



As I draw to the end of my term as president of the RVAHJ I look back with great pride and satisfaction at what the Board has achieved for the membership and the personal satisfaction I have gained from service in this high office. The role of the president is complex and challenging with many daily tasks to undertake.

Perhaps the biggest challenge to conquer was the review of the role of JPs in Victoria. It seems that our very existence was under threat in late 2009, however the commitment by honorary justices to present logical and professional submissions to the DOJ was a clear expression that we are here to stay.

The office of Justice of the Peace is steeped in more than 800 years of history. We serve the community of Victoria in a voluntary capacity but things have changed and the law has evolved. We live in a more complex society with greater pressures and expectations than before. Honorary justices must keep up with the times.

I hear so many complaints about why JPs need training. *"We've been doing it for years,"* is the comment. Reflect a moment on how society has changed and how a daily advancement of knowledge can be a good thing.

As honorary justices it is important to deliver the best service we can and to demonstrate to the Department and the community that not only are we passionate about our role but also competent in what we do.

The commitment given by the government in early 2010 means that JPs will be retained and their role strengthened. The new Liberal Government is opposed to the abolition of Justices of the Peace and is committed to restoring the respect of government for the standing and role of JPs. However, both sides of politics support a process which would remove JPs who do not uphold the responsibilities of their office. The Board is supportive of these views.

In March 2011 the Board will hold a major conference in Melbourne at which a number of quality speakers from the academic and legal fraternity will address delegates. The conference is sponsored by the Department of Justice and promises to be an exciting event which will not only act as a closing to our centenary celebrations but also the commencement of a further 100 years of the RVAHJ. More details will become available in the new year and I encourage you to join your fellow honorary justices at this wonderful conference.

The centenary year has meant a great deal to the Board and I congratulate all directors for the work they have put into making this a memorable year.

On a personal note I have had the privilege of visiting branches right across the state. I have met hundreds of fellow JPs and BJs and have attended numerous civic receptions, dinners, branch meetings and events. My eyes have been opened to the great work honorary justices do for the community and now is the time for us to really promote our role.

I encourage you to seek out worthy people in your community who would make a good JP or BJ and assist them to make application to the Department. We can grow our numbers and expand our role through positive recruiting, training and an adherence to the Code of Conduct.

In closing, I wish to thank each board member for their commitment to the task during my time as president. Together with Cathy Owens in the office and her group of volunteers, the team has worked exceptionally hard and I believe we have made positive progress.

I also want to thank those honorary justices who have contributed in some way to making my term as president enjoyable. There are too many to name individually, but if you have done just one thing to assist the RVAHJ then you know who I am referring to.

Finally, thanks to my wife Sue for her support and being by my side throughout the year and I wish you and your family a merry Christmas and safe and prosperous New Year.

Garry Runge JP—President.

This interesting and amusing account from Anne M Credlin BJ appears over two pages. A special thanks to Anne for taking the time to share her experiences. Go to page 16 for Anne's interesting conclusion.

I was sworn in as a Bail Justice in 1990, so am in my 20th year in a role which has been sometimes frustrating, enlightening, amusing and when the welfare of children has been involved, sometimes heart wrenching, especially for someone whose life's work has been the education of children and young people.

I drifted into the role more or less by accident, after I moved back home to care for my now late mother; my father having already passed away. He had been a Commissioner for Taking Affidavits and Declarations, and occasionally there were phone calls asking for someone to witness documents. I thought that some community service would not hurt me, so I rang the Attorney General's Department, as it was at the time, explained that my father had passed away, but that I was prepared to offer service - if they would have me. I was advised that the Office had been discontinued, was asked about the area of my work, and asked whether or not I would be interested in becoming a bail justice. The role did sound interesting, so I requested further information; undertook the training course, and was duly sworn in.

I very quickly found that being called in the early hours of the morning did not contribute to my state of mental alertness on the following day, and one cannot teach – or manage children when one's "grey cells" are impaired by lack of sleep. So I negotiated an arrangement, under the initial system of BJs being called by a central police station, whereby I would not be called routinely during the school week, but would be prepared to be called during weekends and all school holidays. I believe this suited many other BJs who wanted to be free during the school holidays and the weekends.

I was obliged to transfer to the Latrobe Valley when the school in which I held an administrative position became a victim of the much publicised school closures, and during those years did not undertake many hearings, as I had to return to Melbourne each weekend to visit my mother who had necessarily moved by then to an aged care placement. I had asked not to be called to hearings in the immediate area as it would have been extremely likely for the accused members of the community to have been related to students I was teaching, which would have placed me, a senior member of the staff, in rather an invidious position. Instead, I made myself available to other towns in the area, however not being in the locality during the weekend, I was not particularly useful.

On my eventual return to Melbourne however, it was "business as usual".

The country experience made me realise how difficult it must be for bail justices in small towns, in which most of the residents would be known to them, and in which professional conflicts could occur as a result of their service.

Having retired from teaching, I now work in a part-time capacity as the conductor of two large choral groups, the Australian Welsh Male Choir, and the Cranbourne Chorale, and intermittently, as a music examiner. I am also engaged in research toward the degree of PhD at Swinburne University. I am now almost fully available for hearings, except on two evenings of the week at rehearsal time.

