



December 2012

Issue 4

OFFICIAL JOURNAL OF THE ROYAL VICTORIAN ASSOCIATION OF
HONORARY JUSTICES

Custodes

Merry Christmas



Councillors of the ACJA meet following dinner with the High Commissioner for Australia, His Excellency Michael Potts.

In this edition

**ACJA report; branch news a plenty;
AGM notice; New Chief Magistrate appointment
Christmas merchandise; JP History Part 2;
Training Honorary Justices Part 2;
Membership renewal reminder.**

From the president's desk



support of a very skilled and committed board of directors.

Some of the changes and activities that have taken place during my term include:

- The RVAHJ conference conducted last year.
- Participation in training sessions conducted by DoJ where a representative of the RVAHJ sits on panels of experienced JPs and BJs.
- Submission on the Oaths and Affirmations Consultation Paper
- Submission on the Justice if the Peace Initiatives Consultation Paper
- Two new branches of the RVAHJ with two more pending.
- The inclusion of JPs as suitable certifiers of documents destined for Birth Deaths and Marriages
- Roster coordinator meetings becoming a regular event
- New training initiatives

All of the above were achieved along with our regular activities such as provision of training, support of signing centres and their rosters, liaison with branches and regular enquiries from members. None of this can be achieved without the commitment of the board, and of course, our office staff member Cathy Owens and the committed group of volunteers that assist in the office and with training. Whilst there are too many to list here you know who you are and I thank every one of you.

I also had the privilege of travelling all over the state to visit branches and meet their members. I know that I will continue to be interested in their activities and membership. The information that I gathered from these visits informs the way that the board carries out its duties and ensures that a holistic approach is maintained. It is my intention to remain actively involved in the interaction with the branches, rosters and individual members as part of the Membership Committee.

My term in office is now drawing to a close and it is time for me to hand over to the next President. I have looked back at my time as the first woman president of the RVAHJ and am very proud of the achievements that have taken place. One could say that I had a dream run with a very supportive Attorney General and the interaction with the Department of Justice has improved immensely. I also could not have achieved any of this without the

I have mentioned before about the participation of our members in training sessions conducted by the Department of Justice and I would like to reinforce the view that members of the RVAHJ come across as being better informed and up to date on matters relating to their duties than a Honorary Justice who is not a member or involved in a branch. It is disappointing that HJs for so long had been left uninformed and unsupported by the Department of Justice however I do see significant advances in this regard by the Department and commend the HJO team for their efforts to date.

In closing I take this opportunity to wish you and your families the very best for the holiday season and I look forward to a new and exciting year ahead.

'One could say that I had a dream run with a very supportive Attorney General and the interaction with the Department of Justice has improved immensely. I also could not have achieved any of this without the support of a very skilled and committed board of directors.'

Linda Rainsford, President

We're Searching for Volunteers



Roster volunteers urgently needed!

Can you spare a day a month to witness documents at the Family Court or Probate Court in Melbourne?

Both of these rosters are in urgent need of additional helpers. If you are interested, please contact Cathy Owens on (03) 9525 7099 to discuss your availability. She will arrange for you to attend with a current volunteer who can "show you the ropes"!

Roster days - Monday to Friday during business hours.

If you are interested in joining other rosters, please also contact Cathy and she will put in touch with the relevant coordinator.

From talk fest to positive action

The 2012 Australasian Council of Justices' Associations was held in October in Wellington, New Zealand. Our host association was the Royal Federation of New Zealand Justices' Associations and their president Kevin Geddes JP, was the ACJA president for 2011 - 2012. The hosting of meetings is done on a rotational basis and in 2013 the meeting shall be held in Darwin when the president shall be Charlie Parrott JP. He is the president of the Northern Territory Justices Association.

The ACJA has representation covering 250,000 justices of the peace in Australia and New Zealand.

The arrangements for hosting the 2012 meeting was planned to ensure councillors, partners and observers were well catered for and the meeting venue was made comfortable by NZ registrar Alan Hart JP and his supportive staff.

A Parliamentary reception hosted by Associate Minister for Justice and Minister for Courts, The Honourable Chester Borrows, M.P. was held where friendly and relaxed discussion took place between justices from all jurisdictions. Australian High Commissioner to New Zealand, His Excellency Michael Potts entertained us as speaker at the annual dinner.

The aims and objectives of the Council are to provide a forum on matters of interest to Justices' Associations in Australia and New Zealand for public discussion and debate on policy. The Council is set up with a primary role to facilitate meetings of member associations to hold discussions, workshops and forums to further the position, status and role of the honorary justices by making recommendations to the member associations to better the conditions for their members in particular and so honorary justices in general.

The focus now for the meetings is the workshops where issues are discussed. The issues discussed this year were: 1.The JP appointment process. 2.Harmonisation discussion. 3.Education and training. 4.Roles and duties of JPs. 5.Membership. 6.Future of the ACJA.

While most of these issues have been discussed in past meetings, this year there was a stronger alignment of ideas and direction to follow. Each jurisdiction has its own legislation and government policies driving how they operate and it is the wish of all members of the ACJA to lift standards, gain practical government and move towards harmonisation of the roles and duties of justices.

Some items which will be acted upon before the next meeting include:

- seeking mandatory pre-appointment training;
- a minimum standard of training for justices;
- an independent and high standard of appointment;
- harmonisation of a number of roles and duties;
- seeking of a minimum amount of support from government for the operation of justices' associations.

Member associations are to share information about what insurance coverage they hold for their members to ensure that they carry the very best available.

