



July 2011

Issue 2

OFFICIAL JOURNAL OF THE ROYAL VICTORIAN ASSOCIATION OF

HONORARY JUSTICES

Custodes

Strengthening partnerships



From L to R Leo King, RVAHJ trainer, The Hon Robert Clark MP Attorney General and RVAHJ president, Linda Rainsford.

In this edition: Conference 2011, Centenary year review, Annual dinner notice, New members and 2011 Honor Roll, What's on at DoJ, Branch news, Introducing new board members, JP in the Spotlight plus much more.



It has been a busy time for the Association over the past few months with changes to board members and activities that support the membership. The Chief Patron David de Kretser retired as Governor and therefore his patronage of the RVAHJ. An invitation was extended to the new

Governor, the Honourable Alex Chernov and he has kindly accepted this appointment for his term in office.

The AGM of the RVAHJ was conducted on the 26th May 2011. The Board appointed two new directors to replace two retiring directors and confirmed the continuing appointment of directors. I would like to extend a warm welcome to Terry McKay and John Wellington. A further two members who were filling casual vacancies were also appointed. I welcome Rhonda Smith and Ben Loois to the Board. Later in this edition and in the following Spring edition will be a brief bio on each of these new directors. On behalf of all directors I would like to thank retiring directors Ray Walker and Rod McConnell for the significant commitment they have given to the Board and wish them well. Ray gave the Board four years of service including a number of years as Chief Financial Officer and Rod gave eight years of service which included time as president of the RVAHJ.

The Attorney General has been conducting talks with the various groups that support JP's and BJ's around the State and the RVAHJ was able to present its views and discuss the issues around the appointment process for JPs. Assurance was conveyed to the RVAHJ that the AG was encouraging BD&M to find a solution to the ongoing issues of JPs certifying their documents. Meetings have also been held with BD&M with a view to resolving this issue. Other JP groups and DoJ will be included in the process and BD&M will be presenting its recommendations to the AG for approval. The Board is

committed to working on strengthening partnerships with all JPs, BJs and relevant stakeholders. We will always put forward members views and whilst most times these views are received well it is worth noting that the final decision about change lies with the various government departments. It is my view that whilst the RVAHJ's mandate is to represent its members, anything that is beneficial for members of the Association will also in turn be beneficial for all honorary justices.

In May director Harry Gibcus conducted a workshop for signing centre roster coordinators from around the State that have been set up by the RVAHJ. A significant number of coordinators were able to attend and I thank Harry and the coordinators for their commitment to the role. Signing centres are an important community service that JPs provide. Feedback and statistics collected from these centres can help the RVAHJ inform DoJ on where there is a need in the community to appoint future JPs.

Finally I would like to congratulate the following members whose outstanding service to the community was recognised in the recent Queen's Birthday celebrations.

Margory J Lapworth OAM JP – for service to the community particularly through Warrandyte Housing and Support Services;

Gordon L Newton OAM JP – for service to the community, particularly through Wesley College;

Robert J Osborne OAM JP – for service to local government, and to the community through a range of health, service and sporting organisations; and

John F Tame OAM JP – for service to the community of Frankston through a range of organisations.

Linda Rainsford
President RVAHJ

A handwritten signature in black ink that reads "L Rainsford".

RVAHJ Board achievements to date in 2011:

- Roster coordinators workshop conducted 7 May.
- Directors workshop conducted 5 June.
- Very successful training days in Mildura and Melbourne.
- Regular meetings with the Director, Courts & Tribunals Unit and with the Manager of the Honorary Justices Office. These meetings have resulted in an improved level of communication with the Association and also with JP's in general.

- Meeting with the Attorney General.
- Three meetings with Births Deaths and Marriages.
- BJ workshop conducted by Department of Justice.
- Assistance to Victoria Police with weapons searches at railway stations.

Introducing new board members

What we are working on:

- 100 Year Anniversary Conference date has been fixed to 23 October 2011. See later in this edition for more details
- Annual Dinner 19 August 2011.
- Negotiations with BD & M and other stakeholders.

What we have planned for the future:

- Training Royal Melbourne Hospital 17 September 2011.
- New training dates to be set for the coming year.

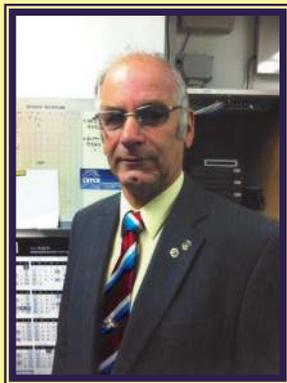
Bernhard (Ben) H Loois JP

RVAHJ director

I became a JP in October 2008. The idea to serve in this capacity came when I personally needed a JP and couldn't find one in my area. The need also frequently arises in my work with Lions International over the past 17 years. I decided to put my name forward and was sworn in under section 115 of the Magistrates Court Act. However, I discovered there was no training for the role from the Department of Justice. When I learned the RVAHJ was holding a training session in Ballarat, I applied to attend. There I met Laurie Taig JP, who was advising on process of documentation. He asked me to help out with signings at the East Melbourne Police Station. I continue to help there today.

On one occasion, I teamed up with fellow RVAHJ director Harry Gibcus JP. We signed more than 1000 documents for overseas students and community members of Melbourne's CBD. I enjoy the opportunity to work with this section of the Victorian community. Having found there was also a shortfall in the number of Bail Justices, I applied, trained and was mentored for this role in 2009-2010. I was invited to join the board of the RVAHJ and accepted with the aim of helping to improve the role of JPs and Bail Justices in Victoria.

