



ROYAL VICTORIAN ASSOCIATION OF HONORARY JUSTICES

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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.

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Custodes

THE OFFICIAL JOURNAL OF THE ROYAL VICTORIAN ASSOCIATION OF HONORARY JUSTICES

3

September 2006



Editorial ~ Chris Reside

Growing perfect tomatoes

Being a bit of a green finger, I am no doubt one of thousands of backyard gardeners who annually aspire to grow the perfect tomato.

Roma, Gross lisse, cherry, big red – what ever the variety, a lot of time, effort and collected knowledge go into finding the secret of tomato success. The gardeners' own Holy Grail!

In recent years, I've thought I was doing pretty well. I would regularly get a pretty good crop, and my tommies looked great, tasted sweet and smelt, well... like tomatoes.

A few weeks ago however I read an article by Peter Cundle of the ABC's Gardening Australia program. Peter is an acknowledged gardening guru and a veritable font of tomato knowledge – and he set me straight on a couple of points I was hitherto blissfully ignorant of.

As I've said, I thought I was doing the right things with my tomatoes – but with a few tips from a qualified and reputable source, I'll now do a damn site better. Look out for my much improved tommies over summer 2006/2007!

But why am I writing about tomatoes in a dignified journal like Custodes?

Well, two things struck me about Peter Cundle and my pursuit for the perfect tomato.

One – Peter Cundle, although an acknowledged expert in all things gardening, never stops learning. He is always looking for better ways to do things and is open to ideas which will enhance his gardening methods.

Two – I had felt confident in my tomato growing ability. But with Peter Cundle's advice, will fine tune my methods – and grow even better tomatoes.

Experienced Justices of the Peace and Bail Justices can become quite confident and competent in the administration of their duties (as I was with my tomatoes) though must realise that maintaining the currency of their skills and knowledge requires effort. They too, have to be open to learning new ideas and fine tuning current methods.

Production

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A word for the day

honorificabilitudinity (ON-uh-rif-i-kay-bi-li-too-DIN-i-tee, -tyoo-) noun

Honorableness.

From Medieval Latin honorificabilitudinitas, from Latin honor.

Another form of this word, honorificabilitudinitatibus (27 letters), is the longest word Shakespeare ever used. It comes out of the mouth of Costard, the clown, in Love's Labour's Lost:

"I marvel thy master hath not eaten thee for a word; for thou art not so long by the head as honorificabilitudinitatibus: thou art easier swallowed than a flap-dragon."

(Reproduced with thanks to www.wordsmith.org)

The Association runs an annual calendar of in-service training for Honorary Justices. The training is comprehensive, informative and enjoyable, and frequently includes representatives from the Magistrates' Court, the Department of Human Services and other key stakeholders.

Given the significance of their voluntary roles, I feel that Justices of the Peace and Bail Justices are obliged to keep their knowledge and skills up to-date, and so must make the commitment to regularly (say every three years) attend an RVAHJ in-service training program. This should be considered an essential aspect of their voluntary commitment.

And what of those Honorary Justices who do not want to keep their skills and knowledge current? I suppose they simply choose not to attend in-service training, and continue to grow struggling tomatoes.

I'll get off my tomato box now...

Chris Reside Editor

(This is my final edition as editor of Custodes as I have relinquished the role to allow me to better focus on post graduate studies. My sincere thanks go to the many Honorary Justices who have contributed to, or provided feedback on Custodes during my two year tenure, and particularly to Cathy Owens, Gary Tragardh and Mark D'Alterio for their support and trust - and good humour with my sometimes ratbag musings.

From December 2006, your new editor will be Kevin McNeill from the East Yarra Branch. But I'll let Kevin introduce himself at that point.)

The President's View

The last quarter has been another busy period for our Association.

Together the members of our Association provide a valuable community service, which whilst it can be quite time consuming and demanding, also offers much personal satisfaction from providing a much needed voluntary service.

I encourage members to maintain their commitment to their respective communities, and for us all to work together to continually improve the professionalism and effectiveness of the services we offer.

By working together as sworn Honorary Justices we can achieve remarkable results that will be reflected in the professional level of service we provide individually and through our branches.

Funding for bail justice training

It is with great disappointment that the Bail Justice training at Warrnambool has been cancelled due to the lack of funding being forthcoming from the Department of Justice..

Hopefully, this situation will improve and important In-Service training for Bail Justices will be supported financially in 2007.

Electronic call out system

The roll-out of the electronic call-out system is in its final stages.

The system not only offers an equitable system, but provides the first accurate data on Out-of-Sessions hearings for a range of stakeholders, including the Department of Justice and the Association itself. It has already indicated, in some areas, a lack of commitment, inappropriate practices, and a need for further appointments. It has also corrected any favouritism or perception of favouritism.

Overall, feedback from Victoria Police and a majority of Honorary Justices has been overwhelmingly positive. As with all change however, there is a possibility of upset to



previous agendas, however, many of those who had concerns, now see the system as excellent and say it should have been introduced a long time ago.