Friday evenings are almost always fully occupied, and I have almost given up accepting any social invitations on a Friday evening. The Welsh Choir being a touring choir, I have received bail justice calls at some strange locations, the most unusual being when I was travelling on a bus in London with the Choir. I had to explain that the police would have a very long wait. I have recently toured China with Cranbourne Chorale, and was fully expecting a call there also!

I have found the role itself to be extremely challenging, and for me, educational. I had a very "sheltered" upbringing, being the only child of university-educated parents, having had a private school education, followed by university, and a secure, rewarding profession. Teaching in the government school system teaches one at times "how the other half lives," but I was not prepared for some of the horror stories I heard as a bail justice, and was frequently torn between compassion for the accused person, and the need to consider the possibility of an "unacceptable risk" according to the Bail Act.

Hearing Interim Accommodation Order applications by DHS personnel was even more distressing at times, since for a time during my teaching career, I had been responsible for student welfare in schools. I had not however, encountered in that role, children who were physically and sexually abused, severely neglected and even deliberately injured by parents – but I did encounter such cases as a bail justice. Inevitably, in the earlier years in particular, I took all this home with me, and sometimes had little sleep following a particularly distressing case.

I am fortunate in having a good friend who is a Salvation Army hospital chaplain, and I know I can talk to him in the strictest confidence when I have dealt with a particularly onerous case, and he knows he can do the same, so we frequently "debrief" each other.



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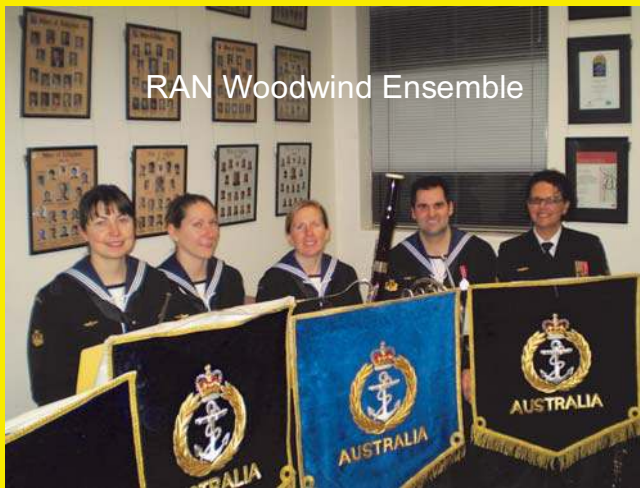
YARRA VALLEY BRANCH BY WENDY BOOTH

On July 29th members of the RVAHJ Yarra Valley Branch and their partners were treated to a reception hosted by the Mayor of the Shire of Yarra Ranges Cr Len Cox. Amongst guests were RVAHJ president Mr. Garry Runge JP, Mr. Laurie Taig JP, Mr. Michael Cheshire JP, Ms Glenda Frost, JP and Mr. Leo King with their partners, along with local dignitaries and councillors.

The evening was held to recognise the centenary year and was well attended by members of the Yarra Valley Branch. The Royal Australian Navy Band Woodwind ensemble provided music for guests on arrival and during supper. Members and dignitaries were welcomed and honorary justices were thanked by the Mayor.



L—R, Garry Runge JP RVAHJ president, Cr Len Cox, Michael Cheshire JP RVAHJ director, Gary Tragardh JP Branch chairman.



RAN Woodwind Ensemble

This was followed by 'snippets' of history by Mr. Leo King, with president Garry Runge also speaking on the role of the JP in the community today. A mayoral presentation of a certificate was made to Mr. Keith Thomas (49 years) and Mrs. Jennifer (Jenny) Mitchell

(33 years) to acknowledge their long service to the community as JPs. Other recipients, Mr. Donald (Don) Strachan (34

years) and Mr. Bruce Aumann (31 years) were unable to attend. Other speakers included award recipient Mr. Keith Thomas JP and the chairman of the Yarra Valley Branch Mr. Gary Tragardh JP who presented a plaque to the Mayor.

A cake marking the occasion, made and decorated by Branch secretary Wendy Booth, was ceremoniously cut by president Garry Runge JP and Mr. Keith Thomas JP. The Yarra Valley Branch generally meets when there is a 5th Thursday in the month at the Chirnside Park Country Club for dinner from pm with the meeting commencing at 7.30 pm. All are welcome to attend and new membership is always encouraged. For all enquiries please contact Branch Secretary Mrs. Wendy Booth on 5966 5278 or 0407 051 757.



Centenary cake being cut by Garry Runge JP and Keith Thomas JP

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BENALLA BRANCH AGM BY STEVE LONDON

A total of 22 members and partners attended the 2010 AGM at the Benalla Golf Club on Wednesday 29 September. Guests were RVAHJ president Garry Runge JP, Member for Benalla Bill Sykes and his wife Sally.

Garry Runge gave an interesting address speaking about his family connections to the area, his work with Vic Pol, local government and community volunteering generally. He then turned to the Association's activities speaking on a range of issues.

