why he had disposed of the previous vehicle, Mr Campbell explained that it required mechanical work and that, following the incident, he no longer wished to retain it and preferred to move on.
25. Mr Campbell was then questioned regarding his living arrangements and whether he resided in North Canterbury or Christchurch. Mr Campbell advised that he had recently purchased a house and was living in Kaiapoi. The Committee observed that this required him to travel between Kaiapoi and Rangiora daily, sometimes at irregular hours, and asked whether that was a fair assumption. Mr Campbell agreed that it was.
26. The Chairperson thanked both Mr Riches and Mr Campbell for their attendance and submissions.

Reporting Agencies

27. Ms E Hiscock, Licensing Inspector (Inspector), was called and her report was taken as read. The Inspector confirmed that she remained opposed to the application and that her position was based on the matters set out in her written report and in support of the opposition filed by the New Zealand Police.
28. The Committee noted that the Inspector had relied on the decision in *G L Osborne NZLLA 2388/95*, which Mr Riches had also addressed. The Committee asked whether the Inspector considered the case particularly relevant to the present application. The Inspector confirmed that she did.
29. The Committee then asked whether the Inspector was aware of any authorities involving similar convictions in circumstances where alcohol was not a factor. The Inspector confirmed that she was not aware of any such authorities.
30. The Committee enquired whether the Inspector's objection was based solely on the conviction component, and whether she accepted that, in all other respects, the Applicant was suitable and met the remaining statutory requirements. The Inspector confirmed that this was the case.
31. The Committee then requested the Inspector to explain how she distinguished between an alcohol-related offence and a non-alcohol-related offence when assessing an Applicant's good character under Section 222 of the Act, and the extent to which alcohol-related offending carried greater relevance within that statutory framework. The Inspector stated that she regarded alcohol-related offending as directly relevant to an Applicant's ability to comply with the object of the Act, which required that the sale, supply, and consumption of alcohol occur safely and responsibly. In the Inspector's view, a manager was expected to model safe and responsible behaviour regarding alcohol, both personally and professionally. Where an offence involved alcohol, the Inspector considered that it raised legitimate concerns regarding an Applicant's capacity to uphold those responsibilities. The Inspector further explained that, in cases where alcohol was not a factor, the relevance lay in the Applicant's demonstrated ability to comply with and enforce the law more generally. If an Applicant had shown an

inability to comply with the law, they considered it reasonable to question their ability to enforce it in a managerial capacity.

32. The Committee sought to explore this distinction further, noting the need to understand why alcohol-related offending was often treated differently from other forms of offending when assessing good character. The Committee asked whether, for example, a shoplifting conviction would raise concerns similar to those arising in the present case. The Inspector agreed, stating that she considered both alcohol-related and non-alcohol-related offending capable of raising questions relevant to suitability.
33. In response to a further question from the Committee, the Inspector stated that, in her view, when alcohol was involved in a conviction, it raised concerns regarding an individual's ability to assess and manage risk in situations involving alcohol, as well as their understanding of the potential harm that alcohol could pose to individuals. The Inspector considered that, for this reason, alcohol-related offending was not necessarily more or less severe than other forms of offending, but that the assessment process differed because of the direct connection to the responsibilities imposed under the Act. The Inspector further explained that alcohol-related offending could indicate potential concerns about a manager's capacity to model safe and responsible behaviour in relation to alcohol. The Inspector acknowledged, however, that non-alcohol-related offending could also be relevant to suitability. The Inspector agreed that, for example, a shoplifting conviction would similarly raise questions about an Applicant's ability to comply with the law and, consequently, their ability to enforce the law in a managerial role.
34. The Committee then sought clarification on what, in the Inspector's opinion, constituted "suitability" under the Act, noting that the Act did not provide a specific definition. The Inspector stated that, in her view, suitability related to an Applicant's ability to demonstrate compliance with the law and with the Act, and to assist others in complying with those obligations. The Inspector considered that a suitable manager would need to understand responsibility, risk, and the potential harm associated with alcohol. The Inspector further noted that a manager should be able to communicate clearly and use their position to ensure compliance within the premises.
35. The Committee enquired whether, in the Inspector's opinion, and setting aside the proposed two-year stand-down period, the Applicant would otherwise be suitable on those grounds. The Inspector responded that she would need to be satisfied that she could confidently conclude that the Applicant was able to comply with and enforce the law to be considered suitable. At present, given the recency of the conviction, the Inspector did not consider that sufficient time had passed to provide that level of confidence.
36. The Committee noted that the Applicant had proposed several possible alternatives, including linking the certificate to the premises until the anniversary of the conviction and requiring notification should any further incident occur. The Committee asked the Inspector, despite opposition from the New Zealand Police, whether she would support such conditions and whether they would sufficiently address the New Zealand Police's concerns to grant a certificate. The Inspector advised that she did not believe they would.
37. The Committee then enquired, given that twelve months had passed since the conviction and having regard to the nature of the offending, what the Inspector considered to be an appropriate lapse of time between a conviction of this kind and the issuing of a Manager's Certificate. The Inspector responded that she regarded determining an appropriate timeframe as a matter for the Committee to consider. The inspector noted, however, that in *Police v Manson (2015) NZARLA 590*, the District Licensing Committee had identified the *Osborne*

