



## Annual dinner 2011

October 2011

Issue 3

OFFICIAL JOURNAL OF THE ROYAL VICTORIAN ASSOCIATION OF  
HONORARY JUSTICES

# Custodes



In this edition: Member questionnaire (see reverse address sheet);  
Highlights from the 2011 annual dinner; JP in the Spotlight;  
New board member profile; 2011 AGM minutes and audited accounts  
RVAHJ policy release; Branch news;  
2011 Conference booking form; Spring merchandise;



It is an exciting time with the conference drawing closer. We have lined up a wide variety of speakers. The day will start off with the opening keynote speech from the Attorney-General, Robert Clark. Other speakers are from Victoria Police, Births Deaths and Marriages, Department of Justice and others.

Below is an example of one such issue. It is about how to handle the situation when someone arrives with volumes of documents to sign at a signing centre.

Linda Rainsford, RVAHJ president

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

## RVAHJ POLICY

### Processing volumes of documents

Individuals with a large volume of documents can present problems for volunteers on busy rosters. Ultimately, the individual justice must make a judgement call based on the circumstances how best to handle the situation and the Association offers the following suggestions:

- Ask them to step aside momentarily while you quickly take care of another customer.
- Suggest they take a walk/get a coffee/go home while you do the signing and come back later (suggest a time). Then you can attend to the task in-between other customers.
- Suggest making an appointment with the individual at a time and place that suits you both - at the end of the shift, or make special arrangements to go in on another day, just to do their documents.
- Can the police help either by doing some of the documents themselves or stamping the documents once signed? Perhaps the roster co-ordinator could discuss options with the Officer in Charge.
- Display approved signage with information about finding a local JP.

Lastly, remember that you are doing the best you can under difficult circumstances. People are under no obligation to wait if they don't wish to.

*'It is an exciting time with the conference drawing closer. We have lined up a wide variety of speakers.'*

This is an opportunity to come together to look at what the future might have in store for the role of honorary justices. I encourage you to book now as places are limited. A booking form is on page 18 of this edition of *Custodes* or contact the office on (03) 9525 7099 to make your booking.

The Association recently held it's annual dinner with the guest speaker, Chief Magistrate, Ian Gray delivering a talk on the role of honorary justices within the community. He offered some insights on what he thought the role could be doing in years to come.

During the evening Certificates of Service were awarded recognising the length of time honorary justices' had been continuous members of the RVAHJ. This of course may not represent years of service as an honorary justice as membership may have started after their appointment.

It was a great occasion to come together and catch up with other members and was enjoyed by all as depicted by the pictures on the front cover and on pages 10 and 11.

Often we are contacted when JPs or BJs have a situation that they require assistance with. Most enquiries are easy to respond to but others take a bit more time and research to obtain a definitive and authoritative response. We aim to publish some of these questions together with the responses for your information in future editions of *Custodes*.

Take a look at a couple of these throughout this edition. If you have a question about your duties that you think will interest readers please send them in to share.

*Ed's Note: I wish to extend a super thank you to Michael Cheshire JP for his stellar efforts as photographer at the RVAHJ annual dinner.*

*John K Maddern  
Wellington JP*



I grew up in Mitcham Victoria where my parents were chemists. In those days we lived beside the shop and “after hours” customers were quite common. My JP father who sat at Ringwood also attended to a stream of clients with documents and the local police were frequent callers .

I was sent to Melbourne Grammar School, firstly as a day boy then I boarded. After that, Nasho then Dookie Agricultural College then Uni “digs” seemed to be soft options! I emerged from the system with a Melbourne Agricultural Science and a Queensland Veterinary Science degree and my working life began. I’ve been in veterinary practice mostly with a stint as a veterinary adviser in the pharmaceutical industry firstly with the Wellcome Foundation then Beecham. My last practice was in South Melbourne where I began to serve as a bail justice in 1990 around the inner eastern suburbs and also as a JP.

The initial bail justice practice was a steep learning curve for me and I think also for many police as a working relationship always takes time to develop. The Monash Group of our Association was a great help to me .

The wider world beckoned and Barbara and I worked in Britain for a year. Then I spent a summer in the Falkland Islands, an extraordinary place with extraordinary people . Another term in UK , then four visits to Papua New Guinea (PNG) where I was the only vet in private practice there.

I travelled widely with my “box of tricks” to some pretty exotic locations. Infections common to man and animals are widespread in PNG and pose a threat to Australia. PNG is truly our frontier. We are fortunate to have a friendly cooperative neighbour there .

Some six years ago we fled the city and now have a small cattle farm beside the Grampians National Park . The saying ‘too small to make a profit, to large to manage well,’ was never more truly portrayed .

Until I turned 70 I attended bail hearings in Horsham and Hamilton. Now I plan to concentrate on JP rosters and hope to contribute from my experiences in committee at our association.

Dear Madam Editor.

**Re: RVAHJ certificates and merchandise.**

In reference to a letter to the editor in the September 2010 edition of *Custodes* by Cr. Wayne Smith JP, I would be happy to pay an appropriate fee for a Centenary membership certificate. Also for consideration, why not ask the Department of Justice Minister to fund it as they did fund the 2001 International Year of Volunteer certificates?

I would also suggest extending our merchandise list to include a cloth badge with the Association’s logo on it which we could attach to a coat or blazer pocket. I and I believe others would be proud to buy and wear one to advertise our great organisation and to attract other good people to become JPs and to join us. Many other organisation have done and are doing this so why not us? I am looking forward to it.