Lively discussion was held on several topics including training, outcomes of the review, signing centres and the future of JPs. Outgoing chairman Ken Whan and secretary/treasurer, Steve London were re-elected.

The meeting decided to investigate holding a Civic Reception to acknowledge the work of JPs in the community. Garry Runge then presented Certificates of Appreciation to members who worked at Signing Centres.

MORNINGTON PENINSULA BRANCH
BY IAN LYONS

The former World Featherweight boxing champion, John Famechon is pictured hamming it up with long time friend, Ian Lyons JP at Dromana Hub shopping centre where the RVAHJ travelling display was on show for three days. The display was then moved to "The Local Village" shopping centre in Carrum Downs for two days and featured at the Frankston Library.

Peter Fulton and secretary of the RVAHJ Peninsula branch, Fay Hunter spent hours manning the display at the shopping centres and library.

Ian has known John since John was 16 years of age. Ian was a boxing photographer for *The Herald Sun* and *Sporting Globe*. He covered all the Famechon and Lionel Rose bouts at Festival Hall.

Ian worked with John as an attendant carer during John's rehabilitation after a hit run incident. The program involved four days of hydrotherapy and guest speaking engagements.



The Southern Metropolitan Region of Victoria Police recently recognised the valuable contribution and assistance offered to its members and the public by our members of the Mornington Peninsula Branch who staff Signing Centres at Frankston, Mornington, Hastings, Rosebud and Carrum Downs police stations. The picture shows RVAHJ president Garry Runge JP presenting Len Butcher with his Certificate of Appreciation in the presence of Superintendent Wayne Taylor (left) and colleague, Chris Warwick JP. The presentations took place at the Carrum Downs Police Headquarters which opened the week before



JPs who would like to assist in Signing Centre programmes should contact Fay Hunter, Branch secretary. Email Fayhunter2@bigpond.com; phone 59761258; mob 0427267607.

SOUTH GIPPLSLAND BRANCH
BY WENDY CAPLE



L—R John Famechon, Ian Lyons JP

On Saturday night, November 13th, at the AGM of the South Gippsland Branch of the RVAHJ, president, Garry Runge JP presented Tom Beaton JP with a certificate for his 50 years of service as a Justice of the Peace.

Tom commenced service in 1960 in Cowes when a local policeman asked if he would take on the role. His business was central to the town and convenient for people to pop in and have papers signed and witnessed.

His most vivid memory of his time in the role is of having to read the

Riot Act to a rowdy mob on the Cowes foreshore over the Christmas New Year period, and he has great memories of his time on the bench when court was held at the Masonic hall in Cowes once a week.

Tom is happy to keep on in his role for some time to come. He is well known in the area, and has even ordered a new stamp!

Tom thoroughly enjoys meeting the people that the role of Justice brings to his



RVAHJ president, Garry Runge JP presents Tom Beaton JP with his 50 years Service Certificate.

door, however the ever changing requirements provide a bit of a challenge.



JP's now in Carrum Downs

The official opening of Victoria Police's latest police station took place in October with local JPs present to meet the Premier, John Brumby, the Police and Emergency Services Minister and Federal Member, the Hon Bruce Billson.

The Mornington Peninsular branch of the RVAHJ was pleased to announce that effective October 12, 2010, members will be scheduled to sign documents at the new police station from 5—7 p.m. Tuesday's with hours to possibly be extended depending on demand and availability of JPs.

GLEN WAVERLEY BRANCH BY HEATHER MCGREGOR JP

On October 25th, the Glen Waverley Branch of the RVAHJ had a function at the Monash Civic Centre, hosted by the Mayor, Cr. Charlotte Baines. This was to recognise the centenary of the RVAHJ, also the voluntary work given to the community by Justices of the Peace and bail justices who are called upon at any time of the day or night.

Ms. Baines commented on the selflessness, and the willingness of JPs and BJs to assist the police in their duties without hesitation at all.

There was approximately 50 people in attendance. It was good to see some of our members present who have not been able to attend meetings recently due to health reasons, catching up with old friends. We have also gained new members from this function.

Our December meeting will be held at 6:30 pm instead of the usual time of 7:30, after which time we will proceed to the Village Green for our Christmas function.

May we take this opportunity to wish every one a Safe and Happy Christmas, and a Prosperous New Year.



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.

CENTRAL GIPPSLAND BRANCH BY JIM F HOOD JP

Central Gippsland Branch of RVAHJ were guests at a Civic Reception hosted by Latrobe City to celebrate 100 years of honorary justices. The function was well attended by members of the Central Gippsland Branch of the RVAHJ.

RVAHJ resident Garry Runge JP gave an overview of JPs over the last 100 years. This was well received by those in attendance.

Our branch held two displays in July at Traralgon Plaza and Mid Valley Shopping Centre.

The displays were organised by Terry Fisher JP, Rod Lavin JP and manned by members of the Central Gippsland branch. Members at Warragul also held a display. Well done to all.



L-R, Jim Hood JP branch chairman, Latrobe City Mayor Cr Kellie O'Callaghan, RVAHJ president Garry Runge JP, secretary Central Gippsland Branch, Donald Ferguson JP



Code of Conduct

DEPARTMENT
OF JUSTICE



Justice of the Peace in Victoria

This code establishes the acceptable standards of conduct for Justices of the Peace appointed in Victoria.

