



June 2012

Issue 2

OFFICIAL JOURNAL OF THE ROYAL VICTORIAN ASSOCIATION OF
HONORARY JUSTICES

Custodes

RVAHJ continues to grow



*Congratulations to the newly formed
Wellington Branch in Gippsland*

In this edition:

**Opening of new Wellington Branch, Branch news,
BD&M update, \$16M in grant funding,
News, Training update, Annual dinner booking form,
Q & A's plus more.**

From the president's desk



We are well into the year and the Board has been busy on a number of fronts. A director's workshop was conducted in March, as it is every year. A number of changes and initiatives were discussed with decisions made on how we can improve support to members.

The Membership Committee will be looking at ways to increase membership and provide members with the best support that it can. The Committee assists with the establishment and ongoing support of signing centre rosters and branches. Later in the year the Committee proposes to conduct a workshop with all the branches represented to increase networking and support.

A new committee has been established to look after the public relations of the Association. This will include revitalising *Custodes*, reviewing the products that are available for purchase and coordinating events.

We are looking for members to assist with the Membership and Public Relations Committees so if you would like to be involved please contact the office.

The Training Committee has recruited a number of new members to assist with the task of training. The directors consider training to be the most significant service that we offer to members.

We have also been involved as panel members at refresher training of bail justices and training being delivered to newly appointed bail justices and Justices of the Peace by the

Department of Justice. I have had the opportunity to be involved in a number of these sessions and have been made aware of the lack of up-to-date knowledge and the inconsistency of practices that exists where there has been inadequate training of honorary justices. I am proud to say however that RVAHJ members did not fall into this category.

Another initiative that the Association has been working on is the training of signing centre volunteers to allow them to witness documents destined for Births Deaths and Marriages (BD&M). Well over two years ago the past president and I started to meet with the Registrar of BD&M and progressed negotiations to the point where DoJ and other honorary justice groups were included to map out how we could achieve this. It pleases me enormously to advise this project is almost completed with two-thirds of signing centre volunteers trained and ready to start when they are directed to do so.

Erin Keleher from BD&M has been a major supporter of this initiative and I am pleased to announce that Erin has recently been appointed to the position of Registrar.

Finally, the date for the Annual Dinner has been set for the 31st August. I am delighted to inform members that the guest speaker will be Attorney General, the Honourable Robert Clark. Mr Clark, as many of you are aware, has been a consistent supporter of the Association and of all honorary justices.

Places are limited so I encourage you to get in quick and book now.

Linda Rainsford,
RVAHJ President

BALLARAT BRANCH BY BRYAN NICHOLLS JP

The Ballarat Branch of the RVAHJ continues to flourish and has been very active this year. Ms Linda Rainsford, RVAHJ president was the guest speaker at the Branch's quarterly meeting held in February at Learmonth with 30 members and guests attending.

In April the Branch hosted a training session for the Registry of Births, Deaths and Marriages (BD&M) at the Ballarat court complex. This session was attended by 40 honorary justices from Ballarat, the Central Highlands Region, Ararat and Warrnambool. Three honorary justices from the Geelong Branch also attended as observers as a prelude to a similar session being conducted in that city. The session was conducted by Ms Erin Keleher who is the newly appointed director and registrar of Births, Deaths and Marriages.

The Branch is waiting for discussions between the Registry and Victoria Police on the use of police station stamps by honorary justices to be finalised so that certification of BD&M documentation by JPs can proceed at the police station signing

centre. It is a BD&M requirement that a police station locality stamp must be used as part of the JP certification process.

There are now 27 honorary justices on the Ballarat Police Station signing centre roster and the centre is staffed for 4.5 hours each week day.



Ballarat branch members at their May 2012 meeting.

Since October 2009 the centre has processed over 84,000 documents for the public.

Our records statistician estimates that this is the equivalent of 110 weeks of full-time work for a police officer.

Another two branch members are also rostered at Melbourne based signing centres on a monthly basis.

Branch members have been invited by the Department of Justice (DoJ)

to attend their training sessions in Ballarat this year for potential honorary justice appointees to speak about their local roles and service to the community within the City of Ballarat and Central Highlands Region.

GREETINGS FROM BROADMEADOWS

As from May 1st, Neil Smith JP #12477 will take over the role of acting co-ordinator at the Broadmeadows Police Station. Thank you all for your assistance over the past 15 months. We processed 15,681 documents in 2011 and so far 7218 to the end April this year.

I intend to continue to assist Neil at the Broadmeadows Police Station as I know you will. Thanks again for your great support.

John Whelan JP # 5866

CORRECTION

In the last edition of *Custodes* incorrect times were printed for the signing service at the Dandenong Police Station.

Note the correct times are as follows:

Morning shift 10.am – 12.30pm

Afternoon shift 12.30pm – 3pm

Evening shift 5.30pm – 8pm.

Monday to Friday (excluding Bank Holidays).

Witnessing of interstate documents

Response received from the NSW Attorney General & Justice regarding the witnessing of NSW statutory declarations and affidavits by Victorian JPs.



**Attorney General
& Justice**

Parramatta Justice Precinct
160 Marsden Street, Parramatta
Locked Bag 5111, Parramatta NSW 2124
Tel 02 8688 7777 | Fax 02 8688 7980
www.lawlink.nsw.gov.au

Mr Trevor Aust
Treasurer
Royal Victorian Association of Honorary Justices (Sunraysia Branch)
PO Box 10048
MILDURA VIC 3502

FILE12/001706
MATTER12/002267

Contact: 8688 7586

2 MAY 2012

Dear Mr Aust

Thank you for your letter dated 25 March 2012 about the new identity certification requirements when witnessing NSW statutory declarations and affidavits.

The new requirements are the result of the introduction of section 34 of the *Oaths Act 1900* (NSW). That section imposes the new requirements on an authorised witness who takes and receives a statutory declaration or affidavit in New South Wales.