decision as a guideline rather than a rule and stated that the decision indicated that the guideline should not be departed from lightly and that it was justified only by the circumstances. For that reason, the Inspector considered that the discretion lay with the Committee.

38. It was noted that the Inspector had earlier indicated that her only concern related to the conviction, and that she accepted the Applicant met the remaining statutory criteria. The Committee sought clarification as to whether this remained the Inspector's position. The Inspector explained that, in her view, the conviction raised questions relevant to suitability under Sections 222(a) and (b) of the Act. Disregarding the conviction component, the Inspector considered the Applicant suitable. However, because of the conviction, concerns arose about the Applicant's ability to comply with and enforce the law in a position of authority.
39. The Chairperson thanked the Inspector, Ms E Hiscock, for her attendance and submissions.
40. Senior Constable G Craddock of the New Zealand Police was called, and her written report was taken as read. Senior Constable Craddock addressed the matters raised by counsel for the Applicant, Mr Riches. She submitted that although the *Osborne* decision operated as a guideline rather than a binding rule, it remained a guideline to which the Committee ought properly to have regard, noting that it had been applied consistently since 1995. Senior Constable Craddock further submitted that *Osborne* remained an important authority because it affirmed the high standard expected of holders of a Manager's Certificate. Senior Constable Craddock emphasised that a Manager's Certificate holder occupied a frontline role in ensuring that the object of the Act was upheld.
41. Senior Constable Craddock noted that Mr Riches had submitted that the offence of operating a vehicle in a manner involving an unnecessary exhibition of speed or acceleration should not preclude Mr Campbell from holding a Manager's Certificate, as it did not involve alcohol or dishonesty and could be characterised as a spontaneous driving incident. Senior Constable Craddock stated that the New Zealand Police took a position that it had long been accepted by the Authority that any negative conduct may weigh against a person who holds, or seeks to hold, a Manager's Certificate, and that such conduct need not be linked to alcohol. She advised that numerous decisions over many years had confirmed that the assessment of suitability turns on an Applicant's character and reputation, and that negative conduct, whether or not it results in a conviction, may justify suspension or refusal. Senior Constable Craddock further observed that even a formal warning, in the absence of a conviction, may be sufficient to raise concerns relevant to suitability.
42. Senior Constable Craddock acknowledged that Mr Campbell had pleaded guilty but submitted that the offending did not appear to be a momentary lapse. She referred to the summary of facts, which recorded that on 19 April 2025, the Applicant and another driver were stationary at a red light at the intersection of Moorhouse Avenue and Selwyn Street, Christchurch. Both drivers revved their engines and encouraged each other to race when the light turned green. They then accelerated heavily, leaving other traffic behind and exceeding the posted speed limit. The two vehicles continued racing to the next intersection, where they again stopped at a red light. The Applicant's speed was recorded at 132 km/h, being 82 km/h above the posted limit. Senior Constable Craddock submitted that had police been positioned further back, the recorded speed may have been even higher.

