



RVAHJ submission to D

December 2009

Issue 4

OFFICIAL JOURNAL OF THE ROYAL VICTORIAN ASSOCIATION OF

HONORARY JUSTICES

Custodes



RVAHJ's submission to the JP review : 2009 Honor Roll: 2010 membership fees: JP in the Spotlight: Guidelines for use of the title of JP: Report on ACJA 2008 questionnaire: Centenary update: Training and website update: 2009 Victorian Seniors Award: Merchandise and business card order forms: Plus much more.



I am delighted to advise that in excess of 400 submissions to the consultation paper on the future role of Justices of the Peace were received at the office and I have read each one of them. The Board has prepared a response, which is included in this edition of *Custodes*.

The Board took the view that the response should be concise and specifically address the questions in the paper with particular emphasis on evidence to support the case for retaining JP 's. I have advocated directly with the Attorney-General and senior officers of the Department of Justice to retain the role of JP and look forward to a positive outcome from this consultation paper.

The overwhelming issues which came through the submissions were for the retention of the role of Justice of the Peace and the title. Training was the next big issue with the vast majority of respondents reporting the need for all JP 's to receive training both before appointment and then on an ongoing basis. Respondents were extremely supportive and complimentary of the RVAHJ training program and felt that it provided them with the necessary skills to perform their important role. I wish to thank each member and branch for taking the time to make a submission.

In September I had the pleasure of attending Government House to witness Mr Fred Kent JP receive a Senior Achiever 's Victoria award for service to the community particularly in his capacity as a Justice of the Peace. Fred is a worthy recipient who has contributed greatly to the community of Victoria.

In October I attended the Australasian Council of Justices ' Associations annual conference in Hobart. I am pleased to advise that RVAHJ Director, Michael Cheshire, was appointed President of the ACJA.

The ACJA represents 240,000 JPs across Australia and New Zealand and your association has two delegates. I was also elected as the ACJA representative to the Commonwealth Magistrates ' and Judges ' Association for the next five years.

This association promotes education in the law and a better understanding of legal processes in Commonwealth countries. Michael and I benefited from an interaction with other delegates from around Australia and I intend implementing some of the proposals recommended during the conference.

Director Laurie Taig is unwell and I am sure all members wish him a speedy recovery. Laurie has given great service to the Board over many years and I greatly miss his wise counsel around the table. From all at the RVAHJ, we wish Laurie well and trust he will be back in the very near future.

As the year draws to a close, my wife Sue and I wish everyone a very Merry Christmas and a happy and safe New Year. Let 's move into our centenary year celebrating 100 years of community service by Honorary Justices to the State of Victoria.

Garry Runge JP—President

NEWS FLASH

RVAHJ President Garry Runge JP was reappointed for a further term as President. The Board congratulates him and looks forward to another successful year in 2010 under Garry 's leadership.

Rosters need you!

Once again we are putting out a call for volunteers to assist on rosters. With the summer season upon us many of the regulars will be away so if you can spare a couple of hours, we would love to hear from you.

Please contact Cathy on (03) 9525 7099 to discuss.

Dear Helen,

I have received Issue 3 of RVAHJ Journal and congratulate you and your staff on format of new look *Custodes*. Presentation is excellent with very interesting articles.

I wish to strongly support the RVAHJ in countering the threat of Mr Hulls and his Justice Department in suggesting that J.P 's are irrelevant in the 21st century. The Justice Department should be encouraged to visit Police stations and see first hand the work of J.P 's.

I personally spend many hours per week on J.P. duty and am pleased to provide this service to the community.

I 'm looking forward to the next edition of *Custodes*.

Yours faithfully Don Jagger (J.P. No. 9738)

Helen,

Hello from Michael Tubb, acting Secretary of Ballarat Branch. I have been a JP for about 20 years and I always have been interested in the history of the position. I have noted of late that people seem to call the magazine ' Custodes ' literally. However it should really be pronounced "CUS-TOAD-IES" .

A quick look at the definitive Oxford Dictionary will show the following:

Custodes

Pronunciation: (ku-stō'dēz; Latin)

Custos \Cus"tos\ (k[u^]s"t[o^]s), n.; pl. Custodes

(k[u^]s*t[=o]"d[=e]z). [L.]

A keeper; a custodian; a superintendent. [Obs.]

[1913 Webster]

Custos rotulorum (r[o^]t[-u]*l[=o]"r[u^]m) [LL., keeper of the rolls] (Eng. Law), the principal justice of the peace in a county, who is also keeper of the rolls and records of the sessions of the peace.

I know I am probably being pedantic but it would be nice if a small note explaining that could be included sometime in the future and then our own members would probably pronounce it correctly.

Best regards, and you've taken on a hard job.

Michael Tubb.

Dear Editor

I was interested to read Garry Runge's contribution to the most recent edition of *Custodes*. Mr Runge is, of course, correct when he says that "Honorary Justices do a remarkable amount of unpaid work in the community saving the police and the courts many hours and significant manpower."

I was annoyed when I read the rest of the paragraph, which I feel is deficient in terms of the fullness of the description that contribution Honorary Justices make. Honorary Justices do not just sign documents and attend signing centres. Some of us, Bail Justices, conduct after hours hearings for bail applications and applications for interim accommodation orders, as well as providing signing services. The contributions that Bail Justices make are commonly overlooked, even in the honorary justice community- it is sad to see that the president of our association is failing to note the contribution in this official statement. Is this indicative of a 'skewing' of the emphasis of the RVAHJ?

The main client groups for the services of Bail Justices, police and DHS workers, are in my experience, extraordinarily grateful that I've got out of bed at 3 am to conduct a hearing. It would be appropriate, I believe, to be more thorough when noting the contribution Honorary Justices make to the community, so as to reflect the contributions of all.

Yours sincerely, Colin Thornby BJ 1849
(Korumburra)

Dear Helen,

The "new look" of this edition of *Custodes*, in my humble opinion, is just excellent. It's not an easy job to be the editor and I think you have done very well.

Keep up the good work.

Harry Gibcus JP

Guidelines for use of the title Justice of the Peace or

Under Section 115 (6) of the *Magistrate's Court Act* 1989,

A Justice of the Peace is entitled to use the title "Justice of the Peace" or "JP".

In most cases only the letters "JP" are used and are customarily inserted after national honours and decorations, but preceding academic, professional and other qualifications (e.g. John Smith AO PSM JP BEc CPA FAIM). However, the propriety of doing so is limited to certain instances.