This year is the year of a biennial questionnaire of every jurisdiction to keep in touch with such items as number of justices, how many members, roles and duties, government support and the like. Information gained by the registrar are collated and shared by all.

Associations have a variety of communication and support from their governments and those who are blessed with good times share the way in which they have developed such good terms with both their Minister and departmental officers. It can be said that governments and departments are seeking the same outcomes as justice associations and perhaps developing good communication can assist greatly in creating a benefit for both parties.

The ACJA continues to improve its operation to share ideas, raise standards and generally give support to creating benefits for justices throughout Australia and New Zealand.

By Michael Cheshire JP, Honorary Registrar, ACJA

Front cover photo;

Councillors of the ACJA meet following dinner with the High Commissioner for Australia.

Left to right: Front row – Cr Charlie Parrott JP, Vice President; His Excellency, Mr Michael Potts, High Commissioner to New Zealand; Cr Kevin Geddes JP, President; Cr Michael Cheshire JP, Deputy Registrar; Second row – Cr Noel Crowley JP, Immediate Past President; Mrs Potts; Cr Christine Cordingley JP; Cr Linda Rainsford BJ; Third row – Cr Rex Jordan JP; Cr David Paton APM JP; Cr Ray Burrows JP; Fourth row – Cr Rod Nicholas JP; Cr Graham Anderson JP; Cr John Coghlan JP; Back row – Cr Errol Neale JP; Cr Terry Wardle JP; Cr Ron Hartmann JP & Cr Bob Pilkington JP.

And the verdict is.....

In the last edition of *Custodes* the story titled 'Cause of Death—Murder, Suicide or Death by Misadventure' posed a question to readers regarding a verdict.

Norman Whittingslow JP advises the Medical Examiner closed the case as a suicide.

Notice of 2013 AGM

NOTICE OF THE ANNUAL GENERAL MEETING OF MEMBERS 2013
Notice is hereby given that the Annual General Meeting of Members for 2013 will be held on Thursday, 23 May 2013 at 7.30 pm at 53 Broadway, Elwood 3184.

The closing date for receipt of Special Resolutions to be placed on the Agenda for this meeting will be 4.00 pm on Thursday, 31 January 2013.



2013 Biennial Election of the Board

Under the Constitution, at least one third of all Board members retire every two years but are eligible for re-election. Any Ordinary Member or Life Member of the Association may accept nomination in the prescribed form obtainable from the office and all nominations must be lodged with the Returning Officer, C/- PO Box 317, Elwood, 3184 no later than 4.00 pm on Thursday, 31 January 2013. Nominations must be signed by the proposer and seconder who shall in each case be a Life Member or an Ordinary Member of the Association who is not in arrears with his/her subscription. The consent in writing of the person nominated shall be endorsed on each nomination.

Note: Election to the Board is for a term of four (4) years, however, under the Corporations Law, a candidate aged 72 years or over is required to stand for re-election at each Annual General Meeting and must receive a majority of not less than three quarters of the vote.

Should the number of nominations exceed the number of vacancies on the Board, then a ballot shall be conducted with details of same to appear in the Autumn 2013 edition of the journal.

Michael Tse JP, Company Secretary

DIAMOND VALLEY BRANCH—BY CHERYL DUFF, JP

The Diamond Valley Branch of Justice of Peace held their Annual General Meeting on Monday 22nd October 2012 at the Watsonia Army Barracks.

The new committee members are as follows:-

Chairperson: Steve Gore
Vice Chairperson: Silvana Marasco
Secretary/Treasurer: Cheryl Duff
General Positions: Leo Schillaci and Roxanne Boughen

Our meeting dates for 2013 have been set and are to be held as follows:

General Meetings : 25 February, 22 April, 24 June
Annual General Meeting: 28 October with an ordinary meeting to follow.

The branch also congratulated Wally Ostrowsky on receiving his certificate for 35 years at the Annual Dinner.

Regarding applications for appointment as an honorary justice.

We have received advice from the Department of Justice that, due to the number of applications received for appointment as a Justice of the Peace (JP) they have temporarily ceased accepting new applications for this role in order to assist in processing the large number of existing applications.

JP application forms have been removed from the Department of Justice website however, bail justice applications are still available and they continue to accept applications for this role.

Any new JP applications will be returned with advice for people to check the Department of Justice website (www.justice.vic.gov.au/justices) for regular updates in relation to recruitment of JPs in the future.

Branch news

MORNINGTON PENINSULA BRANCH—BY IAN LYONS, JP

The Mornington Peninsula Branch held their AGM on November 7th, 2012. Officer bearers for the coming year include chairperson Graham Unwin, vice chair Barry Lewis and secretary/treasurer Fay Hunter. The Committee includes Suzanne Phillips, Henryk Kay, Peter Fulton and Ian Lyons.



Pictured is Vicky Traintaflaros (right) Business Manager/Business Development from State Trustees who was on hand to install the Office Bearers for the ensuing 12 months. Vicky is pictured with Fay Hunter and Graham Unwin.

The next meeting of the Group will be on February 6th 2013 at Frankston Police Headquarters.

Further details from Secretary Fay Hunter on 59761258

Glenda from MENS—Men Exploring Non-Violent Solutions addressed branch members at the June meeting. She spoke of her work through Peninsula Health where she is a psychologist facilitating groups of men requiring some form of anger management. With a rate of approximately 2500 reports per year, there is now a police focus on family violence being seen as a crime statistic.

Many of the men referred are a direct result of perpetrating violence within the home situation and although many of the men want to change, there are also those that don't as their violence works for them. This is where the program needs to focus on the reasoning behind their violence.