43. Senior Constable Craddock submitted that it was incorrect to focus solely on alcohol-related convictions when assessing suitability and argued that driving at 82 km/h above the posted speed limit while racing another vehicle constituted conduct that directly reflected on the Applicant's suitability to hold a Manager's Certificate. While Senior Constable Craddock acknowledged that the Applicant had not reoffended since the incident, it was noted that this did not necessarily indicate that similar behaviour had not occurred; it merely indicated that on this occasion he had been detected. Senior Constable Craddock accepted that individuals may learn from their mistakes, but emphasised that the offence had been proven, the conviction had been entered, and the matter was now for the Committee to determine.
44. Senior Constable Craddock further submitted that a stand-down period remained appropriate. While not necessarily advocating for the full two-year period contemplated in *Osborne*, Senior Constable Craddock considered that, given 12 months had already elapsed, a further period of approximately one year would allow the Applicant to demonstrate ongoing suitability. Senior Constable Craddock reiterated that although *Osborne* was not binding, the Authority had long accepted that offending need not involve alcohol to be relevant. The central consideration was the Applicant's character and reputation. In that regard, it was emphasised that travelling 82 kilometres per hour over the posted speed limit was a significant and aggravating factor.
45. The Committee asked Senior Constable Craddock, drawing on her extensive experience as a Police Officer, to comment on the extent to which a single incident or conviction might operate as a "wake-up call" for an individual. The Committee observed that some individuals responded to such an event by modifying their behaviour, while others continued to offend. The Committee further asked what weight she generally placed on this factor when assessing a person's conduct, noting that the question was posed in general terms but arose in the context of the present application.
46. Senior Constable Craddock responded that, in her experience, outcomes following a first incident varied considerably. Some individuals treated the event as a genuine one-off, modified their behaviour, and maintained that change for a sustained period. Others initially appeared to do so but later reverted to previous patterns, often influenced by peer associations or personal circumstances. Senior Constable Craddock noted that factors such as brain development—particularly in males up to approximately 25 years of age—as well as life stressors could also affect behaviour. Senior Constable Craddock estimated that the likelihood of long-term behavioural change was approximately fifty-fifty. For some individuals, detection served as an effective wake-up call; however, predicting future conduct with certainty remained difficult. Senior Constable Craddock advised that she had participated in previous hearings in which a manager's certificate had been granted, only for the individual to subsequently reoffend or become involved with problematic associates.
47. Senior Constable Craddock further observed that District Licensing Committees often focused on the fact that there had been only one conviction or one recorded incident of concern. However, Senior Constable Craddock emphasised that the more pertinent question was how many times similar conduct may have occurred without detection and noted that if the attending Police Officer had not been present at the time of the incident, Mr Campbell would not have been apprehended.

