

JP Bulletin

Issue 10: April 2016

Dear Colleagues,

Please enjoy this edition of the JP Bulletin which aims to keep all Queensland Justices of the Peace (JPs) and Commissioners for Declarations (Cdecs) up to date on their roles, responsibilities and other important newsworthy events.

As most of you would be aware, in May 2015 we surveyed JPs and Cdecs about a number of topics. We received an overwhelming response and I now have great pleasure in providing you with the *Survey analysis and responses* report at www.publications.qld.gov.au/dataset/jpsurvey.

As you may recall, we asked you about a range of matters, several of which included; why you became a witnessing officer, how active you are online, how Justices of the Peace Branch (JP Branch) can improve communication, your awareness of training and if the role meets your initial expectations.

The information you have provided assisted in the development of the Justices of the Peace Branch Strategic Plan for 2016–2020 and the work we will undertake in 2016 and 2017.

I would like to thank all of you who took the time to complete the survey and in doing so provide valuable insight into a number of our current and proposed programs and initiatives. I encourage you all to visit www.qld.gov.au/jps for more information pertaining to your role as a JP or Cdec.

Warm regards,
Damien Mealey
Registrar and Manager
Justices of the Peace Branch
Department of Justice and Attorney-General



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1. Alerts and information

JP Survey

In May last year JP Branch surveyed JPs and Cdecs to seek a better understanding of your needs. We would like to thank everyone who participated in the JP survey which was distributed to 46,000 email addresses we had recorded in mid-2015. We received over 7,100 responses which provided valuable insights and observations such as:

- 91% of participants indicated they preferred to use email to contact us
- 70% of participants indicated interest in participating in future research
- 99% of participants identified they want to continue in their role
- 46% of participants favour self-paced online training and 33% prefer face to face training
- 55% of witnessing officers are aged 60+ years and 44% have been a witnessing officer for 20+ years.

Read our *Survey analysis and responses* report for more insights at www.publications.qld.gov.au/dataset/jpsurvey. For further information about this survey response please contact us at jp@justice.qld.gov.au.

International Women's Day

In celebration of International Women's Day on 8 March we at JP Branch would like to acknowledge the first female JP for Queensland. Miss Matilda Hennessey, Clerk of Petty Sessions was sworn in on 24 April 1918. Matilda was so well recognised in the community she was the inspiration for a poem published in The Bulletin in Sydney. In the words of Miss Hennessey "*There is nothing in law done by man that cannot be performed by a woman*" (Daily Mercury, Mackay, 31 Dec 1927, p.3).



This great historical story was shared with us from one of our volunteers. If you know any moments that would make great articles for the JP Bulletin, send your tips to jpsinthecommunity@justice.qld.gov.au. Photo Miss Matilda Hennessey, J.P. (1918, August 4). *The Sun*, p. 13. <http://nla.gov.au/nla.news-article221418362>.

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Are you a long serving Justice of the Peace or Commissioner for Declarations?

The JP Branch appreciates the hard work and dedication provided by all JPs and Cdecs who deliver a valuable service to the community.

A way of acknowledging our appreciation is by offering 25, 40, 50 and 60 year service awards. You can apply for a service award by contacting your local [State MP](#) online at www.parliament.qld.gov.au. They can then nominate you to receive an award from the Attorney-General.

Note: It is helpful for processing purposes if you have your original date of appointment (or a rough idea) to assist with establishing your date of appointment. For further information please contact Mr John McKenna, Team Leader, Client Services on 07 3109 1996 or via email jp@justice.qld.gov.au.

New Legal Aid Queensland website

Legal Aid Queensland's new website www.legalaid.qld.gov.au is now live! Legal Aid has spent around 18 months redeveloping the site to make it easier to use and to include a range of new features like:

- useful information on a range of common legal issues, written in plain English
- mobile accessibility, making the site easy to read on smart phones and tablets
- an improved search tool, both within the site and through Google, to help users find the legal information they're looking for
- a quick exit button on the right of each page, which allows users who are viewing sensitive information (eg domestic violence information) to quickly exit the site and be redirected to the Bureau of Meteorology website
- an in-built screen reader and translation tool called "Browse Aloud" which translates and/or reads the website information to users (especially useful for people with vision impairments, low literacy or limited English)
- and a 'Find a lawyer' search feature, which allows users to locate a private law firm that does legal aid work, or a community legal centre near them.