Annual dinner

This year's RVAHJ Annual Dinner was once again a great success, and my thanks go to all those who attended or helped organise the event.

I was particularly pleased to meet so many new RVAHJ members at the dinner, and again warmly welcome them to our Association.

Non-financial members

I continue to be concerned that a handful of Honorary Justices, who are not financial members of the Association, continue to attend Association branch meetings.

The action of these few members places further pressure on our Association's finances and consequently, our annual membership subscription.

The situation is unfair to the vast majority of members who willingly take the responsible approach by paying the Association subscription. The current situation is untenable, and I have asked all branch liaison Directors to raise the issue in the strongest terms at their next branch meetings.

Service milestone

Finally, I congratulate the members who have, this year, achieved 45 years of membership of the Association - John M Hughes, Michael Mantello, Raymond C Mitchell JP, Alfred E Saunders JP and Keith G Thomas JP and Cyril Molyneaux, who has achieved a remarkable 50 years of service.

Their service, not only to the Association but to their respective communities, is commended.

**Kind regards,
Gary Tragardh
President RVAHJ**

Diary Dates

October

14 & 15 Bail Justice In-Service Training
- Wodonga
21 December Journal -
Deadline for copy

November

03 Sth Gippsland Branch Meeting
04 Document Witnessing &
Independent Person Training - Parkville

06 & 07 Elwood Office Closed
10 South Gippsland Branch Meeting
14 Wyndham Branch Meeting
29 Gippsland East Branch Meeting

December

04 Geelong Branch - Christmas Dinner
14 Cent. Gippsland Branch Meeting

Victoria's crime rate falls again

Police and Emergency Services Minister Tim Holding has announced that the crime in Victoria has dropped for the fifth consecutive year.

Mr Holding said the official 2005-06 Victoria Police Crime Statistics showed Victoria's crime rate had fallen by 2.1 per cent since last year, and a massive 22.4 per cent since 2000-01.

"Community safety is a top priority for the Government," Mr Holding said.

Today's figures follow ABS data from April 2006 which shows people are less likely to be assaulted in Victoria than in any other Australian jurisdiction. The ABS data also showed Victoria had the lowest proportion of robbery victims in mainland Australia.

Mr Holding today joined Chief Commissioner Christine Nixon in praising police and the community for their efforts in continuing to drive down crime.

According to the 2005-06 figures, crime rates in the following offence categories have fallen since last year:

- Residential burglary - down by 11.7 per cent
- Shop-steal - down by 15.3 per cent
- Theft of motor vehicles - down by 9.1 per cent, its lowest level since 1993

- Drug trafficking, manufacture & cultivation offences - down by 5.7 per cent
- Rape - down by 3.2 per cent
- Abduction/kidnap - down by 5.4 percent.

Mr Holding said there had been a significant increase in the number of petrol 'drive-offs' in 2005-06 – an offence recorded in 'theft (other)' category. He said that while 'theft (other)' had, overall, fallen by 1.5 per cent, the rate of drive-offs had increased by a staggering 41.6 per cent in 2005/06.

Mr Holding said there had been a 2.5 per cent increase in number of theft from motor vehicle offences – a figure he said was largely due to a 31.9 per cent increase in the number of stolen number plate offences, and one he said was also related to the rise in petrol station drive offs.

While robbery offences have increased by 13.8 per cent in the last financial year, they are still down a massive 41.7 per cent compared to 2000/01.

"The State Government is committed to continuing to give the police the resources and powers they need to get on with the job of making Victoria a safer place to live and raise a family," Mr Holding said.

Welcome to the RVAHJ

The President, Board and members welcome the following recent inductees to the Association.

Anderson	David	TAYLORS LAKES	Kennedy	Mark	MILDURA
Anderson	Kaye	WOODEND	Keyes	George	WOODEND
Andricciola	Carmel	AVONDALE HEIGHTS	Lewis	Anna	GEELONG SOUTH
Arnold	Geoffrey	RICHMOND	Mascaro	Frank	ESSENDON
Aulsebrook	Anthony	BAYSWATER	McClure	Joan	KYABRAM
Austin	Norman	NOBLE PARK NORTH	McKay	E. John	HAMILTON
Best	Gavin	HOPPERS CROSSING	McLeod	Bruce	TATURA
Carbone	Ivor	BENTLEIGH	Mitchell	Joy	MOOROOLBARK
Caruana	Geoffrey	SUNSHINE WEST	Muscat	Mark	SOUTH MORANG
Cocks	Peter	EPPING	Myers	Kevin	YALLAMBIE
Cooper	Maxwell	GOORAMBAT	Rainsford	Linda	RINGWOOD EAST
Czerniewicz	Ben	CAULFIELD SOUTH	Rawlings	Peter	MORNINGTON
Daams	Rhonda	HORSHAM	Reay	Jessie	MOUNT ELIZA
Demiris	Nicholas	CARLTON SOUTH	Schubert	Rodney	TATURA
Doric	Stan	FRANKSTON NORTH	Selvi	Nadia	GREENSBOROUGH
Dunkley-Allport	Mary	ECHUCA VILLAGE	Shaw	Lloma	PATTERSON LAKES
Foley	Katherine	HAMPTON	Spiller	Donna	ELTHAM NORTH
Frawley	Cheryl	YACKANDANDAH	Thornby	Colin	RYE
Ginn	Bruce	ROBINVALE	Tragardh	Daniel	YARRA JUNCTION
Griffith	Andrew	BENDIGO	Tran	Tuan	WINDSOR
Hagland	Ross	BURNT BRIDGE	Wong	John	BOX HILL NORTH
Hamilton	Marjorie	COLAC	Yates	Raymond	MONBULK
Hong	Diane	SPRINGVALE			