Drugs and/or alcohol do not necessarily create violence. Sometimes clients require separate programs to deal with addiction

issues as well.

The program runs for 20 weeks.



Glenda from Men Exploring Non-Violent Situations talks to members and others.

Many questions were asked which Glenda addressed from her professional viewpoint

and the presentation concluded with Glenda outlining the process from referral and concluding (hopefully) with a happy ending.

Other matters raised at the meeting included a thank you to Ben Loois for representing the branch at the Frankston Anzac Service where he presented a wreath.

It was moved by Ian Lyons and seconded by Peter Newman that in 2012 the branch will attend the Hastings Anzac Service.

Picture shows Glenda at front with Graham Unwin, chair of the Mornington Peninsula branch with secretary/treasurer, Fay Hunter. At back is Helen Alcock, coordinator of the Rosebud Signing Centre and Susan Martin.

Royal Victorian Association of Honorary Justices Sunraysia Branch

ACN 004 226 448

PO Box 10048 MILDURA VIC 3502



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Email austies@bigpond.net.au

25 November 2012

Ms Linda Rainsford BJ
President
Royal Victorian Association of Honorary Justices
PO Box 317
ELWOOD VIC 3184

Dear Linda

Custodes – Official Journal of the Royal Victorian Association of Honorary Justices

Sometimes we take things for granted and one of those could be the official journal of RVAHJ, Custodes, which we members receive on a regular basis.

I have been asked on behalf of the Branch to convey the message to your Board that our members sincerely appreciate receiving such an interesting and informative journal, from which we learn a great deal.

We would also like to express our appreciation for the excellent coverage which Custodes has given to our Branch activities and would be pleased if you would pass on to its Editor, Ms Helen Ward and all concerned, our sincere thanks.

Thank you.

Yours sincerely

Jennifer Bennett, JP
Secretary



Heather and Murray MacGregor with MP Luke Donnellan 89234
Picture: STEWART CHAMBERS

JP signs off on ready access

NARRE Warren North residents will benefit from having a Justice of the Peace at their local MP's office on a weekly basis.

Murray MacGregor will be available to certify a range of documents at the office of Narre Warren North MP Luke Donnellan on a weekly basis from 7 November.

Mr MacGregor began work as a Justice of the Peace 1990. Over the years, he has worked with Victoria Police to establish rostered JPs into police stations.

JPs have the power to certify documents, certify a person's identity, witness statutory declarations and receive affidavits within Victoria.

In 2011, Dandenong Police Station awarded Mr MacGregor with a plaque for his services of 21 years and 9 months' work af-

ter he chose to retire from his JP services at the station. A change of heart however has seen Mr MacGregor take up the position again.

Until recently, Mr MacGregor also volunteered from home in Endeavour Hills but because of insurance changes has decided to change the location of his services to Mr Donnellan's office.

"Murray has served for many years as a Justice of the Peace so it's great to see him offering the service out of my office into the future, making it convenient for local residents," Mr Donnellan said.

"Many constituents come to my office seeking Justice of the Peace services. In the past, if I was in Parliament or otherwise out of the office, we have had to ask residents to go elsewhere

but now Murray will be on hand as a volunteer to help locals out every week.

"This is good news for local residents and the community are very grateful for Murray's voluntary work."

Mr MacGregor's wife Heather will be helping out with JP services where her husband is not available. She has five years' experience as a JP and regularly volunteers at Dandenong and Springvale Police Stations.

Mr MacGregor will be available every Wednesday except public holidays, between 10am and 12pm, at the Office of Luke Donnellan MP, Shop 91, Endeavour Hills Shopping Centre, corner Heatherton Road and Matthew Flinders Avenue, Endeavour Hills.

Article published in the *Berwick News* and supplied with thanks by Garry Runge, JP

SOUTH WEST BRANCH— BY BRUCHE TURNER, JP

RVAHJ South West Branch held their AGM at the Warrnambool Bowls Club on 12th September 2012. All positions were spilled and open for nomination. The position of president was filled by Michelle Guyett-McQuilton replacing Ted Kennett who served five years. Ted relinquished the president's role to resume the role of State secretary for the National Service Association of Victoria Branch (NSAA Vic). His tenure was appreciated for the role he had performed having been instrumental in fostering a number of successful initiatives and changes. One major project he organised was the implementation of the borders of our catchment area, which resulted in a 60 percent increase in membership numbers in the South West area. Ted fulfilled his role with vigour and a passion and was a true example of a good president. He will be missed. A response of gratitude

was given by David Atkinson for Ted's loyal service.

Bruce Turner retained the position of secretary and Vicki Turner retained position of assistant secretary. Ray Matthews retired as treasurer with his replacement being Collin Brinkmann. A working party was appointed and included JPs David Atkinson, Alan Bowes and Noel Burleigh.

A total of 44 attended including Inspector Kevin Archer of the Warrnambool Police, who was guest speaker on the evening. He spoke about his long service in the Victoria Police Force. In his talk he mentioned how he was the 'youngest ever' to have attained the rank of Sergeant. He also mentioned prior to his appointment in Warrnambool he had never been west of the city of Melbourne. During

question time a question was asked relating to penalties given in the local Magistrate Courts, where on many occasions offenders were given a lighter penalty, or the penalty was totally overturned by the Circuit Judge at a later date.

In answer to this question, attendees were aghast to hear that in Melbourne Magistrate Courts the penalties given were much more lenient when compared to those issued in the rural areas. The findings in rural areas appeared to be quite harsh. Members failed to understand why this anomaly should exist.