Dear Madam. (Dated August 2011)

**Re: Big changes among the new members of the Association.**

It is nice to see that RVAHJ president, Linda Rainsford rightfully extends a warm welcome to all new members of the Association – more than one third are women.

As a proud member of the RVAHJ since 1990 I have been analysing the mix of men and women appointees and the mix of mainstream Australians and those from other backgrounds and I am happy to report that numbers have been growing over the years to the extent that in the July 2011 issue of *Custodes* 35 of the 98 new appointees were women and 21 of the 98 were of non Anglo/Irish backgrounds.

Not to mention that 20 years ago we didn’t have a female director of the RVAHJ. And now we have a female president.

Considering all these fine developments how welcoming are mainstream Australian’s towards those who are able and willing to assimilate and integrate into the mainstream Australian community.

Congratulations to all at the RVAHJ and to those who have managed to mix in well and to serve the local Victorian community.

*Ed’s note: These two letters are abridged versions of letters submitted by Stephen I Raskovy, OAM, JP over recent months but due to space restrictions I was unable to publish them.*

## SUNRAYSIA BRANCH BY HARVEY J HILARY-TAYLOR JP

### MEDIA RELEASE TUESDAY 16TH AUGUST 2011

The Sunraysia Branch of the Royal Victorian Association of Honorary Justices has advised that the broader community use of the Signing Centre at the Mildura Police Station is far exceeding original estimates and shows that the benefit for the public in accessing JPs at the location is ever increasing.

The first year of operation of the Signing Centre (2009) recorded 2790 clients needing the service of a JP, last year (2010) 3454 persons used the service, and this year to the end of July 2166 persons again called on the JPs to have documents witnessed.

On this basis, it is anticipated that approximately 3700 persons will attend in 2011, an increase of at least 10 percent over the previous year.

This voluntary service, offered by 25 local JPs who work on a roster system, has meant that on any business day between the hours of 2 p.m. to 5 p.m. a JP is available to the general public at the Signing Centre at the Mildura Police Station.

Harvey Taylor, Media Officer for the local JPs, said 'It is quite remarkable the way that people are now accepting the fact that they can find a JP without any hassle – quite a different thing from years ago when one had to search local businesses and professionals to have something signed.

'As well the police are extremely happy with the results as it allows them relief from signing documents and their time can be spent on more urgent police matters,' Mr Taylor said.

Last year saw over 3000 documents signed. Member for Narracan, Garry Blackwood praised JPs for releasing an enormous amount of pressure off local police.

'This is an opportunity to thank you for doing what you do,' said Mr Blackwood. 'This important role is helping the broader community and helping police do the role they are trained for.' He added that a growing population would inevitably lead to an increase in need and demand for JP services. He also recognised many of the JPs contribute other community work within the region. Warragul senior sergeant Jan McNally praised the JP team for their "great job" in community service with the world becoming more security conscious, Ms McNally said it just means that there are ever increasing demands for



Roster volunteers at Warragul Police Station together with Senior Sergeant Jan McNally and Member for Narracan, Garry Blackwood

signed documents. She said the team "provided a great service" and believe the community does not realise how much JPs do. Ms McNally said it would be the community who would suffer if the free JP service was not available.

JP Kevin Potter said eight people are rostered every week and believed the service was becoming more popular and popular every week. 'JPs signed so many documents every week the need for sessions to extend from 10 a.m. to 1 p.m. was there,' he said. Previously, the service operated for only two hours every Tuesday and Thursday.

## WARRAGUL BRANCH

### High demand leads to signing extension times

Justice of the Peace document signing sessions at Warragul Police Station have been extended to cope with rising demands. Now in its fourth year at Warragul Police Station, the free service is available every Tuesday and Thursday from 10 a.m. to 1 p.m. JPs sign affidavits, statutory declarations and certified true copies of other legal documents for the general

## CITY &amp; NORTHERN BRANCH BY DAMIAN NOSEDA JP

The City and Northern Group have been extremely active, meeting on the third Monday of alternate months at either the Broadmeadows or Fawkner Police Complexes. Our members are also very active on the RMH Signing roster, Probate Court Roster and our Secretary Bob Williams recently accompanied our president Linda Rainsford to assist the Transit Division of Victoria Police as Independent Witness during their Prohibited Weapons Operations. We are also deeply indebted to Norman Wittingslow, a member of the Board who is a regular attendee at our meetings, who updates us on matters of interest at the Board and for his wise counsel.

Earlier this month saw our Annual Elections; the following were elected -

Chairman – Mr Roger Isherwood OAM JP

Vice Chairman – Mr Damian Noseda JP

Secretary – Mr Bob Williams JP

Treasurer – Mr John Boles JP

Our meetings are attended by about 15 members. We normally hold a short meeting followed by a Guest Speaker.

We are extremely fortunate to obtain a high calibre of Guest Speaker, this year so far we have been privileged to have had address us the following people - Dr Hugh Wirth AM KSJ past president of the WSPA; FR Bob McGuire AM –Patron of the FR Bob Foundation; Fr Joe Giacobbe - Founder of the DOXA Youth Foundation and Hon Frank Walsh AM QC – retired County Court Judge.

Our October Guest is Monsignor John Murphy OAM retired director of the Australian Catholic Bishops Commission for Migration and a former Official Visitor to the Asylum Detention Centres. He will speak on the “Boat People”.

Next year we have the following people coming to address us  
19/2/2012- Hon Alan McDonald AO QC former Principal Judge of the Commercial and Equity Division of the Supreme

Court of Victoria and a Member of the Court of Arbitration for Sport. Topics: Court of Arbitration for Sport and his time on the Bench of the Supreme Court.