The new requirements therefore do not apply to a Justice of the Peace (JP) for Victoria who witnesses a NSW statutory declaration or affidavit while in Victoria.

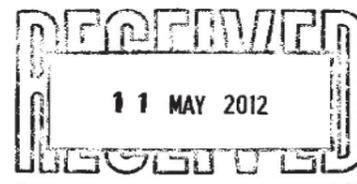
Of course, such a JP for Victoria should still be satisfied as to the declarant's or deponent's identity before witnessing, including asking to see an identification document if the JP considers necessary. There is however no legal obligation on such a JP for Victoria to follow the steps specified in section 34.

When in NSW, a JP for Victoria is not authorised to witness a NSW statutory declaration or affidavit.

I trust this information helps, and thank you for taking the time to clarify the situation.

Yours faithfully


**Director
Community Relations Unit**



SENTENCING ADVISORY COUNCIL'S REPORT RELEASED

The Sentencing Advisory Council's report on the introduction of baseline sentencing for serious crimes has been released.

In April last year, the Victorian Coalition Government requested the SAC's advice on various aspects of the implementation of the Coalition's election commitment to introduce baseline sentences, under which Parliament will specify the median non-parole period that courts must use in sentencing offenders for a range of serious crimes.

The matters SAC was asked to advise on included:

- the levels of baseline sentences that should be legislated for various offences;
- whether additional offences should have baseline sentences specified;
- whether different baseline sentences for an offence should apply in certain circumstances; and
- how baseline sentences should apply in cases involving multiple offences.

The report recommends that:

- baseline sentences should be based on an offence that represents the middle of the range of seriousness for offences that incur imprisonment, not taking into account any discount for a guilty plea or assistance to authorities, or factors personal to the offender;
- a baseline sentence level only apply where a court imposes a prison sentence and fixes a non-parole period;
- there be only one baseline level for each offence and that redefinition of offences is not necessary;
- baseline sentences be the starting point for sentencing and then be adjusted for offence factors, offender factors and discounts for guilty pleas or assistance to authorities;
- baseline sentences not apply to cases heard summarily, to juvenile offenders or to young adult offenders sentenced to youth justice centres; and
- baseline sentences should also apply to culpable and dangerous driving

causing death, kidnapping and the Government's new gross violence offences, but should not apply to incitement, conspiracy and attempt offences.

The SAC has also recommended baseline sentence levels for the various offences to be covered, based on the Council's proposed definition of a baseline sentence.

Attorney-General Robert Clark has welcomed the SAC report.

VLRC TO REVIEW SUCCESSION LAWS

Attorney-General Robert Clark has announced a review of Victoria's succession laws, to be undertaken by the Victorian Law Reform Commission.

Mr Clark said the review would seek to ensure these laws operate justly, fairly and in accordance with community expectations in the way property is dealt with after a person dies.

"The death of a family member is usually a time of great sorrow and distress, and if the law relating to wills and the administration of estates is not clear, it can quickly become a source of stress and conflict for families.

"Whenever possible, the law should minimise the potential for disputes to arise in the first place," Mr Clark said.

The review will examine and report on a wide range of matters relating to wills, estate administration and inheritance, including:

- requirements for witnessing of wills
- making wills on behalf of people with disabilities
- family provision applications
- law and practice relating to small estates
- the awarding of legal costs in succession cases
- distribution of estates on intestacy.

The VLRC has been asked to report on its review no later than 1 September 2013.

Source: Attorney General, Robert Clark MLA

2012 Annual dinner booking form

The President and Directors cordially invite members and friends to our

Annual Dinner 2012

Guest Speaker

The Hon. Robert Clark MLA
Attorney General

When: Friday 31 August 2012 6.30 p.m. for 7.00 p.m.

Where: Treacy Conference Centre, 126 The Avenue, Parkville (Mel ref: Map 29 F12)

Cost: \$60 per head **Dress:** Suit & tie/After 5

Don't miss out! Order your tickets now

By post:	Attn: Cathy Owens, PO Box 317, ELWOOD 3184		
By fax:	(03) 9525 7765		
List full name of all attendees:			
1.		5.	
2.		6.	
3.		7.	
4.		8.	
No. tickets @ \$60 per head (drinks at bar prices):			
Credit card details			
Card type - <u>visa</u> or <u>mastercard</u> only (No payments by phone):			
Credit card number:			
Expiry date:			
Cardholder's name:			
Cardholder's signature			
Your postal address (for delivery of tickets)			
Name:			
Street Address / PO Box:			
Suburb / Town:			
Postcode:			
Contact Ph:			

RSVP: 17 August 2012 (or until sold out!)

Honor roll

*Congratulations to the following members who, this year, reach a new milestone in membership.
Your service and long-standing support of this association is appreciated.*

55 Years

John Weir **Wilson** AM BRIGHTON EAST

50 Years

Hinton Edward **Lowe** JP WERRIBEE
Patrick James **Murphy** JP MURRUMBEENA

45 Years

Beverley Mae **Genser** JP RICHMOND
Raymond William **Gloster** JP UNDERBOOL
Arthur Robert John **James** JP NARRE WARREN
Robert Henry **Leslie** JP LEONGATHA
Desmond McRae JP KORUMBURRA
Donald Southwood **Phelts** JP NEWPORT
Edward William **Reedy** JP ROBINVALE
Edgar Bendall **Swebbs** JP ROSEBUD WEST
William Arthur **Wilton** JP OUYEN

40 Years

Alfred Keith **Brierley** JP BLACKBURN
Robert Walter **Brooks** JP KORUMBURRA SOUTH
Murray William **Campbell** JP SURREY HILLS
Ibrahim Hussein **Dellal** AM JP IVANHOE
John Edward **Delzoppo** JP JINDIVICK
Mervyn Roy **Driver** JP SUNBURY
Eric Francis **Kneebone** JP ROCHESTER
Claude **Lopez** JP PATTERSON LAKES
Frederick James **Maddern** OBE JP FOOTSCRAY WEST
Donald James **McNaughton** JP WYCHEPROOF
Alan David **Pitkethly** JP TRARALGON
Donald Thomas **Thompson** OAM JP ROCHESTER