Legal Aid Queensland hope you enjoy the new site and welcomes your feedback.

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How to resolve neighbourhood disputes

Each year thousands of Queenslanders seek assistance to resolve disputes with their neighbours. There are a variety of services available to assist but not everyone finds it easy to find the right kinds of assistance for their situation.



The Department of Justice and Attorney-General (DJAG) has developed an online tool to assist people with neighbourhood disputes more easily find the information and level of assistance that would suit them.

The neighbourhood disputes tool is a user-friendly online pathway designed to help people more easily navigate the justice system. The tool presents a range of options for differing circumstances; and encourages people to explore less formal options first. Use the tool online at www.qld.gov.au/resolvedisputes, select your question and find out what you can read or do.

Follow us on Twitter and Facebook

Did you know the Department of Justice and Attorney-General is using Facebook and Twitter? This is another great way for us to keep you up to date with news from the JP Branch and the Department of Justice and Attorney-General. Follow us Facebook.com/justiceQLD or Twitter.com/justiceQLD



JP Shop

If you find your witnessing duties have increased, why not grab a self-inking stamp to help you? All JP stamps and merchandise can be purchased from our online store at www.qld.gov.au/jpshop.

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JP App

As many of you are already aware, JP Branch has its own JP App. By using the JP App, anyone can access valuable information on-the-go including:



- business and after hours JP locations
- a place to update your details
- how to register for workshops
- the JP and Cdec handbooks
- technical bulletins; and
- FAQs.

To access this great resource, just visit www.justice.qld.gov.au/jpapp on your smart phone, tablet or other mobile device. From there you can then pin or add the app to your home screen for easy access later.

Other useful resources

Please see the links below for great resources on many of the issues that you will come across in your duties.

The Office of the Public Guardian: www.publicguardian.qld.gov.au/publications

The Public Trustee: www.pt.qld.gov.au

Caxton Legal Centre: www.caxton.org.au

Translating and interpreting services: www.tisnational.gov.au

Queensland Court Services: www.courts.qld.gov.au/about/forms

Department of Natural Resources and Mines: www.dnrm.qld.gov.au/land/titles-valuations/titles-professionals

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2. Professional development

You can now register to attend the 2016 workshops which have been added to the JP Branch online calendar at www.justice.qld.gov.au/jp-workshops.

Workshops to take place in the coming months include:



South Brisbane:

- Land Titles Registry Thursday, 14 April
- Australian Border Force Tuesday, 19 April
- General Witnessing Thursday, 28 April
- Volunteer Information Session Wednesday, 11 May
- Records of Interview Thursday, 12 May
- Office of the Public Guardian Tuesday, 17 May
- Family Law Documents Thursday, 19 May

Townsville:

- Assisting the Queensland Police Service Monday, 4 April
- Land Titles Registry Friday, 3 June

Regional:

Topics will include General Witnessing, Assisting the Queensland Police Service, Public Trustee, Land Titles Registry, Office of the Public Guardian and Volunteer Information Sessions.

Cairns, Mareeba, Mossman and Innisfail: Monday, 11 April to Friday, 15 April:

Mackay, Proserpine and Bowen: Monday, 23 May to Friday, 27 May:

Mount Isa: Monday, 6 June to Wednesday, 8 June:

To register for these or any of the other workshops please visit www.justice.qld.gov.au/jp-workshops.

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3. JPs in the Community program

Thanks to the co-operation of our program volunteers we now have 1,626 registered volunteers, including 168 who are either being mentored or linked with a mentor. Our sincere thanks to everyone who has returned their volunteer registration forms.

If you are a volunteer in the program and have yet to return your completed volunteer registration form, we ask for your co-operation in doing so at your earliest convenience. If you're uncertain as to whether or not you have returned your form, or if you haven't received a form, please contact us on 1300 301 147 or email jpsinthecommunity@justice.qld.gov.au.