The meeting was closed by the new president, Michelle Guyett-McQuilton at 9.30 p.m. followed by a cuppa and fellowship.

Branch news

WYNDHAM BRANCH—BY TRISH VEJBY, JP



Members and guests at the Wyndham Branch AGM held in September heard from an interesting range of speakers on the night. Craig Lapsley, Fire Services Commissioner for Victoria was guest speaker and Acting Inspector Damien Christensen from the Werribee Police Station acknowledged the many voluntary hours put in by honorary justices assisting them in their work and how greatly appreciated this is. RVAHJ president, Linda Rainsford also spoke, acknowledging and congratulating Hinton Lowe, life member of the Wyndham Branch, for 55 years service to the Association.



BALLARAT BRANCH— BY BRYAN NICHOLLS, JP



Ted Widdicombe (L) and Peter Rogers (R)

The Ballarat Branch of the RVAHJ recently conducted an in-house training session for honorary justices in the Central Highlands Region. Thirty three Justices of the Peace attended.

During the session two long standing JPs were presented with service awards by Inspector Bruce Thomas of the Ballarat Police. Ted Widdicombe has completed 35 years service whilst Peter Rogers has completed 25 years service. Both gentlemen were not able to attend the Association annual dinner held in August to receive their awards.

Inspector Thomas complimented the RVAHJ members who operate the document signing centre at the Ballarat Police Station. He made mention of the 44,000 documents which have been processed at the centre during the last 12 months and was appreciative of the work load which the centre has now with the two daily shifts.

The signing centre has been in operation now for well over six years and is staffed by 27 JPs from the City of Ballarat and environs. On another note Inspector Thomas also advised members about action they can take in the event theft or malicious damage is caused by a disgruntled client at a JP's property.

Q & A

A recent question posed by our Sunraysia Branch may be of interest to other members.

Q Witnessing signatures to documents in foreign languages – RVAHJ training notes cover the situation of an interpreter being used to translate documents in English but not documents in foreign languages. In the instances of documents in foreign languages, as we do not know the contents of the documents, do we stand by the training notes advice “it is not expected that you read the contents of the document, which may be of a highly personal nature, except in so far as may be necessary to determine the correct completion of the document. The authorised person is concerned with form, not content.”?

A Every document must be considered on a case-by-case basis and the following response is in general terms. If a justice has any concern regarding a specific document, it is recommended that they contact our office, or one of our directors to discuss, or that the person be referred to the relevant consulate.

The passage from our training notes presupposes that you *can* read the document, but advises that you should only do so to the extent of determining its requirements. If you can't satisfy yourself regarding the requirements, (e.g. are you authorised, should it be declared or sworn, are their attachments, etc.), or if you have any other concerns about the document, you always have the option of not signing. You might then refer them to the relevant consulate or to the Department. of Justice, who may be able to refer them to a JP who can read the relevant language.

If it is a matter of certifying a true copy, you can do so, as long as you are satisfied that it is, indeed, a true copy of an original document.

If you are satisfied that all that is required is that you witness the signature, this you might also do, but we suggest making the limits of your actions clear, for example, write the words “signed in my presence at (place) on (date)” by your signature.

Christmas 2012 merchandise

All I want for Christmas is...

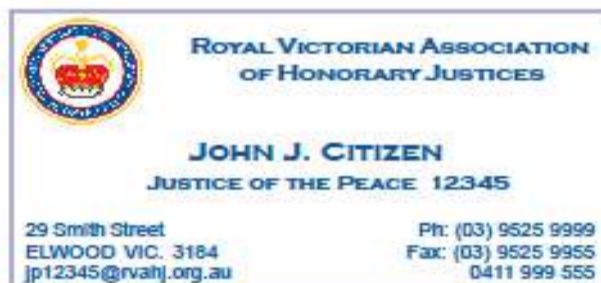


RVAHJ Plaque -
This shield-shaped wall plaque bears the association's logo, surrounded with gold-coloured oak leaves. With an optional engraved plate, it's a distinguished display for office or home.



Travel clock-
This handy analogue clock, with easy-to-read numerals would look stylish anywhere - from the bedside table to the office desk. The polished chrome case has been laser-engraved with the association's logo.

Centenary Lapel Badges, Cufflinks, Tie bars, Ties -
Limited numbers of our centenary items are still available.
Only while stocks last



Business Cards -
RVAHJ business cards are the ideal way of letting people know how to contact you to arrange for document witnessing.
Available in lots as small as 100.



To Order -
Complete and return the Order Form on the reverse
or request one from the office.
Tel: (03) 9525 7099 or admin@rvahj.org.au

Merchandise order form

Merchandise Order Form Summer 2012

PO Box 317, Elwood, Vic. 3184 Ph: (03) 9525 7099
Email: admin@rvahj.org.au Fax: (03) 9525 7765