The overriding principle of the use of either the title "Justice of the Peace" or the letters "JP" is that neither should be used for the purpose of furthering trade, business or professional interests or give the impression of superior status or knowledge.

As a guide, the following use of the title "Justice of the Peace" or the letters "JP" are generally considered as acceptable:

- when signing in the capacity of a Justice of the Peace;
- on a gate plate (usually shown as Justice of the Peace);
- on a personal letterhead;
- on a personal website;
- on a personal visiting card;
- on private notepaper; and
- on social functions.

Although not excluded from use, care should be exercised when either are used in the following areas:

- business cards;
- business letterheads;
- on a business; and
- on a company prospectus and/or report

In a business setting, wherever possible the title "Justice of the Peace" or the letters "JP" should not be used on their own, so as to avoid any allegation of improper commercial influence, particularly if the use could be considered misleading by giving a false impression. For example, where either are used to give additional weight and/or credibility to a written statement that is signed or endorsed by that person.

The following use of the title "Justice of the Peace" or the letters "JP" are considered inappropriate due to historical convention and/or being in conflict with the overriding principle outlined above:

- on a cheque;
- driving licence;

- in any commercial advertising;
- on any election billboard, pamphlet or brochure for parliamentary or local government election;
- in any public correspondence (e.g. letter to the editor of a newspaper) where the subject is not directly related to a Justice of the Peace matter.

The title "Justice of the Peace" or the letters "JP" should never be used where it could be alleged that it is being used to unfair advantage or is misleading. If there are any doubts about the use of the title "Justice of the Peace" or the letters "JP" you can refer to the Ethics Committee of RVAHJ for guidance.



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REVIEW OF JUSTICES OF THE PEACE IN VICTORIA

CONSULTATION PAPER SEPTEMBER 2009

WRITTEN SUBMISSION

Author 's details

Name: Mr Garry RUNGE JP

Organisation: ROYAL VICTORIAN ASSOCIATION OF HONORARY JUSTICES Phone: 0400 335 251

Email : garryrunge@bigpond.com

Can you please indicate whether you are a: ☒ Justice of the Peace ☐ Bail Justice ☐ Both ☐ N/ADo you wish your submission to remain confidential? ☐ YES ☒ NO

(The questions presented in the consultation paper are outlined below in WORD format, allowing you to move and write your answers where appropriate. You are not expected to answer every question, only those questions that you are interested in and wish to comment on. If you have something to say about JPs that is not raised in the consultation paper, please include this information under the heading, 'Other Information').

Questions:

1. Is there a continuing need for the role of the Victorian JP in witnessing statutory declarations and affidavits?

Please explain your reasoning.

The Royal Victorian Association of Honorary Justices (RVAHJ) is the peak body representing 53 percent of JP 's in Victoria. The RVAHJ firmly believes there is a need for a continuing role of the Victorian Justice of the Peace (JP) in witnessing statutory declarations and affidavits.

RVAHJ although recognising the increasing types of persons authorised to witness certain documents, is still responsible for the major portions of witnessing Statutory Declarations and taking Affidavits.

Based on RVAHJ figures with their various signing locations, the Supreme Court, Police Stations and Hospitals, and private signings, Honorary Justices accounted for witnessing more than one million documents over the past five years.

For example some Police Signing Centres are currently averaging more than 30,000 documents per year. In one particular location 80 signings per three hour shift per night are regularly performed.

Typical rostering over various sites produces the following figures:

- Royal Melbourne Hospital: (4 Hour Roster x 5 days) = approx 200 documents
- Probate Court: (6 Hour Roster x 5 Days) = approx 400 documents
- Federal Court: (4 Hour Roster x 5 Days) = 150 documents

All of these sites are run by volunteer JPs. This is but the tip of the iceberg as actual statistics are hard to collate. To try to replace these services would be at a substantial financial cost and have the flow on ripple effect of adding to the workload of the current workforce.

The other more covert cost would be associated with the many volunteers who are no longer needed. Retired persons who are JP 's get so much satisfaction, enjoyment and pride out of what they are doing, what will their community service be replaced with?

2. If the office of Victorian JP 's (as currently defined) is to remain, should the office be re-named to better reflect the role? For example, should the name of the office be changed to 'Commissioners for Declarations '?

The RVAHJ strongly opposes the change of name from Justice of the Peace. The office of Justice of the Peace is well known in English speaking countries. The title "Justice of the Peace" is used not only in Commonwealth realms but also in republics e.g. the United State of America, Singapore, Sri Lanka. Hong Kong SAR, as part of the People's Republic of China, continues to use the title and make appointments of JP 's annually. India, Sri Lanka, Malaysia and Fiji require passport applicants in Australia to submit documents that are certified by Australian JP 's.

Documents certified by Victorian JP 's are generally recognised in countries where the office of JP exists. Changing the office to another, the current title to another, would cause confusion and potential of the non-recognition of documents certified in Victoria.

It is also important to note that many interstate and overseas documents require witnessing by a JP, so it follows that if there were no JP 's in Victoria such documents could not be witnessed.

3. Is there a need to broaden the representation of the age and gender balance of JPs? If so, what could be done?

The RVAHJ conducted a membership survey in 2008 and the following figures represent membership by age:

- 18% of the RVAHJ membership is aged between 60 and 64 years.
- 15% of the RVAHJ membership is aged between 65 and 69 years.
- 12% of the RVAHJ membership is aged between 70 and 74 years.
- 55% of its membership is below the age of 60 years.

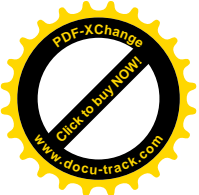
JP 's by their very appointment are honorary, meaning at least by implication, that they have the time available to devote to the role conferred upon them. Using this as a primary premise age and maturity usually implies that there does exist greater flexibility with time.

As long as appointments keep pace with population increases, natural attrition and geographical density of population surely this is the essential requirements. If it is demonstrated that age is an issue encourage younger people for appointment and deliberately balance the gender, if that is also seen as an issue that is likewise needed to be addressed.

4. Is there a need to limit the term of a Victorian JP? If so, should this be by a compulsory age related retirement, appointment for a fixed term, a combination of both or some other method?

The RVAHJ supports the current practice of JPs being appointed by the Governor in Council for life. On reaching an agreed age, say 75 years, the RVAHJ believes a JP should be assessed to determine his competence to remain in the role.