35 Years

George Henry **Bennett** AM JP NHILL
Alan Thomas **Carter** JP CHELSEA
Vito **Catalano** JP GLENROY
Darryl Thomas **Cook** JP KNOXFIELD
Ian Hamilton **Dean** JP KILSYTH
Nora Bernece **Delany** OAM JP BRIGHT
Joseph Aloysious **de Souza** JP KEYSBOROUGH
Terence **Dunn** JP MT. EVELYN
John **Feigl** JP ELTHAM STH
Winston Edward **Ferris** JP SEYMOUR
John McKenzie **Fleming** JP WONTHAGGI
Christopher Charles E **Gahan** OAM JP PRAHRAN
Daryl Charles **Gallagher** JP SWIFTS CREEK
Antony Richard **Hewitson** JP PARKDALE
John Edward **Holmberg** JP ELMORE
Alan Leslie **Loney** JP LEOPOLD
John Charles **Maglen** JP TOOTGAROOK
Andrew Peter **Mason** JP PORTARLINGTON
Lorenzo **Modica** JP DANDENONG
Wladimir **Ostrowsky** JP VIEW BANK
Catherine Elizabeth **Price** JP WILLIAMSTOWN
Gregory Thomas **Prouse** OAM JP MELBOURNE

John Russell **Riddett** JP
Myfanwy May **Tomsett** JP
Thomas Norman **Trower** JP
Edward Norman **Widdicombe** JP
Leighton Radleigh **Wraith** JP

SURREY HILLS
DONCASTER EAST
SUNBURY
BALLARAT
DUNKELD

30 Years

Ian Maxwell Leslie **Armstrong** OAM JP
Ronald Henry **Bowden** MLC JP
Donald George **Brown** JP
Ronald John **Cocks** JP
Gordon Henry **Collins** JP
Edward John **Coningsby** JP
Louis Robert **Cook** JP
Joe **Cordone** JP
Norma Adeline **Corr** JP
Grahame Robert **Crouch** JP
Harry Hilton **Fennell** JP
George **Georgakopoulos** JP
Rodney Leslie **Gregg** JP
Kevin Vincent **Hogan** JP
Roger Graham **Isherwood** OAM JP
Olga Virginia **Jackson** JP
Wallace James **Jackson** JP
Robert John **Leydon** JP
William Samuel **Mackieson** CStJ. JP
Regis Emmanuel **Masset** JP
David George John **Mehegan** JP
Alan Graeme **Mills** JP
Kevin Douglas **Moody** JP
Carl William **Nielsen** JP
Marie Therese **Pryor** JP
George **Roubos** JP
Bruce Charles **Shearer** JP
Neil John **Sheppard** JP
Frederick Keith **Smith** JP
Peter **Stathopoulos** OAM JP
Jack **Taylor** OAM JP
Walter Robert Thomas **Tipping** JP
Daniel Joseph **Traum** JP
Jacob **Vecht** JP
Robert George **Warren** JP

SANDRINGHAM
SOMERVILLE
HAMPTON
STRATHMORE
KYNETON
KILMORE
NUMURKAH
GROVEDALE
VENTNOR
LANGWARRIN
BACCHUS MARSH
KEILOR EAST
MIRBOO NTH
WODONGA
BURNSIDE
CAPE SCHANCK
DROUIN
BURWOOD
WANDIN NORTH
OAKLEIGH STH.
POINT LONSDALE
BERRIWILLOCK
BERWICK
KYNETON
GLADSTONE PARK
BRIGHTON EAST
CAMBERWELL
WHITFIELD
SHEPPARTON
LEOPOLD
EAGLEHAWK
MELTON
MALVERN
BENTLEIGH EAST
NOBLE PARK

25 Years

Charles Barry **Kearnan** JP
Ken Gwok-Kuey **Louey** JP
John William **Pantland** JP
Peter William **Rogers** JP
Bruce Robert **Wilson** OAM JP

ST. ARNAUD
TEMPLESTOWE
STRATHMORE
WENDOUREE
SHEPPARTON

Training update



The Training Team has finalised the following dates for training in 2012:

Document Witnessing

Saturday, 28 July 2012– Sale (Venue to be confirmed)

RSVP by 20 July 2012

Saturday 1 September 2012– Parkville, Royal Melbourne Hospital

RSVP by 24 August 2012

Bail Justice Refresher

Saturday 3 November 2012– Parkville, Royal Melbourne Hospital

RSVP by 26 October 2012

✂

To book to attend any of these sessions, please complete the registration form and return it to the Association .

I wish to attend the following training sessions: (Please tick the box)

Document Witnessing

Saturday, 28 July 2012 – Sale (Venue to be confirmed) RSVP by 20 July 2012

Saturday, 1 September 2012 – Parkville, Royal Melbourne Hospital RSVP by 24 August 2012

Bail Justice Refresher

Saturday, 3 November 2012 – Parkville, Royal Melbourne Hospital RSVP by 26 October 2012

Name: Contact Ph.....

Postal Address:

.....Post code.....

RVAHJ Member (or applied for Membership) **No Cost**

Non Member – Enclose payment by Cheque/Money Order or authorise payment by credit card for **\$100.00 per person per session**

Credit Card type: MasterCard Visa (Note: Sorry, we do not take payments by phone).

Credit Card No. _____ / _____

Card Expiry M M Y Y

Name of Cardholder:

Cardholder's Signature:

AN IMPORTANT AND URGENT QUERY

I am writing to seek your guidance on the documentation expected of bail justices when an application for an Interim Accommodation Order is rejected.

anything and that there are no forms to be completed in these circumstances.