15/4/2012— Hon Frank Vincent AO QC Former Supreme Court Judge and former Chairman of the Adult Parole Board of Victoria. Topics: Parole and his time on the Bench of the Supreme Court.

17/6/2012—Mr John Patterson Senior Clerk of the Course of the Victoria Racing Club and Melbourne Racing Club and horse breaker. Topic: My time in the saddle at the Melbourne Cup behind the Scenes.

19/8/2012 Group AGM No Guest Speaker

21/10/2012—Mr Richard Jefferson Manager Registration Services Division Land Victoria. Topic: 150th Celebrations of the Introduction of the Torrens System of Land Registration in Victoria and Electronic Conveyance.

16/12/2012 Christmas Meeting No Guest Speaker

We would welcome any other groups or association members and their spouses to come along and hear our guest speakers. It is generally a rather informal talk and we have found all our speakers are more than happy to answer questions and give their personal opinions on their chosen subjects .

Should anyone want to come, we only ask you to let us know for catering purposes. We can be contacted at the following emails:

Secretary- Bob Williams JP – [jp7027@rvahj.org.au](mailto:jp7027@rvahj.org.au) or

Vice Chairman - Damian Noseda – [jp11274@rvahj.org.au](mailto:jp11274@rvahj.org.au) or  
0412122978

We look forward to seeing our colleagues at future meetings.

**SOUTH WEST BRANCH BY BRUCE TURNER JP**

**Seeking more JPs**

By Alex Sinnott, *Warrnambool*

*Standard 26/9/2011*

**'There is quite a shortage of bail justices (BJs) in the south-west at the moment'**

Royal Victorian Association of Honorary Justices (RVAHJ) south-west branch has re-appointed long serving Chairman, Ted Kennett as it's leader.

More than 60 justice's of the peace (JPs) and supporters attended the groups' annual meeting in Warrnambool last week to discuss the organisation's operations for the next financial year.

RVAHJ south-west branch secretary Bruce Turner said the group was keen to recruit a new generation of justices of the peace, with several members retiring to lighter duties in recent years.

He said JPs were available at Warrnambool police station on Mondays, Wednesdays and Fridays between noon and 2.00 p.m. and on Saturdays from 10.00 a.m. to noon. 'It's a worthwhile cause and those who take part are of tremendous benefit to the community, so I do encourage anyone interested to apply,' Mr Turner said. 'There is quite a shortage of bail justices (BJs) in the south-west at the moment. Currently, we don't have any serving in the Portland district so it's a 200 km round-trip for BJs based in Warrnambool.' he said.

RVAHJ members will meet with Corrections Minister Andrew McIntosh MP at Warrnambool Magistrates court on Monday to discuss issues affecting JP operations.

**50 YEARS NOTCHED UP AS A JP**

By Everard Himmelreich, published in the *Warrnambool Extra* July 2011

When Alan Bowes was first nominated to be a Justice of the Peace (JP), the authorities thought he was too young for the role at age 28.

At the time, 1961, he was the Minhamite Shire Secretary and his council was able to convince the authorities he had handled responsibility well enough to take on the position.

Mr Bowes, 79, will this month (July) notch up 50 years as a JP, a volunteer role that has sometimes kept him very busy.

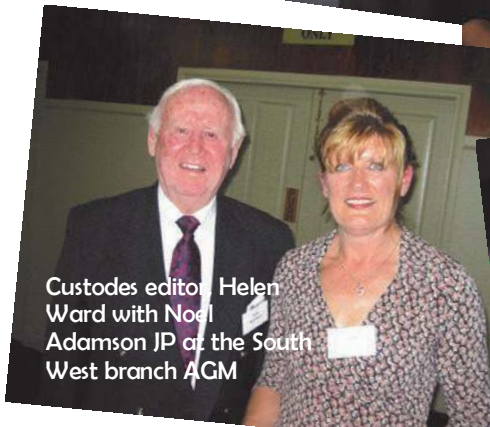
During his 22 years as Warrnambool Shire Secretary, Mr Bowes



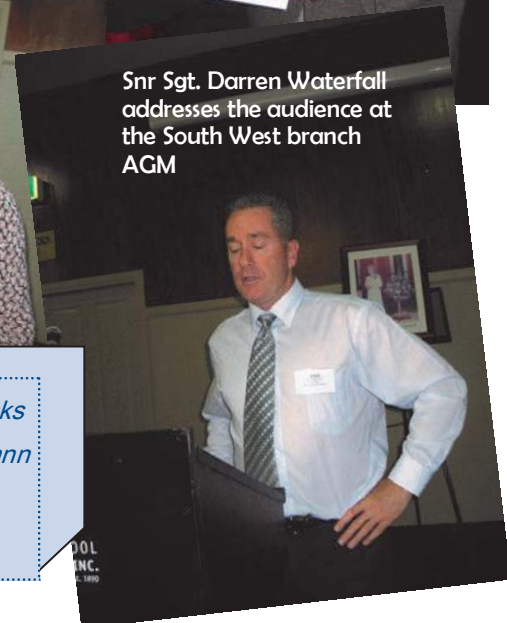
Ted Kennett presents Dr Denis Napthine with a thank you gift at the recent AGM



Alan Bowes JP receives Certificate of Appreciation from RVAHJ president, Linda Rainsford



Custodes editor Helen Ward with Noel Adamson JP at the South West branch AGM



Snr Sgt. Darren Waterfall addresses the audience at the South West branch AGM

*Ed's note: Thanks to Colin Brinkmann for the great photos.*

was often called out to the old police station, he was at times called upon to conduct as second division Court of Petty Sessions when the Magistrate was too busy.