UPCOMING TRAINING !

BAIL JUSTICE IN-SERVICE TRAINING

This two-day course is presented by experienced practitioners and provides further training and a forum to discuss all matters relating to out of hours bail hearings.

Topics include - Conduct of Hearings, Cultural Awareness, Protection Applications, After Hours Placement, the Bail Act - Section 4 and Children & Young Persons Act revisions.

**Saturday, 14 October
&
Sunday, 15 October 2006**

(Bookings Close October 10)

Wodonga Court House

Time: 9.00 am sharp - 4.30 pm (approx)
Registration from 8.40 am
Cost: RVAHJ Members (or applied) \$70.00 pp
Non-members - \$150.00 pp

DOCUMENT SIGNING & INDEPENDENT WITNESS TRAINING

This course is open to all honorary justices and highly recommended to those newly-appointed.

The Documentation module includes Statutory Declarations, Oaths & Affirmations, Certifying True Copies, Interstate & Federal matters, persons under a disability, **Powers of Attorney** and more.

The Independent Witness section includes the role of the Independent Witness in Police interviews with juveniles, forensic procedures, fingerprints and searches.

Saturday, 4 November 2006

(Bookings Close October 27)

Parkville

Royal Melbourne Hospital,
Cnr Grattan Street & Royal Parade

Time: 9.00 am sharp - 4.30 pm (approx)
Registration from 8.40 am
Cost: RVAHJ Members (or applied) \$35.00 pp
Non-members - \$55.00 pp

Bookings: Cathy Owens - Admin. Officer
Fax: 9525 7765 or
Post: PO Box 317, Elwood, 3184

Bookings can only be confirmed on payment.

Supplied: Reference notes; lunch & refreshments

Name of attendee: _____ Ph: _____

I wish to attend RVAHJ Training Courses indicated below and enclose cheque/money order /credit card details in payment

Course: Bail Justice In-Service Training - 14 & 15 October

- \$70.00 RVAHJ Member
 \$150.00 Non-Member

Document Signing & Independent Witness Training - 4 November

- \$35.00 RVAHJ Member
 \$55.00 Non-Member

Credit Card: Visa Mastercard (We regret, Debit, Amex, Bankcard, Diners Club & phone payments not accepted).

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Member wins national ploughing competition

Rocklyn JP, David Smith won the 2006 national ploughing competition at Cressy, Tasmania – and can now represent Australia at the international level

David's win entitles him to travel to Lithuania in September 2007 to represent Australia in the World Contest, where he will be compete against ploughmen from 30 countries around the world.

Some JPs still work the land. David is fourth generation on the family farm at Rocklyn in the central highland, and recently won the Victorian and National Reversible Ploughing Championships.



This is not David's first time ploughing at the world level. He ploughed in Prague - Czech Republic in 2005 and has been the Australian Ploughing Coach on three previous occasions.

In early June, David travelled to Tasmania with six fellow Victorian ploughmen to compete in the National Titles at the Cressy Research Station against competitors from New South Wales, Tasmania and Victoria.

David is a member of the Associations' Ballarat Branch and is also councillor on the Hepburn Shire Council.

RVAHJ Honour Board

Congratulations to the following members who, this year, have achieved another milestone of membership