Thank you.

Terry McKay BJ 1761

I have not been faced with this situation as yet but was queried by another bail justice who was not convinced by DHS that an Interim Accommodation Order was justified following a hearing he conducted. We discussed the issue at length and extensively reviewed the Department's website but concluded that if DHS is still of the view that an Order is necessary, the onus was on it to make a further application (Form 15) to the Court. However, the concern we share is that in this situation there would be no record of the out of sessions hearing or the reasons as to why such an order had not been granted therein.

Good afternoon Terry,
We have been advised that there is no paperwork that needs completion where an Interim Accommodation Order is not granted. You are correct in your assumption that if DHS still believe an order is necessary, they can make application to the court.

Thank you for your enquiry.

Kind Regards,

Wendy Collins

Honorary Justice Office, Courts & Tribunals Unit

Department of Justice - Victoria

(Phone)+613 9032 0748 (fax) +613 9032 0700

Could you please reassure us that we are not missing

Can a Deponent *refuse* to use a religious text when swearing an Oath?

Members will remember that legislative changes have made the use of a religious text "unnecessary" when taking the Oath, making it possible to still choose to take the Oath (rather than making an Affirmation) even if the appropriate religious text is not available.

A. Even if the appropriate religious text is available, the Deponent may choose whether to use it or not. Whether a religious text is used or not, the Oath is administered in the usual way and is binding under the law.

But, what if the appropriate religious text is available? Should it not then, be used?

Q

&

A

SUNRAYSIA BRANCH BY HARVEY HILARY-TAYLOR JP

The Sunraysia Branch of the RVAHJ is looking forward to another successful year in 2012 with strong membership and an even higher profile than last year partly brought on by the efforts of volunteer JPs at the signing centre in Mildura.

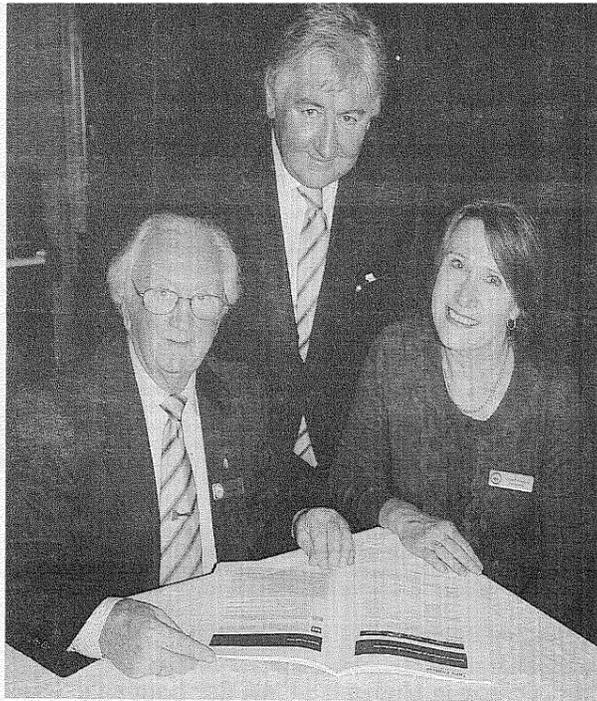
At the recent general Meeting held in March the Branch was delighted to welcome RVAHJ Director Mr. John Wellington and he discussed a lot of issues pertaining to JPs in general and in some instances areas of JP operation unique to Mildura.

Mildura is situated in the north western corner of Victoria, and as such receives at their signing centre clients from Victoria as well as New South Wales and South Australia. This occasionally causes issues as in some cases Victorian JPs cannot witness documents from the adjoining State.

The Branch has had the addition of some new members in 2012 and is hoping to recruit other new JPs to the signing centre roster at the local police station. Currently there are 21 members of the Branch on the roster with another five on standby should they be required.

The Sunraysia branch is manned by a wide and varied group of JPs all of whom are aware of their position in the community and they are desirous of assisting Sunraysia residents in this capacity.

NEWLY FORMED WELLINGTON BRANCH



Chair of the newly created justices' branch in Sale Terry Fisher JP (seated left), talks with Royal Victorian Association of Honorary Justices president Linda Rainsford (seated right) and Garry Runge JP (standing) about plans for the future.



Pictured back, from left, Wellington Shire Council's Cr Leo O'Brien, branch secretary Prinesh Narayan, Sale Police acting Sen-Sgt Mark Barratt and treasurer Tassie Deacon JP. Seated are branch chair Terry Fisher JP, Royal Victorian Association of Honorary Justices president Linda Rainsford and branch vice-chair Rod Lavin.

Honorary justices branch is formed in Sale

Justices' Branch Formed to Provide More Community Services

Some 25 people met at a dinner meeting in Sale, on Saturday 24 March, to form a Branch of the Royal Victorian Association of Honorary Justices (RVAHJ). The prime reasons for forming the Wellington branch was to seek ways in which to provide more judicial services to the community while allowing Justices of the Peace and bail justices to meet to discuss matters of mutual interest and keep abreast of developments in their role of signing and witnessing documents and dispersing justices at a local level.

President of the RVAHJ, Linda Rainsford together with a group of directors were in attendance to assist in supporting the creation of this new body. President Linda praised those who had arranged for this first meeting and wished the branch well for the future. She also presented a cheque from the RVAHJ to help start the operation of the new branch. President Linda also went on to inform those present of the benefits of keeping in touch with the RVAHJ Board

to maintain a liaison of mutual benefit and the sharing of ways to provide improved services to their community.

At present the Attorney-General and Department of Justice officers have introduced new initiatives to better train and inform justices of their role. This is an important epoch in the history of this vital and important position for which the community will benefit.

THE Sale and district community is set to benefit from the formation of a branch of the Royal Victorian Association of Honorary Justices (RVAHJ).