CONDUCT

1. A Justice of the Peace (JP) must maintain and uphold the oath of office and discharge the duties of a JP in accordance with the law to the best of his or her ability.
2. A JP must not:
 - a) behave in a way that brings the office of JP into disrepute;
 - b) improperly influence or attempt to influence a person when carrying out the duties or powers of a JP (JP services).
3. A JP must:
 - a) act, and be seen to act, independently, impartially and without prejudice or discrimination;
 - b) ensure that he or she provides high quality JP services to the community and justice system in a courteous and timely manner;
 - c) act and be seen to act with due care, diligence, honesty, integrity and respect at all times when performing his or her role as a JP.
4. A JP must not:
 - a) use his or her position or title of JP to gain benefit or to be seen to gain benefit or advantage for himself or herself, another person, organisation or agency;
 - b) advertise his or her position as a JP for the purposes of advancing his or her business interests or commercial interests;
 - c) charge a fee, accept gifts, favours or patronage in return for performing his or her role as a JP;
 - d) purport to exercise powers other than those conferred upon him or her as a JP;
 - e) provide legal advice in his or her capacity as a JP.
5. A JP must not make use of or disclose information or documents obtained in the course of carrying out his or her role as a JP, other than for the purposes of performing that role or as otherwise authorised or required by law.

CONFLICT OF INTEREST

6. If a JP has personal, family, financial or business interests, or is a member of a recreational, professional, personal interest organisation or a political party and the interest or membership conflicts with the matter before the JP, he or she must:
 - a) disclose the conflict of interest; and
 - b) decline to provide the JP service.

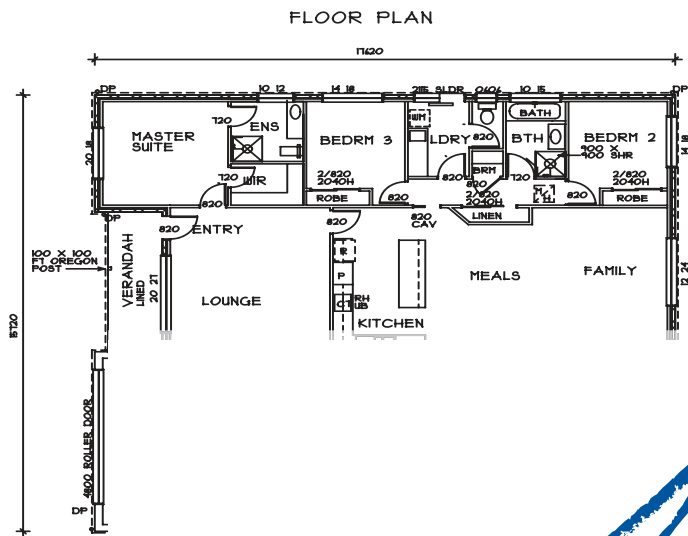
COMPETENCY / KNOWLEDGE

7. A JP must:
 - a) endeavour to maintain a competent knowledge and comply with all laws applicable to carrying out the role of JP and be familiar with and follow instructions and guidelines issued by the Department of Justice in relation to JP services;
 - b) undertake and successfully complete any training and professional development courses required by the Department of Justice.
8. If a JP has reasonable doubts about the identity of the person or that person's capacity to make an oath or declaration, a JP must not witness or attest the document.
9. A JP must witness the person sign the document in his or her presence.

NOTIFICATION

10. A JP must notify the Department of Justice in writing as soon as practicable of:
 - a) the JP being charged with any criminal offences in Australia or overseas;
 - b) the JP having a civil proceeding commenced against him or her in Australia or overseas; and
 - c) the finalisation and outcome of any:
 - (i) criminal proceeding against the JP referred to in 10(a); or
 - (ii) civil proceeding against the JP referred to in 10(b);
 - d) the JP having proceedings commenced against him or her for bankruptcy in Australia or overseas;
 - e) any suspension or disqualification of the JP from holding any licence, registration, certificate or membership of any profession, business, trade or industry; and
 - f) the JP being disqualified from managing a company under the Corporations Act 2001.
11. A JP must notify the Department of Justice in writing within one month of any changes to his or her name, address, contact numbers and email address.
12. A JP must:
 - a) notify the Department of Justice in writing as soon as practicable of any extended period of absence relating to the performance of his or her duties as a JP;
 - b) notify the Department of Justice in writing of his or her resignation from office.

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Call Centre Quirks

The introduction of the Bail Justice Call Centre early last year has produced some strange and unexplainable situations in recent times.

The out-sourcing to an organisation in Queensland has many BJs dumbfounded, where issues such as travelling distances and travel time in Melbourne traffic are not always apparent to Call Centre personnel.

Another issue has been the roster itself. Many bail justices not on roster have been called in desperation to attend locations, whereas many that were on roster at the time, were not called at all..... very frustrating for those BJ 's that have made themselves available. Therefore, one could assume that another internal method of applying the roster exists of which we are not aware. That, or the system is not working efficiently.

