



September 2010

Issue 3

OFFICIAL JOURNAL OF THE ROYAL VICTORIAN ASSOCIATION OF

HONORARY JUSTICES

Custodes

100 years of the RVAHJ

The Justice of the Peace.

A Magazine containing Legal Information, Law Reports, and General Information intended to assist Justices of the Peace in the performance of their responsible duties.

THE OFFICIAL ORGAN OF THE JUSTICES' ASSOCIATION, INCORPORATED.

VOL. I., No. 1.]

SEPTEMBER 7th, 1910.

350-352 Swanston Street, Melbourne.
Subscription 6/- per annum, Post Free.

"The Justice of the Peace."

(Being the official organ of the Hon. Justices of the Peace Association of Victoria.)

PUBLISHED MONTHLY ON THE 7th DAY OF EACH MONTH.

SUBSCRIPTION (for non-members of the Association), 6/- PER ANNUM (PAYABLE IN ADVANCE).

The subscription for members of the Association is £1 1/- per annum as from the month of joining. Each member is entitled to a free copy of "The Justice of the Peace" as published.

Remittances may be made either by cheque or postal note.

Communications in connection with Journal, whether for the Editor or Publisher, must be addressed to "The Justice of the Peace," 350-352 Swanston-street, Melbourne. Communications on Association matters to be addressed to the Registrar, Mr. Percy J. Kent, P.C.P.A., 60 Queen-street, Melbourne. Correspondents are requested to write on one side only of the paper.

Applications from agents are invited from every centre where there is a Local Court or District Council. Correspondence is invited on any matter of interest.

History of the Formation of the Hon. Justices' Association of Victoria.

The successful establishment of the above Association is now an accomplished fact, and, to use an "Americanism," the founders have "made good."

Previous attempts to form such an Association failed, not because it was not required, but owing, more probably, to a want of knowledge as to the

manner in which they should proceed. The present founders, however, were more fortunate, and are greatly indebted to the members of the sister Association of South Australia for their kindness in placing at the disposal of the Victorian Association the knowledge and experience gained since the foundation of their own Association. This aid has been of great value, as it brought increased confidence to those who were aiming at establishing a similar body in this State.

On 6th October, 1909, three gentlemen, Messrs. D. Buzolich, J. W. Clarebrough, and J. Rowan, issued a circular inviting their brother Justices to meet at the Vienna Café to discuss the advisability of forming an Association on similar lines to that already existing in South Australia.

In response to this invitation, a small number—to be accurate, "13"—only attended, but their earnestness and enthusiasm were great. After some discussion, it was resolved that a provisional committee of nine should be appointed to approach the whole of the Justices of the State, by circular, explaining the aims and objects of the Association, and inviting them to send in their names as members. The response to this circular has been a good one, and to-day the Association, both as to numbers and funds, is assured of success, and nearly 350 gentlemen holding His Majesty's commission, appear on its members' roll.

This is a very gratifying result in so short a period, and the Council fully anticipate before the end of the year the roll call will contain 500 names. Daily inquiries as to membership are being received by the Registrar, Mr. P. J. Kent.

Three very successful lectures have been already given to the members.

The Inaugural Address given by the Hon. R. McM. Glynn, the late Attorney-General of the Commonwealth, is published in this issue.

Professor W. Harrison Moore and the Hon. Theo. Pink also gave addresses, which will be published in later issues.

Annual dinner—BJ training update—Notice of Special General Meeting
Branch news—JP in the Spotlight—Centenary celebrations report
Operation Guardian—Update on Births, Deaths & Marriages policy
Order of Australia Award—2010 Multicultural Award for Excellence
Swearing Affidavits—Notice board and much more

From the president's desk



The centenary year has almost passed and what a year it has been thus far. I recall the Board's discussions in 2009 about what to do and how to celebrate our centenary in 2010. Lots of ideas and suggestions were put forward and distilled into a meaningful batch. From there the Board decided on what could actually be achieved and what would be meaningful to members. I am delighted with the response from branches around the State.

Many approached their local council and convinced the Mayor to hold a civic reception honouring the Justices of the Peace and Bail Justices in their municipalities.

These events, stretching from Mildura, Horsham, Yarra Ranges and Cardinia, to name just a few have been a positive display by the councils recognising the great work honorary justices perform.

Many branches have used the travelling display in shopping centres, civic venues and schools to highlight the role of JPs and BJs in Victoria. Branches have held BBQ's and one even arranged for the local radio station to interview a local JP.

Congratulations to all those who have been involved in promoting the role of JPs and BJs during this milestone year. I must also congratulate the members of the Board for the hard work and leadership in making this centenary year so successful.

During my travels around the State in the last two years I have regularly spoken about the manner in which honorary justices approached the Attorney-General's review of the role of JPs. Your strength and courage to document the importance of the role of JPs was outstanding. Over 500 submissions were received by the Department of Justice and from that wealth of information has come many positive outcomes.

Training, as we all know, is vitally important to enable us to properly fulfil our role. The law changes so quickly it becomes very difficult to keep pace, therefore we need to train regularly to ensure our skills and knowledge is up to speed.

The Board is very keen to take a lead role in training all new JPs and to continue providing continuous improvement through our regular free training during the year.