An approved accreditation course could be implemented, which RVAHJ would be happy to undertake and administer. After the age of 75 a JP could be deemed to be a retired if he is inactive or elects not to continue acting in the role of a JP. Under these circumstances the JP could be deemed to be a JP (Retired) and retain that title for life. This would be an appropriate recognition for the voluntary service given by the individual in the past. An appropriate criteria could be developed to embrace this concept.



5. Should the appointment criteria for Victorian JP 's be amended or expanded, for example by requiring a demonstrated knowledge of the role, establishing a geographical need or requiring nomination by specific members of our community?

RVAHJ does not oppose this concept and would be more than happy to assist in developing an appropriate selection criteria and screening process to ensure that appropriate persons only, are appointed to the position. Likewise RVAHJ would also like to be involved in the actual training and accreditation process of Justices of the Peace.

RVAHJ sees a joint venture opportunity with a bone fide tertiary teaching facility to ensure proper standards are not only implemented at entrance stage, but continue to be monitored up to the end stage of a JP 's life cycle.

6. Should people occupying certain professions be prevented from holding the office of Victorian JP? If yes, why do you think this is necessary and what professions do you consider this should apply to?

This is a somewhat difficult area as it is akin to the Directors under the *Corporations Act* 2001 where it is inappropriate for a Director to act where they may have a conflict of interest. RVAHJ sees the answer to the above question appears to be of a similar nature. Simple legislation under the Magistrates Court Act should spell out very clearly that any person who is appointed as a JP cannot act in that capacity where it could be considered that they have a conflict of interest with the party to whom they are assisting in that parties particular transaction.

7. Should the code of conduct for JP 's be included in legislation or regulations?

The RVAHJ Board supports the code of conduct for JP 's and recommends it be linked to legislation to ensure enforcement.

8. What training should Victorian JP 's receive?

The RVAHJ believes that training is an essential aspect of JP 's and the current lack of training prior to appointment is a serious deficiency in the entire selection process. JP 's must be trained prior to formal appointment to ensure they understand the importance of their role and can carry out their duties in accordance with the law.

The RVAHJ currently provides four training sessions each year to its members. These training sessions, of one full day, focus on the Statutory Declarations, Affidavits and Powers of Attorney. The training ensures each JP understands the legislative requirements when signing these documents and the JP 's knowledge is tested by undertaking a written examination at the end of the training session.

The RVAHJ recommends further professional development of its members every two years to ensure the members are kept up-to-date with changes in legislation, policy and procedures.

The RVAHJ is the only professional body which provides its members with training to provide them with the skills to adequately fulfil their duties as JP 's.

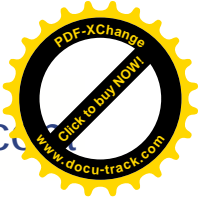
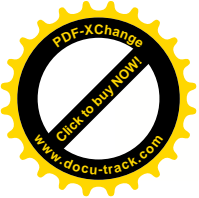
The RVAHJ Board proposes increasing training and professional development to six training sessions a year and recommends that the DOJ require newly appointed JP 's to undertake the RVAHJ one day trainings session prior to appointment.

As also stated above RVAHJ sees a joint venture opportunity with a bone fide tertiary teaching facility to ensure proper standards are not only implemented at entrance stage, but continue to be monitored up to the end stage of a JP 's life cycle.

Other Information:

ACJA/CMJA membership

The RVAHJ is a member of the Australasian Council of Justices ' Associations (ACJA) which is the national body representing 250,000 honorary justices across Australia and New Zealand.



The ACJA is also a life member of the Commonwealth Magistrates ' and Judges ' Association located in the United Kingdom. This organisation represents Magistrates and Judges throughout the world. Its aims are to advance the administration of the law by promoting the independence of the judiciary, advance education in the law and disseminate information about the legal process to Commonwealth countries.

Signing Centres in Victoria

A number of signing centres established by the RVAHJ and manned by volunteer JP 's is set out as follows:

Police Stations

- A total of 34 metropolitan and rural police stations are currently manned by JP 's on a daily basis.
- A total of 1.112 million documents have been signed between 2005 and 2009.
- Documents are being signed at a rate of 40,000 per month.

Other locations

- There are six other locations where JP 's man signing centres, namely the RVAHJ office, Royal Melbourne Hospital, Family Court, Probate Court, Supreme Court and the local MP 's office in Benalla.
- 123,000 documents have been signed at these centres.
- A total of 2,000 per month are being signed.

1.235 million documents have been signed by volunteer JP 's throughout Victoria between 2005 and 2009. The RVAHJ estimates this is a saving of over \$1,000,000 to the State of Victoria.

Garry Runge JP

President

Royal Victorian Association of Honorary Justices

(on behalf of the Board and members of the RVAHJ)

NOTICE OF THE ANNUAL GENERAL MEETING OF MEMBERS 2010

Notice is hereby given that the Annual General Meeting of Members for 2010 will be held on Thursday, 27 May 2010 at 7.30 pm at 53 Broadway, Elwood. The closing date for receipt of Special Resolutions to be placed on the Agenda for this meeting will be 4.00 pm on Friday, 29 January 2010.

Business ;

1. To confirm the minutes of the the 99th Annual General Meeting held on Thursday, 28 May 2009.
2. To consider and, if thought fit, adopt the Annual Report of the Board.
3. To consider and, if thought fit, adopt the Balance Sheet and Statement of Income and Expenditure for the year ended December 31, 2009;to appoint an Auditor for the ensuing year.

Proxies

Members may appoint a proxy to act on their behalf at the AGM to attend and to exercise all rights and to discharge all duties, which that Member might have. A proxy must be a member of the Association. Notification, in the approved form, must be received by the Company Secretary at least 48 hours prior to the scheduled commencement of the meeting. Proxy forms are available from the office.

Michael Tse JP

Company Secretary

Michael Cheshire JP, appointed President to A

economic development officer Doug Hunt, who left last November after just six months with the council.

Mr Hunt's departure was followed last December by economic, tourism and recreation manager Geoff Ryan, who had been in local government for 30 years.

Other council staff members to resign include: chief executive officer's executive assistant Mary Ashdown; infrastructure and development director Rod Conway; environmental health senior officer Andrew Jalanski; organisational development manager Robert Knight; governance and information manager Matthew Morgan; and planning manager Sylvester Tan.

shire.

He plans to retire and spend more time at Woodend with family when he finishes on December 31.

Mr Trail said finance played a role in "just about everything" that happened in the shire.

Major projects he has worked on have included the Hepburn Bathhouse and the Interpretative Centre at Creswick.