Item	Cost \$	Qty	Sub-Total
2013 Membership ^{NS}	50.00		
Photo ID's			
JP/BJ Wallet with RVAHJ badge	86.00		
Leather ID Holder on cord	27.00		
Tag with Clip (No PFee)	14.25		
Tag with Cord (No PFee)	14.25		
Dresswear			
Name Badge (Magnetic) [◆]	26.95		
Lapel Badge Blue	9.95		
Lapel Badge Red	9.95		
Cufflinks Blue	19.95		
Cufflinks Red	19.95		
Cufflinks Centenary	19.95		
Tie Bar Blue	12.95		
Tie Bar Red	12.95		
Tie Bar Centenary	14.95		
Tie - RVAHJ	33.50		
Tie Centenary	33.50		
Stamps – Self Inking			
ID Stamp [*]	32.70		
ID Stamp with seal [*]	46.20		
Certified True Copy	38.50		
Cert'd True Copy with ID & seal [*]	46.20		
Annexure/Exhibits	45.20		
Stamps – Handle			
ID Stamp [*]	25.95		
ID Stamp with seal [*]	38.00		
Certified True Copy	25.95		
Cert'd True Copy with ID & seal [*]	36.50		
Annexure/Exhibits	33.25		
Miscellaneous			
Business Cards (x 100) [▲]	66.00		
Business Cards (x 200) [▲]	99.00		
Clock	19.95		
Plaque (with engraved plate) [◆]	79.95		
Oaths Card (No PFee)	3.60		
Window Transfer (No PFee)	4.00		
Processing Fee 1st item - \$7.60			\$
then \$2.60 each extra item -			\$
(No PFee items exempted)			\$
TOTAL			\$

2013 Membership for:
Name: _____

SPECIAL ORDERS:

◆ Plaque (Engraved plate text):
Name: _____
Line 2: _____

▲ Business Cards:
Name: _____
Reg. No/s. _____ Ph: _____
Fax: _____ Mob: _____
Address: _____
Town/Suburb: _____ P/Code _____
Email: _____

◆ Metallic Name Badge (Print as you want name to appear):
Name: _____

*** Stamps: Notes: Full, legal name (no initials) and a street address (not PO Box) required.**
Surname: _____
First & Middle Name/s: _____
Street Address: _____
Town/Suburb: _____
Postcode: _____ Reg. No. _____

Delivery Details:
Name: _____
Address: _____
Pcode _____
Contact Phone No. _____

Payment: Send Chq/Money Order or Credit Card Details:
MasterCard Visa (Note: Phone payments not accepted).
Cardholder Name: _____
Card No. _____
_____/_____/_____
M M Y Y Cardholders signature: _____

SUNRAYSIA BRANCH—BY HARVEY HILARY-TAYLOR , OAM, JP

50,000 AND COUNTING!

The Sunraysia Branch of the Royal Victorian Association of Honorary Justices has just released their latest figures relative to the voluntary work they carry out at the signing centre at the Mildura Police Station.

October just past saw the number of documents exceed the 50,000 figure taken over the period since the JPs commenced in January 2009. This is quite an exceptional number and represented by over 4300 visits by the local community to the service.

Increasing on average by over 15 percent each year in both clients and documents presented, the signing centre has made the task of locating a JP in Mildura a lot easier. Being available each business day from 2-5 p.m. the broader community are really taking advantage of the service.

Harvey Taylor, Media Officer for the branch said, 'Without the support from the local Police we could never have achieved such excellent results and their support must be acknowledged.

'Not only are we removing basic clerical work from them, we are also freeing the Police up to allow them to pursue more important issues of various areas of crime prevention.

The signing centre at the Mildura Police Station is one of the busiest in the State and no doubt will again this year exceed all expectations of the Branch.



HOLIDAY OFFICE CLOSURE

The office will close for Christmas/
New Year break on Thursday, 20 December 2012 and re-open
on Wednesday, 16 January 2013.

If you need assistance with procedural matters whilst the office is
closed, please contact one of the Directors listed on the back

*The RVAHJ Board warmly welcomes the
following new members.*

- | | |
|--------------------|-------------------|
| Kevin Beardmore | MAIDSTONE |
| Stephen Buckle | CAROLINE SPRINGS |
| Gary Chandler | CRESWICK |
| Heather Glossop JP | ASPENDALE GARDENS |
| Teena Kay-Class | FERNTREE GULLY |
| Alan Rosser JP | MURCHISON |
| John Shilliday JP | RICHMOND |
| Paul Thomas | HILLSIDE |

Custodes advertising rates to go in here.




- ✓ Great Airfares
- ✓ Holiday/Honey moon packages
- ✓ Special Interest & Group Tours
- ✓ Warm and friendly service

Discover yourself DISCOVER THE WORLD

CEDAR JET TRAVEL & CRUISE ~ Your Gateway to the Middle East
 467 Lygon Street East Brunswick Victoria 3057 Tel: 9383 6999 Fax: 9384 1750
 Email: cedar@cedarjettravel.com.au Web: www.cedarjettravel.com.au

New appointments for Chief Magistrate, Ian Gray

Attorney-General Robert Clark has announced the appointment of Chief Magistrate Ian Gray to the County Court of Victoria and as Victoria's next State Coroner.

Mr Clark said Mr Gray's extensive experience as head of Victoria's busiest court would enable him to make a valuable contribution to the County Court, as well as making him ideally suited to lead the Coroner's Court.

Mr Gray commenced practice as a solicitor in 1975, working in private practice and as a community lawyer at the Nunawading Legal Service before being admitted to the Victorian Bar in 1982.

Between 1987 and 1997, Mr Gray worked in the Northern Territory, first as principal legal

advisor to the Northern Lands Council, and then as Magistrate and Chief Magistrate. He was then appointed Chief Magistrate in Victoria in 2001.

"Mr Gray has led the Magistrates' Court with distinction through more than a decade of extensive changes in both the law and the community's needs," Mr Clark said.

"Mr Gray's knowledge and experience leading a court that sits across the suburbs of Melbourne and throughout country Victoria, engaging with people from a wide diversity of backgrounds on many different and complex issues, makes him an ideal person to take on the important and sensitive role of State Coroner."