A submission to that effect has been prepared and I have presented it to the Department of Justice. I believe the RVAHJ is the best placed organisation to offer training to new JPs.

The annual dinner held in August was a wonderful success. Once again a quality speaker, Mr John Griffin JP PSM entertained the crowd of 140 guests reminiscing of his time as a junior bench clerk in the NSW judicial system and his career in the Departments of Corrections and Justice.

You will notice in this edition of *Custodes* a call for expressions of interest from members to serve on the Board. I have taken the view, which is supported by current members of the Board that to continue on our program of renewal and revitalisation "new blood" is always welcome.

New members mean new ideas and positive progress. The Board seeks gender and cultural balance and is attempting to attract the best candidates to serve as members. If you have a skill in training, management, business operations, the law of any field which could improve the way the Board operates for the members please consider offering your services.

Garry Runge JP, president RVAHJ

Letter to the Editor

Thanks to those of you who were able to make it to our recent 'Honorary Justices Dinner' at the City of Casey - a great night was had by all (I hope)!

I've only just last weekend had time to sit down and read the latest 'CUSTODES' and had a thought. The front cover features a fantastic and impressive 1910 membership certificate - for our 'Centenary'; celebrations. Have the Board considered reproducing a similar certificate and presenting it to all current 2010 members?

What a great thing to have up on our walls! A decorative, full-colour version would be a great piece of memorabilia for current members to receive!

If it's not feasible to give them away, I'm sure members would consider making a payment to get one!

Regards, **Cr. Wayne Smith, JP, City of Casey**

Notice of Special General Meeting



Notice of Special General Meeting

The RVAHJ board has called a special general meeting on 21/10/2010 to be held at 53 Broadway, Elwood, Victoria, 3184 at 5.45 p.m. to vote on the following motions.

"That the Board considers:

- 1) The removal of the current auditor, CHN Herold Ross.
- 2) Appointment of Stephen Potter Anderson & Associates as new auditors."

VicPol Stats

Proceeds of crime figures reveal more than \$53 million in cash and assets were confiscated by the Criminal Proceeds Squad last year. Of the property seized in 2009 more than \$45.2 million was in real estate, \$1.5 million in shares, \$6.6 million in cash, vehicles and other property.

Police raided 16 houses in Victoria's south on 5 February as part of a major drug investigation. Numerous search warrants were executed by more than 100 detectives and local police on residential premises in Hampton Park, Narre Warren, Berwick and Endeavour Hills. The four month Drug Taskforce operation targeted a sophisticated cannabis trafficking network. Thirteen people were arrested and police seized more than 1100 cannabis plants.

Ten thousand hoons have been taken of Victorian roads since anti-hoon laws were introduced 31/2 years ago. At a rate of almost eight per day, police have confiscated vehicles from drivers who choose to exceed the speed by more than 45kph, engage in dangerous driving practices or street race. Male drivers represent about 96% of all hoons. The average age is 24. Source: *Police Life*—April 2010



"CALLING ALL HONORARY JUSTICES"

ARE YOU READY TO SERVE ON THE BOARD?

DO YOU HAVE WHAT IT TAKES TO LEAD?

THE BOARD NEEDS YOU!

Expressions of interest are being called for members of the RVAHJ to serve on the Board.

This is your opportunity to contribute to the Association in a constructive way.

Please forward a brief

(max. 2 x A4 pages) Expression of Interest to:

The President, RVAHJ, PO Box 317 Elwood 3184, Victoria

Or by email to pres@rvahj.org.au

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Branch news

International meeting in Ballarat

A meeting of the representatives (called councillors), of 11 Justices ' Associations will meet in Ballarat on Saturday 9 October 2010. The Australasian Council of Justices' Associations (ACJA) represents some 250,000 honorary justices throughout Australia and New Zealand.

Over the last few years the ACJA has focussed on core business as we seek to achieve something worthwhile for justices. With this in mind, working parties have been researching and collating information on three main issues affecting justices namely appointment, training, and roles and duties.

Their reports with recommendations have been presented to all councillors who have voted on the recommendations. This meeting in Ballarat will now decide the best way in which to implement the recommendations.

It is possible for people to register to be observers to this meeting. This may be arranged by emailing president Cr Michael Cheshire JP on jp33@bigpond.com. You must register to secure your place. Other events happening over the same period are a Masonic meeting focussing on matters judicial, the Ballarat Centenary dinner which hosts the councillors of the ACJA and a church service to be held at the Anglican Cathedral in Ballarat, 49 Lydiard Street, South Ballarat at 9.30 a.m. on Sunday October 10. See booking details on Page 14.

The Ballarat branch dinner will have Justice Betty King as speaker. Justice King is always most entertaining and informative. She presided over prominent cases involving Melbourne criminal figure Carl Williams and his associates from the Melbourne gangland killings.

The ACJA meetings are held in rotation around all States and Territories around Australia plus New Zealand. We cannot expect another meeting in Victoria until 2019.

Cr Michael Cheshire JP, president ACJA

Sunraysia Branch by Harvey Hilary-Taylor OAM, JP

The Sunraysia Branch of the RVAHJ held a centenary dinner on 30 July 2010 at Mildura. Amongst the guests were RVAHJ president, Mr Garry Runge JP and Board member Mr Michael Cheshire JP, their wives, politicians, local dignitaries and 30 local JPs and their partners

In addition, the Mildura Rural City Council held a civic reception to recognise our centenary year. The reception was well attended by members and local identities as well as visitors from Melbourne.