In partnership with another JP, he sometimes spent all day conducting the court, during which they took a lot of advice from the Clerk of the Court. 'It was a daunting experience,' he said.

The role also involved call-outs by the police in the middle of the night to decide whether alleged offenders should be granted bail, and occasionally acting as a Coroner evaluating deaths that might need investigation.

These days Mr Bowes' workload as a JP is much lighter but his commitment to helping the general public get access to the law is no less.

His main role presently as a JP is to witness legal and other documents at the regular JP signing sessions at the Warrnambool police station.

Warrnambool police recently showed their appreciation to local JPs by presenting them with Police Community Award Certificates of Appreciation at morning tea.



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# Port Fairy

## Buying.....

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



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# JP in the Spotlight—Norman William Wittingslow

**Why did you decide to become a JP and how long have you been one?** In previous employment I was managing director of Freemasons Hospital. The Hospital was constantly requested to provide a witness for patients signing documents. It was a natural progression to become a justice of the peace.

**Tell us little about your life.** I was born in Essendon and have lived my entire life in the same area. The area is very close to Melbourne and most public venues and of course is the home of the only AFL football team worth worrying about. It's a perfect suburb in which to live.

Upon leaving school I became a cadet industrial chemist with ICIANZ and worked in their Ascot Vale laboratories. I was then conscripted by the army in the very first call up during the Vietnam War but was deferred because of my studies. I eventually entered the army in the Medical Corp and was later posted to Army Headquarters in Albert Park as a Warrant Officer where I saw out the remainder of my two year term.

I then joined my uncle's business (among many and varied aspects to this business we installed the very first plastic seating at the MCG). When the business was sold I started an MBA, joined the Freemasons Hospital as a consultant (which started out as a three month appointment and lasted 15 years), eventually becoming MD. On leaving the Hospital I returned to study and embarked on a law degree at Monash University. On graduating I joined Nanscawen Lawyers and continue to work there to this day. I have just completed a Diploma of Notarial Practice.

**Hobbies, family?** I am blessed with a wonderful family, my wife Judith, son Dean and daughter Leeanne and son-in-law Andrew and five terrific grandchildren Nathan, Caytlan, William, Hannah and Amelia. We spend a great deal of time with our family have had overseas holidays together. Absolute times to treasure.

I suppose my involvement with Freemasonry was a hobby as I have been involved for over 45 years. I was Grand Director of Ceremonies in 1985 and Senior Grand Warden in 1999, which were two very special times in my Masonic life.

I love the footy, cricket, fast cars (my youngest grand daughter always says I speed too much but I say it's because the car is so close to the ground that it appears to be going faster!) I can assure everyone I do not speed and the last time I renewed my licence I got a discount for having no demerit points.



**What are the challenges faced by JPs?** For JPs to continually provide a diversity of services that will not only ensure their ongoing need but their necessity as being a valuable and integral part of the justice system within Victoria.

**What traits do you think make for the good JP? What makes a poor JP?** A responsible, trustworthy individual capable of being respected within their community and who is prepared to give their time freely and at length to assist the general community while remaining well versed in the appropriate laws within which they have to conduct the services they are required to provide.

In answer to the second part of the question, the opposite of the above and in particular any person who uses the appointment as a vehicle of personal advancement either in business or socially.

**Any highlights that come to mind that you would like to share with readers?** I have really enjoyed the challenge of assisting the RVAHJ on a number of legal issues and in assisting to write a number of important submissions to the Dept of Justice on behalf of the Association.

**If you could send a message to the world, what would it be?**  
*"Do unto other as you would have them do to you."*

**What is the future for JPs as you see it?** I have not the slightest doubt that the future of JPs is assured. Governments come and go and although they make many 'off the cuff' comments, they will never do away with the Office as it saves the Victorian purse an undefined financial amount and no government would take the risk of realising the cost of doing away with the appointment.

**Would you encourage young people to seek appointment as a JP (or bail justice)? Why?** If they have the time to devote they will be rewarded tenfold in the satisfaction of helping the community commensurate with their efforts in providing the services. In addition they will meet a diverse group of people they may not otherwise.

**Who are the five people you would like to join you around the dinner table?** George VI, Sir Winston Churchill, Field Marshall Montgomery, Sir John Monash and Sir Robert Menzies.

**NORMAN W WITTINGSLOW JP AND RVAHJ DIRECTOR**



	RVAHJ	SERVICE
Mervyn	Shaw	25
Neil	Sheppard	25
Michael	Cheshire	30
Tom	Crothers	30
Malcolm	Dickson	30
Michael	Grosvero	30
Neil	Hendrickson	30
Barbara	Kearney	30
Ray	Luscombe	30
Graeme	Norman	30
Laurie	Andriske OAM	35
Jennifer	Heath	35
Keith	Dickson	40
John	Whelan	40
Laurie	Frazer	45
Henry	Nash	45
Keith	Thomas	50



CERTIFICATE AWARDS 2011

- Gobur (near Seymour)
- Whitfield (btwn Mt Beauty & Wang)
- Clunes (Ballarat)
- Diamond Creek
- Warragul
- Brighton
- Bentleigh East
- Mont Albert
- Toolamba (near Shepparton)
- Londrigan (near Wangaratta)
- Mildura
- Highton (Geelong)
- Kerang
- Broadmeadows
- Balwyn
- Northcote
- Warburton

**NOTE: THIS IS NOT THE COMPLETE LIST OF THOSE AWARDED 2011 SERVICE CERTIFICATES, JUST THOSE WHO ATTENDED THE ANNUAL DINNER.**



CONGRATULATIONS





## A history of training at the RVAHJ

By Norman W Wittingslow JP and Linda Rainsford

The RVAHJ has been providing Justices of the Peace with training from its inception in 1910. Three Hundred and forty four justices of the peace joined this newly created justices' association. One of the first initiatives of the newly formed association was to produce a journal "*The Justice of the Peace*", outlining legal information, law reports and any general information about the duties of the justice of the peace. The first edition came out on 7 September 1910 and so began the concept of providing information and training for justices which has continued to this day.