30 Years

Andriske	Laurence	MILDURA
Callaghan	Barry	WHEELERS HILL
Campbell	John	NEWHAVEN
Capon	George	WARRAGUL
Cliff	Terence	BELLBRAE
Colling	Graham	AXEDALE
Conley	Doris	PYALONG
Conway	Anthony	WODONGA
Cuthbertson	Matthew	BEACONSFIELD
Duggan	James	BAIRNSDALE
Fuller	Keith	FRANKSTON
Green	Peter	CHIRNSIDE PARK
Griffin	George	MELTON SOUTH
Hams	Henri	TRARALGON
Harrison	Neil	SURREY HILLS
Heath	Jennifer	HIGHTON
Hicks	Ian	EDENHOPE
Hollins	Brian	MOUNT ELIZA
Hull	Gerald	WODONGA
Ingram	Shamus	TOORA
Jackson	William	CHELTENHAM
Kearney	Kevin	KEON PARK
Kerger	Raymond	BELMONT
Lowe	Rodam	MALVERN
Mahoney	James	BUNINYONG
Maloney	Douglas	MOOLAP
McArthur	Ronald	LANGWARRIN
McCormack	William	WANGARATTA
McDonald	Angus	SEYMOUR
McMillan	Ian	BEEAC
McRobert	Graham	TOOLEEN
Mikulec	Frances	WARBURTON EAST
Murphy	James	BALLARAT
Naughton	William	SORRENTO
Neale	Bruce	FORREST
Pearson	Joan	GISBORNE
Rosenberg	Wilhelmus	BRIGHT
Shelton	John	COLAC
Smith	Edward	NEWTOWN

Strachan	Donald
Sundermann	Donald
Svarc	Stefan
Temby	Barbara
Thorpe	Thomas
Vincent	Charles

WANDIN
HEYFIELD
TAWONGA
IVANHOE
BURWOOD
MACLEOD

35 Years

Belcher	Alan	GLENROWAN
Carne	Brian	ROMSEY
Crocombe	George	PENSHURST
Dickson	Keith	KERANG
Forbes	Ronald	PT LONSDALE
Garth	Edward	DRYSDALE
Glare	Frederick	BEAUFORT
Hardisty	Richard	RIDDELLS CREEK
Hill	Geoffrey	BLACK ROCK
Lugg	William	COBURG
McAdam	Peter	MONT ALBERT
McClure	Kenneth	ROBINVALE
McWhinney	Gregor	BAIRNSDALE
Messenger	Philip	BENALLA
Stanley	Ronald	LEONGATHA
Whelan	John	DALLAS

40 Years

Durra	Frank	GARDENVALE
Frazer	Laurence	BALWYN
Nash	Henry	NORTHCOTE
Sumberg	Hans	CANN RIVER

45 Years

Hughes	John	CASTERTON
Mantello	Michael	PARADISE WATERS
Mitchell	Raymond	WHITTLESEA
Saunders	Alfred	TYRENDARRA
Thomas	Keith	WARBURTON

50 Years

Molyneux	Cyril	BERWICK
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2006 Annual Dinner - another success!

The Association's 2006 Annual Dinner held in the plush surrounds of the Committee Room at Moonee Valley racecourse during August was a huge and enjoyable success.

Attended by more than 120 members and partners from across the state, together with guests representing the Department of Justice, the judiciary, Victoria Police, the Department of Human Services, and the Royal Melbourne Hospital, a very sociable evening was had meeting new and old faces, enjoying some fine food and wines, taking in the beautiful surround of Moonee Valley under lights – and listening to some eloquent speakers.

Master of Ceremonies for the evening, Frankston based Bail Justice John Cheetham, kept the evening on schedule with entertaining flair, and key-note speaker Assistant Commissioner of Police (Major Crime), Simon Overland spoke candidly about organised crime in Australia.

The Victoria Police Pipe Band got the evening off to a start with a medley of pipe favourites.

A high point of the night was the presentation of several members' awards, including:

- the conferral of a Distinguished Member Award to Keith Thomas JP and Roger Isherwood JP
- the presentation of service awards to 19 recipients present at the dinner, who collectively represented a remarkable 570 years of service (See fact box), including Cyril Molyneux JP who was presented with a 50 year service certificate by Victoria Police Commander, Luke Cornelius (see photo).

A grand raffle and auction was also held to raise funds for the Blue Ribbon Foundation, which supports the families of police officers killed in the line of duty. In a remarkable effort, more than \$2000 was raised.

Cyril Molyneux JP (below left) is presented with his 50 year Service Certificate by Victoria Police Commander Luke Cornelius.



Keith Thomas JP (above right) receives the congratulations of President Gary Tragardh JP on his Distinguished Member award.

Service Awards presented at the RVAHJ 2006 Annual Dinner

Family name	First Name	Years of service
Baker	Stan	25
Cheshire	Michael	25
Dickson	Malcolm	25
Grosvero	Michael	25
Hendrickson	Neil	25
Kearney	Barbara	25
Kee	Patrick	25
Norman	Graeme	25
Owen	Joan	25
Rainford	Ian	25
Callaghan	Barry	30
Colling	Graham	30
Heath	Jenny	30
Smith	Bill	30
Temby	Barbara	30
McAdam	Peter	35
Frazer	Laurie	40
Thomas	Keith	45
Molyneux	Cyril	50
Total years service		570

President, Gary Tragardh JP (below left) congratulates Roger Isherwood OAM JP on his Distinguished Member Award.



President's visit to the Gold Coast

RVAHJ President, Gary Tragardh, had the pleasure of presenting Michael Mantello, Past President (1975-1976) and Life Member (1977) with a 45 Year Service Certificate on his recent visit to the Gold Coast.