Bernhard (Ben) H Loois JP 12550



Rhonda Jean Smith JP

RVAHJ director

My husband David and I live and farm at Rocklyn. We have just recently celebrated our 40th wedding anniversary. We have one son Ian, married to Karen and two granddaughters Amity and Lacie.

My involvement in the community in which I live includes :-

- Member of the Ballarat Branch of Honorary Justices.
- Attend the Signing Centre at Ballarat Police Station each fortnight.
- Member of Newlyn-Dean C.F.A. – 30 years of service to date.
- Treasurer of Rockylead Landcare Group Inc..
- C.W.A. Foundation member of the Daylesford Spa Branch.
- Past President of Daylesford Highland Gathering Committee.
- Australia's representative on the World Ploughing Board of Directors – 12 Years.
- Serving on our local sporting complex general committee.

Past involvements include :-

- Executive Officer - Committee elected to run the 1997 World Ploughing Contest at Deakin University at Geelong.
- Team Leader–2006 Commonwealth Games in Melbourne at the Opening and Closing Ceremonies.
- 2000 I was presented with an Australian Sports Medal for administrative service to the National Ploughing Association of Australia Inc.

Supported my husband David for 14 years while he served as a local councillor, serving three terms as Mayor of the Hepburn Shire. I thoroughly enjoyed my time supporting David as Mayoress in his time in local government.

My objective on the Board is to work with fellow directors and together with Harry Gibcus visit branches in the South West area of the State, taking their concerns to the Board for discussion.

Rhonda J. Smith JP 12830

See story on Rhonda's recent appointment to the Hepburn Shire Council's Women's Honor Roll on page 10.



Witnessing Enduring Powers of Attorney

WITNESSING ENDURING POWERS OF ATTORNEY

The act of witnessing a person's signature on an Enduring Power of Attorney is a vital part of the process if the document is to retain its validity. If the document is not witnessed properly the consequences to the person or their family may be disastrous.

In Victoria, there are three Enduring Powers of Attorney (Financial, Medical, and Guardianship). Each document is the product of a separate Act of Parliament. Although each Act came into being at different times for different purposes there are three fundamental requirements applicable to all of the documents. They are:

- the identity of the person signing the document must be verified;
 - the person signing the document must have capacity i.e. the ability to understand the nature and effect of the document and the powers conferred on the attorney;
- the signature of the person signing the document must be witnessed by two people one of whom must be a person authorised to take Statutory Declarations.

Justices of the Peace are frequently called upon to fulfil the role of authorised witness so it is important to understand how the issues of identity and capacity may be satisfied.

Usually, the issue of identity is satisfied by having the person produce a form of identification such as a driver's licence, current passport, or a current utilities (e.g. power, gas, water) account in the name of that person and containing their current address.

The issue of capacity is more involved but essentially this is done by asking the person a series of open ended questions in relation to the document to be witnessed that require an answer rather than questions that produce a simple "yes" or "no" response. For example, beginning each question with "*Please tell me in your own words ...*" requires the person to explain their understanding of the document they are about to sign.

It is important the response is that of the person concerned and not that of any one else who may be present irrespective of whether they are family, a carer, or simply offering support. Obviously, if a person does not understand English it will be necessary for an interpreter to be present at the signing appointment. Be aware too that the person is not being influenced or coerced into signing the document.

As a witness you must be aware that at some future date you may be asked to provide details of how identity was proved and the information upon which you formed the belief that the person had capacity to make an Enduring Power of Attorney. It is important that you keep a record of the questions asked to determine their understanding of the document. At State Trustees we have devised our own checklist for this purpose and we keep a copy of the completed checklist on the clients file as evidence of the signing appointment.

This is a brief overview of a witness's requirements in relation to an Enduring Power of Attorney. If further general information or advice is required or if you need assistance relating to the questions to be asked, please contact State Trustees representatives: **Paul Mayer** 9667 6135 **Vicky Triantafylaros** 9667 6897

If capacity is an issue, please contact **Kathleen Thomas** on 9667 6303 for advice on how to proceed.

About State Trustees

A Victorian State Government-owned business, State Trustees core services include providing administration services for persons with a disability, Will preparation, acting under Enduring Powers of Attorney, acting as executor or administrator for estates and the provision of general Trustee and related services for the Victorian community.

SUNRAYSIA BRANCH BY HARVEY J TAYLOR

JP TRAINING SEMINAR A HUGE SUCCESS

Mildura was the venue when the Royal Victorian Association of Honorary Justices held their latest training seminar. As well as from Mildura, JPs came from as far afield as Cohuna, Swan Hill, Robinvale, Hopetoun and Sea Lake to be updated on the latest procedures and documents which they would be presented with in their role as a Justice of the Peace.

These training seminars are held on a regular basis across Victoria to ensure that all JPs are aware of the ever changing documentation from a variety of local and national authorities.

Primarily the role of the JP is to witness signatures, and to this end the Signing Centre at the Mildura Police Station has been of huge benefit to the local community as a JP is in attendance 2-5 PM every business day.

The Mayor Cr John Arnold welcomed the delegates and said he

hoped that an increase in JP numbers could be possible. He also indicated that on-going training was quite necessary and he was impressed by the service offered by the JPs to the community on a voluntary basis.

Training was carried out by Mr Leo King from Melbourne, and he was accompanied by RVAHJ director, Mr Paul Mracek.

Mr King said, "We are most impressed with the performance of the Sunraysia Branch and their record numbers of clients. It is quite a challenge to find the personnel to man a branch, particularly in a rural area. Mildura is fortunate to have so many dedicated JPs to become part of the roster system and I am sure that the training we offer will improve their efficiency to better serve the local community."