The Sunraysia Branch was started in 1966 and is a very pro-active group of JPs. "It is encouraging to find this level of community spirit so active in Mildura," said Mr Runge.

At the civic reception the Mayor welcomed all to Mildura and said he was delighted to be able to host such an important event. Mr Runge gave guests an overview of general activity and said that JPs could look forward to more recognition. He thanked local JPs for their excellent ongoing service to the community.

CITY OF MILDURA CIVIC RECEPTION



L-R Mark Henderson—CEO City of Mildura, Cr Glenn Milne – Mayor City of Mildura, The Hon. Ken Wright JP—chairman Sunraysia Branch RVAHJ, Garry Runge JP—president RVAHJ, Michael Cheshire JP—chair Centenary Committee RVAHJ and president ACJA.

Branch news

Glen Waverley Branch—by Heather MacGregor JP

At the Glen Waverley meeting of the RVAHJ, which was held at the local police station on the 2nd August, we sent an invitation to both Monash and Dandenong branches resulting in a turn up of 22 members.

Ms Andrea Olsson from Mason Sier Turnbull (MST Lawyers) was guest speaker and her subject was Powers of Attorney. This was a very interesting meeting, one that was thoroughly enjoyed by all in attendance. Ms Olsson had open time for questions which turned out to be an extremely fruitful experience.

Ms Olsson was presented with a small gift of appreciation. She enjoyed her time with us and stated what an important job JPs do in police stations, witnessing documents and Power of Attorney forms often in people's homes or in hospitals. The meeting concluded with our usual friendly cuppa and chat.

Glen Waverley branch meets on the 1st Monday of every alternate month, the next meeting being the 4th October at 7.30 p.m. at the Glen Waverley police station. We always welcome any newcomers.



Glen Waverley Branch

Diamond Valley Branch—by Chris Bahen, AFSM JP



Danielle Sinclair, RVAHJ branch chairperson presenting Det. Sgt. Mercer with a gift.

At a recent function organised by the Diamond Valley Branch Executive, the highlight of the evening was a 70 minute presentation by Detective Sergeant Anthony Mercer, speaking on his role with the “**Purana**” Task force, which was established to combat the underworld wars that raged in Victoria.

About 50 people, comprising honorary justices and their guests were present at Old Paradian's Football Club, Bundoora. They participated in the questions and answers which followed the guest speaker's great presentation. Coincidentally Carl Williams was killed earlier that same day at Barwon Prison.

Branch chairperson, Danielle Sinclair presented Det. Sgt. Mercer with a bottle of wine and a RVAHJ Centenary lapel badge in appreciation of his visit.

The evening was part of the Diamond Valley branch RVAHJ Centenary celebrations and a bonus for the evening was the signing up of 11 new members to the branch.

Annual dinner

The RVAHJ ‘Centenary’ Annual Dinner held in August was a resounding success. One hundred and forty people including honorary justices, their wives, husbands, partners, members of the Judiciary, officers from the Department of Justice and representatives from State Trustees attended. Many guests travelled from far and wide for this once in a life time event.

Guest speaker, Mr John Griffin JP PSM, spoke about his 40 years of service to the community in his various senior roles with the Department of Corrections and the Department of Justice. John highlighted how the world of administering and dispensing justice has changed since he was a junior bench clerk in the NSW judicial system. John’s speech was warmly received by all in attendance.

The State Trustees once again presented their award to a worthy honorary justice who has assisted them “a bove and beyond” the call of duty.



Michael Cheshire JP presenting John Boles JP with his award.



Office of the Public Advocate

Volunteer Opportunity

Help protect the human rights of people with a disability.

The Office of the Public Advocate (OPA) seeks volunteers for its Community Visitors, Community Guardian and Independent Third Persons (ITPs) programs.

Community Visitors monitor services for people with a disability and/or mental illness and help resolve issues affecting residents and patients of services with 24-hour care.

Community Guardians are volunteers appointed by the Public Advocate to act as independent guardians for Victorians with a disability.

ITPs facilitate communication for people with a cognitive disability or a mental illness when interviewed by Victoria Police if they are an alleged offender, victim or a witness.

All three programs operate throughout the state, and volunteers are sought from all parts of regional, rural Victoria and metropolitan Melbourne.

The Office of the Public Advocate manages all three volunteer programs and provides training and support.

To find out more:

email your name and postal address to opavolunteers@justice.vic.gov.au or call 1300 309 337 (cost of a local call) and leave your name and number.

For further information about OPA or the volunteer programs, visit: www.publicadvocate.vic.gov.au and follow the links.

This year Mr John Boles JP, was presented with this prestigious award. The RVAHJ Board congratulates John for his outstanding service to the community and particularly to State Trustees.

Perhaps the highlight of the evening was acknowledgment of those honorary justices who have served their communities for 25, 30, 35, 40, 45 and 50 years.

RVAHJ president, Garry Runge JP was delighted to present service certificates to all those worthy recipients in recognition of the wonderful work they do and achievements they have made to the community of Victoria.