48. In response to a further question, Senior Constable Craddock advised that May 2027 would mark two years since the conviction and, in her view, would represent an appropriate stand-down period. Senior Constable Craddock commented that it was relatively easy for an Applicant to moderate his behaviour for a limited period when seeking a manager's certificate. The issue for the Committee was whether such behaviour provided sufficient confidence that the improvement would be sustained. Senior Constable Craddock noted that the Committee had taken a consistent approach in previous matters by referring to the *Osborne* guideline, notwithstanding that *Osborne* concerned alcohol-related offending and other cases had involved less serious conduct. While acknowledging that more than a year had passed since the conviction, Senior Constable Craddock stated that she was not satisfied that this period was sufficient.
49. The Committee noted that Senior Constable Craddock had submitted that negative conduct need not be linked to alcohol and asked whether she could identify authorities supporting that position. Senior Constable Craddock responded that there had been previous cases involving assaults and other non-alcohol-related conduct in which the cancellation of a manager's certificate had been upheld. Senior Constable Craddock referred to *Craddock v Kumar* [2023] NZARLA 66 as an example of an authority addressing a one-off incident. Senior Constable Craddock noted that the Authority had consistently treated negative conduct as relevant to suitability, irrespective of whether alcohol was involved.
50. The Committee asked Senior Constable Craddock whether she considered the assault in *Craddock v Kumar* [2023] NZARLA 66 to have been of the same magnitude as the traffic offending in the present matter, notwithstanding that the speed involved had exceeded the posted limit by more than 80 kilometres per hour. Senior Constable Craddock confirmed that she did not regard the two matters as equivalent in seriousness. Senior Constable Craddock noted that the aggravating feature in *Kumar* was that the assault occurred on licensed premises and that the individual concerned had been the general manager at the time. Notwithstanding that distinction, the conduct in that case had still warranted cancellation of the manager's certificate. Senior Constable Craddock observed that, in assessing the present matter, the Authority would again consider the seriousness of the behaviour. Travelling 82.8 kilometres per hour above the posted speed limit was, in her view, a significant aggravating factor that the Authority would be required to take into account.
51. The Committee queried whether it would be fair to say that, when enforcing rules relating to drink-driving, speeding, or, in this case, racing, the overarching principle was public safety. It was suggested that an individual's behaviour reflected their character, and that there existed a degree of hierarchy in the New Zealand Police's approach to enforcement. Senior Constable Craddock agreed, stating that Police responses were reflective of the specific charges laid. Senior Constable Craddock noted, by way of example, that certain driving offences carried mandatory disqualification periods of six months, demonstrating the seriousness with which such conduct was regarded.
52. The Committee further observed that the underlying purpose of legislation relating to drink-driving, speeding, and racing was the protection and maintenance of public safety, rather than the prohibition of alcohol consumption or enjoyment. The Committee suggested that the legislative intent was centred on safeguarding the public and asked whether, in Senior Constable Craddock's opinion, the present case differed significantly from *Osborne*, particularly in relation to the quantity and nature of the convictions involved. Senior Constable Craddock responded that *Osborne* continued to be used as a guideline and noted that, historically, matters were required to be linked to alcohol, but that this was no longer the case.

Despite that development, the guideline remained an important reference point when considering convictions and conduct.

53. The Committee asked Senior Constable Craddock to elaborate on the New Zealand Police's continued objection, noting that the Applicant had characterised the Woolworths supermarket environment as low risk due to the level of support available and the number of staff present.
54. Senior Constable Craddock did not accept that a supermarket off-licence constituted a low-risk environment and advised that approximately 70% of alcohol-related offending or harm in New Zealand originated from off-licence premises. Police continued to encounter sales to intoxicated persons and to minors at such premises and were frequently called when members of the public reported concerns about intoxicated drivers leaving licensed premises.
55. Senior Constable Craddock explained that off-licences provided only a narrow window of opportunity to assess intoxication and age at the point of sale. In many instances, the checkout operator was the only staff member interacting with the customer, aside from a person authorised to approve restricted-product transactions. This limited opportunity for assessment was often not utilised. Senior Constable Craddock noted that, in her own experience, she had purchased alcohol without any interaction with staff, raising concerns as to how intoxication or slurred speech could be assessed in such circumstances. Senior Constable Craddock concluded that off-licences could be high-risk environments, with a real potential for sales to intoxicated persons or minors. Senior Constable Craddock further observed that managers were not always present at the point of sale, as another staff member could provide authorisation.
56. The Committee referred to Senior Constable Craddock's briefing evidence, noting that Senior Constable Craddock had spoken with Mr Campbell only by telephone and had not conducted an in-person interview. The Committee observed that the hearing was the first opportunity for Senior Constable Craddock to observe the Applicant's demeanour directly. The Committee asked whether Senior Constable Craddock's assessment had therefore been based primarily on the law and the facts of the offending, rather than on any personal observation of the Applicant's presentation or behaviour.
57. Senior Constable Craddock confirmed that she had spoken with Mr Campbell by telephone and had advised the Applicant to obtain support from his employer, noting that this formed part of the standard process followed by New Zealand Police. Senior Constable Craddock stated that her only additional expectation for the hearing was that the employer would attend in person to provide direct assurance of the Applicant's suitability. Senior Constable Craddock acknowledged, however, that a written letter of support had been provided.
58. The Chairperson thanked Senior Constable Craddock for her attendance and submissions.