President Gary and his wife Julie, spent several hours talking to Michael about how the Association had changed over the past 30 years. Michael, and his wife Tina, now reside on the Gold Coast and he was delighted to receive his Certificate from the Association President.



Victoria's human rights charter an Australian first

Victoria has become the first State in Australia to introduce a charter of human rights and responsibilities.

In announcing the Charter, Attorney-General Rob Hulls said "This charter is about more accountable government for the people of Victoria and is a commonsense move that will simplify our laws and bring together our human rights in one piece of legislation."

Legislation enacting a human rights charter – which received Royal Assent on 25 July 2006 – followed extensive consultation showing overwhelming support for human rights to be better protected by law.

"Some important rights, such as freedom of speech and religion and freedom from forced work and degrading treatment, have no clear legal protection," Mr Hulls said.

"By enshrining our human rights in legislation, we can ensure that future governments continue to value the rights of all Victorians."

The rights in Victoria's charter are substantially based on the International Covenant on Civil and Political Rights 1966, to which Australia is a signatory.

"Australia is the only western democracy with no clear human rights protection," Mr Hulls said.

"Far from being a US-style bill of rights, Victoria's charter of human rights is based on successful human rights laws in the United Kingdom and New Zealand.

A charter of human rights means the Victorian Government must consider human rights when making important decisions and compels government departments and agencies to have regard for human rights in their day-to-day operations."

Victorian government departments and agencies will have until January 2008 to implement the charter.

Further information about the Charter is available from the Department of Justice web site at www.justice.vic.gov.au/humanrights or by calling the Equal Opportunity Commission Victoria on (03) 9281 7100 (Country callers toll-free – 1800 134 142.)

Caught with his pants down!

Loose, baggy jeans are credited with catching a would-be robber in North Carolina.

When the 24-year old offender tried to jump over the counter of a sandwich shop during an armed robbery attempt, his loose trousers tripped him up and he came crashing down in front of employees.

The offender then fled to a nearby residential neighbourhood, with police in pursuit, only to get held up

again. As he tried to climb a picket fence, his pants got caught. Police, who found him dangling upside down, his pants at his ankles, had to cut him loose.

"The only reason we caught the guy was because his pants fell down, the police chief said, adding: "He was wearing underwear, thank goodness."

The offender pleaded guilty to attempted robbery with a dangerous knife.

Justice in the Spotlight

In this edition of Custodes we continue our look at fellow honorary justices - and our subject this time is Fred Kent JP.

Fred is a long serving contributor to the Association and his community, and his story is a remarkable read. We could all do well to follow his love of life, thirst for knowledge and commitment to community service.

Name: Fred Kent
Town: Bentleigh East
Branch: Monash
Appointment date: JP 2 April 1973,
BJ 1 September 1990

1. How did you come to be appointed a Justice of the Peace?

I had a business in East Bentleigh. The two local JPs retired within two weeks of each other late in 1972. On enquiring at the police station to find another JP, I was asked would I be interested in an appointment myself. I agreed and the necessary papers were completed and after a discussion with the local MP, I was sworn in before a bench of Supreme Court Justices.



2. As a very experienced Justice of the Peace, you have seen many changes to the role and the RVAHJ itself. What are the most significant changes as you see it? And how do you see the future of honorary justices and the Association?

JPs were empowered to act as magistrates in court, either sitting with a Stipendiary Magistrate (SM) or as a Bench of two to five JPs in a second division and I did this within 24 hours of being sworn-in. This privilege was cancelled on 30 June 1984. Incidentally the change was originally to take effect on 31 May but an error in the legislation had to be corrected so we were asked to continue to the new date.

We still retained power to authorise search warrants and conduct out of sessions bail/remand hearings until the dramatic change of the introduction of Bail Justices as from 1 September 1990. Also compulsory retirement at 72 was instituted, though the RVAHJ successfully lobbied the Kennett Government to have the age restriction removed.

As regards the future of the JP system, our administrative role should continue whilst the other states and territories retain the system – and while overseas countries recognise JPs to certify documents.

3. You were a mature aged tertiary student and now lecture at the U3A. Tell us about your return to academia?

With the cancellation of court duties, which I used to undertake up to four days per week, I felt I needed something to take up the time, particularly as I had sold a major portion of my business. I was classified by Monash University as an under-privileged mature-age student and my experience with courts led me to try for a law degree.

So I enrolled in Arts with a possibility of law after year one if the drop-out rate permitted. However I enjoyed the first year arts and elected to continue that line of study. Economic History of USA, Great Britain, Geography, and Spanish language fascinated me. In addition, I went to VOX Institute of Languages in Madrid and received an intermediate level certificate of Spanish.

Being invited to do a masters degree after completing an Honours degree of Bachelor of Arts, I elected development studies in the Department of Environment and Geography. A wonderful experience to study with young students and to be accepted by them.

In U3A (University of the third age) I lectured for 10 years on the various subjects I had studied. The older citizens seemed to get the same kick from having the information given to them as I had.