PHOTO - Mayor John Arnold welcomes the participants with Mr Leo King seated left



JUSTICES OF PEACE SET NEW RECORDS

BY HARVEY J TAYLOR

The Sunraysia Branch of the Royal Victorian Association of Honorary Justices has recently completed and released statistics covering the level of activity at the Signing Centre at the Mildura Police Station for the year 2010. Although it was thought that a new record would be set, the final figures have both delighted and amazed both JPs and police staff.

During 2010, the overall increase was 23.8% on persons attending the Signing Centre and 19.2% for documents presented to the JPs for witnessing. Harvey Taylor, Media Officer for the Branch said, "We thought we had had a busy year but to have processed 11872 documents and dealt with 3454 clients just shows how popular the service is proving for the local community.

"The JPs offer their service on a voluntary roster basis and during 2010 they spent a total of 276 afternoons at the Signing Centre. In real terms this represents 828 hours or over 103 eight hour days serving the public.

"Not only is this an enormous contribution from the JPs but the reduced workload on the Police staff has enabled them to direct their attention to more important police matters apart from signing documents," Mr Taylor said.

The Mildura Signing Centre is probably one of the most active in the State being open on a daily basis on business days (2PM-5PM) and accounts for numbers well in excess of similar type operations at other locations in Victoria. The work by the local JPs is certainly of benefit to Sunraysia residents. There are currently 25 JPs who attend the Signing Centre on a regular rostered basis and as they have said it is most interesting work as there are always different papers to be witnessed.

The ongoing service will continue this year and with the wide and diverse variety of documents being presented. The JPs offer this free service to the community and they look forward to the challenge of increasing numbers in 2011.



Royal Victorian Association Of Honorary Justices

South West Branch

ACN: 004 226 448

President:	Ted Kennett JP	03-5523 1337
Secretary:	Bruce Turner JP	03-5562 1324
Asst. Secretary:	Vicki Turner	03 5500 5262
Treasurer:	Ray Matthews JP	03-5565 4574

30th May 2011

MEDIA RELEASE

RE: Police invite Justice's of the Peace to morning tea.

In response to an invite from Senior Sergeants Andrew Atkinson and Darren Waterfall OC Police Warrnambool, a chat'n'chew morning tea, was recently held at the police station, involving the Justice's of the Peace who serve on a roster at the station's Signing Centre.

The Justice's are available for signing all legal and other documents 3 days a week. (Mon, Wed, Fri, - 12 midday to 2.00 pm and one Sat per month).

Justices over a number of years have signed many thousands of documents via this medium. This affords the police more time for policing activities.

A pleasant surprise was in store for the Justice's attending who were presented with framed 'Police Community Award 'Certificates of Appreciation' by Senior Sergeant Atkinson.

The police and Justices have a good working relationship and envisage holding similar gatherings periodically on a reciprocal basis.

The attached photograph identifies the participants.

Bruce Turner
RVAHJ Branch Secretary

Photograph: Left to right:
Inspector Kevin Archer, Ray Matthews JP, Snr Sgt Andrew Atkinson, Keith Jubb JP, Collin Brinkman JP, Vicki Turner Asst Sec. Bruce Turner JP Secretary, Geoff Harlock JP, David Atkinson JP, Ian Stockwich JP, Snr Sgt Darren Waterfall O/C Warrnambool, Kevin Fry BJ.





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Congratulations to the following members who this year achieved a membership milestone.