Summing Up

59. Counsel for the Applicant, Mr Riches, clarified that the submission describing the Woolworths premises as "low risk" was made in comparison with other off-licence environments. Mr Riches emphasised that there was no intention to minimise the responsibilities associated with holding a Manager's Certificate. Rather, the submission was that the Applicant would not be in sole charge of the premises, except for a brief period in the mornings. Mr Riches contrasted this with a standalone off-licence bottle store, where a manager might be solely responsible for the premises late into the evening.

60. Mr Riches further submitted that the supermarket did not sell spirits or RTDs, but only beer and wine, and that it operated within a large commercial chain with established systems for management, supervision, and compliance. Many of the day-to-day operational decisions, such as stock ordering and procedural settings, would not fall on the Applicant, who would instead operate within a broader organisational structure. In that context, Mr Riches submitted that the role carried a comparatively lower level of risk, while acknowledging that the potential harm arising from alcohol sales at any off-licence remained a relevant consideration. Mr Riches emphasised that the Applicant was not seeking to manage an isolated bottle store alone at night, but to work within a regulated and well-supported environment.
61. Mr Riches then addressed the earlier question concerning why alcohol-related offending was treated differently from other forms of offending. Mr Riches submitted that the answer lay in the object of the Act. The Act did not define “suitability” beyond identifying matters to which the Committee must have regard. Therefore, the appropriate benchmark was the statutory object: the minimisation of harm arising from the sale, supply, and consumption of alcohol. Conduct demonstrating inappropriate use of alcohol was therefore directly relevant to suitability. Mr Riches further submitted that dishonesty was also highly relevant, as a person willing to act dishonestly might be more likely to disregard age-verification requirements, intoxication assessments, or other compliance obligations. Offending outside those categories, Mr Riches argued, carried comparatively less weight.
62. Mr Riches took issue with the suggestion, raised by New Zealand Police, that the incident might represent the first occasion on which the Applicant had engaged in such behaviour. Mr Riches noted that there was no evidence before the Committee of any prior similar conduct, nor had the Applicant been questioned on this point. Mr Riches submitted that several factors supported the conclusion that the incident was isolated. First, if the Applicant had a history of driving-related offending, one would ordinarily expect to see a substantial history of infringements, particularly in cases involving “boy racer”-type behaviour. No such history was before the Committee. Secondly, counsel observed that widespread camera systems throughout Christchurch, including licence-plate recognition at service stations and automatic registration checks by police vehicles, made it increasingly difficult for such behaviour to go undetected. There was no suggestion that the Applicant had driven while disqualified or engaged in similar conduct at any other time.
63. Mr Riches submitted that the absence of any other instances of similar behaviour before the Committee should provide reassurance. Mr Riches argued that if the Applicant had a pattern of offending or a history of disregarding the law, additional matters would likely have been before the Committee. Mr Riches further noted that a full year had passed since the incident, with no further issues arising.
64. Mr Riches reiterated that the Act expressly required the Committee to consider *any* conviction when assessing suitability. Mr Riches emphasised that there was no suggestion the conviction should be disregarded, nor that only alcohol-related convictions were relevant. Rather, the earlier references to alcohol were directed at the *Osborne* guideline and the two-year stand-down period discussed in that decision. Mr Riches submitted that the *Osborne* period should apply only to alcohol-related or more serious offending. Mr Riches noted that he was not aware of any authority applying the *Osborne* two-year period to traffic-related convictions of this nature. The only reference suggesting such an extension appeared in a case involving careless driving in which alcohol had been a contributing factor.