Under Mr Trail's financial management,

"It's nice when you're involved in a project, particularly the Interpretative Centre, to see it opened and people making positive comments about it."

Mr Trail took on a role of a different nature during the February bushfires when he worked as deputy recovery manager.

He operated the recovery centre at Daylesford, putting in 12-

"We organised accommodation for some people who weren't able to get back to their homes."

Mr Trail said he had seen many changes during his 13 years in the job, including the first elected council.

"It was quite exciting. It was good to see the local democracy come back," he said.

Just reward for JP president Cheshire

By Rachel Afflick

CLUNES resident Michael Cheshire JP has been appointed president of a quarter of a million justices of the peace, in Australia and New Zealand.

Mr Cheshire, who made a tree-change from Melbourne to Clunes 10 years ago with his wife, is the first president of the Australasian Council of Justices' Associations to be appointed outside of a capital city.

"I'm proud of living in Clunes," Mr Cheshire said.

"I love the community here. I'm proud to be able to sell this region for one and Clunes in particular."

Mr Cheshire started his career as a photographer, which led him into the tourism industry.

Later, working as a tourism manager, he was frequently asked where people could locate a justice of the peace.

To save time, he decided to become one.

He said the job was "a matter of how much you put into it".

"I hope we can move forward with harmonising some of the judicial roles throughout Australia," Mr Cheshire said.

He said removing discrepancies between state systems would save valuable resources.

Also, Mr Cheshire is looking to increase the number of JPs.

He said he was looking forward to the day when JPs were not limited to signing documents in their own territories, instead being able to contribute while they were away on holidays.



JUSTICE: Former Hepburn mayor Michael Cheshire is the first president of the Australasian Council of Justices' Associations to be appointed from outside a capital city. picture: **Zhenshi van der Klooster**

There are nearly 3000 Victorian JPs.

"In Victoria we have the least number of JPs per head in the country. I think we need to increase this," Mr Cheshire said.

"JPs are putting themselves forward at their own expense and time to help the community. They're just not operating on a full roster."

"We'd like to build up some members."

His appointment is for 12 months and culminates in the annual meeting being held in Victoria in October 2010.

The timing of the appointment coincides with the centenary of the Royal Victorian Association of Honorary

Justices next year. Mr Cheshire is chairman of the Victorian Centenary Committee.

He said there were many great rewards to JP work.

"You certainly find out a lot more of what's happening in your community," he said.

"It gives you a balance of what life is really about and an insight into other ways you can help the community."

The position of justices of the peace was created in 1195 by Richard the Lionheart and was the first judicial role, before judges came into being.

After white settlement in Australia, JPs were the first judicial system.

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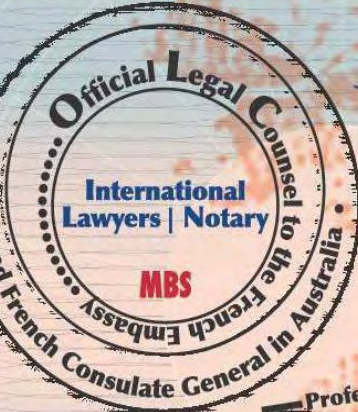


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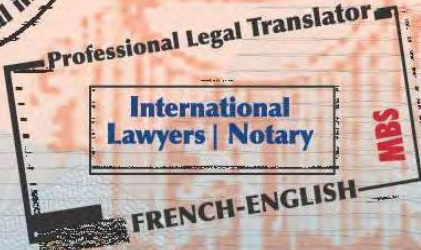


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President Garry Runge JP extends a warm welcome to the Association ' s most recent new members.

Gail Mary Ahearn JP	MERBEIN
Evelyn Bick JP	ST ALBANS
Terrence Ian Black JP	PARKDALE
Collin James Brinkmann JP	WARRNAMBOOL
William James Cane JP	WANTIRNA
Robert Jeffrey Croxford JP	SUNBURY
Milan Dukanac JP	DANDENONG NORTH
Marina Grace Keenan JP	ELTHAM
Claire Marshall JP	ELTHAM
Jacqueline April Oakley JP	BALNARRING
Dale Andrew Price JP	ELWOOD
Neil John Sheppard JP	WHITFIELD
Nick Wakeling JP	ROWVILLE
Edward Thomas Watkins JP	BERWICK
Wendy Michelle Williams JP	DUNKELD

2010 Membership Fees

All member fees become due on January 1st each year and your 2010 Membership invoice is printed on the reverse of the address sheet that accompanied this edition of *Custodes*. We are pleased to advise that the cost of membership will remain at \$45.90 for another year.

If your invoice has been lost or destroyed, payment may be made on the merchandise order form which included in this edition.

Payment may be made by cheque, money order or credit card. Make cheques/money orders payable to RVAHJ.

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Select Membership/Renew Membership

BJ Jury Duty discussion paper submissions

The Department of Justice invites comments from the community on a discussion paper as part of its review of the processes for exploring jury service eligibility.

Presently, under the *Juries Act 2000* (Vic), certain occupational groups such as judges, lawyers, employees of lawyers and police officers are not eligible to serve on juries. Bail justices are also included within this occupational group and are presently ineligible for jury service. The Victorian Government has released a discussion paper which explores the policies underlying the exclusion of certain occupations from jury service, including Bail Justices. The discussion paper considers whether it is possible to improve community representation further by reviewing these eligibility restrictions.

Details on how to make submissions are available at www.justice.vic.gov.au/jury_eligibility

Introduction

The Australasian Council of Justices ' Associations is a group of Honorary Justice associations throughout Australia and New Zealand. The member associations make up 12 in total.

Every second year the ACJA carries out a questionnaire to keep up with any changes to the roles, numbers, government support and other interesting details of their operations. This report is taken from the 2008 questionnaire.

Numbers

There are a total of just over 240,000 Justices of the Peace in Australia and New Zealand - 10,400 in New Zealand and 229,600 in Australia.

Membership

Membership numbers vary between jurisdictions. Some associations have upwards of 50-75 percent membership of the possible number of Justices within their area.

Recognition

Justices perform many roles over many years at anytime of the day or night. Governors, Department 's of Justice and associations recognise long service with certificates for periods such as 10, 20, 25, 30 and 40 years. Also Associations usually have other awards for exceptional service up to Honorary Life membership is usually highly regarded and rarely awarded. The number of life members within any Association averages eight.

Appointment

Appointment varies from applications via a local member of parliament, self application, through a departmental assessment - sometimes with an independent assessment board to the final appointment being given by either the Governor or Attorney-General.