25 Years			
Henry Alfred Jenkins JP	BUNDOORA	Keith George Fuller JP	FRANKSTON
Derek William Milner JP	SUNBURY	George William Griffin JP	MELTON SOUTH
Thomas Joseph Murphy JP	MARIBYRNONG	Henri Charles Hams JP	TRARALGON
Warren Bruce Ritchie JP	PEARCEDALE	Neil Arthur Harrison JP	SURREY HILLS
Mervyn Graham Shaw JP	GOBUR	Jennifer Jessie McIntyre Heath JP	NEWTOWN
Philip St. John Sutton JP	LORNE	Brian Edward Hollins JP	MOUNT ELIZA
Allan James Watson JP	KEW	Gerald Hull JP	WODONGA
		Shamus Bruce Ingram JP	TOORA
		William Arthur Jackson JP	ASPENDALE GARDENS
30 Years		Kevin James Kearney JP	KEON PARK
Patricia Anne Anderson JP	MT. ROWAN	Rodam James Lowe JP	MALVERN
Stanley Alwynne Baker JP	CRESWICK	Douglas Reginald Paul Maloney JP	MOOLAP
Barbara Marie Bates JP	PAYNESVILLE	Ronald Lex McArthur JP	LANGWARRIN
Barrie Richard Cathcart JP	SANDRINGHAM	William James McCormack JP	TARRAWINGEE
Michael John Moyes Cheshire JP	CLUNES	Graham McRobert JP	TOOLEEN
Thomas Andrew Crothers JP	DIAMOND CREEK	Frances Mikulec JP	WARBURTON
John Noel Dale JP	YACKANDANDAH	EAST	
Malcolm Newbery Dickson JP	WARRAGUL	William Naughton JP	SORRENTO
Ralph Gordon Edwards JP	DINGLEY	Bruce Neale JP	FORREST
Michael Edward Grosvero JP	BRIGHTON	Wilhelmus Rosenberg JP	BRIGHT
Thomas Henry Percival Gyles JP	HALLAM	Edward Wilfred John Smith JP	GROVEDALE
William Neil Hendrickson JP	BENTLEIGH EAST	Donald John Strachan JP	LILYDALE
Barbara Beatrice Kearney OAM. JP	MONT ALBERT	Donald Sunderman JP	HEYFIELD
Patrick Brian Kee JP	GROVEDALE	Stefan Svarc JP	TAWONGA
Bruce Elliott Spencer Lambert JP	TONGALA	Barbara Rose Temby BEM. JP	IVANHOE
Douglas Clarence Landy JP	BITTERN	Thomas William Foster Thorpe JP	BURWOOD
Norman Bruce Lloyd JP	MOUNT ELIZA	Charles Samuel Vincent JP	MACLEOD
Raymond Henry Luscombe JP	TOOLAMBA		
Kenneth David Mann JP	ELMORE	40 Years	
Douglas Gordon McLeod JP	CHELSEA	George John Crocombe JP	PENSHURST
Maurice Mollica JP	STRATHMORE	Keith William Dickson JP	KERANG
Ian Needham JP	MOE	Ronald Thomas Forbes JP	POINT LONSDALE
Graeme Allan Norman JP	LONDRIGAN	Edward George Garth JP	DRYSDALE
Graeme Maxwell John Ormandy JP	THOMASTOWN	Frederick William Glare JP	BEAUFORT
Alexander Philip JP	CARINGAL	Richard Edwin Hardisty JP	RIDDELLS CREEK
Dusan Radojcin JP	CARNEGIE	Keith Desmond Holmes JP	MT MARTHA
Ian SA Rainford OAM ED JP	TOORAK	Peter Francis McAdam JP	MONT ALBERT
Bal Ram JP	AVONDALE	Gregor George McWhinney JP	BAIRNSDALE
HEIGHTS		Ronald Graeme Stanley JP	LEONGATHA
William Henry Rayner JP	MYRTLEFORD	John James Whelan JP	BROADMEADOWS
Ian Edmund Skinner JP	MARYBOROUGH		
Miklos Tuz JP	WHEELERS HILL	45 Years	
Donald Joseph Clarke Webb OAM JP	STAWELL	Frank Durra JP	GARDENVALE
		Laurence Anthony Frazer JP	BALWYN
		Henry William Nash JP	NORTHCOTE
		Hans Ants Sumberg JP	CANN RIVER
35 Years			
Laurence Stanley Andriske OAM. JP	MILDURA	50 Years	
Francis Willard (Barry) Callaghan JP	WHEELERS HILL	John Meirion Hughes	CASTERTON
John Harold Campbell OAM. JP	NEWHAVEN	Raymond Cyril Mitchell JP	WHITTLESEA
Terence Rufus Cliff JP	FRESHWATER	Alfred Ernest Saunders JP	TYRENDARRA
CREEK		Keith George Thomas JP	WARBURTON
Graham Albert Colling JP	BENALLA		
Doris Charlotte Conley JP	PYALONG		
Anthony Peter Conway JP	WODONGA		
Matthew Ian Cuthbertson JP	BEACONSFIELD		
James Marshall Duggan JP	BAIRNSDALE		



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

I hadn't considered a role as a JP until I responded to a call from a colleague and JP from the office's Legal area who advertised internally that due to attrition the numbers of JPs in the office had dropped considerably. I had the required qualities so answered the call. I was sworn in at the Dandenong Magistrate's Court in September 2003. Although my services are mostly required within the office it gives me a great deal of pleasure to meet with other members of the public and assist them in the capacity as an honorary justice.

What qualities do you think you bring to the role and how do they differ from your JP colleagues?

My qualities are no different from those of other JPs. These being integrity, trustworthiness, impartiality and a passion for community assistance. I consider myself as a good listener, with strong communication attributes and a willingness to pass on my experience and knowledge.

What is it like being a JP in your locale? What are the good bits and are there any bad bits?

Being a JP in my locale is great as there are a number of fellow JPs around who share the load and it's always a pleasure to catch up with them. I haven't experienced too many bad occasions although a call from the local constabulary at 4 a.m. to act as an Independent Third Person woke the family and resulted in a very early start to my day. Also it is always difficult when a disputing couple are sitting around the table whilst I witness their document signing. The air is tense and nobody really wants to be there.

Tell us about your life in Berwick?

Although I currently reside in Berwick both of our children were born in Frankston. After 10 years in Frankston our family moved to a little spot on the map called Rokeby, midway between Warragul and Neerim South. Life in the bush was great with echidnas and even a kangaroo visiting our back yard, a wombat taking up residence in the yard and squawking parrots flying over head. After nine years there we moved to Berwick which is considerably closer to my office.

Hobbies, family?

I was educated at Frankston High School and subsequently completed an accounting degree. I have been employed with the Commonwealth Public Service for the past 26 years, principally in audit, and during that time have been fortunate enough to have completed a post graduate and another graduate qualification.

I have been married to Gillian for 29 years and we have two wonderful children the eldest of which is a builder operating his own business and our daughter followed the numbers calling completing her accountancy degree last year. Now that our children are both independent I have lost the dual role of Minister for Finance and Transport.

Although not a gifted sportsman I enjoy a game of tennis and during the winter months I officiate as a central field umpire for

AFL football matches played in and around Western Gippsland.

Apart from a little dog our house can be a bit noisy with four parrots. I have two sulphur crested cockatoos outside that chat away during the day but come to life when it's the dog's night feed as one cockatoo calls for the dog in my wife's voice and the other yells out 'hello'. It's always amusing when the cockatoo calls for the dog during the day and then watch the dog race around the yard only to find it has been called by a bird (stupid dog). The other two birds are my daughter's pets, a cockatiel and a very tame chatty galah.

What are the challenges faced by JPs?

Having adequate knowledge and confidence to complete their conferred tasks. Training and education are vital components for a JP to ensure they are abreast of their requirements and continuous education ensures JP's remain cognisant of any government or other changes.

What traits do you think make for the good JP? What makes a poor JP?

Integrity, impartiality, trustworthiness and a passion for community assistance. To date I haven't met a poor JP and I endeavour to model myself on the good traits that I consider are displayed by my fellow JPs.