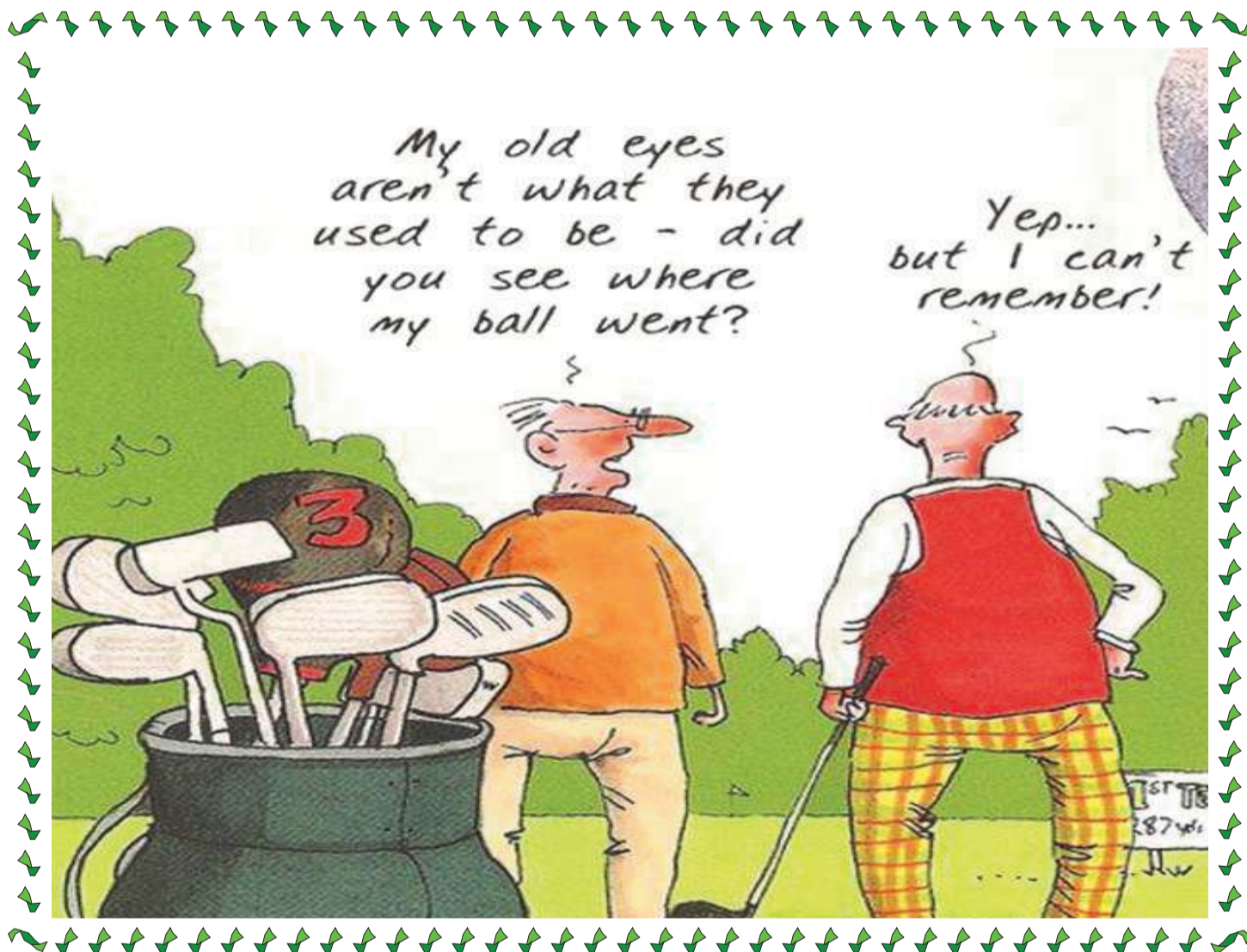
Mr Clark also paid tribute to the work of current State Coroner, Judge Jennifer Coate, and to her commitment and dedication during her five year term of office.

"Judge Coate has led the Coroner's Court during the demanding start-up period since the court's establishment in its current form in 2007, including through the traumatic times of the 2009 bushfires," Mr Clark said.

"I thank Judge Coate for her contribution to the Coroner's Court and wish her well for her continued service to the County Court and to the Victorian justice system."

Mr Gray will commence in the roles of County Court judge and State Coroner on Thursday 29th November.

Source: Office of the Attorney-General





"painting a brighter future"

Address: 399 Camberwell Road, Camberwell Vic 3124
Email: mail@mpav.com.au Tel: (03) 9813 5922

Since its foundation over 100 years ago, Master Painters Australia has functioned as an independent representative for firms and individuals conducting business in the painting, decorating and sign writing trades. We are a non-profit employer association managed by a group of elected directors.

The single most authoritative organisation in its field, the MPA has two principal objectives assisting the interests of its members in a business sense and ensuring that the professional standards of the industry are upheld. The MPA also offers consumers an independent inspection and reporting service for disputes in relation to VCAT.

As the demand by consumers grow for sustainable paints and products, MPA members that have completed the **22002VIC** Sustainable Painting Practice Course will be ready to meet that demand by having qualified operators that will be able to inform potential customers on enviro friendly paint products and accessories.

We recommend that you employ only members of the industry association.

AN MPA MEMBER WILL

Meet strict guidelines and follow a Code of Ethics

Have all relevant insurances

Provide a written quote

Give you a professional painting solution



Website: www.mpav.com.au FREE REFERRAL SERVICE - 03 9813 5922

Training honorary justices - The History Part 2

Further Training

Councillor EC Mitty JP, president 1958-60, remarked in The Journal that 19 groups of justices are providing the training of justices on their powers and responsibilities. The government did not provide any training of the duties attached to the appointment.