RVAHJ president, Garry Runge JP presenting a 30 year service certificate to Laurie Matthew

The annual dinner in 2011 marks the commencement of another 100 years of the RVAHJ and you are encouraged to note 19 August 2011 in your diary.

Bail Justice professional development

The Association held a professional development day for Bail Justices at the Royal Melbourne Hospital on 17th July. Judge Paul Grant from the Children 's Court and Justice Betty King gave some welcome insights into the right to bail, fitness of the accused to make application for bail, multiple bails and consideration of whether the accused is likely to receive a custodial sentence if found guilty of the offence and would remand in these cases be a greater penalty than the Court would impose. She also discussed dealing with arrest warrants where conditions have been imposed by the issuing Magistrate.

Len King took participants through the forms Bail Justices must use and in what circumstances they are used.

Justices were reminded that THE STATEMENT OF REASONS FOR GRANTING BAIL (Victoria Police form VP 497) must be completed if an accused is bailed charged with the following offences:

An indictable offence alleged to have been committed while he or she was at large awaiting trial for another indictable offence.

An offence of stalking under Section 21A (1) of the *Crimes Act 1958* and the circumstances set out in Section 4 (4) (b) (i) (or 4 (4) (b) (ii) of the *Bail Act 1977* are satisfied.

An offence against Section 37 or 123 of the *Family Violence Protection Act 2008* and the circumstances set out in Section 4 (4) (ba) of the *Bail Act 1977* are satisfied.

An offence against section 32 of the *Stalking Intervention Orders Act 2008* and the circumstances set out in Section 4 (4) (bb) of the *Bail Act 1977* are satisfied.

An offence of aggravated burglary under Section 77 of the *Crimes Act 1958* or any other indictable offence in the course of committing which the accused or any person acting in concert with the accused is alleged to have used or threatened to use a firearm, offensive weapon or explosive within the meaning of that Section.

An offence of arson causing death under Section 197A of the *Crimes Act 1958*.

An offence under Section 71AB, 71AC or 72B of the *Drugs, Poisons and Controlled Substances Act 1981* or an offence of conspiring to commit any of those offences under Section 79 (1) of that Act.

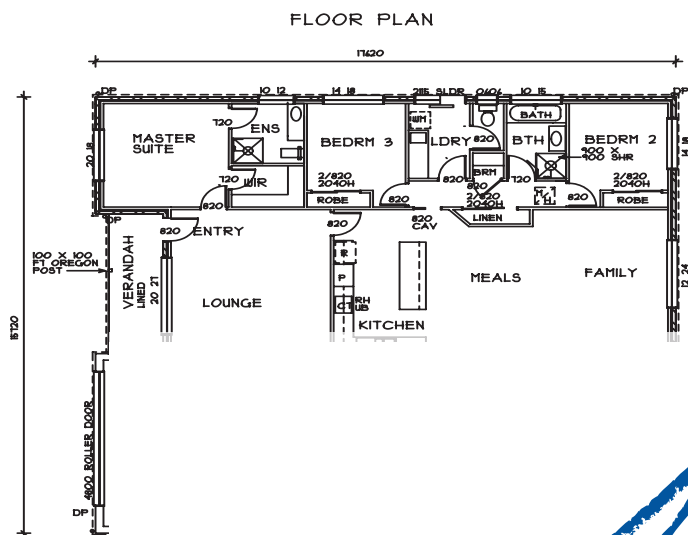
Subject to Section 4 (2) (aa) of the *Bail Act 1977*, with an offence of trafficking a drug of dependence under Section 71 of the *Drugs, Poisons and Controlled Substances Act 1981* or an offence of cultivating a narcotic plant under Section 72 of that Act or an offence of conspiring to commit either of those offences under Section 79 (1) of the Act.

Subject to Section 4 (2) (aa) of the *Bail Act 1977* with an offence under Section 231 (1) , 233A or 233B (1) of the *Customs Act 1901* of the Commonwealth in relation to a commercial or trafficable quantity of narcotic goods within the meaning of that Act.

An offence against the *Bail Act 1977*.

Bail Justices had the opportunity to discuss specific issues with speakers arising from the common and uncommon cases that come before them after hours. Given the isolated nature of the work Bail Justices are involved in it was a great opportunity for Justices to come together and talk about "those curly ones". Report supplied with thanks from Helen Gilhome.

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JP in the Spotlight—Kaylene Kachel

Why did you become a JP and how long have you been one?

I was introduced to the organisation whilst working at State Trustees. Legislative changes governing Enduring Powers of Attorney presented State Trustees with document witnessing problems so we approached the RVAHJ and proposed a joint task force be established to resolve the issue. It was resolved successfully and given my involvement in the process, RVAHJ member, Laurie Tragardh suggested I become a member and was kind enough to sponsor me. That was three years ago.

You could be considered an example of the changing face of the Victorian honorary justice system. How do you respond to such a claim? Many JPs that I have met (both men and women) have enjoyed distinguished careers and made great contributions in the way of community service. I appreciate my path is a little different but I continue to be inspired by those I meet to do what I can.

Tell us a bit about your life, family and hobbies. I am what could be described as “passionate” about dancing particularly salsa and ballroom. I am currently preparing for Silver and Gold level medal exams in dance and focusing on an Argentine Tango Exhibition. I ’m also into scuba diving. Between my full time and often demanding job and my part-time and often demanding hobbies, some JP work in between I also manage to fit some travelling in to visit the folks, all of which keeps me pretty occupied but who would have it any other way?