I have gained a greater appreciation of the hidden feeling of the community as to the thirst for knowledge that most people have not had the opportunity to gain in their youth.

4. You have written a history of JPs. What drove you to do this?

With the gradual dilution of duties of JPs from 1984 and with time to spare after completing my university studies, the depth of exploration of study I had developed at Monash, led me to research what had been written about our office.

Various publications I had studied had only brief segments about our historical background. I finally came across 'History of the Justice Of The Peace', a three volume publication by Barry Rose Law Publishers of West Sussex. After commencing the compilation of my writing, I sent a copy of what I proposed to Sir Thomas Skyrme of the Inner Temple Barrister-at-Law, and received permission to reproduce from his work.

Combining all of the information I had uncovered with his works, and utilizing my own knowledge, gave me a wider appreciation of the importance of JPs over the years.

5. You have been involved with the RVAHJ for many years. Tell us about the various roles you have played?

From appointment in 1973, I gradually became interested in a role as a councillor and was elected in 1982.

Because of my court role, I became the bail lecturer in RVAHJ training. I resigned council 1985 for university studies. Appointment as a Bail Justice followed from in September 1990 and I returned to council in 1991.

I was elected vice president 1993 then president 1995.

6. You sat on the bench for many years. What was this experience like?

After only four weeks experience sitting with Oakleigh Magistrate Fred Hill in April 1973, he appointed me as chairman of the second division. I was involved with rosters at Oakleigh, Cheltenham and Mordialloc, with regular days, and Hastings and Springvale when they were short of volunteers.

High points were many including a drunk and disorderly person presented for his 89th offence and one case where both defence and prosecution agreed to have a matter presented before me sitting alone. Not many low points but one in particular was the only appeal against our court resulted in a case being sent back for re-hearing.

I do not think JPs should be reintroduced unless compulsory training is introduced, because of the increasing complexity of the laws.

6. Tell us about your cultural heritage.

My family came to Portland from Tasmania with the Henty family in 1834 – the year before Batman reached Melbourne. Originally from Kent County and Cornwall in England where the family can be traced for over 1000 years.

7. Tell us about your family.

My father was one of nine boys and two girls. Most of the boys were in executive positions but my father was a retail shop supervisor until the 1929-1932 when the depression put him out of work. He finally started with the Victorian Railway in 1937. Of our family we have had two Justices of the county/supreme court and currently we have one Magistrate.

8. In 1997 you were appointed to a State Government working party to investigate the future role of JPs. Tell us about the experience?

The working party was to investigate whether the JP system was to be retained. The Attorney-General at that time, Mr Jim Kennan, I felt, was ready to dispose of us.

The participants were Chief Magistrate Michael Adams, two Department of Justice representatives, a court official, and me. We met on alternate weeks over about a two month period. At this stage in 1997, Mr Cain was Premier and I felt there was a push to eliminate us by not making appointments.

It was agreed the system would continue (no other states had evinced a desire to stop JPs) but, on reflection on events that followed, I would contend the underlying object was to lead to the new position of Bail Justices.

9. Your life demonstrates a strong commitment to community service across a very wide circle of community based organisations. Tell us about some of the organisations you have been associated with.

My mother and father taught me to help others and they provided their own examples. The family has been involved with Freemasons for a very long period and I have been a member for 58 years. I was a field umpire with the VFL reserves and a senior boundary umpire over 17 seasons. I followed this with 10 years as a tribunal commissioner with the VFA.

The RVAHJ appointed me as a delegate to the British and Commonwealth society, a position I held until pressure from some Board members forced us to resign from the Society. As a member of the Australian Council of Justices Associations, I rose to be President 1999 – 2000. With the exception of being a football umpire all of these positions were honorary.

10. You are also a community visitor, ITP and IP. How do you find the time for these roles and what drives you to do it?

As a community visitor the duty involves visiting supported residential services, previously known as special accommodation homes. The duty is to check on the well being of the residents, to see they are properly fed, make sure no unnecessary pressure is being exerted; they are kept clean and reasonably dressed. This duty takes a day every six or so weeks. I have been a CV for nine years.

Regarding the duties of an independent third person (ITP) this involves attending police interviews where the interviewee is either a victim, witness or an alleged offender. Some of these are very short, perhaps an hour, while others can take several hours. This function is only used with intellectually disabled or mentally affected persons. I have been an ITP for 10 years.

Both CV and ITP duties are controlled by the Office of the Public Advocate.

With regards to independent persons, this involves police interviews with under 18 year olds. These juveniles, by law, must have an adult present whilst being interviewed, and if no parent is available an IP will attend.

Any person who attends any of the Juvenile duties will quickly note there are no two exactly alike – over the years my satisfaction in giving assistance means that unless I have something very urgent, I make myself available. I have been involved for 15 years.

Planning for centenary celebrations - get involved!