If you could send a message to the world, what would it be?

A little more respect would be my message. That is if people had more respect for their fellow man there would be fewer conflicts and less litigation.

What is the future for JPs as you see it?

I believe there is always a role for JPs to assist the community. There will always be the need for document witnessing and the like. These may be the general duties of a JP but with a lack of legislatively required qualified people who are able and willing to perform that duty the JP will always be in demand.

Would you encourage young people to seek appointment as a JP (or bail justice)? Why?

As a youngster the people I knew as JPs were generally the grandfatherly type who were retired or very near to. The office of the JP today embraces the younger generation to keep up with today's changing population. I strongly encourage the young people to "jump on board" and join the JP ranks and help dispel the old stuffy "fuddy duddy" notion I once had.

Who are the five people you would like to join you around the dinner table?

Other than family, I'd be interested to see what royalty eat and chat about so maybe the Queen. For some entertainment Neil Diamond, I've always enjoyed his classics. David Attenborough, I love those animal and nature documentaries and he has narrated so many. Plato, his philosophies and deep thinking are an inspiration. And Neil Armstrong, I watched the first moon walk as a student but what was it really like? I'd like to experience his tenacity and courage facing the unknown.

GEOFF LEGGE JP AND RVAHJ DIRECTOR

Appointment to Women's Honor Roll



Dear Fellow Directors

Back here in the centre of Victoria and the centre of the world; our newly appointed director Rhonda Smith was recently inducted to the Hepburn Shire council's Women's Honour Roll. This is a highly recognised award. Three women from the shire were appointed this year.

The citation was ...

Rocklyn resident Rhonda Smith has been actively involved in about a dozen local community organisations including the CFA, Landcare, sports and agriculture – including an abiding interest in ploughing. As secretary of the Australian Ploughing competitions and the Australian representative on the world committee, where she is one of only three women on the 30 member world board, her position demonstrates her belief that women can stand up and hold any position they wish. Ms Smith was known by many in the community for her active participation in shire affairs during her husband David's term as a local councillor, including three terms as mayor. She was also recently appointed a justice of the peace.

Congratulations Rhonda!

Michael Cheshire JP

Q & A

Q. Can an Honorary Justice witness a signature via webcam?

Manzoor Mian JP was recently requested to do so for a friend, presently overseas, wishing to give a relative here in Melbourne, his Power of Attorney.

A. The answer is No.

We consulted the Office of the Public Advocate to confirm that the document must be signed *in your presence* (and in the presence of any additional witnesses, if required). Your signature is then affixed without delay, ensuring that no additions or substitutions can be made.

Minutes of the Special General Meeting of Members held at 53 Broadway, Elwood on Thursday 21 October 2010 commencing at 5.45 pm

PRESENT: Directors Garry Runge JP, Linda Rainsford, Rod McConnell JP, Laurie Taig JP, Glenda Frost JP, Michael Cheshire JP, Norman Wittingslow JP Chris Reside and Michael Tse JP and Ordinary Members, Geoff Legge JP and Cathy Owens JP.

APOLOGIES: Harry Gibcus JP, Michael Tiliacos JP and Ray Walker JP.

SPECIAL BUSINESS: The board has determined that it desires to replace the current auditor to improve efficiencies within the financial reporting processes of the RVAHJ.

Motion: That the Association resolves to remove CHN Herold Ross as auditors of the RVAHJ.

Moved: G Frost, **Seconded:** R McConnell. CARRIED

Motion: 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.

Moved: G Frost, **Seconded:** M Cheshire. CARRIED

Meeting closed at 5.47p.m.



GOVERNMENT HOUSE
MELBOURNE 3004

From: Charles Curwen CVO OBE

Telephone: (03) 9655 4229
Facsimile : (03) 9654 1674

Monday 2nd May, 2011

Ms Linda Rainsford
President
Royal Victorian Association of Honorary Justices
P.O. Box 317
ELWOOD VIC 3184

Dear Ms Rainsford

The Governor, the Honourable Alex Chernov, AO, QC, has asked me to thank you for the kind invitation you have extended to him to become Chief Patron of Royal Victorian Association of Honorary Justices.

The Governor will be very pleased to accept this appointment during his term of office and looks forward to his future association with your organisation in this capacity.

I enclose, for your information, some notes relating to the Governor's Patronage.

Yours sincerely

Official Secretary

Encl.

MORNINGTON PENINSULA BRANCH BY IAN LYONS

The Mornington Peninsula Branch which meets at Frankston Police headquarters every second month were delighted to have as their guest speaker the Mayor of Frankston, Cr Kris Bolam.

Cr Bolam spoke of his two failed attempts to be appointed as a JP, on his third attempt he gained appointment which made him the youngest person to be appointed as a JP in the state of Victoria. Kris felt that if a young person showed an interest in becoming a JP, they should be assisted in their endeavour.

Cr Bolam was the youngest person to be elected to office (Councillor) for the City of Frankston and the youngest Mayor of the City.

The JPs and Bail Justices at the meeting asked questions

relating to Council issues, including; Swimming Centre Project/ Young Street situation and control of domestic and feral animals.

The next meeting of the branch is on August 3rd at 7.30 pm at Frankston Police headquarters. Picture shows the Mayor Cr

Kris Bolam flanked by Dawne Wallace (co-ordinator/ Mornington Signing Centre) and Graham Unwin (Branch Chairman) and colleague JPs and Bail Justices



RVAHJ TRAINING

A refresher training course will be conducted at the Royal Melbourne Hospital on September 17th commencing 9.00 am (registration from 8.30 am) to 3.00 pm.