Twenty-five people met at a dinner meeting in Sale on March 24 to form the branch which will seek ways in which to provide more judicial services to the community.

It will also allow Justices of the Peace and bail justices to meet to discuss matters of mutual interest and keep abreast of developments in their role of signing and witnessing documents and dispersing justices at a local level.

RVAHJ president Linda Rainsford, together with a group of directors, were in Sale to assist in supporting the creation of this new body, presenting a cheque from the RVAHJ to help start the operation of the new branch.

In forming this new branch those elected were: Terry Fisher JP 34, Duke St, Rosedale 3847, phone 5199 2961, mobile 0400 784 946 as chair; Rod Lavin JP as vice chair; Prinesh Narayan JP as secretary, PO, Box 1309, Sale, phone 5142 3347, mobile 0417 304 054; and Tassie Deacon JP as treasurer.

Director Garry Runge JP from the RVAHJ is the appointed liaison officer.

The meeting has also decided to look into the possibility of setting up a Justices of the Peace signing centre in Sale, allowing the community easy access to a JP.

Honorary Justices may also benefit from having a forum for sharing ideas and keeping themselves abreast of what is happening around the state.

Interested justices may phone Prinesh Narayan on 5142 3347 or mobile 0417 304 054.

New members will be made welcome.

The Attorney-General and Department of Justice officers have introduced new initiatives to better train and inform justices of their role.

The position of a justice of the peace is honourable and ancient, dating back to 1195 when King Richard the Lionheart created Custodes Pacis (keepers of the peace) to help keep the peace whilst he ventured to the Holy Land to fight the Crusades.

The role has varied over the centuries and the title Justice of the Peace derives from 1361 during the reign of Edward III, making the office one of the oldest in the common law system.

In forming this new Wellington branch those elected were Terry Fisher JP (34, Duke Street Rosedale 3847 (03) 512992961(M) 0400 784 946) as chair, Rod Lavin JP as Vice Chair, Prinesh Narayan JP as Secretary (PO, Box 1309 Sale, (03) 51423347 (M) 0417 304 054) and Tassie Deacon JP as Treasurer. Director Garry Runge JP from the RVAHJ is their appointed Liaison Officer.

Article supplied by Michael Cheshire JP

NEWLY FORMED WELLINGTON BRANCH CONTINUED

The meeting decided to look into the possibility of setting up a Justices of the Peace signing centre in Sale. This would allow the community easy access to a JP.

Honorary justices may also benefit from having a forum for sharing ideas and keeping themselves abreast of what is happening around the State. Interested justices may contact the Secretary Prinesh Narayan at PO, Box 1309 Sale, or phone (03) 51423347 (M) 0417304054. New members will be made

most welcome.

The position of a justices of the peace is honourable and ancient, dating back to 1195 when King Richard the Lionheart created Custodes Pacis (keepers of the peace) to help keep the peace whilst he ventured to the Holy Land to fight the Crusades. The role has varied over the centuries and the title Justice of the Peace derives from 1361 during the reign of Edward III, making the office one of the oldest in the common law system.

By Michael Cheshire JP

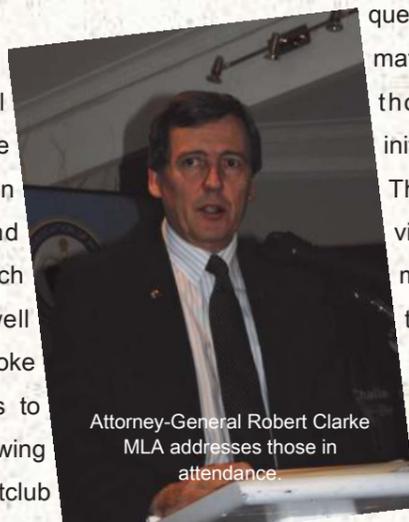
CENTRAL GIPPSLAND BRANCH

The Honourable Robert Clarke MLA, Attorney-General travelled on a cold and rainy night on 24 April to visit local justices at the Central Gippsland branch of the RVAHJ in Warragul. Nearly 100 people also ignored the weather by attending a dinner which made for a great evening together.

Many dignitaries accepted invitations to attend. Members of Parliament attending were Gary Blackwood, Member for Narracan; Russell Northe, Member for Morwell plus the mayor of Baw Baw Shire Cr Dianne Blackwood. Officers in Charge of four Police Stations were accompanied by Superintendent Tess Walsh.

President Linda Rainsford led a number of RVAHJ directors who attended the dinner, which made for a great evening of individual discussions about matters judicial, with other attendees. Directors took the opportunity to meet with and discuss many issues which were of interest to members of the RVAHJ.

Attorney-General Robert Clarke presented an informative and engaging speech which was well received. He spoke about new moves to meet the growing concern with nightclub



Attorney-General Robert Clarke MLA addresses those in attendance.

questions on a variety of matters which also informed those present of new initiatives.

This was one of a number of visits the Attorney-General is making to branches around the State. This is the first time an Attorney-General has attended any RVAHJ meeting for more than 30 years.



Chairman Jim Hood JP (centre left) - Central Gippsland Branch of the RVAHJ presents a gift to Attorney-General Robert Clarke MLA (centre right). Others left to right: Russell Northe MLA, Member for Morwell; Cr Dianne Blackwood, Mayor for Morwell; President Linda Rainsford RVAHJ; and Gary Blackwood, Member for Narracan.

Chairman of the Central Gippsland branch Jim Hood JP thanked the Attorney-General for attending and presented him with a token of thanks.

The evening was well organised by the branch to bring

so many people together with similar interests who were able to exchange ideas and become more informed by the discussions which took place.

By Michael Cheshire JP

JP recruitment drive UK style

Dear Helen,

Thanks again for your RVAHJ journal. Interesting that the Law handbook is free on-line now. <http://www.lawhandbook.org.au/handbook.php>.