Other common frustrations have been phones not ringing long enough to answer and Call Centre staff having incorrect or very little hearing information for the bail justice. *It is understandable, however, that no system is perfect especially with a shortage of BJ's in many locations around Victoria.* Hopefully as time goes by, the H.J.O will address the above issues by directly communicating with BJs, especially those who are extremely active on the roster.

As Woodrow Wilson once said, "The ear of the leader must ring with the voices of the people".

The need to explore

Whilst completing my bail justice training at Victoria University in late 2008, a staff member constantly reminded me of the need to always "explore, explore, explore" when conducting Bail Hearings and Interim Accommodation Orders. This became all too apparent and true at a recent IAO hearing at an inner CBD location.

After listening at some length to the application by DHS and input by family members, I again queried the suitability of the male person with which the 8 year old girl was to be placed. I again asked DHS if they had requested some criminal history from the police and was astounded to learn that they hadn 't.

Following an adjournment to seek further information, I was shocked to learn that the so called "suitable person" had a long and recent history of sexual assault and pedophilia. Unbelievable. Suffice to say that the child was placed elsewhere.

Melbourne Custody Centre

There wouldn 't be a bail justice in Melbourne that has not remanded an accused to the next court sitting date.

Unless the police station is fully certified to hold offenders in custody, they are usually sent to the Melbourne Custody Centre, situated beneath the Melbourne Magistrate 's Court. Many BJs have not conducted hearings there and unless you have, it 's difficult to imagine the surroundings, atmosphere and the procedures in operating the facility.

It would be interesting and beneficial for those bail justices who don 't attend the Custody Centre to actually see where the "accused" spend time prior to their court appearance. An experience indeed, on a busy night at the Custody Centre.

Perhaps an official group visit could be organised..... Interested anyone?

Article supplied with thanks by Nathan Kopel JP BJ.



BJ content in *Custodes*.

Recently I have been asked why there is limited content in *Custodes* regarding bail justices. The answer is simple. Despite requests for content the editor has received very few articles from BJs to date for publication. Without your stories, experiences, questions, it is difficult to provide interesting and relevant content. So I ask all those hard working BJs to consider submitting an article to the editor for publication. It's a great way to share your experiences with your fellow honorary justices.

RVAHJ president Garry Runge JP



Merry Christmas and a safe, happy and prosperous New Year to all. Custodes editor.



2011 membership invoices

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

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

Amendment to *Bail Act 1977*

A Ready Reckoner for the *Bail Amendment Act 2010* is now available. It is a useful resource for users of the *Bail Act 1977* as it includes changes and amendments made to the Act.

The Ready Reckoner supplements important fact sheets addressing the key changes covering a range of new provisions.

Go to www.justice.vic.gov.au and click on the link "Bail Amendment Act 2010" in the "Focus On" section at right of screen.



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Government House Open Day

On Australia Day, 26 January 2011 all citizens of Victoria and visitors to the State are invited to visit Government House. Visitors will be able to view the State Apartments, the Private Apartments and the Governor's study. Many of these rooms are normally not open to the public. Admission is free.

For further information contact Alex Hodgson or Wendy Heintz on (03) 9655 4211 or by email: alexandra.hodgson@govhouse.vic.gov.au wendy.heintz@govhouse.vic.gov.au

Result of Special General Meeting

At the Special General Meeting of RVAHJ members held on Thursday 21 October, 2010 the Board carried the following motions:

1. That the Association resolves to remove CHN Herold Ross as auditors of the RVAHJ.
2. That the Association resolves to appoint Anderson & Associates of Suite 102/17 Heatherdale Road, Ringwood, Victoria 3134 as auditors of the RVAHJ for the ensuing year.

The centenary year.....but wait there's more!

I think our centenary plans began with the news that we had an agreement with Australia Post, to have pre-paid envelopes produced to celebrate our centenary. Interestingly, we ordered cautiously, as we were not sure of how many we may sell. Every member received one as a souvenir of the centenary and extras were available for purchase. The response was overwhelming as we sold out quickly. Unfortunately we could not have a reprint. So you now have a unique piece of history.

Then we had a number of initiatives come to fruition at about the same time. I believe that perhaps one of our best, was to create a travelling display to showcase the history of the role, the centenary of the Association and show what we now do for the community. The response was far above expectations. Branches from all over the State got behind the promotion and I had to produce three kits for use at the same time, to meet the demand. Local Mayors came out to launch the displays and the media gave us good coverage. This was supported by my media kit, which most branches took on board to help gain media coverage for the centenary and some other events and milestones in their local area. The display is timeless and can be used well into the future, for any event or activity. Branches may still make a booking to hold a display by contacting Norm Gibbs JP on 9807 8801 or 0412 000 214.

Local celebrations were seen in various activities. Many local municipalities supported the centenary, in thanking the local justices by putting on Civic Receptions and dinners. This was a wonderful recognition by local government of what justices do for the community. The Association's own centenary dinner was sold out early. Those who attended enjoyed the fellowship and talk from John Griffin – Department of Justice, who has been a great support to the association over many years.