Training will cover your duties and legal responsibilities when witnessing documentation (Affidavits, Statutory Declarations, Certified True Copies and Powers of Attorney).

To book, please complete the registration form below and return it to the Association by fax (9525 7765) or mail (PO Box 317 Elwood 3184) by 26th August 2011.

COST : Members: Free
Non members : \$100.00

Course materials, a light lunch and refreshments supplied.



BOOKING FORM: Training Course 17th June 2011 at Royal Melbourne Hospital

Name:.....
(Please print clearly)
BJ/JP Registration Number:Email:.....
Address:.....
.....Postcode:.....
Phone Landline:.....Mobile:.....



Department of Justice

Honorary Justice Office

Courts and Tribunals Unit

I am pleased to have this opportunity to write for *Custodes* and update RVAHJ members about the new Victorian government's initiatives for honorary justices. Prior to coming to office, we committed to restore the standing and independence of honorary justices, which regrettably had been undermined by the previous government. In particular, we committed that any termination of the appointment of an honorary justice would only occur on the decision of an independent and respected decision-maker. This includes the non-reappointment of any bail justice who seeks reappointment.

We also said we would expect that any person who accepted appointment as an honorary justice would make themselves available on a reasonable basis to perform their duties. Being an honorary justice should not be a sinecure, and it is unfair to other hardworking honorary justices if a minority shirk their responsibilities. However, we also committed to allow Justices of the Peace to retain the title of JP without being required to be available for active duty, when they can no longer continue to perform their duties due to age, ill health or other good reason.

Since taking office, the government has moved to tackle other issues facing honorary justices, including application processing, training and the witnessing of Registry of Births, Deaths and Marriages documents. I have recently asked the HJO to provide training for all prospective JPs prior to appointment. This training will be provided free of charge and is planned to commence early in the second half of the year. The training package for bail justices is also currently being updated. The Honorary Justice Office (HJO) will be meeting with honorary justice groups, including the RVAHJ, to request input on the training packages.

The HJO and the Registry of Births, Deaths and Marriages are currently working on options for JPs to receive training to qualify them to witness identity documents to the Registry's satisfaction. I am hopeful this will go a long way towards resolving the longstanding anomaly that has prevented JPs from witnessing identity documents.

I was recently pleased to appoint the first acting bail justices in Victoria, and I have instructed the HJO to invite all bail justices approaching the age of 70 years to indicate if they would be interested in continuing to serve under an acting appointment. The appointment of acting bail justices will mean that active volunteers reaching 70 years of age, whose experience and dedication would otherwise be lost to the community, are able to continue to serve.

With the commencement of training for prospective JPs, active recruitment can recommence. A recruitment strategy is under development that will ensure that new JPs are appointed in areas of identified need across the state. I am aware that some signing stations have experienced difficulty filling their rosters due to a shortage of local JPs. Targeted recruitment and application assessments, commencing from July, will help to address this shortfall.

Finally, I can report that the HJO has recently taken a number of proactive steps to seek to provide all honorary justices with the timely, responsive support and advice you are entitled to expect.

I look forward to continuing to work with the RVAHJ and other Victorian honorary justice groups, and I thank all honorary justices for your effort and commitment to your important service to the community.

ROBERT CLARK MP
Attorney-General

RVAHJ president, Linda Rainsford extends a warm welcome to the following new members of the Association.