In December 1967 the Association announced the commencement of a new training course for justices. This was held at Melbourne University under Professor Waller as the Director of Training. The course was 12 weeks in length and started in April 1968. Background reading was necessary and the Association provided a library to assist those who participated in the course. Advanced training courses for JPs were carried out at Monash University in 1976.

At the time of creating the role of bail justices, Leo Cussens Institute was given the task of providing bail justice training. Asked for their assistance the RVAHJ rewrote the training document in its entirety, which was accepted and adopted by both the DOJ and Leo Cussens alike. While Leo Cussens ran the initial training for bail justices, the Association saw a need to provide refresher courses. The Department of Justice gave its approval to RVAHJ to provide these refresher courses, which began on 7 September 1996 and continue to this day.

After 100 years of training and education for honorary justices, the RVAHJ to date, has been the only provider of comprehensive and ongoing education for justices of the peace. RVAHJ have always enjoyed very good relationships with the members of the judiciary from all of the Victorian Courts. Magistrates and Judges often and willingly attend many of our meetings and training courses to address and instruct those who attend. It is worth noting that during the past 10 years the RVAHJ has trained over 700 individual honorary justices in document witnessing alone.

The RVAHJ journal *Custodes* together with its internet site continues to be the medium for updating information and providing a forum for questions and answers for all JPs and BJ members. In addition our 22 branches regularly conduct question and answer sessions for JPs.

The RVAHJ is fully supportive of the move towards training of newly appointed JP's and the ongoing training of current honorary justices and look to the future as to how it can continue to support its members in this area.

## BAIL JUSTICES ARE OVER 21

A personal view by John Wellington JP, retired Bail Justice .

**A**s we all know, bail justices came into being around 1990 with approved applicants taking a short course swearing an oath before a magistrate and awaiting a call to attend an out of sessions bail hearing. For most of us it was flying solo from there and for us raw beginners it was a somewhat daunting prospect. Since we've reached 'our majority' now is the time to look back on our experiences, review our effectiveness and maybe draw some conclusions.

What precisely is the purpose of the Office? Is it to give prisoners a fair hearing? Of course, yes. Is it to focus the outcome on the Court's judgement and minimise pre-trial fallout on family, work etc. Partly. Is it to help the police in the execution of their duty? Not necessarily. Is it to cut the cost of justice? Incidentally. Is it to work out a plan to ensure the prisoner turns up to court and does not offend while on bail? Often yes .

So how do we measure the Office's value to the community and its effectiveness in achieving its aims? A candid appraisal by Victoria Police, one from the Social Welfare people and another by the Department of Justice would I'm sure give us much food for thought.

The world loves numbers. What numbers apply to us? The percentage of offenders who come to court and answer bail? The percentage who are refused bail? The annual costs of the system? I think it's probably too late now to compare pre 1990 with the present situation as times have changed.

These difficult questions cannot be easily answered, certainly not by me. It's not a case of 'tune in tomorrow and all will be made clear.' The Association and bail justices need feedback. I write now to begin a discussion in these pages and maybe elsewhere to help to show us how to do things better. Please let's have your view .

*Ed's note: A very special thanks to John for this thought provoking piece. I trust it stimulates further interest and discussion so that other BJ's put their fingers to the keyboard and submit their perspective for publication.*

## RE-APPLICATION FOR APPOINTMENT AS A BAIL JUSTICE

Earlier this month I received 26 pages of information concerning my possible reappointment as a bail justice. As one of the original bail justices appointed in 1990 I am annoyed and dismayed that having given over 20 years of volunteering to my community I need to successfully complete the following stages: apply for reappointment, probity and other statutory requirements (what does that actually mean???), bail justice reappointment training, be interviewed and then I have to be recommended to the Attorney-General.

I find it somewhat galling that having worked as a bail justice on the roster system since my appointment and completed on-going training during that time that my years of work have been devalued and "stands for nought". It seems to me that the Department of Justice bureaucrats and eventually the Minister responsible do not understand or are not willing to allow existing bail justice's who have shown through on-going involvement and commitment and training that they are capable of "doing the job" and therefore ought to be allowed to continue.

If any bail justice has not been "working" or not done the re-training packages then they should have to re apply – but not those who have clearly demonstrated competence. They are not recognising prior service and commitment that people like me have made to our local community.

I personally know of a number of BJ's who cannot be bothered and feel personally affronted by the Department of Justice system and will not bother to re-apply. My community will be the poorer because of this. I will find it difficult to have an application lodged by the close of business on Friday 16<sup>th</sup> September.

To have the Director, Callum Ingram tell me that if my application is accepted I will have to undertake and complete training in October this year which will consist of some online and face-to-face component without consultation and details is appalling. What if I am not available in October because of other commitments? What if I do not have a computer to do the online training? "Where, when who pays etc etc". I live over three hours from Melbourne and get the feeling that this is more of the "city centric" system that would require me to travel at my expense and bare the cost of petrol, accommodation and so forth. I bet the public servants who run it will have all their costs covered!! And if it is done regionally, does that mean I have to go from Warrnambool to Geelong or Ballarat and bare the time and costs involved?