This year coincided with the hosting of the Australasian Council of Justices' Associations of which I was created president. As such, I decided to hold the 2010 meeting in Ballarat making it the first such meeting to be held outside a capital city. The Ballarat Branch hosted their centenary celebrations with a dinner and invited the councillors from the ACJA to join them in the celebrations. Justice Betty King provided those in attendance with an interesting and entertaining talk.

More about the work of the ACJA at this meeting in a later edition of *Custodes*.



The centenary year.....but wait there's more!

As usual for a milestone, we produced a variety of celebration merchandise which has been well received. What a great idea to have such a prominent colour for the ties. What a recognition factor it makes in a crowd. Members are proud to wear it with honour of the long and honourable role we have played over 100 years plus in Australia and 800 years from our beginnings in England.

... and we are yet to complete the year. The end of our centenary year is 27 April 2011; the anniversary of the inaugural meeting in the Melbourne Town Hall.

What we have to come is the launch of our booklet, written by Fred Kent and edited by myself. Every member shall receive a free copy before the end of our centenary year.

A very important event yet to come is our centenary conference ... "Quo Vadis" (where to from here). This will be an interesting look at what we have done in the past and, especially after the Attorney-General's review, where should we be in the future. This is the opportunity for members to come up with their ideas and visions for the future. The conference is expected to be held in March 2011.

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 for our archives. I am sure our editor Helen Ward would also like to see what you have. Her email address is hiward@bigpond.com.

Michael Cheshire JP Chair, Centenary Committee





IMPORTANT COG:
Harry Gibcus is one of 140 justices of the peace in the Ballarat district.
Picture: Narelle White

Justices of the peace celebrate

By Andrew Eales

HARRY Gibcus helps hundreds of people every week — and doesn't get paid a cent for the privilege.

Mr Gibcus is one of 140 justices of the peace who volunteer in the Ballarat district witnessing and attesting statutory declarations, affidavits and all types of legal documents.

It's a position which often goes unheralded but is an important cog in keeping the legal system moving.

The role played by justices of the peace helped create the modern legal system — now operating in the state — until 1948 justices of the peace sat on the Court of Petty Sessions, the forerunner to the Magistrates Court.

This year the Royal Victorian Association of Honorary Justices is celebrating its centenary and will hold a dinner in Ballarat to celebrate the milestone.

The association was established in Melbourne in 1910, formalising the structures and standards developed by Justices of the Peace in Australia which had operated since the 1830s.

All justices of the peace positions are held by volunteers, 24 of which rotate through a two-shift each day at the Ballarat police station.

Mr Gibcus said he often witnessed between 100 and 150 documents during a shift, a service which helps reduce administrative pressure on police officers.

"The police here (in Ballarat) are really appreciative of what

we do — we have a really good relationship with them," Mr Gibcus said.

"You really gain an extra appreciation of the job the police do in this role."

Justices of the peace also act as bail justices — presiding over urgent criminal or other law matters which occur outside normal court operating hours.

Supreme Court judge Betty King, who presided over many of the famous gangland war cases in Melbourne, will be guest speaker at the centenary dinner which will be held on Saturday, October 9 at Dowling Forest racecourse function centre.

For further details about the centenary dinner contact Michael Cheshire on 5345 3777.

Justice, at long last

By Mara Pattison-Sowden

CENTENARY celebrations have been in full swing for Honorary Justices of the Peace.

Two of the shire's longest serving Justices of the Peace (JPs) were honoured for their combined total of 82 years experience.

Warburton's Keith Thomas has served as a JP for 49 years, and Mt Dandenong resident Jenny Mitchell has been a JP for 33 years.

Mr Thomas was the 934th justice and he said the new justices were running into the five digits.

In the 1960s, justices were expected to spend time on the bench in court, where he said most people they dealt with were locals.

"It has been a great journey," he said.

Ms Mitchell said she became a justice through her work as a pharmacist in Swan Hill.

"These days, I'll get two or three visits a week to sign true copies and affidavits," she said.

President of the Royal Victorian Association of Honorary Justices, Garry Runge, told guests at a special celebration for Yarra Valley JPs, it was great to see a council recognise and support the volunteers, who loved what they do as JPs.

He said after a recent government review, Attorney-General Rob Hulls told the Association more could be done to support JPs and ensure those appointed would uphold their rights and responsibilities.

Mr Runge said there was a need to recruit JPs who were younger and represented the multicultural society.

"The current experience is invaluable, but we need to plan ahead so we can celebrate the next 200 years," he said.

Mr Runge said JPs had signed more than 1.5 million documents in Victoria in the last six years.

Association secretary Leo King told guests JPs were likened to "knights in shining armour", or in 1361, they were known as the keepers of the peace.

Mr King said JPs today played a more polished role which was increasing in demands and importance.