JP Branch mentoring program

The JP Branch mentoring program provides an opportunity for all JPs and Cdecs to work with experienced JPs and Cdecs to further their skills and knowledge. To learn more about what to expect from your mentor and what is expected of you: www.qld.gov.au/law/legal-mediation-and-justice-of-the-peace/jp-and-cdec-information/find-a-jp-or-cdec-mentor. If you would like more information in relation to the mentoring program please contact us on 1300 301 147 or email jpsinthecommunity@justice.qld.gov.au.

Gold Coast Justices Association

The Mermaid Beach Child Safety Centre was the grateful recipient of Christmas present donations collected by the Gold Coast Justices Association (GCJA). Robyn Bartlem, from the Mermaid Beach Child Safety Service Centre, pointed out that donations such as these make all the difference in some children's lives.

The donations were collected and presented by the GCJA members at Robina Town Shopping Centre prior to Christmas. Congratulation Jeff Haywood, President of the GCJA and all those involved in the project.



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JPs in the Community program signing sites

We closed 2015 with 224 program signing sites. While no new sites have been formally established so far in 2016, we have several prospective sites, throughout Queensland, in the negotiation phase and are confident that two of these will be up and running mid-year.

We are always pleased to hear from any of our colleagues interested in joining our JPs in the Community program. If you would like to know more about volunteering in the program please email us at ipsinthecommunity@justice.qld.gov.au or call our Community Engagement Officers, Greg Thompson and Brendon Balogh, on 1300 301 147.



JPs in the Community Volunteers at Beenleigh Courthouse

Professional development events

2016 is off to a flying start with our Brisbane based Community Engagement Officers, Greg Thompson and Brendon Balogh, holding two Volunteer Information Sessions at our South Brisbane office and delivering two General Witnessing workshops for our Program volunteers in the Brisbane West and Ipswich regions.

Greg and Brendon also recently visited Roma, Chinchilla and Dalby to deliver General Witnessing workshops to local JPs and Cdecs. Volunteer Information Sessions were also held in each centre for those JPs and Cdecs interested in supporting the establishment of program signing sites in Roma and Chinchilla and expanding the service currently in place at Dalby. Sincere thanks to our colleagues in these centres for their attendance and support. To register for any of our professional development events please visit our online calendar www.justice.qld.gov.au/jp-workshops.

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News from the north

by Belinda Cronau

Our professional development workshops have recommenced for 2016. For JPs and Cdecs in Townsville, there is a new venue for our workshops at Mental Health Fellowship, 59a Cambridge Street, Vincent 4814.

I haven't been to a workshop before? We encourage you to register online at www.justice.qld.gov.au/jp-workshops to attend. Our workshops are delivered in a relaxed atmosphere where you not only have the opportunity to meet other JPs and Cdecs from your community but you will be provided with up-to-date information on legislation and witnessing requirements that will assist you in carrying out your duties correctly.

From time to time we invite guest speakers to talk about their organisation, giving you a unique insight into their operations. Our guests include the Queensland Police Service, Public Trustee, Land Registry Office and community groups just to name a few.

If you haven't attended a workshop or it has been a while, now is your chance to jump online, www.justice.qld.gov.au/jp-workshops, and see what is available in your area.



Townsville volunteers

We recently held two Volunteer Information Sessions in Townsville and Charters Towers, with great success — thank you to all who attended. Townsville managed to recruit eight volunteers and Charters Towers an extra three. Great work and I am sure our newest volunteers will find the JPs in the Community program a rewarding and valuable learning experience.

Fairfield Waters Signing Site

I am happy to announce that Fairfield Waters will be commencing an additional day of operation from Saturday, 2 April 2016. JPs and Cdecs will now be available each Wednesday and Saturday from 9:00am – 12:00pm, located outside Kmart in the recently opened Stage 2. Well done to site co-ordinator Maggie Davis and to the current and newly joined volunteers!