Nancy Flavell Alexander JP	KANIVA	Sebastian Egidio La Spina	BUNDOORA
Manjit Singh Aujla JP	NARRE WARREN SOUTH	Madeleine Matarozzi Laming JP	BRUNSWICK EAST
Costa Azzam JP	NARRE WARREN SOUTH	Lorraine Learmonth JP	COHUNA
Glen Baker JP	PATTERSON LAKES	William Lim JP	WINDSOR
Judith Beever JP	LILYDALE	Cheryl June Linke JP	HORSAM
Kevin Charles Benbow	KANGAROO FLAT	James Phu Cuong Luu JP	HILLSIDE
Cheryl Maureen Berchdolt JP	YAN YEAN	Garry Luxford JP	TOORADIN
Kenneth Gordon Betts JP	FOOTSCRAY	Frank Jonathan Margetts JP	HAVEN
Edward Boghikian	BALWAYN NORTH	Patrick John Marshall JP	FRANKSTON
Andrew Michael Bourke JP	CARDIGAN	James Charles McCarthy JP	WERRIBEE
Alan James Bowes JP	WARRNAMBOOL	Clifford John McCormick JP	WURRUK
Jennifer Kathleen Broadbent JP	MOOROOPNA	Jennifer Rae McCoy JP	CARNEGIE
Maureen Louise Capp JP	MELBOURNE	Kathryn Patricia McFarlane JP	BRIGHTON
Pasquale Carfi JP	GREENSBOROUGH	James Geoffrey McKay JP	HORSAM
Grant Coultman-Smith JP	BEAUMARIS	Rodney Lawrence McKenzie JP	WARRNAMBOOL
Andrew Christopher Crossley JP	RINGWOOD NORTH	Andrew Robert McNabb JP	OFFICER
May Emma Croxford-Rowswell JP	BERWICK	Christine Mary Milligan JP	WEST WODONGA
Peter John Currie JP	COCKATOO	Sharon Maree Muldoon	MACARTHUR
Anthony John Davie JP	BURWOOD	Nicholas James O'Connell JP	MOUNT WAVERLEY
Desmond John Devlin JP	HALLAM	Judy Patricia Owen JP	NARRE WARREN
Graham Mervyn Dines JP	CANTERBURY	Jan Parker JP	YARRAWONGA
Mihiri Dissanayake JP	MOUNT WAVERLEY	Vinitius Anthony Leo Perera JP	HALLAM
Barbara Diane Kay Dixon JP	NOBLE PARK	Margret Ann Ryczel JP	MERBEIN
Peter James Doyle JP	ROSEBUD WEST	Tania Louise Sacco JP	HAMPTON PARK
Warren Edwin Driscoll JP	BENDIGO	Gail Dorothy Sharp JP	BIRCHIP
Helen May Dunstan JP	BOUNDARY BEND	David Peter Sharpe JP	ALTONA MEADOWS
Kevin Leslie George Edmond JP	SPRINGVALE STH	Patrick Ryan Sheehan JP	WEST FOOTSCRAY
Leslie Raymond Edwards JP	GREENSBOROUGH	Steven Silestean JP	HAMPTON PARK
Chris El Moussalli JP	ELTHAM	Beryl Lorraine Small JP	SOMERVILLE
Gail Patricia Elder JP	CAULFIELD	Rhonda Jean Smith JP	ROCKLYN
Colin Maxwell England	MILL PARK	David James Stevenson JP	MILDURA
Ann Belinda Flockhart JP	DIXONS CREEK	Phillip John Timpani JP	HILLSIDE
Debora Jean Garvey JP	WONTHAGGI	Amanda Rose Toner JP	MYRTLEFORD
Earlene Reona Gellert JP	WILLAURA	Christine Mary Trotman JP	LEONGATHA
Eric John Gittins JP	FAIRFIELD	Barney Branco Vidovic JP	MOUNT CLEAR
Peter Wallace Gorman JP	CASTERTON	Darryl John Wagstaff JP	MARYBOROUGH
Sandra Margaret Gould JP	POINT COOK	Richard Waluk JP	ST KILDA EAST
Roger William Greene JP	LOWER PLENTY	Kenneth Kin-Ho Wan JP	EAST MELBOURNE
Colin Joseph Guest JP	SALE	David Robert Ward JP	LAKE GARDENS
Jennifer Dawn Halkier JP	COCKATOO	Meryl Dawn Whiteside JP	TORQUAY
Katrina Robyn Haller JP	SKYE	Mathew Michael Wood	RESERVOIR
Allan Edward Harris JP	DINGLEY VILLAGE	Raymond Leslie Yates JP	OLINDA
William Robert Hearn JP	MULGRAVE	Barry James Yovkoff	HOPPERS CROSSING
Glenda May Hirth JP	PANMURE	Richard John Ziegeler	WARRNAMBOOL
David George Hoare JP	CRIB POINT		
Michelle Louise Hucker JP	SEBASTAPOL		
Anne Maree Hughes JP	DONALD		
Marion Ruth Ingram JP	BACCHUS MARSH		
Peter Menzie James JP	BELMONT		
Ronald Owen Jones JP	COLERAINE		
Stephen Stan Karsai JP	BUNDOORA		
John Anthony Kelly	BARINGHUP		
Mark Thomas Kennedy	MILDURA		
Bruce Harry King-Siem JP	RICHMOND		

Why did you become a JP? It's a question I'm often asked, by friends or neighbours, whenever they discover that's what I do. Followed by 'How?' The 'How' question is far easier to answer - the short version naturally. The 'Why' is a question I've often asked myself. Connecting with a family tradition? Close to the truth, if a little tenuous. My contribution to community service? Do I really make a difference?

Seriously I do sometimes wonder about the value of the service we offer. Never more so than when I was presented with 67 documents, multiple copies to save the client time later, and staggered away fearing permanent RSI in my hand. That was an early experience and I quickly learned to manage similar situations. Still, it's a solitary occupation and quite difficult to see where we fit in the justice system.

My ambivalence changed though, quite recently, when I met Anna (not her real name). She rang to make an appointment, a day ahead initially to suit my schedule. When I started to explore specific times, her availability was limited by her husband's illness, combined with public transport. She was quite matter-of-fact about the difficulties, explaining that her husband was ill and she could only get out when his carer came for a few hours; she would also need to take both a bus and a train both ways and so we needed to find a time that allowed her travel time. I was her nearest JP and we found a time to suit. Aside from a vague sympathy for her situation, I didn't think much about it.

She was a tiny lady, quite self-contained and practical, quickly explaining the nature of her situation and the formalities she required. I asked some questions and from my brief assessment I understood that she was claiming, with VCAT approval, a large sum of money from a Brisbane Court. Everything was in order, I could sign and simply depart. But she volunteered: "I should tell you what this is about", and I must admit I was intrigued.

"I'm 82" she said, "and my husband is 85. He's got Alzheimer's disease and has a carer for a few hours. That's how I can get

out. I was stupid though. I saw this investment in Queensland and thought it might be a way of supplementing our pension". I'll have to paraphrase her words and story from here.

When the package arrived, it was all about horse racing and Anna didn't know anything about that. So she rang the company straight away and told them she'd have to send it back. They said she couldn't do that because she might have contaminated the DVD in the kit. She doesn't have a computer and had responded within the 10-day 'cooling off' period. Many calls to Queensland led nowhere. Fortunately she sought advice from a local Community Centre which started her on the long and expensive path to justice - 10 months gone already and even this step may not be the last.

"I didn't tell my children; I thought they'd be cross," she said. They sounded quite supportive though, researching the company to discover numerous other victims.

"I'm determined to see this through", she said; adding without a trace of self pity, "I can't afford to lose this money".

Where is the justice in this? And where should we look to apportion responsibility? Or blame? To Anna who admits her unwise trust, her 'stupidity'? Do we dismiss her case, based on greed? Can we blame inadequate pensions and social support systems that leave older people vulnerable to dodgy operators? Is government legislation inadequate against business scams?