Relationships

Most Associations have a good relationship with their Attorney-General, department and police departments. Most meet regularly to discuss matters of mutual interest and keep abreast of developments from both perspectives.

Judicial Roles

The roles of Justices vary throughout the jurisdictions. They vary from signing and witnessing documents to holding court via out-of-sessions bail hearings and bench duties in a Magistrate 's role. Justices sit on the Magistrates Court bench in five States and Territories plus New Zealand. Some roles include:

- Signing and witnessing documents;
- Hearing Bail applications;
- Sitting on Magistrate Court Benches;
- Holding Bail Hearings;
- Hearing of Intervention Orders;

- Hearing Search Warrant applications;
- Sitting in for Juvenile interviews;
- Prison Inspectors;
- Hearing Prison Tribunals;
- Issuing Warrants of Distress;
- Signing Summons;
- Signing Complaints;
- Signing Bench Warrants;
- Signing Warrants of Restraint;
- Hearing for Customs Search;
- Hearing Neighbourhood Disputes;
- Watching Drug Burns;
- Exam Supervisor.

Government Support

Government support varies greatly throughout jurisdictions. Some Associations receive no support while others receive free accommodation and administrative costs.

One Association receives \$640,000 per annum.

Training

While training is provided mostly by the Associations themselves or sometimes by the government, there is little mandatory training offered. The ACJA and its member Association are constantly lobbying their governments to make training mandatory before taking office.

Association Benefits

All associations produce newsletters to keep justices up-to-date with changes to regulations and Acts of Parliament, and provide an interchange of ideas and interests. Merchandise is also provided, including a membership badge, while regular meetings usually are run by branches of the Association throughout the States and Territories.

Conclusion

The ACJA is the only body that can discuss honorary judicial matters by people at the coalface. It provides a forum to improve the role of an Honorary Justice, for the community as a whole.

Michael Cheshire JP
September 2009



Cyril Molyneux has had a long and distinguished career as a community leader, volunteer and JP for 53 years. At 91 years of age Cyril is one of the longest serving Victorian JP 's.

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

At a meeting of the Officer Progress Association in 1955 I was nominated for appointment as a JP. On the 16th February, 1956 I was officially sworn in before the full bench of the Supreme Court of Victoria and I am now in my 53rd year of service.

Have you been a JP in the same area all these years?

Yes, I have served in the same area the entire time and I can best describe the role as extremely satisfying. During the 60 's and 70 's I made regular appearances as an Honorary Magistrate at the Dandenong and Berwick Courts.

Tell us a bit about your life.

I spent my early working life in the structural steel and shipping industries, moving into real estate in 1960. I established Molyneux & Byrne Real Estate in 1971, selling it some 25 years later to Alex Scott & Co.

I served in the second world war between 1939 to 1946 and upon my return, I took up residence initially in Officer in 1953 later moving to Berwick in 1963 where I currently still reside in the home my wife (who passed away 13 years ago) and I built 40 years ago. I have maintained an active involvement with the local community since moving here.

My civic contribution has included several terms as councilor at the City of Berwick including one term as Mayor, involvement with the local RSL (past president and life member), Rotary (past president), 40 years on the Board of Management of the Berwick Hospital and member of the Berwick Cemetery Trust.

Tell us a bit about your family and hobbies.

I married Thelma Guymer in Narrandera and we had one daughter. I also have one grandson. My hobbies include genealogy, classical music, theatre and reading.

and reading.

What are the major changes you have seen over the years as a JP?

Withdrawal of authority to act as an Honorary Magistrate, no minimum age requirements for appointees, improvement in training for justices, particularly bail justices, and document witnessing.

What are the challenges faced by JP 's today?

The increasing variety of legal and administrative documents presented for witnessing.

Any highlights or memorable moments in your role as JP?

Conducting committal proceedings and dealing with domestic matters as a Magistrate (prior to these powers being withdrawn). One of the most serious was the desecration of gravesites and memorials at Berwick Cemetery in which I committed the accused for trial to the County Court.

What traits make for a good JP?

Good appearance, well respected in the community, patience and an appreciation and understanding of the importance of correctly witnessing and signing legal documents.

If you could send a message to the world what would it be? Tolerance for religious and social differences.

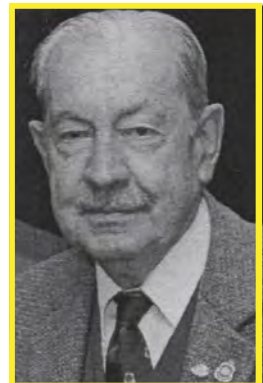
What is the future for JP 's as you see it?

Of increasing importance in my opinion is the independent role of a JP in dealing with relevant matters.

Would you encourage young people to seek appointment as a JP? No. I believe candidates should be at least 35 years of age because they need to have acquired the experience, maturity of thought and a responsible attitude to be a competent JP.

Who are the five people you would invite to dinner?

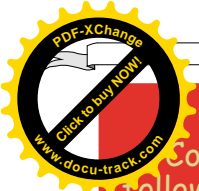
Henry Bolte, Zelman Cowen, Don Bradman, Kiri Te Kanawa, Yehudi Menuhin.



Advertise in Custodes

Reach a state wide audience of influential community leaders and business professionals by advertising your business in *Custodes*. Very competitive casual and yearly advertising rates available starting at just \$20.00. Don 't miss out on this important business opportunity. Contact the editor today at custodes@rvahj.org.au to arrange your booking.

Ad Size:	Yearly Rate (4 editions)	Casual Rate
Business card size	\$20.00 per edition	\$30.00
Quarter page	\$45.00 per edition	\$55.00
Half page	\$75.00 per edition	\$90.00
Full page	\$100.00 per edition	\$150.00



Congratulations to the following members who have achieved another membership milestone.