65. Mr Riches therefore submitted that the two-year stand-down period did not apply in the present case, although the conviction itself remained a relevant factor to be weighed alongside all others. Mr Riches argued that the incident was isolated and should be viewed in the context of a young man who made a poor decision in the heat of the moment. While the behaviour may have involved a degree of premeditation in the seconds immediately preceding the incident, Mr Riches did not accept that it reflected broader premeditation or an ongoing pattern of conduct.
66. Mr Riches noted that the Applicant had been convicted, fined, disqualified, and required to obtain a limited licence. Mr Riches submitted that the Applicant had completed a full year without further offending, and that there was no evidence of any other conduct suggesting unsuitability. Mr Riches acknowledged that the Applicant bore the burden of establishing suitability, but observed that both inspectors had indicated that, aside from this isolated incident, they had no concerns. Mr Riches submitted that had the incident not occurred, the application would likely have attracted no opposition.
67. In light of all the information provided, Mr Riches urged the Committee to grant a Manager's Certificate to Mr Campbell.

RELEVANT LAW

68. In deciding whether to issue a Manager's Certificate, the Committee must have regard to Section 222 of the Act. Section 222 of the Act provides matters the Committee must consider when deciding whether to grant an application for a Manager's Certificate:
- (a) the Applicant's suitability to be a manager;
 - (b) any convictions recorded against the Applicant;
 - (c) any experience, in particular recent experience, that the Applicant has had in controlling any premises for which a licence is in force;
 - (d) any relevant training, in particular recent training, that the Applicant has undertaken and evidence that the Applicant holds the prescribed qualification required under section 218 of the Act; and
 - (e) Any matters dealt with by the reports from the Inspector and Police made under section 220 of the Act.

DISCUSSION AND CONSIDERATION

69. After having regard to the criteria set out in Section 222, the Committee should stand back to consider whether there was any evidence indicating that granting the application would be contrary to the object of the Act.
70. The Applicant seeks the issue of a Manager's Certificate. The application is opposed by both the Licensing Inspector and the New Zealand Police. The grounds of opposition relied upon are those set out in Sections 222(a), (b), and (e) of the Act, namely the Applicant's *suitability* to hold a Manager's Certificate, the *convictions* recorded against him, and any *matters raised* in the reports of the Inspector and Police provided under Section 220 of the Act.
71. The Committee recorded that neither the Licensing Inspector nor the New Zealand Police identified any concerns regarding the Applicant's knowledge of the Act, his conduct, or his general suitability. The New Zealand Police and the Licensing Inspector conceded that the sole matter relied upon under Section 222 was paragraph (b), namely the presence of a conviction.

72. There was no evidence before the Committee, apart from the conviction itself, that called the Applicant's suitability into question. No other aspects of his character, experience, or compliance history were challenged. In fact, the New Zealand Police and the Licensing Inspector conceded that the Applicant would have been suitable apart from the conviction.
73. Due to the conviction, the New Zealand Police were of the opinion that there should be a two-year "stand down" period from the date of conviction.
74. The Licensing Inspector and the New Zealand Police submission regarding a two-year "stand down" period relied primarily on *GL Osborne NZLLA 2388/95*. In the decision, the former Liquor Licensing Authority provided guidance on the appropriate stand-down period following a conviction, observing as follows:
"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/blood alcohol conviction, or a 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, provided suitable reports are received from both the Police and the Licensing Inspector. In all situations, we usually regard time as running from the date of conviction, rather than the date of offending."
75. However, the Committee observed that the Courts had recognised that a person should not be regarded as unsuitable to hold a manager's certificate indefinitely. In *Police v Manson [2015] NZARLA 590*, the Authority articulated the underlying rationale in the following terms:
"The purpose, of what is commonly referred to as a "stand down period", is in order for the Applicant to be able to establish an incident free period, thereby ensuring that standards are upheld. The ultimate aim being that of achieving the object of the Act."
76. The Committee accepts that, while the Authority has provided clear guidance on the approach to convictions, each application must nevertheless be assessed on its own particular facts and merits.
77. The Committee observed that at the hearing, the New Zealand Police produced the Applicant's Criminal and Traffic History dated 11 May 2026. It listed one conviction on 19 April 2025, *"operating a vehicle in a race or in an unnecessary exhibition of speed or acceleration"*.
78. The Committee noted that, unlike in *GL Osborne NZLLA 2388/95*, the Applicant was a first-time offender. There was no evidence before the Committee of any prior convictions, infringements, or other conduct that might call his suitability into question. The Committee accepted the submission that the Applicant had no history of similar behaviour. The Committee also considered it relevant that the Applicant had fully disclosed his conviction in his application. This further distinguished the present case from *Osborne*, where the Authority had expressed concern about Applicant's who failed to disclose offending. In this case, the Applicant was open about the conviction from the outset, and there was no suggestion of any attempt to conceal it.