What is it like being a JP in your locale? I live in East St Kilda and wouldn ’t live anywhere else. For a period of time I attended the Melbourne East Police Station at lunch time every week during which I regularly signed around 100 documents an hour. Being behind the counter at a busy city police station is always entertaining and interesting. I also get a steady stream of people coming to my work place for documents to be signed. I really enjoy meeting people from all walks of life doing all sorts of interesting things.

Is there a need for a younger and fresher approach? I think we should keep an eye on how the world around us is changing and look to keep pace where we can to ensure we maintain our relevance and profile in the community. Given this is a volunteer workforce I think the organisation is doing a fantastic job. To be honest I am still taking it all in!

Any highlights or memorable moments in your role as JP? The people you meet.

What traits make for a good JP? A great sense of humour along with a firm hand. We can have a laugh together but don ’t step over the line.

What are the challenges faced by JPs today?

I believe the role of the JP has been diminished over many years in preference for those tasks to be performed by employees of the State/Judiciary. The recent review has put in place more stringent regulations on aspects of training and the application process amongst other things which is a positive step that will see our skills kept up-to-date and relevant.

A further challenge is to keep membership engaged and involved and to continue to build our presence in the community.

If you could send a message to the world what would it be? Dance like no one is watching! And if you are not comfortable with that, dance WHEN no one is watching. What ever you do, just dance!

What is the future for JP ’s as you see it? I hope we continue to have a part to play particularly in supporting the Police. They are so grateful for the work we do in witnessing documents alone.

Would you encourage young people to seek appointment as a JP? Definitely. Being a JP or BJ gives you the opportunity to engage with a part of the community and a range of people you might not otherwise. It also provides the opportunity to make a contribution. You just need to be able to wear your “reasonable persons’ hat ” with confidence and go about the business of helping people.

Who are the five people you would invite to dinner? Fred Astaire and Ginger Rogers (get ready to push the table and chairs back), Frank Sinatra (he would have some interesting tales to tell), Audrey Hepburn and my simply gorgeous husband (whoever and wherever he is—I hope he gets there on time!)



Notice board



Use of the RVAHJ logo

Members are reminded that membership of the Association does not entitle use of the RVAHJ logo electronically or in print on privately produced items. This includes letterheads, business cards, stamps or any other paraphernalia.



2011 membership invoices

A reminder to members that all membership fees become due on January 1 each year and your invoice for 2011 membership will be printed on the reverse of the address sheet with the **next** edition of *Custodes*.

To reduce our postage and administrative costs, individual invoices will not be sent.



The importance of availability

These days, with convenience often the deciding factor in where members of the public go to have their documents witnessed, it is more important than ever that we do not inconvenience members of the public by failing to keep our contact details up to date. Nothing is more likely to send the public to Australia Post or a pharmacy for document witnessing than making numerous phone calls to justices who are no longer at their registered address.

So, have *you* kept your contact details up to date? Perhaps you reported a change to your postal address but did you change your home or business address or your phone numbers?

The RVAHJ lists members on the website. To check your details, go to www.rvahj.org.au and click on 'Search for a Justice of the Peace here'. Type in your postcode and check your listing. To change your details, click on *Membership, Change details*. If you are unable to check your details on-line and you think they may be incorrect, contact the office.



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Half page	\$75.00 per edition	\$90.00
Full page	\$100.00 per edition	\$150.00



Are you receiving E News?

When information comes to hand between editions of *Custodes*, we keep you informed via E News. It is sent to your RVAHJ email address free of charge. To log in, go to the website at www.rvahj.org.au and go to the Members Area. Click on Webmail and type in your User Name and Password. User Name is jp or bj followed by your registration number. Password is your registration number followed by jp or bj. For example User Name jp12345 has a Password 12345jp.

If you have a personal email address you can arrange for RVAHJ emails to automatically be forwarded to that address. But remember, if you change your personal email address you need to update your onforwarding email address details.



Important notice for JP's

Following the completion of the review of Justices of the Peace in Victoria, many members have been concerned how this affects their appointment.

Although fixed term appointments have been proposed, members are advised that, at the time of writing, no changes to current appointments have been implemented. If you currently hold the position of Justice of the Peace, you need do nothing at this time. If and when this situation changes, members will be advised.

Centenary celebrations

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OH, WHAT A WONDERFUL YEAR.

What a wonderful year! As I move around the State I find so many justices joining in the celebrations, buying merchandise and taking part in the travelling display. Never before has so much been happening at the one time. If you are enjoying it half as much as your directors are, then we are having a lot of fun.

Never before have honorary justices told the public of what we do and indicate the measure of the work for the community. The travelling display has led this education of the public and will continue to do so for years to come.

Worth noting ...

Travelling display – With three display sets available there is still plenty of time to book and arrange a display. Contact Norm Gibbs JP on 9807 8801 or 0412 000 214. Norm will be delighted to have all sets out there informing the public of our role and history. Also it may be time to start thinking of what is coming up next year that you wish to use the display for. The display is not dated and can be used well after our centenary.

Merchandise – Items are moving fast. We have already ordered more ties and have run out of pre-paid envelopes. Don't delay. Place your order today to secure your piece of centenary memorabilia.