The RVAHJ is about to have its 100th birthday – and it's time to celebrate!

Reaching a centenary is a milestone few organisations attain, so it's appropriate to plan now for our big 100 in 2010.

It was a long time ago, but the inaugural meeting of the Honorary Justices Association of Victoria was held at the Melbourne Town Hall on the 27th April 1910, with the inaugural President being the Right Honourable Lord Mayor of Melbourne, Cr J Burston.

As our forebears were meeting, King Edward VII reigned over the British Empire, Andrew Fisher was about to be sworn in as Prime Minister, Comedy King was on

course to win the 1910 Melbourne Cup – and the Great War was still five years hence.



It is important to mark this significant occasion in the RVAHJ history and the Board of Directors would like to hear your ideas and suggestions for ways to celebrate our centenary year.

Members are warmly invited to join the 'Centenary Planning Committee' to ensure that members participating in the celebrations learn more about the Association and become involved in new and exciting opportunities.

Please complete the form below and post to: Cathy Owens, RVAHJ, PO Box 317, Elwood 3194, or email your details to admin@rvahj.org.au

RVAHJ Centenary Planning Committee – expression of interest / suggestion form

Name: _____

Postal Address: _____

Email Address: _____

BJ or JP No. _____

I'd like to participate in the RVAHJ Centenary Planning Committee!

I have a suggestion for the Centenary celebrations!

Suggestion/comment: _____

VALE:

ADA DONALDSON JP

1927 - 2006

Ada Donaldson was appointed as a JP in 1988 and joined the Association the same year. Ada had been a long standing member of the Central Gippsland Branch and will be sadly missed among her colleagues.

Ada rarely missed a meeting and was always accompanied by husband, Lawrie.

Even at the last meeting in June, Ada would not let a small thing such as her health interfere with her daily life and attended the meeting and the visitation to the new Police station at Warragul in a wheel chair and on oxygen.

To Lawrie and family we offer our condolences and our thoughts are with you now and in the future.

RVAHJ Branch Members, Central Gippsland

Branch News

Benalla Branch

Twenty four people including members and their partners attended the annual dinner and AGM of the Benalla Branch on Wednesday 19 July at the Benalla Golf Club.

Outgoing Chairman, Jean Leask reported that she was stepping down after eight years and she was pleased to note that the Branch was now more active in the community.

The Branch has operated a duty roster in Benalla every Thursday for three years and the service is being used more often as people bring in documents for witnessing etc.

Several new Justices had been appointed in recent years with a total membership now of 25. About a third of the members are from rural areas around Benalla.

The meeting noted the recent passing of Peter Grubb JP, a well known local identity who had been an active

member of the Branch since 1990 including a term as Chairman.

The guest speakers were Sen. Constables Melanie Walker and Geoff McGeorge who spoke on many local issues and answered questions on a wide variety of topics.

Interest ranged from youth, underage drinking and vandalism to bicycles on footpaths and older citizens driving motorised scooters.

Pro active Community policing techniques are used to address many issues and police are also members of many local committees. Current issues include Neighborhood Watch, bicycle theft, service station drive offs and the new hoon legislation.

The new Chairman is Ken Whan - past Councillor/Mayor of Benalla Shire, Delatite Shire and Benalla Rural City Councils. Ken is a retired farmer with many community interests who is looking forward to his new role at the Benalla Branch.

Central Gippsland Branch

Following the completion of their quarterly meeting on 16 June 2006 and a most enjoyable meal provided by the local fire brigade auxiliary, members of the Central Gippsland Branch toured the recently completed Warragul police station.

Branch chairman Cr. Bill Harrington JP, said that members were impressed with the new 24 hour station, and the facilities it provided to local law enforcement. "It would appear that the State government has spent their \$5.5 Million wisely on the building" he concluded.

The group was escorted on their tour of inspection by Inspector Keith Cattle and Senior Constable Kevin McClaren.



Left: Alan Potter JP tries out one of the cells at the newly completed Warragul police station. Below: Members of the Central Gippsland Branch 'on tour'.



Branch News

Geelong Branch

The Geelong Branch Charter Dinner meeting was held on Monday 5 June with Cr Peter McMullin, Mayor of the Greater Geelong City Council attending as guest speaker.

At the meeting, Branch Executive Committee members were confirmed:

Howard Grundell – Chairman
Angelo Auciello – Vice Chairman

Anna Lewis – Secretary/Treasurer
Graeme Allison & Darren Johnstone – Committee members

Anyone interested in assisting on document signing rosters, established by the branch at the Geelong and Corio Police Stations, should contact Joan Scott on (03) 5241-4866



Guest Speaker, Mayor, Cr Peter McMullin.



Angelo Auciello, Howard Grundell & Graeme Allison prepare to sign the Geelong Branch Charter document.



Howard Grundell is presented with the Branch Charter by President, Gary Tragardh.

South Gippsland Branch

The South Gippsland Branch held its May meeting at Korumburra, following which members were entertained by a very informative and interesting presentation by Senior Constable Paul McLean of Wonthaggi Police.