By John Maddock, Warrnambool

Minutes of the 101<sup>st</sup> Annual General Meeting of members held at 53 Broadway, Elwood, 3184 on Thursday, 26 May 2011 commencing at 7.30pm

## PRESENT:

Board: Linda Rainsford (President RVAHJ), Garry Runge (Immediate Past President), Michael Cheshire, Rod McConnell, Geoff Legge, Ben Loois, Glenda Frost (Vice President), Michael Tse, Norman Wittingslow, Paul Mracek (Minutes)

Members: Terry McKay, Norm Gibbs, John Wellington

## APOLOGIES:

Patricia Brown, Robert Campbell, Harry Gibcus, Cathie Irvin, Jim Kerin, Reg Kinnersley, Bruce Latimer, Cathy Owens, Joan Scott, Constance Smith, Rhonda Smith, Graham Unwin, Ray Walker, Heather Simmonds, Noel Crowley

## WELCOME:

Association President and AGM Chairperson Linda Rainsford welcomed members to the AGM and Board Members present were introduced. Linda noted that this was the first AGM for a number of new Board members.

## MINUTES OF THE 100<sup>TH</sup> AGM:

Minutes of the 100<sup>th</sup> AGM as printed and circulated were confirmed: Moved Michael Cheshire, seconded Norman Wittingslow.

CARRIED

Minutes of the Special General Meeting as printed and circulated were confirmed: Moved Michael Cheshire, seconded Norman Wittingslow. CARRIED

Point from minutes: General Business – Individual Associations

Member – Terry McKay raised a point for clarification of article being placed in *Custodes* for communication to all branches that individual Association branches do not need incorporation because indemnity insurance in performing JP role for members was already included with membership of RVAHJ.

Article is still to be finalised and all agreed that next *Custodes* edition will be targeted for completion of task. Michael Cheshire as RVAHJ Media Director will review and co-ordinate with Norman Wittingslow on appropriate wording for article.

## BIENNIAL ELECTION RESULTS:

As company secretary, Michael Tse was standing for re-election to the Board, the role of returning officer (acting) for the AGM was conducted by immediate past president, Garry Runge. Nominations were received for eight director positions from current sitting directors and RVAHJ members. Two current sitting directors were not seeking re-election. As the number of position vacant exceeded the number of applications, all nominees were duly elected. RVAHJ president, Linda Rainsford welcomed all returning directors and new directors to the Board. Special note was made on the outstanding support and exemplary service given to the Board and the Association by outgoing directors, i.e. Rod McConnell and Ray Walker.

## ADOPTION OF 2010 FINANCIAL STATEMENTS:

Financial reports of the Company and report of the directors and auditors for the year ended 30<sup>th</sup> December 2010 were received and accepted. Glenda Frost noted that a further review was planned with new auditors for clarification and confirmation of some accounts from transfer from previous auditors.

Moved Garry Runge, seconded Glenda Frost. CARRIED

## APPOINTMENT OF AUDITORS:

Motion was put forwarded to continue with current auditors for next year's accounts. Moved Glenda Frost, seconded Michael Tse. CARRIED

## PRESIDENT'S REPORT: Garry Runge (immediate past president)

I am pleased to present my report to the board for the period to 31 December 2010. The last two years have been not only challenging but immensely rewarding to me. Taking on the role of president meant many sacrifices, however I believe those sacrifices were well worth it. To hold the high office of president of the RVAHJ has been an honour and privilege.

The biggest challenge for me during my term as president and I believe for the Association was the decision of the former Attorney-General to conduct an enquiry into the role of Justices of the Peace in Victoria. The number of quality submissions to the former Attorney General was overwhelming. I have had the opportunity to meet with the current Attorney General and I believe the RVAHJ is now positioned to move into a new phase of its life with renewed vigour and with much greater support from the current State Government.

My involvement with the Australasian Council of Justices Associations opened my eyes to the bigger role of Justices of the Peace and Bail Justices across Australia and in New Zealand. I encourage continued relations and membership of this important organisation. The Annual Dinner in August 2010 was another wonderful evening with the guest speaker, John Griffin presenting his take on the role of JPs and his time in the Department of Justice. The annual dinner continues to attract a large attendance each year and I am sure that with the quality speakers who have attended this function we will continue to grow the numbers in the association.

Our centenary year in 2010 was certainly the highlight of my term in office. Together with my wife Sue, I travelled right across Victoria representing the RVAHJ at many civic and social functions. I enjoyed each event. The image of the RVAHJ and honorary justices throughout Victoria has certainly been lifted by the centenary celebrations much of which is due to the hard work of the directors of the board.

I was greatly saddened by the passing of former Director Laurie Taig during my term in office. Laurie served for many years with great distinction and helped advance the cause of the RVAHJ and its members.

The RVAHJ has a wonderful future ahead as we move into our next 100 years. The way forward must be guided by diligent directors who have the best interests of the Association at heart. I know the current board has those interests. I wish to thank Cathy Owens, our office administrator for all the hard work she has done and the assistance she has given me in the past two years. I also wish to acknowledge the service of those directors who have elected not to continue on the board due to their own personal circumstances. Thank you for the time and effort you have put into the role of a director and I wish you well in the future. I also wish to congratulate our current president Linda Rainsford on her appointment to the high office of president and acknowledge that she is the first female to hold that office. I am sure she will not be the last.

Finally, I owe a particular debt to my immediate past president, Rod McConnell JP, who has given me much wise counsel and I thank the Board for providing me with the opportunity to lead this wonderful organisation.