50 Years

James Desmond Keary

BRIGHTON EAST

45 Years

Norman Clarence Deering JP

MILDURA

40 Years

Alan James Burton JP

INVERMAY PARK

John William Arrott Dartnell JP

SORRENTO

Clifford John Hose JP

BRUNSWICK

James Arthur Little JP

MORNINGTON

Patrick Joseph Lynch JP

ALTONA NTH

Ronald Arthur Milne JP

MAIDSTONE

Jack Weston Rae OAM JP

NARRE WARREN NTH

Trevor Anthony Ricketts JP

MONBULK

Robert James Towler JP

PORT FAIRY

35 Years

Archibald Alexander JP

LALBERT

Frank Joseph Belmont JP

GRETA

John Gregorius Beus OAM JP

SPRINGVALE

Graeme Stuart Clark JP

SWAN HILL

Kevin John Collins JP

CROYDON NTH

John D'Aprano JP

PASCOE VALE

Heinz Joachim Funke JP

FRANKSTON

Mervyn John Huggett JP

MILL PARK

Husnu Ismail JP

BEVERIDGE

Malcolm John Macgibbon JP

RINGWOOD

Leo Patrick Murphy JP

DUNNSTOWN

Robert James Osborne JP

MARYBOROUGH

John Raymond Sansom JP

SEBASTOPOL

Peter Henry Vanderhorst JP

MOOROOLBARK

Kenneth William Waring JP

ARARAT

Arthur Leslie Welfare JP

BRADVALE

Ronald Stanley White JP

SKIPTON

30 Years

Robert John Bailey JP

TORQUAY

Jeffrey Charles Bird JP

ALTONA EAST

Michael Joseph Bloxham JP

TARNEIT

Kathleen Patricia Brown OAM JP

ALBERT PARK

Roydon John Burgess JP

WATTLE GLEN

Yvonne Butson JP

NERRINA

John William Byrne JP

WODONGA

Kenneth John Cameron MBE JP

MORNINGTON

Steven Joseph Clement JP

ALTONA MEADOWS

Salvatore Coffa JP

NUNAWADING

Keith Royce Colwill CBE

BEAUMARIS

William Cooney JP

GOROKE

Michael Terence Donovan JP

NORTH MELBOURNE

Keith Ewenson JP

UPPER BEACONSFIELD

Colin Anthony Glasscock JP

PAYNESVILLE

Robert Neil Gryst JP

CROYDON

Peter Hopper JP

ROSANNA

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Gwendoline Norma Joyce JP

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Albert Edward Kelly JP

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Peng Hui Lee BA. BEc. JP

Silvester Donald McLean JP

Gordon Lauri Newton JP

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John O'Reilly ED JP

Gordon Hugh Ortmann JP

Robin Amelia Patton

Robert Osmond Pearce JP

Raymond Thomas Powles JP

Nicholas Martin Ribarich JP

William Ewen Shaw JP

John Charles Spencer JP

Harry Taylor

Winifred Mary Vears OAM. JP

William Bruce Weir JP

Leslie James Whorlow JP

Anthony Frederick Woollacott JP

25 Years

Lawrence Michael Abrahams JP

Roger David Bancroft JP

Judith Butcher JP

Joseph Victor Caruana JP

Russell Henry Chaplin JP

John Cohen OAM. JP

Robert Dragt JP

William Leonard French

Robert Reuben Halliday JP

Graeme Vincent Hill JP

Colin William Hobson JP

Clive McKenzie Kilgour JP

William Hector Knights JP

Kevin John Lee JP

Brian Francis Lloyd JP

Patrick James Mahoney JP

Duncan Moir Malcolm JP

Raffaele Mascaro JP

Allan Warrack McCasker JP

Stanley Roy McLiesh JP

John Leslie Monger JP

Kim Norcote Parry JP

Geoffrey Douglas Payne JP

Allan Robert Porter JP

Ian Colin Roberts JP

Graham Reginald Satterley JP

Valda Joan Smith JP

Theodore Ta-I Tang JP

Peter John Tew JP

Elios Vivarelli JP

John Henry Walker JP

Ross Charles Walker JP

Bruce Gordon Warr JP

Ronald Dennis Whitehill JP

Allan Robert Wood JP

SUNBURY

GISBORNE

MCKELLAR

BUNYIP

TOORAK

RUTHERGLEN

ROWVILLE

GLEN IRIS

SURREY HILLS

BETHANGA

STRATHFIELDSAYE

STRATHDALE

MT ELIZA

DONVALE

CROYDON

MALVERN

MILDURA WEST

SUNBURY

GLEN WAVERLEY

BLACKBURN

SOUTH YARRA

HAMPTON

ST ALBANS

CARISBROOK

ELTHAM

LARA

BOX HILL SOUTH

PORTLAND

DROMANA

CORA LYNN

WONTHAGGI

ST ARNAUD

TERANG

TORQUAY

NARRE WARREN STH

BOISDALE

RESERVOIR

SORRENTO

HEIDELBERG

COOLAROO

MOUNT EVELYN

MANSFIELD

SUNBURY

KERANG

SANCTUARY LAKES

RINGWOOD NTH

MELBOURNE

HAMILTON

KEILOR EAST

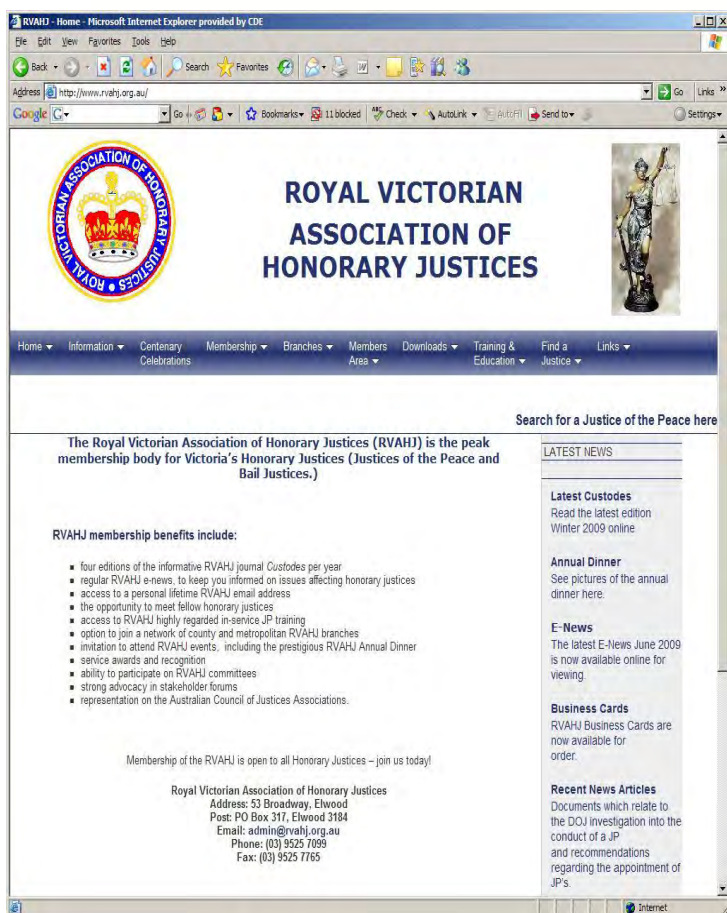
TARADALE

STRATHBOGIE

SALE

COWES

MARNOO



As with most functions of the Board and the Association, this work has been undertaken at no cost and is constantly kept up to date by volunteers. The website content should consist of the information that you would like to see and presented in a way that is easy to read and locate. Helpful suggestions are always encouraged to improve the experience for all members.