S/C McLean spoke on his tour of duty as a member of the United Nations peace keeping force in East Timor. In addition to his talk, Paul showed slides of the U.N. and Timor police and many others to do with the locals and their culture.

Help needed on document witnessing rosters

More JPs are needed (weekly, fortnightly, monthly or emergency basis) for the following rosters. If you are able to help please contact the coordinator listed.

Corio Police Station - Monday, Friday & every 4th Tuesday 9.30 am to 1.00 pm. Contact Joan Scott (03) 5241 4866.

Family Court (in Melbourne CBD) – runs each week day 9.30 am to 1.00 pm. Contact: Cathy Owens at the RVAHJ on (03) 9525 7099.

Frankston Police Station – Monday, Tuesday, Thursday & Friday 10.00 am to 3.00 pm. Contact: Robert Bolch (03) 8790 0567 or (m) 0412 155 634.

Geelong Police Station - Runs each week day 9.30 am to 1.00 pm. Contact Joan Scott (03) 5241 4866.

Melbourne East Police Station – runs each week day 11.00 am to 2.00 pm. Contact: Laurie Taig (03)9585 8244 or (m) 0408 351 455.

Probate Court (in Melbourne CBD) – runs each week day 9.30 am to 4.00 pm. Contact: Cathy Owens at the RVAHJ on (03) 9525 7099.

Any help will be greatly appreciated.

No more suspended sentences for serious crimes

People convicted of serious crimes in Victoria will no longer receive suspended sentences unless there are exceptional circumstances under legislation introduced to State Parliament during August 2006 by the Attorney-General Rob Hulls.

“The Victorian community rightly expects that people convicted of serious crimes will not receive a penalty that is viewed by many as a ‘slap on the wrist’,” Mr Hulls said.

“Under these reforms, jail means jail. When offenders are sentenced to jail for serious crimes they will go to jail unless there are exceptional circumstances.”

The Sentencing (Suspended Sentences) Bill 2006 follows recommendations by the Sentencing Advisory Council to immediately restrict suspended sentences for serious offences.

Serious offences include murder, manslaughter, rape, sexual penetration of a child under 16, incest, causing serious injury intentionally, threat to kill and armed robbery.

Judges and magistrates will also be required to consider various factors, including the seriousness of the offence and whether a suspended sentence would

properly denounce the crime, before handing down suspended sentences for other offences.

Under the legislation judges and magistrates will also have the option of ordering young people who breach suspended sentences to serve the remainder of their sentence in an adult jail or a juvenile justice facility.

The Government set up the Sentencing Advisory Council as a source of expert advice about complex sentencing issues and to make sure the community has a say in sentencing reforms.

“The Government recognizes that sentencing policy must keep pace with community expectations,” Mr Hulls said. “A strong and modern justice system needs to consider informed public opinion to remain relevant to the community it represents.”

The Sentencing Advisory Council has recommended abolishing suspended sentences for all cases and replacing them with a new range of sentencing orders by 2009.

“We are considering the Council’s recommendation to abolish suspended sentences for all cases and we are waiting on a report from the Council on proposed new sentencing orders,” Mr Hulls said.

Faithful service is its own reward

Parliamentary Secretary for Justice, Jenny Mikakos MLC and Deputy Chief Magistrate Dan Muling recently presented a group of long serving bail justices with Certificates of Appreciation for up to 33 years of service.

At the ceremony where 12 new Bail Justices were also appointed, Ms Mikakos commented on their volunteer role. “It takes a special person to give their time so willingly. In this day and age we see fewer and fewer people volunteering to help others,” she said.

“Being a bail justice is a challenging role. The hours can be long and arduous; the cases often difficult to hear and ridden with anguish. And at the end there is no payment and rarely any thanks,” Ms Mikakos added.

Jessie Reay has been a Justice of the Peace since 1976. After the new role of bail justice was created under the Magistrates’ Court Act 1989, Jessie was one of the first 500 Bail Justices appointed. Until then, she had sat each week as an honorary justice at the Frankston Magistrates Court, dealing mainly with traffic and related cases, and had also been active as an honorary probation officer.

Accepting her Certificate of Appreciation, Ms Reay said, “I have seen some very difficult cases over the years, including hearing bail applications by violent people arrested for serious crimes. And I have seen many very brave children who have been victims of cruelty. To take away someone’s liberty requires very serious deliberation on the part of a bail justice”.

The 12 new bail justices, eight women and four men, range in age from 33 to 58. They draw on diverse backgrounds and broad life experience including professions such as nursing, accounting, flying planes and breeding thoroughbred horses.

Ms Mikakos encouraged the new bail justices to take inspiration and guidance from those being awarded for their long service.

“They have served in their roles with passion, diligence, impartiality and integrity,” Ms Mikakos said. The 12 new bail justices are now serving in locations throughout Victoria.

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