## **Garry Runge JP**

Immediate Past President

26 May 2011

## GENERAL BUSINESS:

Garry Runge noted that over the last 12 months the Association has lost five directors from the Board who had provided exemplary service and support. Motion put forward to acknowledge their efforts and contribution to the Association, i.e.

ROD McCONNELL

RAY WALKER

MICHAEL TILIACOS

CHRIS RESIDE

LAURIE TAIG

Moved Garry Runge, seconded Linda Rainsford. CARRIED UNANIMOUSLY Meeting closed at 7.50 p.m.

## AUDITED INCOME STATEMENT AS AT 31 DECEMBER 2010

Income	2010	2009	Superannuation Contributions		
	\$	\$			
Functions	6,788	6,111	– Employees	2,913	3,830
Membership Subscriptions	97,392	94,527	Telephone & Internet	4,709	5,323
Training Fees	-	(211)	Travel & Attendances	7,425	69,712
Merchandise	2,558	25,203	ASIC fees	318	382
Other Income	1,180	65	Miscellaneous Expenses	64	153
Grant	-	72,500	<b>Total Expenditure</b>	147,194	210,980
	<u>130,918</u>	<u>198,195</u>	<b>Net Profit/(Loss)</b>	(36,018)	(31,755)
<b>Less Cost of Goods Sold</b>			<b>OTHER OPERATING</b>		
Opening Inventory	10,910	8,992	<b>INCOME/(EXPENSES)</b>		
Purchases	17,401	20,888	Interest	9,964	9,794
	<u>28,311</u>	<u>29,880</u>	Grant and donation incomes	10,085	10,371
Less closing Inventory	8,569	10,910	Other incomes	18	3,821
Total cost of Goods Sold	<u>19,742</u>	<u>18,970</u>	Other expenses	(1,690)	-
<b>Gross Profit from Trading</b>	111,176	179,225	Total other operating		
<b>Less Expenses</b>			income/(expenses)	18,377	23,986
Accountancy Fees	615	1,383	<b>OPERATING PROFIT/(LOSS)</b>		
Annual Leave Expense	3,270	2,943	BEFORE INCOME TAX	(17,641)	(7,769)
Audit & review of financial			Income Tax	-	-
reports	5,532	5,478	<b>OPERATING PROFIT/(LOSS)</b>		
Bank Charges	1,699	1,389	<b>AFTER INCOME TAX</b>	(17,641)	(7,769)
Branches	1,000	200			
Bad Debts Expense	-	1,706			
Consultancy Fees	12,550	1,400			
Depreciation	6,202	8,629			
Discounts Allowed	-	39			
Donations & Gifts	1,268	254			
Doubtful Debts Expense	-	(1,706)			
Dues and Subscriptions					
Periodicals	155	200			
Functions & Seminars	7,956	5,605			
Insurance	7,089	4,835			
Light 7 Power	3,691	3,574			
Long Service Leave	65	652			
Motor Vehicle Expenses	2,312	827			
Postage	1,962	10,570			
Printing & Stationery	33,712	35,210			
Repairs & Maintenance	9,905	7,661			
Salaries & Wage	32,782	39,672			
Staff Training & Welfare	-	1,059			

### 2011 Annual Dinner

The Annual Dinner for the Victorian Association of Honorary Justices was held on the 19<sup>th</sup> August 2011 at the Tracey Centre in Parkville. The guest speaker for the evening, Chief Magistrate Ian Gray spoke of the changes that have occurred over the past few decades and offered his ongoing support of the role of honorary justices and the work that they do.

Later in the evening the president of the Association, Linda Rainsford, with the assistance of the vice president Glenda Frost, presented certificates recognising the contribution of long standing members to the Association.

The years of recognition are for continuous membership and it should be noted that many honorary justices may have been appointed prior to them becoming members of the Association and will potentially have notched up more years than the certificates recognise. Recipients of the certificates are to be congratulated on the years of service and commitment that they have given to the role of honorary justices.

The names of those awarded service certificates on the night can be found on pages 10 and 11.

## AUDITED BALANCE SHEET AS AT 31 DECEMBER 2010

	2010 \$	2009 \$
<b>CURRENT ASSETS</b>		
Cash and Cash equivalents	256,328	235,454
Trade and other receivables	4,659	33,112
Inventories	8,569	10,910
<b>TOTAL CURRENT ASSETS</b>	<b>269,556</b>	<b>279,476</b>
<b>NON-CURRENT ASSETS</b>		
Plant & Equipment	22,171	22,132
<b>TOTAL NON-CURRENT ASSETS</b>	<b>22,171</b>	<b>22,132</b>
<b>TOTAL ASSETS</b>	<b>291,727</b>	<b>301,608</b>
<b>CURRENT LIABILITIES</b>		
Trade and other payables	17,916	11,701
Current tax liabilities	(2,793)	(3,309)
Provisions	17,203	16,174
<b>TOTAL CURRENT LIABILITIES</b>	<b>32,326</b>	<b>24,566</b>
<b>TOTAL LIABILITIES</b>	<b>32,326</b>	<b>24,566</b>
<b>NET ASSETS</b>	<b>259,401</b>	<b>277,042</b>
<b>EQUITY</b>		
Retained Earnings	259,401	277,042
<b>TOTAL EQUITY</b>	<b>259,401</b>	<b>277,042</b>

## Q&A Conflicts of Interest

**Q.** Marina Keenan JP recently asked the question "Can a company refuse to accept a Statutory Declaration legally witnessed?"