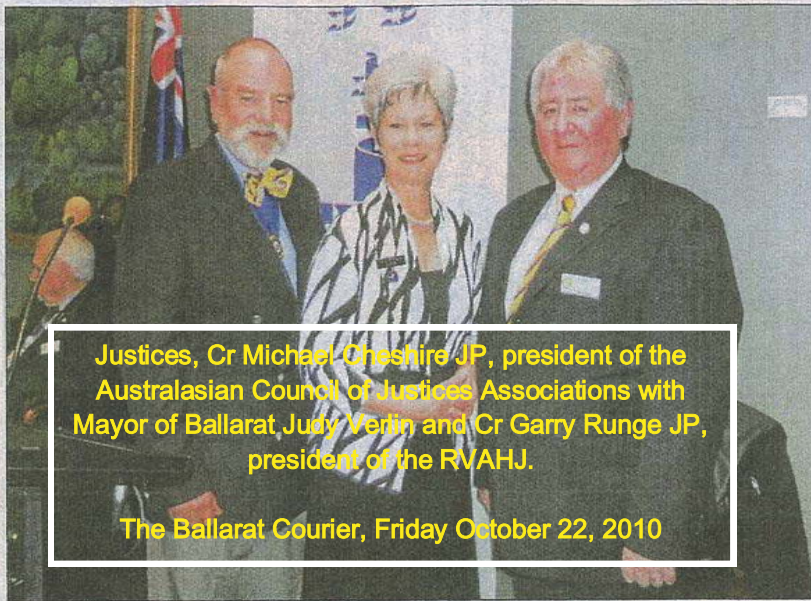
"Especially now that we've moved to a paperless society. This paperless society requires everything to be on paper and, of course, witnessed," Mr King said.



Jenny Mitchell and Keith Thomas celebrate their service as JPs. 52527



Association president Garry Runge and Keith Thomas cut the centenary cake. 52527



Justices, Cr Michael Cheshire JP, president of the Australasian Council of Justices Associations with Mayor of Ballarat Judy Verin and Cr Garry Runge JP, president of the RVAHJ.

The Ballarat Courier, Friday October 22, 2010



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*This offer is valid for all year except January and the long weekend in March.



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I find this particularly helpful, and believe such a service available “officially,” would assist Bail Justices immensely, particularly in their first few months of service.

Inevitably, there is the humorous side of the role. I remember the case of the young man who had, in a supermarket, crammed a large number of chocolate bars down his pants with a view, he told me, to selling them on to “the local milk bar”! Memo to self: be careful in which shops you buy chocolate bars! Then there was the teenager who had stolen a car by starting it with a five cent coin. I granted him bail, as it was his first recorded offence, but I was curious as to how he had done it. The car he had started was a Torana, and at the time I owned a much loved, beautifully maintained Torana, so as the police were preparing to deliver him home, I asked him to demonstrate on my car, how he had done it. He grinned, sat in the car, and had the engine running within 30 seconds! I promptly invested in a steering lock, after being told that he would probably not try a car with one of those, because it took a bit longer and he might be caught! I wondered what would become of this rather likeable young rogue, and hoped I would not see him again in the same situation.

Probably the most bizarre instance occurred at the end of a school day. It was a sports day, and I was assisting, so was resplendent in a tracksuit. There was a phone call to the school office, requesting me to attend the local police station for a hearing, as the court was not accepting further cases for that day. The accused person was being charged with possession of a traffickable – and substantial - quantity of drugs. I had put my car in for service that morning, so the police, knowing that they probably would not be able to find another Justice at that time of day, said they would collect me. Duly, a police car arrived, I got in, and away we went. I was later told that the school Office was besieged by numerous horrified students saying, “Mrs. Russell has been taken away in a police car.” Office staff explained the situation and de-fused the panic! On arrival at the police station, looking somewhat windblown and disheveled and not in the least “professional,” I was confronted by the immaculate, pin-striped solicitor that the accused had called in. Despite my rather dubious dignity, the accused was remanded in custody.

On a more serious note, were I to conduct a statistical analysis of the cases I have heard during the time I have been a Bail Justice, I estimate that I would arrive at a figure of approximately 98% of all cases which have involved drug addiction, including alcohol addiction. A high percentage of cases would also involve mental illness or instability, sometimes linked with drug or alcohol abuse and often untreated.

It is tempting to arrive at the conclusion that if these two social problems were successfully addressed, there would be a marked decrease in crime. Whilst it is never that simple, the attempt would certainly not be detrimental in any way.

I frequently smile wryly to myself during hearings, noting that dealing with many accused persons is not unlike dealing with recalcitrant Year 8 and Year 9 students in a school. Some people, for various reasons, remain mentally at that level – it is “not their fault,” and they are innocent victims of everyone else’s crimes. On occasions, the teacher’s “Year 8 voice” is particularly useful.

I have recently learned that, having been appointed prior to 1991, my appointment expires at the end of 2011, although I have several years yet to go to reach the age of 70. I will have to re-apply and undertake a course of training to continue to be a bail justice. I am, in the words of Lionel Bart, “reviewing the situation.” Do I really want to continue being awakened by the phone at two, three and four in the morning, dress and go out in the cold and the frost, then battle through the next day in a daydream? Do I want to hear stories of hardship, hurt, anger and violence, and in general, confront the worst side of human nature? On the other hand, there is the dedication of those on the “other side” – the police and the “after hours” child protection workers, for all of whom I have the greatest respect and admiration. I’ll get back to you!