You can email any comments to admin@rvahj.org.au

Training

At this stage we have scheduled Document Training for the 27th March, 2010 at the Royal Melbourne Hospital, Charles LaTrobe Theatre. The course will commence at 9.00a.m. (register from 8.45a.m.) and will be FREE for members and those who have applied for membership.

Another Metropolitan training session is proposed at Mornington Peninsular in May 2010. More details later.

Please complete the registration form and return it to the Association at:

- (PO Box 317, Elwood, 3184 or
- fax: (03) 9525 7765 to register your interest.
- Email: admin@rvahj.org.au

Training Registration Form

Training location:

Name:

BJ/JP Registration no:

E-mail:

Contact Ph: (Landline) ()

(Mobile)

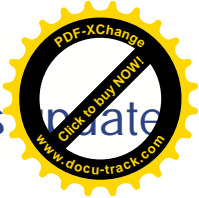
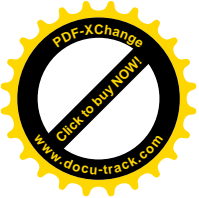
Editor 's Note: The last edition of *Custodes* included an article on Bail Justices. The article stated the role of a BJ is volunteer implying it 's an unpaid role. Bail Justice, Ross Seggie recently advised that after 19 years as a BJ he has recently received payment, albeit a small amount, in recognition of his service.

Website

The Association actively seeks to provide its members with information that can assist with their roles as Honorary Justices. The website hosted by the Association is just one of the methods that this information is presented.

In keeping with the ever changing internet, the website has undergone a facelift to give it a fresh look and to improve its accessibility to users. Whilst some information is constantly being updated, for example current editions of *Custodes* and e-news, the Association is working towards the updating of other information to ensure that members are kept informed.

Please take time to check out the website and note that some areas have yet to be migrated to the new format. As members you are all able to access the members area. To gain access type in your user name which is your JP or BJ initials followed by your number (e.g. jp1234556) followed by your password which is your number followed by your initials (e.g. 12234556jp). You can then proceed to the web mail area to change your password.



The Centenary Committee has been working on a number of initiatives for celebrating our centenary. Meetings have been held, plans discussed and communication with dignitaries have taken place – a lot of paddling under water.

Now we are able to inform members of some of the plans underway. While there may be some change and improvements, we hope that the initiatives listed will go ahead. The input from members has been both professional and practical. Activities that are being planned include :

- **Opening and closing events** – These plans are still under wraps as talks with dignitaries are ongoing. We are expecting to involve them with some events during the year. While we call them opening and closing events, the celebrations may not begin or cease at this time.
- **Merchandise** – A tie, cuff links, tie bar, lapel badge and a pre-paid envelope have already been agreed to. Helen Gilhome JP is working on the ties and looking at what else we may produce, while Rod McConnell JP has worked with Australia Post on the pre-paid envelopes. Purchase some of the merchandise to advertise and celebrate our centenary.
- **Each branch encouraged to hold an event** – Each branch is encouraged to put on a BBQ/dinner/or other activity to celebrate the year. Branches may wish to also invite local dignitaries to attend and celebrate with us.
- **Publish a history book** — Fred Kent JP is writing it at the moment. Will be published and made available for all to purchase.
- **Travelling Display** – Ubaldo Martelli JP and team are working on a display travelling around Victoria. Volunteers for their committee and sponsors are most welcome.
- **Seminar** – A seminar is being planned to discuss the future of the Honorary Justice. We may well be at the crossroads of what duties Justices may take on in the years to come. The Australasian Council of Justices 'Associations' has created three working parties to look into the harmonisation/standardisation of the appointment, roles and tasks and the training of all Justices throughout Australia. Such a seminar would be timely.
- **Media coverage** – There will be media kits made up for branches to chase up media coverage to help showcase the work of honorary justices over the years and into the future. Michael Cheshire JP is developing such media releases to inform the public of the Association 's centenary and the work of the Justice.
- **Annual dinner** — to specifically feature the centenary. This may coincide with the Australasian Council of Justices '

Associations meeting in Victoria in October 2010. The ACJA represents all justices in Australia & New Zealand, and hold their meetings in rotation around the States. In 2010 the president will be RVAHJ director and past president, Michael Cheshire JP.

The Centenary Committee is looking at having a theme for our centenary year. If members have any suggestions please contact Chair Michael Cheshire JP at jp33@bigpond.com

There is much excitement around about our celebrations. Thanks must go to all those concerned who have made suggestions, put themselves forward to work on the activities and the centenary committee itself.

President Garry Runge JP and Vice-Chair Harry Gibcus JP are both great people. They have provided much advice and assistance with our planning. The committee is planning to have many activities in which everyone can be involved in some way.

We are part of an honourable and ancient institution. It began when Richard the Lion Heart went off to the crusades in 1195. It was the beginning of the judicial system as we know it. There were only Justices of the Peace running the judicial system in Australia for a long time before judges were established. We are held in good esteem by the community for the work we do. Let us all celebrate this milestone!

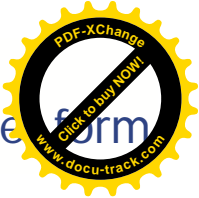
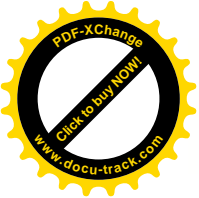
Michael Cheshire JP
Chair – Centenary Committee

October 2009

Updating contact details

Have your contact details changed? Please advise Cathy by

- Email at admin@rvahj.org.au
 - Telephone on (03) 9525 7099
 - Fax (03) 9525 7765
 - Mail to PO Box 317, Elwood, Victoria, 3184
- If you have changed address please don 't forget to include any change to phone numbers as this is how members of the public contact you.



Centenary merchandise order form

Next year we celebrate our centenary! The Board and centenary committee are working tirelessly to create ways in which we can all mark this special occasion. One way to show how proud we are of the service provided to the community over these many years is to wear some of the merchandise produced for the occasion.