Having just retired as a BJ at 65 (not willing to go through annual retraining annually, like so many others), but still a JP and working for a living and acting every day (recently witnessing an affidavit for NSW – wondered what their age limits were – the paperwork with it was sparse), I thought the following article may be of interest to readers too apropos responsibilities for JPs overseas in modern jurisdictions and the information available on-line to show the responsibilities involved, including a video.

Phil Spencer JP

Are you interested in being part of the justice system?

Thursday, April 12, 2012 [Western Gazette - North Dorset](#)

A RECRUITING campaign for new magistrates has started.

The courts service is hoping to recruit up to 53 new magistrates in the Avon and Somerset area. Some of the vacancies are for the magistrates' courts at Yeovil and Taunton.

Magistrates, which are also known as Justices of the Peace or JPs, are volunteers.

They deal with around 95 per cent of criminal cases in England and Wales and have the power to sentence people to up to a year in prison.

Applications are welcomed from anyone aged 18 and above. The retirement age for magistrates is 70.

Anyone who is interested in applying should contact the recruitment website at: www.direct.gov.uk/magistrates for full details of the application process or telephone 01823 285279.

An open evening for those interested will be held at the Magistrates' Court, St John's Road, Taunton, on Monday April 23, between 4.30pm and 6.30pm. The deadline for applications is Thursday, May 31.

The new magistrates will sit for the first time in April next year.

<http://www.thisissomerset.co.uk/interested-justice/story-15791592-detail/story.html>

Noted the equivalent ad at

http://www.justice.vic.gov.au/resources/7/b/7b3bd30048c3dcf4a41ce527629963c8/justice_of_the_peace_position_description_nov_11.pdf

All appointments to the office of Justice of the Peace are subject to the following checks: reference checks, National Police Record check, Australian Securities & Investment Commission check, and Insolvency and Trustee Service Australia check.

CITY & NORTHERN SUBURBS BRANCH BY NORMAN WTTINGSLOW

The Hon. Justice Frank Vincent AO, QC addressed the meeting of City Northern Branch on Monday 16 April 2012 at the Fawkner Police Station. In all there were 12 JPs present.

His Honour spoke for two hours talking about his time on the bench and his position on the Parole Board and as its chairman for 16 years.

By way of background, he was admitted to practice law in 1960 and became a barrister the following year. His practice was mostly crime with a little workers compensation. Once he found his feet and became better known he represented the accused in more than 200 murder trials before his appointment to the Supreme Court.

He said that it was ironic that when he was first appointed to the Supreme Court in 1985 the then Chief Justice, Sir John Young told him that the Court needed versatility in its judges and as a result he sat on only civil cases for the next four years. He said, only just recently he found a letter he had written to the Chief Justice complaining that after four years

he was yet to sit on a criminal case and was wondering when he could? He didn't have to wait much longer.

Given the number of murder trials he has either represented or presided over and coupled with his involvement as chairman of the Parole Board, it's a sobering tally the amount of murderers he has come into contact with and it is little wonder that he has the 'nick name' of Mr Murder.

As a judge, he sentenced four killers to life imprisonment with no possibility of release. One of them was the Frankston serial killer Paul Denyer and the others were Russell Street bomber Stan Taylor, Bega schoolgirls killer Leslie Camilleri and serial sex killer Peter Dupas. Interestingly he explained none would have received the death penalty had it still been available to him. He didn't think that was part of his job description.

He says Camilleri's co-offender, Lindsay Beckett gave the most chilling description he had ever heard of how the two 14 year old girls met their death. He said that was the worst day he had ever spent on the bench, and can still to this day hear the

ever so devastatingly sad sounds coming from the parents and families of the murdered girls as they sat in the rear of the court hearing how their daughters met their most unimaginable and horrible deaths.

Beckett's description, which took over 16 hours of testimony was delivered in such a cold, matter-of-fact way, it would sicken the most hardened.

To finish on a happier note, the Judge said the best Christmas card he ever received was from a "client". It was sent by the notorious Mark "Chopper" Read and on the front it had a nativity scene with the words "Jesus loves you".

"Inside he'd written, 'Personally I think you're an a---hole' - but he then wished me a Merry Christmas and told me to make sure I never lost my sense of humour!"

The Judge covered many other subjects, which were equally interesting and informative, indeed a quality evening of insightful facts about our legal system from the view point of a very senior Judge.

\$16 M in funding up for grabs

Volunteer Grants 2012 recognises the valuable work of Australia's volunteers.

This initiative forms part of the Australian Government's ongoing commitment to organisations whose volunteers assist disadvantaged communities and encourage inclusion of vulnerable people in community life.

Funding of \$16 million is available to support and encourage volunteering. Eligible not-for-profit community organisations can apply for grants between \$1,000 and \$5,000.

Visit the following link for more information.
http://www.fahcsia.gov.au/sa/volunteers/funding/Pages/volunteer_grants2012.aspx

Branch news

MONASH BRANCH BY HELEN GILHOME JP

Chairman, Wayne Freeman in his end of year letter to branch members expressed the sadness of the Branch at the passing of two stalwarts – Laurie Taig and Max Rose. Both would be well known to many members who I know share our sadness.

Meetings 2012:

Wednesday, 20th June commencing 12.30 p.m. LUNCH at the Elsternwick Hotel, Cnr Glenhuntly and Brighton Roads, Elsternwick.

Thursday, 20th September commencing 7.00 p.m., Malvern Town Hall (in the Council Chamber), Cnr High Street and Glenferrie Road, Malvern.

Supper is kindly provided by the City of Stonnington.

All welcome. Kindly RSVP to Helen Gilhome
helen@gilhome@gmail.com or call 0401 338 176

The RVAFJ Board warmly welcomes the following new members.