79. The Committee observed the submission that the Applicant may have a habitual “boy racer” who just got caught once. However, the Committee considered this speculation, which could not form part of its assessment. The only reliable evidence before the Committee was that the Applicant had one conviction, and there was nothing to indicate a pattern of similar behaviour.
80. However, the Committee acknowledged that the offence involved a significant breach of the speed limit. The Applicant was travelling at a speed substantially in excess of the 50 km/h limit, resulting in the immediate impoundment of his vehicle and a 28-day licence suspension. These matters reflected the seriousness of the conduct. However, the Committee accepted that the statutory penalties had been imposed and completed, and that there was no evidence of any further offending since. In assessing suitability under Section 222, the Committee therefore proceeded on the evidence actually before it: that the Applicant was a first-time offender, had fully disclosed the conviction, had accepted responsibility, and had no history of similar conduct. The Committee therefore treated the conviction as an isolated event.
81. The Committee noted that the Applicant had submitted that, because the offending was not alcohol-related, it should not weigh heavily in the assessment of suitability. While the Applicant’s Counsel highlighted this fact as a main variation for the *Osborne decision*, the Committee believed it did not diminish the seriousness of the conduct. The Committee believed that suitability under Section 222 of the Act was a broad assessment. That conduct unrelated to alcohol was still relevant to whether an Applicant was fit to hold a manager’s certificate. The Committee therefore considered the offending in its full context, including the risk posed to the public and the Applicant’s behaviour at the time. The Committee concluded that the absence of alcohol as a contributing factor did not materially alter the gravity of the conduct. Rather, it was one factor among several considered in assessing the Applicant’s overall suitability.
82. The Committee considered it relevant that the Applicant acknowledged that his answers to the New Zealand Police on the night of the incident would have been different in hindsight. Although the Committee accepted that the Applicant had attempted to minimise his conduct at the time. It reflected a degree of evasiveness and an attempt to mitigate the seriousness of the situation. While the Committee understood that individuals may react instinctively when confronted by the Police, it nevertheless regarded the Applicant’s responses as indicative of misleading behaviour, which is a matter of character. The Committee considered that, although such reactions may be understandable in some circumstances, they remain relevant to an assessment of suitability under Section 222 of the Act.
83. However, the Committee also noted that the Applicant subsequently accepted responsibility for his actions. The Applicant entered a guilty plea at an early stage, expressed remorse, and acknowledged that, in hindsight, he should have been more forthcoming with the New Zealand Police. The Committee regarded this as evidence that the Applicant had recognised the seriousness of his conduct and had taken ownership of his mistake. Taken together, these matters demonstrated both an initial lapse in judgment and a later willingness to accept accountability. The Committee considered that this combination was relevant to its assessment of suitability under Section 222 of the Act, but also that the Applicant’s later conduct mitigated, to some extent, the concerns arising from his behaviour on the night.