University Partnership

In December 1967 the Association announced the commencement of a new training course for justices education. This was held at Melbourne University under Professor Waller as the Director of Training. The course was 12 weeks in length and would start in April 1968. The Attorney-General, The Honourable George Reid, opened the course. Certain background reading was necessary with an association library was provided to assist those who participated in the course.

For many years the association operated the rosters for justices presiding at the Courts of Petty Sessions and then the second sitting of the magistrates Courts. In order to be placed on the roster, justices had to take a course over a number of weeks which at times included sitting with Stipendiary Magistrates at court.

The Journal records in April 1970 that Judicial Training Courses for justices of the peace were well attended. Continuing training and seeking knowledge should be the aim of justices to ensure they give the proper directions to people seeking their services.

Advanced training courses were carried out at Monash University in 1976.

Department Liaison

Prior to the time of creating bail Justices in 1990, the government required mandatory training. The Leo Cussens Institute was given the role of providing bail justice training. A draft training document was presented to the department. The department then asked the association to comment on the training. The association totally re-wrote the document which was accepted by both the department and Leo Cussens Institute alike.

While Leo Cussens Institute ran the initial training for bail justices, the association saw a need to provide refresher courses. The Department of Justice gave its approval to hold these refresher courses to begin on 7 September 1996. Course notes were provided to those attending. The courses continue to this day.

Core Business

After 100 years of training and education for honorary justices, the association remains at the leading edge of writing and implementing training and ongoing education for justices.

While offering members and non-members training sessions and refresher courses, the Journal continues to be the medium for updating information for all members.

Excellent working relationships between the Department of Justice and the Royal Victorian Association of Honorary Justices, has allowed a continual professional range of training courses to be made available to justices of the peace and more recently, bail justices.

The Association is best placed to keep across all changes to the law while monitoring exceptional instances which may arise from time to time. These items are immediately brought to the notice of justices via the journal and introduced into the Association's training sessions.

A New Era

For many decades the Association has advocated for mandatory training for all justices. Presidents for many years have led delegations to meet with Attorneys-General seeking to have mandatory training.

Recently the government and in particular the Attorney-General, have acceded to the request and introduced mandatory training for both justices of the peace and bail justices. Officers from the Department of Justice have developed an excellent and professional training course and included a panel of experienced justices, to be available to answer questions and provide a valuable insight into the role on practice.

The RVAHJ will continue to be at the cutting edge of training justices and are already looking at initiatives to provide legal and general information electronically, to assist justices while performing their duties.

Editors Note: Thanks to Michael for researching this story and submitting such an in depth article. Due to the length of the piece it will be published over two editions of Custodes.

MEMBERSHIP RENEWAL

A reminder to members that all membership fees become due on January 1 and your invoice for 2013 membership is on the reverse of the address sheet that accompanied this edition of *Custodes*.

To reduce our postage and administrative costs, **individual invoices are not sent.**

If you are planning to be away in the new year, we encourage you to send your payment early to avoid having your membership lapse.

Paying your membership

We regret that we are unable to accept payment over the phone however, a variety of payment methods are available:

Cheque/Money Order

Make cheques/money orders payable to: RVAHJ and post to: PO Box 317, Elwood, Vic. 3184

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Payments by MasterCard or Visa only will be accepted.

Online - go to our website www.rvahj.org.au, click on *Membership* then *Renew* then fill in the details.

By Fax - fill out the credit card section on your invoice and fax to (03) 9525 7765

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Account no. 10331656

Include Payer Ref: Reg. No./Invoice No

(Note: unless you clearly identify yourself as the payer, your payment cannot be linked to your membership account).

Paraprosdakians are figures of speech in which the latter part of a sentence or phrase is surprising or unexpected; frequently humorous.



Winston Churchill loved them.

1. Where there's a will, I want to be in it.
2. The last thing I want to do is hurt you. But it's still on my list.
3. Since light travels faster than sound, some people appear bright until you hear them speak.
4. If I agreed with you, we'd both be wrong.
5. We never really grow up, we only learn how to act in public.
6. War does not determine who is right - only who is left.
7. Knowledge is knowing a tomato is a fruit.. Wisdom is not putting it in a fruit salad.
8. To steal ideas from one person is plagiarism. To steal from many is research.
9. I didn't say it was your fault, I said I was blaming you.
10. In filling out an application, where it says, 'In case of emergency, Notify:' I put 'DOCTOR'.

Supplied with thanks by John Whelan.