Anne Bowran JP	WODONGA
Geoffrey Burton JP	WODONGA
Frank Cahill JP	MELBOURNE
Deborah Charlton JP	WEST WODONGA
John Deane JP	STRATHFIELDSAYE
Sang Do JP	FLEMINGTON
Kenneth Fitzgerald JP	COLERAINE
Patrick Gallagher JP	ASHFIELD NSW
Shaun Goodison JP	LONGFORD
Deema Johnston JP	BANNOCKBURN
Yoland Lim JP	DONVALE
Jennifer McAuslan JP	PAKENHAM
Julie McGrath JP	NAR NAR GOON
Brenda McKinnon JP	WODONGA
Prinesh Narayan JP	SALE
David Osman JP	DINGLEY VILLAGE
Jason Potts JP	NEWBOROUGH
Nalini Pulaparti JP	BENTLEIGH EAST
Adrian Spinelli JP	MERENDA
Leona Turra JP	TRARALGON

UPPER MURRAY BRANCH BY PST CAROL ALLEN JP

There will be a guest Speaker from the State Trustee at the next Upper Murray Branch Meeting in Wodonga on June the 25th.

The subject covered will be on Powers of Attorney, which will be explained in easy to understand language. This will help JP's to perform their duties in a competent manner when witnessing Powers of Attorney and in particular establishing the importance of the person giving and the person accepting the Powers of Attorney.

We would encourage all members to support our branch efforts to further educate and inform active members to understand this important document.

The branch will meet at Birraleae Tavern 6.30 p.m. for general meeting and guest speaker followed by a meal at around 7.30 p.m.

We welcome all to attend, hope to see you there.

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INSPIRING LEGAL EAGLE TAKES PRIDE OF PLACE AMONG WOMEN.

Hobson Bay Weekly - 21 Mar, 2012

IN 1975, the United Nations proclaimed it International Women's Year. Altona Meadows resident Loretta Cormack was in the thick of it, on the Sunshine International Women's Year action committee. Now, she has been honoured as one of Hobsons Bay's most inspirational women of 2012.



Loretta Cormack

"I was one of the first members of International

Women's Year in the mid-'70s," Ms Cormack said.

"We had great support from the Whitlam government at the time, and my husband joined the International Women's Year.

"It was a wonderful group to get going. We had women from all walks of life, and it's wonderful to see that it's come as far as it has, that it really is International Women's Year."

In 1975, the Whitlam government allocated \$3.3 million over two years for International Women's Year events and established a national advisory committee. A Justice of the Peace for 38 years, Ms Cormack sat on the bench for 10 years as an honorary magistrate hearing cases. For 19 years, she has also heard remand cases as a bail justice.

She works at Williamstown police station as an Independent Third Person (ITP) - assisting people with disabilities who enter the legal system.

She is among 20 winners recognised in the inaugural Hobsons Bay Inspirational Women Awards.

Picture by Darren Howe

BY ERIN KELEHER, REGISTRAR

Update from BDM

June 2012

On 24 May 2012, the Registry of Births Deaths and Marriages (BD&M) provided the 'all clear' for commencement of JP certification for documents presented in support of BD&M applications. BD&M has loaded the JP registration details and specimens of signature into its database for the 24 locations that have undertaken the BD&M information session and has commenced receiving documents certified by these JPs.

BD&M will continue to provide information sessions to the remaining police signing centre locations until 30 June 2012 and then will review coverage before running further sessions in the new financial year. BD&M is grateful for the efforts of the roster coordinators in arranging the venues and participants for the information sessions.

Victoria Police has advised its police signing centres that JPs may now use the police station stamp in conjunction with the JP stamp. JPs will need to ask the customer if the document is for a Victorian BD&M purpose to ensure the police stamp is applied in these instances. Documents that do not show the police stamp will be returned to the customer as non-compliant.

The aim for sustaining ongoing training will be to integrate the BD&M information into the Honorary Justice Handbook and to explore use of online training. Any enquiries about JP training may be directed to Margaret May on 9613 5871.



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Branch news

MORNINGTON PENINSULA BRANCH BY IAN LYONS JP

Mr Jan Szuba, Manager; Honorary Justices Office spoke to the members of the Mornington Peninsula Branch at their recent meeting held at Frankston Police Headquarters.

In his address he spoke on the important role that Honorary Justices play within the Justice System and the programmes that his department is undertaking in the training of JPs and Bail Justices. He is personally travelling around the state and talking to JPs and prospective JPs on the expectations of his Department for work being carried out by Honorary Sworn Officers.

The Department has put into place a system for community minded citizens who apply to become JPs or bail justices which consists of interviews, probity checks, the requirement of three referees and a training and development course of one and a half days. Mr Szuba hopes that current justices will take advantage of the training and development courses offered by the DoJ.

The training of bail justices which has been a Victoria University course is to now be operated by the Department of Justice.



Dawne Wallace, Signing Centre coordinator with Mr Jan Szuba and Branch chair, Mr Graham Unwin.

The next meeting of the Mornington Peninsula Branch is, Wednesday June 6th at 7.30 p.m. at Frankston Police Station.

Further details from Branch Secretary; Fay Hunter- phone 59761258.

WIMMERA BRANCH BY GEOFF PENNA JP

JUSTICES CONVERGE ON HORSHAM

Arranged by the Royal Victorian Association of Honorary Justices and co-ordinated by the Wimmera Branch, more than 30 JPs and bail justices gathered in Horsham recently for a seminar on document signing.

The Wimmera Branch president, Mr Don Jagger of Horsham welcomed visitors to the City and stressed the need for justices to maintain a professional standard in the undertaking of their respective duties in serving the needs of the public.

The professional development exercise was facilitated by two Melbourne

representatives of the Justices Association.

Attendees travelled from as far away as Ararat, Stawell, Beulah, Rupanyup, Charlton, Marnoo and Minyip.



Aspects of the training were as defined in the Evidence (Miscellaneous Provisions) Act 1958, and covered topics relating to the verification and signing of statutory declarations, enduring powers of attorney,

guardianships and wills.