History – The RVAHJ history collated by Fred Kent JP is being edited by myself. Photos are still to be added to the publication and when finalised, a copy will be provided to every member free of charge. This is possible due to a generous grant from the Department of Justice, who have been very helpful and supportive of our centenary.

Centenary dinner - The annual dinner was booked out early and those who attended had a great evening. Certificates of Service were presented and speaker John Griffin gave us a most entertaining and informative talk.

Centenary conference – The conference will be held in March 2011 to sign off the centenary year. The inaugural meeting for the Association was held at the Melbourne town hall on 27 April 1910. The theme for the conference will be *Quo Vadis – where to from here*. President Garry Runge JP, vice president Linda Rainsford and Rod McConnell JP have joined with me to help plan this conference. Plans are well underway to making this event both thought provoking and beneficial to the future of justices. The Department of Justice has again provided a grant to help run this important event.

A record – Your association is very keen to keep a record of our centenary year. If you have any photos, stories, media coverage, please forward copies to the office. I am sure our editor Helen Ward would also like to see what you have.

Michael Cheshire JP
chair – Centenary Committee

Centenary celebrations

Celebrating 100 years with the Governor

On August 3, 2010 the RVAHJ were guests of the Governor, Professor David de Kretser, AC and his wife Mrs Jan de Kretser for afternoon tea at Government House.

As Chief Patron of the RVAHJ, the Governor made welcome RVAHJ directors, their partners and office staff to celebrate the centenary of the formation of the RVAHJ on 27 April, 1910.



Addressing guests,

Professor de Kretser spoke of the great history surrounding the RVAHJ dating back to the time of Richard the Lionheart. He was particularly complimentary of the wonderful community service provided by honorary justices since the settlement of Victoria.

RVAHJ president, Garry Runge also addressed guests. He spoke on

the formation of the Association and provided examples of the ongoing important work performed by honorary justices throughout Victoria.

Following the speeches guests were invited to view many of the fine paintings and pottery

pieces en route to the great ballroom of Government House, venue of many important functions in years past. The magnificent chandeliers are a highlight of the ballroom, each being offset by the wonderful paintwork and architecture of the room.

The RVAHJ board is extremely thankful to the Governor and his staff for hosting a wonderful and memorable event to help celebrate our 100 years.



City of Casey proudly honours Justices

Casey Council is one of a number of municipalities who have kindly hosted civic receptions in acknowledgement of the RVAHJ centenary.

A proud and active volunteer in the justice system, JP and Casey Councillor, Wayne Smith played host



to more than 100 justices and guests who attended the dinner in the Casey Council Chambers.

“ Tonight is in honour of volunteers in the justice system,” he said in his opening address.

Guests wine and dined as an impressive list of speakers took to the floor to talk about various aspects of the justice system. Children’s Court Magistrate, Peter Power gave a powerful, thought provoking and touching account of “Susie”, a child who was the subject of a 12 day hearing over which he presided.

Allan Elliott, Coordinator of the Independent Third Person and Prison Disciplinary Hearing Program at the Office of the Public Advocate gave an overview of a pilot program established to assist intellectually disabled prisoners that has been operating in two Victorian prisons for 12 months. Vivianne Dias, Statewide Coordinator of the Youth Referral and Independent Persons Program (YRIPP) talked about her organisation and the concerns they have about the incidence of young people reoffending and progressing to higher levels of the criminal justice system.

Other speakers included RVAHJ president, Garry Runge JP, Mayor of Casey, Cr Lorraine Wreford who expressed her thanks to the 130 volunteer Bail Justices and JPs, 30 IPs and 34 ITPs who serve in the city of Casey, and Police Inspector Andrew Miles who briefly thanked JPs and BJs for all their support and great work in assisting police.

Operation Guardian



The Royal Victorian Association of Honorary Justices
Ballarat Branch

Invite you to attend their

CENTENARY DINNER

Dowling Views Function Centre
Dowling Forest Racecourse
Kennedy's Road
Miners Rest

Saturday, 9th October 6.30 for 7.00 pm

Guest Speaker:- The Honourable Justice Betty King QC

Dress:- Lounge Suit \$45 per head

Decorations to be worn

Sponsored by:- Bartrop Real Estate

Please reply by tearing off this section and attaching payment

RSVP by 17th Sept. 2010 to :- Mr. Robert Campbell, JP
250 Smeaton Road
Clunes, Victoria, 3370

Name _____

Address _____

Tickets Required _____ Total value _____

Cheque Number _____

Dietary food requirements _____

No bookings can be accepted without payment
No refunds after 20th September

**Ten arrested in police crackdown
at Dandenong station**

July 11, 2010 1:37PM Herald Sun Newspaper

A POLICE crackdown at a Melbourne railway station has led to the arrest of 10 people and 37 charges being laid.

About 100 police took part in Operation Guardian, aimed at reducing attacks on international students.

The operation ended with a random weapons search at Dandenong station on Saturday night, with three weapons seized.

Greater Dandenong Acting Inspector Russell Patten said the operation was a success.

"We are cracking down on criminal behaviour in and around train stations more than ever before," he said.

"We will continue to saturate high risk hot spots in a bid to drive down crime and anti-social behaviour in those areas.