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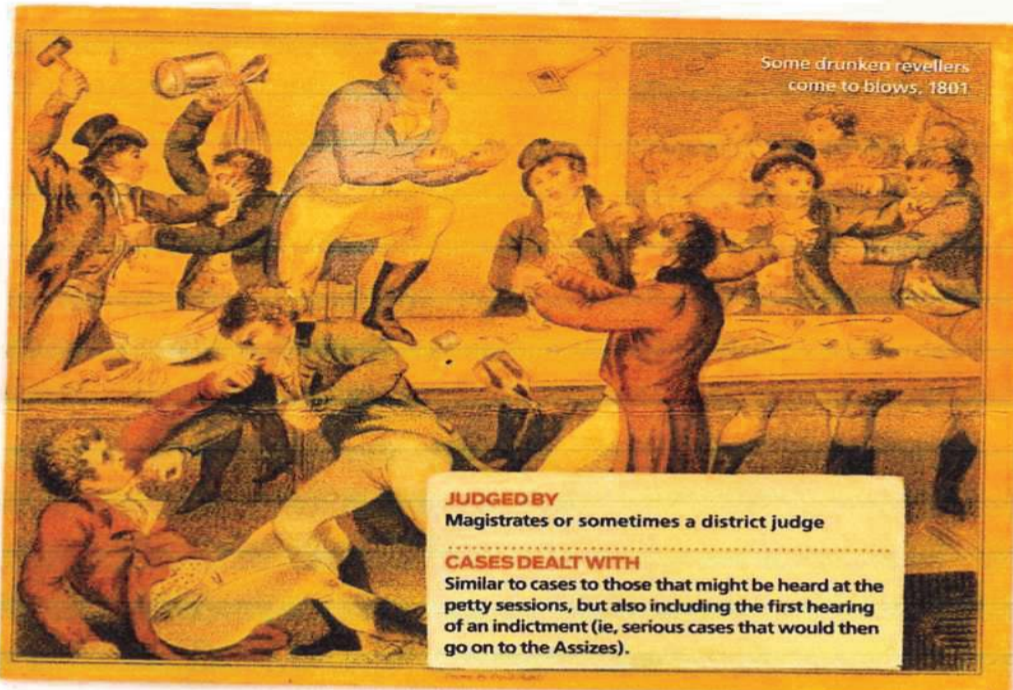
ANCESTORS
IN COURT

Quarter Sessions

The Quarter Sessions courts were the workhorse of the criminal justice system. They began in 1351, and they handled every kind of offence and local tribulation that came their way. They were the domain of the Justices of the Peace (magistrates) and met, as the name suggests, four times a year.

Before the Justices came concerns relating to drunkenness, pub brawls, arguments over land, nuisances on the highway, problems with beggars, licensing of beer houses, provision of constables, maintenance of bridges and more – the topics changing as the years passed and society had new laws and fresh social problems. All the Justices of the county sat on the bench at Quarter Sessions.

The courts were little changed until an Act of 1831 that stipulated specific dates for the courts, so as not to interfere with the Assizes (which dealt with felonies and more serious crime). This statute said: "Quarter Sessions for the peace by law ought to be held... in the first week after 11 October, in the first week after 28 December, in the first week after 31 March, and in the first week after 24 June." From the early 19th century, details of the sessions were given in almanacs, sometimes locally but always in the *British Almanac*, published by the Society for the Diffusion of Useful Knowledge. This publication listed all the Quarter Sessions for the coming year, with dates and venues.



Quarter Sessions dealt with capital offences until the 1660s and, from that time, there was also an increasing number of Petty Sessions hearings, often dealing with many of the matters the Quarter Sessions normally handled. The everyday offences before the magistrates were misdemeanours – crimes that could be tried without a jury. They were also the place where the first appearance of a person arrested for a felony

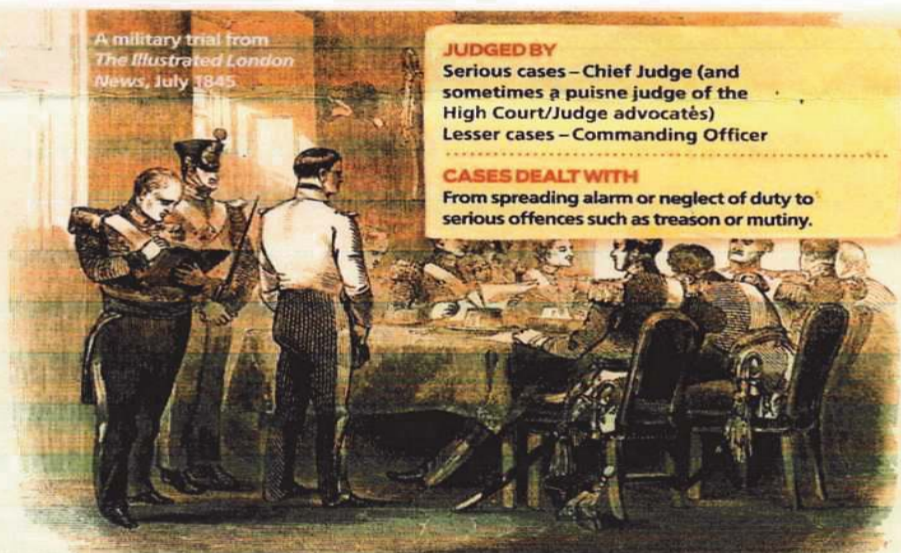
would occur, the cases being handed to the Assize hearing that came up next on the calendar.

Records of Quarter Sessions can be found at local record offices and some were collated and published by Victorian antiquarians. You may find them on archive.org or the record office may hold relevant books or indexes. Some Quarter Session records are now being digitised by commercial companies such as Ancestry.co.uk.

Military courts

These courts consist of the Court of Chivalry, the courts martial and the courts dealing with offences while the situation is a state of war. For the most part, records of interest will be from the courts martial, which deal with offences specifically against the laws of each branch of the services. Cases from the Army and Air Force can be found in the GAB series at The National Archives (TNA).

If the case is small fry, a summary hearing will take place; a 'service civilian court' enabled a trial to take the place of a civilian court if an offence was committed outside the British Isles. Then there is a court martial, which can try any offence against service law. The judges presiding, while in that role, will be termed a judge advocate, and that category of judge must have seven years' experience as a solicitor, barrister or advocate.



Who Do You Think You Are? July 2012

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Ed's note: This page is one of several supplied by Terry Fisher, JP, chair of the Wellington Branch. Subsequent pages will be published over coming issues. Sincere thanks to Terry.

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