**A.** Yes, under certain circumstances. First, seek clarification about why it was refused. Some issues may be rectified, allowing the document to proceed. However, some companies have policies against accepting documents witnessed *by* employees *for* employees as a conflict of interest. This is not unusual and protects both the company and the employee.

Before witnessing any document, the honorary justice should consider whether a conflict of interest exists and, if so,

disqualify themselves from acting as a witness.

A conflict of interest can be said to exist when your obligations *could* be influenced or compromised by self-interest, a prior commitment, competing loyalties or an inability to be objective.

This is not about questioning your integrity and it is not sufficient that *you* know that you have not been influenced. It is a question of satisfying the most fundamental principle of the honorary justices' role, that of being, and of being *seen to be*, independent.

**W**hile on duty at the Dandenong police station my husband had an arrogant customer. After quite some abuse for refusing to sign a document he spoke to one of the police officers who came to his rescue ordering the person out of the station for the way in which he spoke to my husband. The police officer threatened the person with arrest if he did not leave immediately. This is just to let JPs know about the back up they can expect from the police.

Heather MacGregor JP

## 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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your financial heart

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ABN 68 064 503 148 [statetrustees.com.au](http://statetrustees.com.au)



# RVAHJ Centenary Conference

Sunday 23 October 2011 – 8.30 a.m. to 3.00 p.m.

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: .....

Post code:.....

Email:.....

Phone: ..... Mobile: .....



Please tick

Justice of the Peace:

Bail Justice:

Dietary requirements:.....

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

## Members' Questionnaire



The office is undertaking an update of our database and we are asking all members to confirm their current details. A questionnaire has been printed on the reverse of the address sheet that accompanied this edition. Please check the information and let us know if any corrections or additions are needed.

Send your response by email to [admin@rvahj.org.au](mailto:admin@rvahj.org.au), by fax to (03) 9525 7765 or post to PO Box 317, Elwood, 3184.

# Merchandise Order Form

## Spring 2011

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

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

Item	Cost	Qty	Sub-Total
<b>Photo ID's</b>			
JP/BJ Wallet	85.00		
Tag with Clip (No PFee)	14.25		
Tag with Cord (No PFee)	14.25		
<b>Dresswear</b>			
Name Badge (Magnetic) ◆	25.95		
Lapel Badge <i>Blue</i>	9.95		
Lapel Badge <i>Red</i>	9.95		
Cufflinks <i>Blue</i>	19.95		
Cufflinks <i>Red</i>	19.95		
Cufflinks <i>Centenary</i>	19.95		
Tie Bar <i>Blue</i>	12.95		
Tie Bar <i>Red</i>	12.95		
Tie Bar <i>Centenary</i>	12.95		
RVAHJ Tie <i>Centenary</i>	33.50		
<b>Stamps – Self Inking</b>			
ID Stamp *	29.50		
ID Stamp with seal *	45.20		
Certified True Copy	32.70		
Cert'd True Copy with ID & seal *	45.20		
Annexure/Exhibits <b>NEW!</b>	45.20		
<b>Stamps – Handle</b>			
ID Stamp *	24.95		
ID Stamp with seal *	38.00		
Certified True Copy	24.95		
Cert'd True Copy with ID & seal *	35.05		
Annexure/Exhibits	33.25		
<b>Miscellaneous</b>			
Business Cards ( x 100) ▲	64.00		
Business Cards ( x 200) ▲	99.00		
Oaths Card (No PFee)	3.60		
Plaque (with engraved plate) ◆	79.95		
Record Forms – Bail Application	12.95		
Record Forms – Protection	12.95		
Window Transfer (No PFee)	3.60		
<b>ADD PROCESSING FEE</b>			
1 <sup>st</sup> Item - \$7.50		\$	
then \$2.50 each extra item -		\$	
(No PFee items excepted)			
<b>TOTAL</b>		\$	

**SPECIAL ORDERS:**

◆ **Plaque (Engraved plate text):**

Name: \_\_\_\_\_

Line 2: \_\_\_\_\_

▲ **Business Cards:**

Name: \_\_\_\_\_

Reg. No/s. \_\_\_\_\_ Ph: \_\_\_\_\_

Fax: \_\_\_\_\_ Mob: \_\_\_\_\_

Address: \_\_\_\_\_

Town/Suburb: \_\_\_\_\_ P/code \_\_\_\_\_

Email: \_\_\_\_\_

◆ **Metallic Name Badge (Print as you want name to appear):**

Name: \_\_\_\_\_

\* **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.

Surname: \_\_\_\_\_

First & Middle Name/s: \_\_\_\_\_

Street Address: \_\_\_\_\_

Town/Suburb: \_\_\_\_\_

Postcode: \_\_\_\_\_ Reg. No. \_\_\_\_\_

**Delivery Details:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_ Pcode \_\_\_\_\_

**Payment: Send Chq/Money Order or Credit Card Details:**

MasterCard Visa (Note: Phone payments not accepted).

Cardholder Name: \_\_\_\_\_

Card No. \_\_\_\_\_

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
M M Y Y Cardholders signature:

# Royal Victorian Association of Honorary Justices



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## CHIEF PATRON

The Honourable Alex Chernov AO, QC  
The Governor of Victoria

## PATRON

The Rt Hon Cr Robert Doyle  
Lord Mayor of Melbourne

## PRESIDENT

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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.

## ADVERTISING OPPORTUNITIES

Advertising in *Custodes* reaches a state wide audience of influential community leaders and business professionals.

Attractive advertising rates are available.

Contact the Editor, to discuss value for money advertising for your business.

## CUSTODES DEADLINES

Autumn - January 21 Winter - April 21

Spring - July 21 Summer - October 21