"Along with the high growth in international students studying in Victoria, there has been an increase in the number of students who have become victims of crime."

He said police are being deployed around high risk areas and in public transport corridors to increase safety and to minimise crime and anti-social behaviour.

Operation Guardian was launched in March by Victoria Police.

Editor's Note

Police contacted the RVAHJ Dandenong branch requesting the assistance of two JPs to act as independent persons if required. Despite the request being made at short notice JPs Margaret Harris and Phil Anstis kindly agreed to assist. Their first time in such a role they were to act as an independent observer in the case of anyone under 18 being questioned or interviewed by police.

The Operation ran from 7 p.m. until midnight and neither Phil nor Margaret were called upon.

" People were picked at random when departing the train and asked to empty their pockets before passing through a metal detector, " said Phil. Apart from the weapons seized, police also detained a belligerent woman, who with her two distressed young children—the unfortunate victims—was taken to the Dandenong Police station for further questioning on a matter unrelated to Operation Guardian.

Surprisingly, police were required to publicly advertise Operation Guardian in advance and both Phil and Margaret questioned the wisdom of this decision. Margaret commented on the impressive conduct of the police throughout the Operation and how they handled themselves in sometimes difficult circumstances. She also couldn 't help but wonder at the number of young girls out at such a late hour and how scantily dressed they were given the weather conditions, in what she described as baby doll dresses.

Swearing Affidavits

Recently there has been some confusion about the requirement to use the bible when administering an oath for an affidavit. For the information of members a copy of the Department of Justice guidelines relating to this is provided below which clearly indicates that there is no requirement to use a religious book, including the bible, when witnessing an affidavit.

2 Affidavits

Affidavits are true statements made in writing. They are mainly used in legal proceedings. Anyone making an affidavit (deponent) must take an oath or affirmation stating that the content of the affidavit is true and correct. This must be done in the presence of an authorised witness (you).

An affidavit commences with the full name and address of the deponent in the following format:

If being sworn:

I,[full name]
of[address]
make oath and say:
[This is the statement the deponent wishes to make].

If being affirmed:

I,[person making affirmation]
of[address of person making affirmation]
do solemnly and sincerely affirm:
[This is the statement the deponent wishes to make].

Before witnessing an affidavit, you should:

- examine the affidavit quickly to ensure that it is neat and legible and does not contain any blank spaces which could be filled in after swearing. You are not required to read the document in detail; in fact, it could be inappropriate to do so;
- confirm the deponent understands the content of the affidavit and the nature of the oath/affirmation; and
- ensure the deponent signs the affidavit before the oath/affirmation is taken.

Oath

It is not necessary that a religious text be used in taking an oath.

However, if a religious text is used, the deponent should hold it in his or her hand and say or recite the following oath:

“I swear (or the person taking the oath may promise) by Almighty God (or the person may name a god recognised by his or her religion) that this is my name and handwriting and that the contents of this, my affidavit, are true and correct in every particular.”

If the Koran is used instead of the bible, the person witnessing the document, if not Muslim should not touch the Koran.

If the affidavit includes exhibits, the oath is modified to:

“I swear (or the person taking the oath may promise) by Almighty God (or the person may name a god recognised by his or her religion) that this is my name and handwriting and that the contents of this, my affidavit, are true and correct in every particular (and these are the exhibits referred to therein).”

JP selected for Victorian 2010 Multicultural Award for Excellence

South Asian Community Link Group (SACLG)-Australasia is pleased to announce that Mr. Deepak Vinayak JP has been honoured by the State Government of Victoria to be selected for Victorian Multicultural Award for Excellence 2010. He will be awarded at a ceremony, being hosted by the Governor of Victoria, Professor David de Kretser A.O. at Government House on Tuesday 21 September 2010.

Mr. Deepak Vinayak has been actively helping the community for the last 15 years.

President of SACLG-Australasia, Farrukh Hussain said he and his organisation felt honoured to have people like Deepak in their team to spread the word of peace, harmony and multiculturalism in this beautiful country.

Deepak Vinayak JP can be contacted on Mob: 0403-546735,
email: secretary@southasiancommunity.org.au or deepakvinayak@hotmail.com.



More pics from the annual dinner



State Trustees would like to say Thanks with a 20% off special offer

State Trustees has been helping Victorians with their financial needs for over 70 years so they can make the most of their opportunities.

We recognise that JP's have played a crucial role in helping State Trustees to achieve this community outcome. By way of thanks for this ongoing assistance, we'd like to offer you and your partner **20% off the standard State Trustees price** for a Will and Enduring Power of Attorney (financial)*

Call us today for an appointment to have one of our specialists prepare your Will to ensure it clearly reflects your wishes, and takes into account your own and your beneficiaries' circumstances.

*Offer valid until 30 June 2011



ABN 68 064 593 148 (p+h+e+co+o)

To make your appointment
or for more information, call
03 9667 6444
or visit statetrustees.com.au

Order of Australia Award



Royal Victorian Association of Honorary Justices

ACN 004 226 448

Chief Patron: The Governor of Victoria

Patron: The Right Honourable the Lord Mayor of Melbourne

1 July 2010

Dear Vernon

On behalf of the Board of the Royal Victorian Association of Honorary Justices, it gives me great pleasure to extend to you our congratulations on your award of a Medal in the Order of Australia as part of the Queen's Birthday celebrations on 14 June 2010.