Michael Cheshire JP, Chair – Centenary Committee

Polyester woven centenary tie. Blue and red stripes on yellow/gold background. First 50 ordered come gift boxed.



Centenary lapel badge, tie bar and cuff links.



Australia Post pre-paid centenary envelope

NOT AVAILABLE UNTIL FEB 2010



Centenary Merchandise Order Form

Name:

Delivery Address:

Phone: ()

Envelope - No.: @ \$0.65 each \$

Tie - No.: @ \$33.50 each \$

Lapel badge - No.: @ \$9.95 each \$

Tie bar - No.: @ \$14.95 each \$

Cuff links - No.: @ \$19.95 each \$

Plus postage/handling @ \$6.00 \$

Plus postage for the envelopes @ \$3.00 \$

TOTAL: \$

Please make your cheque out to: "RVAHJ".

Credit Card Type: ☐ VISA ☐ MASTERCARD

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Cardholder's name:

Signature:

There are many Victorian men and women over 60, from all walks of life, in all fields of endeavour, who inspire others in their achievements and selflessness as they contribute to the wellbeing of their communities. Each year the Victorian Government recognises and acknowledges these people. The Premier's Victorian Senior of the Year Awards celebrate the extraordinary contributions of those seniors who are the heart and soul of their communities and who demonstrate the benefits of positive ageing. Each person nominated for Victorian Senior of the Year is also considered for Council on the Ageing Victoria Senior Achievers Award which recognises the significant contributions seniors make to community life.

Fred Kent JP was nominated by the RVAHJ this year and was one of only nine to receive the Senior Achiever Award. A JP since 1973, 81 year old Fred is a valued and active member of the RVAHJ and of his local community. His work has been so valued by the Association that he is a Life Member—a distinction given to very few.

Up until 1984 Fred also sat as an Honorary Magistrate, a role he considers a highlight of his career. He believes age is no barrier and his obvious enthusiasm for all of his roles is inspirational.

Fred continues to work in a voluntary capacity up to 40 hours per week, not only as an Honorary Justice, but as a lecturer for the University of the Third Age. He also conducts tours of the Supreme Court and maintains an active participation in the Masonic Lodge.

He is a long standing volunteer on rosters for document witnessing at various venues and he volunteers to attend the sick and elderly in nursing homes or privately for the purpose of witnessing documents.

Fred is also an Independent Witness for young people in Police interviews. "I get a great deal of satisfaction helping people who are not in a position to express themselves adequately," says Fred. He considers that one of the other benefits of volunteering is the respect that comes with the role of JP and an Independent Third Person.

Fred comes from a judicial family. Three Justices of the Supreme Court are relatives and two of his grand children are studying law. Whilst Fred wasn't sufficiently qualified to study law he was certainly encouraged by the family to work within the judicial system hence his interest and subsequent appointment as a JP and Honorary Magistrate all those years ago.

A former building consultant, Fred has three children, nine grandchildren aged 14 to 28 and three great grand children. When all nine grandchildren have been asked over the years at school to write about someone they admired most he recalls with great fondness that they all picked their grandpa.

When asked about winning the award Fred says he was delighted but also surprised. "I knew I had been nominated by the Association but I didn't know I had won anything. I just turned up to the Awards ceremony and when my name was called out it all came as a big surprise," he said.

"Fred's dedication and commitment to helping others throughout his life is nothing short of remarkable. He is a fine example of what it means to be a true volunteer in our community," says President, Garry Runge.

"On behalf of the RVAHJ I would like to congratulate Fred on a winning this award. He is a very worthy recipient."



Fred Kent JP (middle) receiving his Award from the Hon Lisa Neville MP, Minister for Senior Victorians (right) and RVAHJ President, Garry Runge (left).

Summer merchandise order form

Merchandise Order Form Summer 2009

PO Box 317, Elwood, Vic. 3184 Ph: (03) 9525 7099

Email: admin@rvahj.org.au Fax: (03) 9525 7765

SPECIAL ORDERS:

Item	Cost	Qty	Sub-Total
Membership Renewal (Name):	45.90		

Photo ID's			
JP/BJ 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) ◆	25.95		
Lapel Badge Blue	9.95		
Cufflinks Blue	19.95		
Tie Bar Blue	12.95		
RVAHJ Tie	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		
Stamps – Handle			
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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			
Business Cards (x 100) ▲	59.00		
Business Cards (x 200) ▲	94.00		
Clock	24.95		
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1 st Item - \$6.00 (\$7.00 for Plaque)			
then \$2.00 each extra item -			
No PFee items excepted			
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	TOTAL	\$	

◆ Plaque (Engraved plate text):

Name: _____

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*** Stamps: Notes:** 1 Full, legal name and a street address (not PO Box) required. 2 We reserve the right to edit wording to comply with legislation and/or space limitations.

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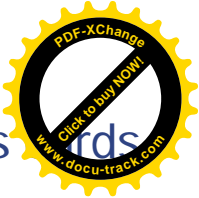
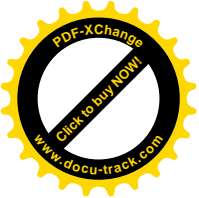
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M M Y Y Cardholders signature: _____



RVAHJ business cards are now available in lots of 100 @ \$59.00 for 100 and \$94.00 for 200. To order, complete the details below and forward with payment by fax or post. Design includes RVAHJ logo (in colour)

	Royal Victorian Association of Honorary Justices
	John Citizen JP Justice of Peace 12345
29 Foam Street ELWOOD 3184 jp12345@rvahj.org.au	Ph: 9525 9999 Fax: 9525 9995 Mob: 0401 123 666

Name: _____ Reg No.: _____

Office: ☐ Justice of the Peace ☐ Bail Justice ☐ Both

Address: _____

Town/Suburb: _____

Postcode: _____ E-mail: _____

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Quantity: ☐ 100 @ \$59.00 or ☐ 200 @ \$94.00 \$ _____ .00

Plus post and processing (\$6.00 first 100 cards, add \$2 per 100 cards thereafter) \$ _____ .00

TOTAL \$ _____ .00

PAYMENT DETAILS:

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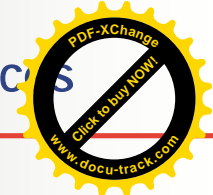
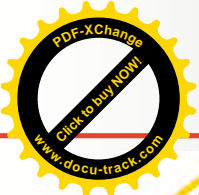
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Phone no. (in case we need to contact you)



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The Lord Mayor of Melbourne

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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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