Wherever justice lies, any one of us could be caught. It was little enough to be able to help her on the next step of the journey - an official stamp and a signature, but they made a difference for her.

A final comment as she turned away: "I should let you know when I win". "Please do, we'll have a cup of coffee", I replied. Yes, this role is worthwhile; we can add value. I must admit wishing I had the car with me to save her that train and bus trip home. *Jennifer McCoy is a JP in Carnegie. She is the Director of Positive Change Consulting and specialises in leadership coaching: offering strategies to enhance the overall productivity of relationship and results for managers and team leaders. She can be contacted at jmccoy@positivechange.com.au and E: 0425 726 340*



RVAHJ Centenary Conference

Sunday 23 October 2011 – 8.30am to 3.00pm



Venue: William Angliss Institute,
555 La Trobe Street, Melbourne



Quo Vadis

“Where to from here?”



To complete our centenary celebration, the RVAHJ is holding a conference to consider the future for honorary justices in Victoria. A wide selection of speakers has been planned we expect to hear interesting views about the services justices can make to the community in the coming years.

This conference is free of charge.

The RVAHJ must have final numbers as soon as possible for catering purposes. Please complete the registration form below and return it quickly. Numbers are limited.

“This is your opportunity to take part in the conference which will be discussing the future of Justices of the Peace and Bail Justices. A great opportunity to network and hear what is happening on a local level.”



Michael Cheshire JP
Chair – Centenary Committee

Registration Form RVAHJ Centenary Conference 2011

Name:

Please print clearly

Address:



Email Address:

Phone: Mobile:

Please tick Justice of the Peace: Bail Justice:

Dietary requirements:

Please complete and return to: **RVAHJ, P.O. Box 317, Elwood, Victoria, 3184**



Urgent request for volunteers



The Document Signing Roster at the Probate Court, Melbourne, is in urgent need of volunteers.

It's a busy roster, Monday to Friday, during business hours, where you'll deal with a variety of documentation.

If you can spare a day a week, a fortnight, or a month, contact Cathy on (03) 9525 7099 to discuss your availability.

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



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Members and friends are cordially invited to attend the RVAHJ's

ANNUAL DINNER 2011

Treacy Conference Centre
126 The Avenue, Parkville

(Melways ref: Map 29 F12)

Cost: \$60.00 per head
(Drinks at bar prices)

Friday, 19 August 2011

7.00 pm for 7.30 pm

Dress: Lounge suit/After 5

GUEST SPEAKER

Chief Magistrate

Mr Ian Gray

RSVP: 29 July 2011 (or until sold out)

(Seats are limited, so book early!)

Please complete the booking form below and return, with payment, to the Admin. Officer -

By post: PO Box 317, Elwood 3184, or email admin@rvahj.org.au or fax 9525 7765.

BOOKING FORM - RVAHJ Annual Dinner – 19 August 2011

Please list first and last names of all attendees (print clearly)

- | | |
|----------|----------|
| 1) _____ | 2) _____ |
| 3) _____ | 4) _____ |
| 5) _____ | 6) _____ |
| 7) _____ | 8) _____ |

Postal Address (for delivery of ticket/s) _____

Contact Ph: _____ Email: _____

Please complete credit card details or enclose a cheque or money order.

Credit Card: Visa Mastercard (Sorry, Amex, Diners Club, Debit cards & phone payments not accepted).

Credit Card No. _____ Expires: ____ / ____ / ____

Name of Cardholder _____ Signature _____

Just when we think we have been through our centenary celebrations – there's more!

What a great year it has been; a variety of events and activities which has brought many justices together across the State. In review, there was much to celebrate and remember. Many members took up the suggestions and will join in remembering the year fondly and with some pride.

- **Merchandise** items were designed to keep a memento of this important milestone – a tie, cuff links, tie bar lapel badge and a special pre-paid envelope were created for members to obtain.
- **Many branches held their own functions** – the events varied but dinners were probably the most popular.
- **The history book** – I am editing a book covering the history of our Association, which has been researched by past president Fred Kent JP. It will be launched later this year and every member will receive a copy free of charge.
- **The travelling display** – undoubtedly our greatest success for the year. We just have never really informed the public of our history, our roles and duties and just what a commitment we make to service our communities. Please give thought to when you may wish to put on a display again and book it in at the Association office.
- **Media coverage** – prior to the centenary year, your directors chose to accept an offer by myself to head up a media campaign throughout the centenary year to support the travelling display and other branch activities. This gave rise to the media kit, which has proved invaluable in attracting much positive media coverage. Recently, I have produced another media kit to inform the public, through local papers, of our signing centres.
- **The centenary conference** – this centenary conference will take place on Sunday 23 October at William Angliss Institute. The theme is "Quo Vadis" which translates to "whither goest thou?" The conference will focus on what is the future for justices. There are a restricted number of seats available so please respond to the invitation in this edition of Custodes.
- **Annual Dinner** – was a wonderful night. Presentations and guest speaker John Griffin.

Australasian Council of Justices' Associations – as part of the centenary year, the ACJA elected me to the position of

president. As president the annual meeting is also held in that jurisdiction - being Victoria. I planned the event to be held in Ballarat and was a success being both entertaining and fruitful. After much work on reviewing the appointment, training and roles and duties of JPs (and BJs) throughout Australia and New Zealand the ACJA now has a goal to harmonise whatever is practical to standardise in these areas. One concept is that all JPs could be recognised across all jurisdictions in Australia and New Zealand!

We are held in high esteem by the community for the work we do. Let us now plan our vision for the future!

Michael Cheshire JP
Chair – Centenary Committee

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

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

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

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

*Offer valid until 30 June 2012



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

Royal Victorian Association of Honorary Justices



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EDITORIAL POLICY

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

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