We heartily endorse the recognition of community service within the Order of Australia, thus acknowledging the significant efforts of 'quiet achievers'.

Congratulations again, and we wish you well in your future endeavours.

Yours sincerely

Garry A Runge JP
PRESIDENT

'Required' versus 'requested' information on documentation.

Q

Q. A document recently presented to a member requested that she supply her telephone and drivers licence number. Not having seen this before, the member queried her requirement to supply this information.

&

A

A. It is not a requirement under legislation that you supply such information and it must be a matter for each Justice to decide whether, *in that particular circumstance*, it is appropriate to supply. If, after due consideration, you decide you do not wish to supply the information you should, where possible, advise the client *before* proceeding with the document, giving them the opportunity to take the document elsewhere, or to seek further advice from the issuing office.

Note: Legislation requires Justices to write, print or stamp their name, address and authority to sign, below their signature.

NOTICE TO ALL MEMBERS

Minutes from the 100th AGM held
on Thursday May 2010 can be found
on the RVAHJ website at
www.rvahj.org.au

Christmas merchandise

Are you hard to buy for? Sick of getting “socks & jocks” from Santa? Why not suggest one of the following items from the RVAHJ catalogue?



RVAHJ Plaque Our most popular Christmas gift from 2009! The Association wall plaque, with personalised engraved plate, makes an impression.

RVAHJ Pen A beautiful, brushed-chrome pen from Shaeffer. Sign those documents with style! (Ink colour: Black)

RVAHJ Clock This go-anywhere clock has easy to read numerals in a polished chrome case with the Association’s logo laser engraved.



RVAHJ Cards Make yourself known with these handy “business” cards. Printed on quality card stock with plain finish so you can write on the back!

ORDER FORM			
Item	\$ per item	Qty	Cost
Cards x 100	64.00		
Cards x 200	99.00		
Clock	29.95		
Pen	39.95		
Plaque	79.95		
* Processing - 1 item	8.00		
* Processing - each extra	2.20		
TOTAL			

* Processing: please include 1st item charge \$8.00 plus \$2.20 per item thereafter. Eg. for a plaque, pen and clock, add \$12.40 (\$8.00 plus 2 x \$2.20).

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Royal Victorian Association
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John Citizen
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29 Smith Street Ph: 03 9555 9999
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jp12345@rvahj.org.au Mob: 0494 955 599

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Add _____

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E-mail _____

Ph _____ Fax _____

Mob _____ Reg No. _____

Text for plaque engraved plate

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_____ P/code _____

Contact ph no _____

Update on Births, Deaths and Marriages policy

Policy on certification of identity documents on behalf of the Registry of Births, Deaths and Marriages is a question that is commonly asked by JPs so this response to Terry Stephens JP is timely and current.



Department of Justice

Registry of Births, Deaths and Marriages
ABN 32 790 228 959

MC/10/4655

16 August 2010

Mr Terry Stephens
15 Gibbs Road
FERNTREE GULLY VIC 3156

Dear Mr Stephens

Thank you for your letter dated 19 July 2010, which you sent to the Attorney-General, Hon Rob Hulls, seeking an update about the Registry of Births Deaths and Marriages policy in respect of certification of identity documents. The Attorney-General asked me to respond and I apologise for the delay in doing so.

As you know, the Review of Justices of the Peace (JPs) has recommended a reform process that will ensure the office of JP provides a modern and professional service. In June, I met with Mr Garry Runge, President of the Royal Victorian Association of Honorary Justices, to elaborate the rationale for the Registry's current position in relation to document certification. We also discussed the ways in which the Registry could work within this reform process to expand the opportunities for JPs to undertake certification of proof of identity documents.

One of the key recommendations of the reform is to develop a training package for JPs that includes training as part of the appointment and re-appointment processes, as well as a professional development program. The Registry is one of the stakeholders participating in the process to design this training, which will include undertaking document certification that meets the Registry's requirements.

There will be further discussion between the staff of the Reform Project, the Registry and the Honorary Justices groups to implement an appropriate strategy for identifying trained and suitably located JPs to undertake this function in the future. I am confident that together we can develop a process that meets the needs of all parties.

Yours sincerely


HELEN TRIHAS
Registrar

595 Collins Street
Melbourne Victoria 3000
GPO Box 4332
Melbourne Victoria 3001
DX 210637

Certifying documents for the Victorian Registry of Births, Deaths and Marriages

The President of the RVAHJ, Garry Runge JP recently met with the Victorian Registry of Births, Deaths and Marriages (BDM) Registrar Helen Trihas, to discuss issues surrounding the certification of documents for BDM. These fruitful discussions centred on the importance of the security and integrity of documents used by the community for the purpose of identification.

In these times of increased identity theft and fraud, BDM has a responsibility to ensure a thorough examination of original identity documents is conducted.

The Registrar believes the issue of certifying documents used to identify a person is one which should be undertaken by police and suitably trained people.

The RVAHJ and BDM are working together to determine where JPs are best located for the certification of such documents and also the level of training required to ensure the community is protected against identity-related crime.

The RVAHJ president looks forward to a continued good working relationship with BDM and will report to members as the matter progresses.



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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