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

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APPOINTMENTS USHER IN NEW ERA FOR JUSTICES OF THE PEACE

From the Attorney General

Wednesday, 20 October 2010

The appointment of 84 new Justices of the Peace, including those from diverse backgrounds and those servicing regional areas, shows the success of the Brumby Labor Government's reforms to the office, Deputy Premier and Attorney-General Rob Hulls said today.

The appointments come at the same time as the introduction of a new Code of Conduct that increases the accountability of Justices of the Peace, ensuring they maintain acceptable standards of behaviour.

"This group of Justices of the Peace is the first under our new approach to appointments, which encourage the best candidates to take up an important role in the justice system," Mr Hulls said. "It includes people from diverse cultural backgrounds, including Tanzanian, Sri Lankan and Burmese backgrounds, as well as new appointments in regional and rural Victoria."

Mr Hulls said the Code of Conduct would make clear that Justices of the Peace cannot use their office for personal gain or to further their employment, and must proactively provide their services.

"Justices of the Peace perform a valuable service witnessing and certifying legal documents, including statutory declarations and affidavits," Mr Hulls said. "This Code of Conduct will ensure Justices of the Peace continue to provide a reliable and modern service, and that JPs act independently and impartially."

"The new Code will also require Justices of the Peace to notify the Department of Justice if they are ever subject to criminal proceedings, declare bankruptcy, or are absent for any extended period. This ensures that the integrity of the role and office of Justice of the Peace can be maintained now and into the future."

Mr Hulls said the new Code formed part of a suite of reforms to the office of Justice of the Peace, including changes to the appointment process and the introduction of term limits with an option of re-appointment. The reforms also include formalised training and ongoing professional development, and a revised complaints process.

"The services provided by Justices of the Peace need to be available to as many communities as possible to ensure equal access to the justice system," Mr Hulls said. "These changes will ensure Justices of the Peace continue to deliver an important service valued by Victorians seeking to have documents witnessed or certified."

MERITORIOUS MEMBER AWARD BY ROD MCCONNELL JP

At the recent Yarra Valley Branch Christmas meeting I acted on behalf of the Board, as Chairman of the Awards Sub-Committee, in presenting a Meritorious Member Award to Gary Tragardh JP. He knew nothing about it, and was taken by complete surprise.

As a natural leader and fierce defender of the RVAHJ, Gary was a catalyst for change; leading the Association through a turbulent period of transformation, which confirmed its role as Victoria's pre-eminent membership body representing the interests of Justices of the Peace and bail justices. The conferring of this Meritorious Member Award reflects the gratitude of the Royal Victorian Association of Honorary Justices and the high esteem in which Gary Charles Tragardh JP is held.



Gary Tragardh JP receiving his Meritorious Member Award from Rod McConnell JP and president, Garry Runge JP.

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



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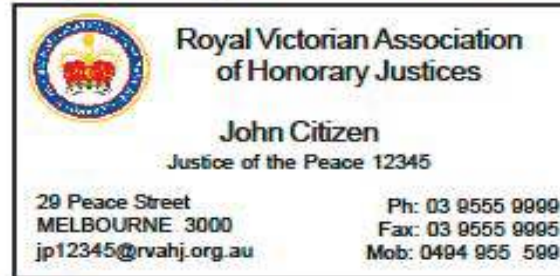
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Clock	29.95		
Pen	39.95		
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*Post 1 item	8.00		
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TOTAL			

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Merchandise Order Form Summer 2010

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Email: admin@rvahj.org.au

Fax: (03) 9525 7765

Item	Cost	Qty	Sub-Total
ID's (Send photo for ID card)			
JPVBJ Wallet	85.00		
Tag with Clip (No PFee)	14.25		
Tag with Cord (No PFee)	14.25		
Leather ID Holder with cord	29.50		
Dresswear			
Name Badge (Magnetic fitting) ♦	25.95		
Lapel Badge Blue	9.95		
Lapel Badge Red	9.95		
Lapel Badge Centenary	9.95		
Cufflinks Blue	19.95		
Cufflinks Red	19.95		
Cufflinks Centenary	19.95		
Tie Bar Blue	12.95		
Tie Bar Red	12.95		
Tie Bar Centenary	12.95		
RVAHJ Tie Centenary	33.50		
Ladies RVAHJ Scarf	10.00		
Stamps – Self Inking			
ID Stamp *	29.50		
ID Stamp with seal *	45.20		
Certified True Copy	32.70		
Cert'd True Copy with ID & seal *	45.20		
Annexure/Exhibits NEW!	45.20		
Stamps – Handle			
ID Stamp *	24.95		
ID Stamp with seal *	38.00		
Certified True Copy	24.95		
Cert'd True Copy with ID & seal *	35.05		
Annexure/Exhibits	33.25		
Miscellaneous			
Oaths Card (No PFee)	3.60		
Record Forms – Bail Application	12.95		
Record Forms – Protection	12.95		
Window Transfer (No PFee)	3.60		
ADD PROCESSING FEE			
1 st item - \$7.00 then add \$2.20			
for each extra item (No PFee items -			
excepted)			
TOTAL	\$		



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