Justices were informed as to the requirements when performing duties for the visually and hearing impaired and for those requiring the services of an interpreter due to language barriers.

The Wimmera Branch of the Association is looking forward to their forthcoming dinner in Horsham in July. The guest speaker will be the Victorian State Attorney General, Hon. Robert Clark MLA.

RVAHJ president, Linda Rainsford will also attend the dinner.

Photo: Justices attending training recently in Horsham.

MINUTES OF THE 102nd ANNUAL GENERAL MEETING

HELD AT 53 BROADWAY, ELWOOD ON THURSDAY 24TH, MAY 2012

COMMENCING AT 7.30PM

PRESENT:

Board: Linda Rainsford (President RVAHJ), Glenda Frost (Vice President), Garry Runge (Immediate Past President), Geoff Legge, Ben Loois, Norman Wittingslow, Paul Mracek, Terry McKay.

Members: Angelo Auciello, Grant Thomas, Terry Fisher, Bob Williams.

APOLOGIES:

Bob Bailey, Cathie Irvin, Cathy Owens, Joan Scott, Rhonda Smith, Michael Cheshire, Michael Tse, Damien Nosedo, Gavin Knight, Harry Gibcus, Constance Smith, Jim Kerin, Reg Kinnersley, Robert Campbell

WELCOME:

Association President and AGM Chairperson Linda Rainsford welcomed members to the AGM and Board members present introduced themselves.

MINUTES OF THE 101st AGM:

Minutes of the 101st AGM as printed and circulated were confirmed: Moved Norman Wittingslow, seconded Paul Mracek. CARRIED

Point from minutes:

Terry McKay raised a point for clarification regarding the previous minutes which appeared not to have been acted. He asked if an article had been placed in *Custodes* regarding incorporation. Norman Wittingslow agreed the article had not been inserted, however the Board had previously discussed incorporation. It was agreed the President would write to branches advising that a workshop would be held to discuss incorporation and any other issues. This matter would be referred to the membership committee.

BIENNIAL ELECTION:

As there was no requirement for any director to stand for nomination no elections were required.

PRESIDENT'S REPORT: Linda Rainsford (President)

I am pleased to present my report to the Board for the period 1 January 2011 to 31 December 2011.

In my first year as president we moved into the 101st year of the Association and I have been fortunate to have worked with a group of talented board members who are committed to the role. I would like to thank each and every one of them. In particular I would like to thank Garry Runge the Immediate Past president who, when handing over the role to me, stood by and guided me through the challenges.

The highlight of the year for me was most certainly the Conference which was held in October and the feedback that was received indicated a resounding success. It is certainly an indication that this should be repeated in the not too distant future. It was a privilege to have, as keynote speaker, the Hon Mr Robert Clark Attorney-General of Victoria. Members of the Association are extremely grateful for the ongoing support that the Attorney-General has given and his commitment to the future role of JPs and BJs.

Another highlight of the year and certainly not less significant was the outcome of discussions with Births Deaths and Marriages (BD&M). This initiative led to the training of signing centre volunteers to allow them to witness documents destined for BD&M. Well over two years ago the Previous Past President and I started to meet with the Registrar of BD&M and progressed negotiations to the point where the Department of Justice and other honorary justice groups were included to map out how we could achieve this. I am very pleased to say that this project is almost completed with two-thirds of signing centre volunteers trained and ready to start when they are directed to do so.

A significant change was the introduction of training for JPs by the Department of Justice. And the association has been pleased to support them by providing panellists at training sessions. It is evident that members who have received regular

AGM Minutes

training in the past by the Association are better equipped for the challenges that JPs and BJs face and the Association is fully supportive of this training.

The Annual Dinner was held with Mr Ian Gray, Chief Magistrate as guest speaker who gave us all an insight on where he thought the role of honorary justices was heading. During the evening it was a delight to present certificates of service to members with a significant number of years and to recognise their ongoing commitment to the role.

I wish to thank Cathy Owens our office administrator for all the assistance she has given to myself, the board and most importantly to the members.

I am enjoying the role as president immensely, meeting many members whilst attending functions and visiting branches across the State. I look forward to continuing to meet many more in the future.

Linda Rainsford, President.

A motion that the President's report be adopted was moved. Moved Ben Loois, seconded Norman Wittingslow. CARRIED

ADOPTION OF 2011 FINANCIAL STATEMENTS:

Financial reports of the Company and report of the Directors and Auditors for the year ended 30th December 2011 were received and accepted. Geoff Legge stated that the accounts have been audited and balance.

Moved Paul Mracek, seconded Glenda Frost. CARRIED

APPOINTMENT OF AUDITORS:

Motion was put forwarded to continue with current the Auditors for next year's accounts. The Board noted its disappointment that the audited financial documents were received on the day of the AGM and requested the President write a strongly worded letter to the auditors expressing the Board's disappointment expecting better service in the next 12 months.

Moved Norman Wittingslow, seconded Glenda Frost. CARRIED

GENERAL BUSINESS:

Linda Rainsford stated that membership of the RVAHJ remained steady over the last 12 months.

Angelo Auciello stated that free training offered by the RVAHJ was a useful way to recruit and retain members.

Garry Runge acknowledged the attendance of Terry Fisher JP, the Chair of the newly established Wellington branch and requested that the Board recognise the great work Terry has done in forming this new branch.

The Board acknowledged Terry's fine work and thanked him.

Meeting closed at 7.54 pm.

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EDITORIAL POLICY

The official journal of the Royal Victorian Association of Honorary Justices has appeared in various formats since 1910. As is common practice in publications, the current *Custodes* does not necessarily represent the views of the RVAHJ since it encourages contributions from a wide cross-section of members and beyond. Articles and letters are most welcome, but are subject to the discretion of the editor.

ADVERTISING OPPORTUNITIES

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