84. In addition, the Committee noted that the Applicant had complied fully with all penalties imposed as a result of the offending. There was no evidence before the Committee of any breach of those sanctions. The Committee also considered it relevant that, when the Applicant's work circumstances changed, the Applicant proactively sought an amendment to the conditions of the limited licence conditions to ensure continued compliance. The Committee regarded this as a positive indicator of responsibility. It would have been easy for the Applicant to disregard the restriction for a short period, yet the Applicant chose instead to follow the proper process. This conduct supported the view that the Applicant was not attempting to deceive the authorities and was taking the imposed obligations seriously.
85. The Committee accepted that the Applicant had expressed remorse and had described the incident as a "wake-up call." The Committee considered that the Applicant's appearance before the Committee served as a further reminder of the consequences of the actions that led to a criminal conviction. The Committee agreed that an Applicant should not be punished indefinitely for a single lapse in judgment, particularly where the statutory penalties had been completed, and there was no evidence of further offending.
86. The Committee also noted that the Applicant's verbal evidence stated that the vehicle involved in the offending had been sold and that he had now purchased a house. The Committee considered these steps to be consistent with a person who was settling and demonstrating increasing maturity. While such matters were not determinative, they were relevant to the Committee's assessment of the Applicant's overall character and suitability. The Committee also considered the Applicant's recent promotion at his workplace. The evidence showed that the Applicant had progressed to a more responsible role and that his employer had encouraged him to obtain a manager's certificate. The Committee regarded this as relevant to the assessment of suitability or character following the conviction; it was unlikely that the Applicant would otherwise have been advanced to a position of greater responsibility.
87. The Committee also received written references from the Applicant's supervisors. Although the referees did not appear before the Committee and therefore their evidence could not be tested, the Committee considered the references to carry some weight. They described the Applicant as consistently displaying excellent behaviour towards customers and colleagues, demonstrating exceptional conduct, and being reliable, personable, and willing to go beyond what was required. The Committee accepted that, while untested, these references were consistent with the Applicant's presentation at the hearing and with the evidence of his recent promotion.
88. The Committee accepted that the Applicant's progression demonstrated a degree of personal development and maturity. While the Committee did not place undue weight on this factor, it considered that the Applicant's willingness to take on increased responsibility and the employer's confidence in the Applicant were consistent with a person seeking to improve themselves and establish stability. The Committee considered these factors relevant to its assessment of the Applicant's overall suitability under Section 222.
89. The Committee considered the evidence regarding the Applicant's current employment in a supermarket. The Licensing Inspector had described the Applicant's workplace as a "low-risk store." The Committee did not accept that characterisation. It noted that supermarkets were responsible for a significant proportion of alcohol sales in New Zealand and that substantial alcohol-related harm arose from alcohol purchased from off-licensed premises, including supermarkets. The Committee therefore did not regard supermarkets as a category to be "low risk" in terms of the potential for alcohol-related harm.

90. However, the Committee accepted that the Applicant would be placed in a comparatively lower-risk managerial working environment. The Committee accepted the evidence that the Applicant was not routinely in sole charge, that the periods during which the Applicant might be the only certified manager present were limited, and that Woolworths operated within a large commercial structure with established systems, policies, and oversight. These factors reduced the operational risks associated with the Applicant's role. Nonetheless, the Committee found that, although the Applicant worked in a lower-risk operational environment, this did not diminish the broader risks associated with alcohol sold through supermarkets, nor did it reduce the Committee's responsibility to assess suitability under Section 222 in light of the object of the Act.
91. The Committee therefore stood back and assessed the matter in its totality. It was agreed that a forward-looking approach would be appropriate. The Supreme Court in *New Zealand Law Society v Stanley* held:
"the decision maker is essentially trying to assess whether the convictions remain relevant and if so, to what extent the conduct remains relevant at the time of the current inquiry."
92. The Committee considers that the manager's certificate should be granted to the Applicant, subject to certain conditions. The Committee accepted the Applicant's evidence that he had learned from the experience and that it was vital that he be allowed to continue that path. The Committee concluded that, notwithstanding the gravity of the offending, the conviction could properly be viewed as an isolated lapse of judgement, and that the circumstances justified a departure from the usual stand-down period contemplated in *Osborne*. The Committee accepted that the Authority's guidance should generally be followed, but that it may be departed from where justifiable circumstances exist. In this case, the Committee considered the following matters to be significant:
- the Applicant had one conviction,
 - The Applicant had not reoffended before or since,
 - The Applicant had fully disclosed the conviction,
 - The Applicant had accepted responsibility,
 - The Applicant had learned from the experience, and
 - both the Licensing Inspector and the Police agreed that the only issue under Section 222 was paragraph (b), and that in all other respects the Applicant met the statutory criteria.

DATED AT RANGIORA THIS THE 7TH DAY OF JULY 2026

Signed



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Neville Atkinson
CHAIRPERSON
WAIMAKARIRI DISTRICT LICENSING COMMITTEE