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Townsville Courthouse

If you haven't had the chance to come in and visit me at the Townsville Courthouse feel free to pop in for a chat. As I might be on the road or out visiting one of our amazing signing sites it would be best to drop me a line on 4760 7334 or email me at Belinda.cronau@justice.qld.gov.au before visiting.

Staff Bio

Brendon Balogh

Brendon Balogh has joined the JP Branch as a Community Engagement Officer, filling in for Rae Plush while she is on leave. Rae Plush has taken 12 months leave to volunteer overseas with the Australian Volunteer International Development (AVID) Program.

Brendon was born and raised in Sydney, New South Wales but moved to Queensland with his wife eight years ago. Finding paradise north of the border, they decided to make Queensland their permanent home. The only negative is that he finds State of Origin time of year a traumatic experience, and consequently has unsuccessfully lobbied to have the game rebranded as State of Primary Residence.

Brendon has previously worked in state government, private industry as well as the not-for-profit sector and has extensive experience in managing large teams of volunteers. He saw this role as the perfect way to use his experience to manage a large team of dedicated and knowledgeable volunteers providing an invaluable service to the Queensland community.

Brendon has two young daughters, the latest addition arriving on 7 March. An avid amateur singer, Brendon is open to requests at workshops when PA equipment is available, although he is particularly fond of duets, should any JPs want to join him.



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4. Peace and Good Behaviour Orders

The *Peace and Good Behaviour Act 1982* (the Act) relates to orders to keep the peace and be of good behaviour. The Act additionally provides protection for individuals to be undisturbed by threats to their wellbeing or quality of life.



What is a Peace and Good Behaviour Order?

It is an order issued by the Magistrates Court to a person ordering them to cease any activity or behaviour that threatens the complainant, their property or a person in the complainant's care.

What type of complaints are supported by the application?

Under s4 of the Act:

(1) *a person (the complainant) may make a complaint to a justice of the peace that a person has threatened –*

- a) to assault or to do any bodily injury to the complainant or any person under the care or charge of the complainant; or*
- b) to procure any other person to assault or to do any bodily injury to the complainant or any person under the care or charge of the complainant; or*
- c) to destroy or damage any property of the complainant; or*
- d) to procure any other person to destroy or damage any property of the complainant*

and that the complainant is in fear of the personal complained against (the defendant).

(2) *A person (also the **complainant**) may make a complaint to a justice of the peace that the intentional conduct of a person (also the **defendant**) directed at the complainant has caused the complainant to fear that the defendant will destroy or damage any property of the complainant.*

Who can make an application for an Order?

If a problem or dispute arises and a person feels threatened by the defendant to the situation, they may make a complaint to a Justice of the Peace (Qual) (JPQ) under the Act.

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How does someone make an application under the Act?

The complainant must provide an original and two copies of a completed complaint (Form 1), issued under the Act, before swearing or affirming the contents in the presence of a JPQ.

Under s5 of the Act, JPQ are authorised to make further enquiries or request further evidence to substantiate the complainant's application. The complainant may also provide the JPQ with three copies of the summons.



When to issue a summons

Before issuing the summons the JPQ must be satisfied that the complainant is in genuine fear and that the defendant may act upon anything stated in the complaint. In order to issue the summons the JPQ will need to contact the nearest Magistrates Court to arrange a mention date. A mention date is the date when the complainant and the defendant appear in court.

A JPQ cannot issue a complaint or summons separately – they are two parts of one process. A mention date must be allocated before the JPQ can issue the summons. Therefore if you are approached outside of court operational hours you must decline to take the complaint nor issue the summons. Advise the complainant to attend the nearest Magistrates Court during operational hours.

Note: If the complainant fears that he/she is in imminent physical danger from the other party, they should contact the Queensland Police Service.

What if I am not satisfied the complaint can be substantiated?

You must not witness the complaint or issue a summons. Section 4(2) of the *Peace and Good Behaviour Regulation 2010* states the JPQ must, as soon as practicable, make a note on the document that the matter has not been substantiated or that the complainant is not in genuine fear. The JPQ is also required to send a copy of the complaint to the Magistrates Court for the district in which the complaint is made.

What if the complaint can be resolved out of court?

Under s 4(3) of the Act, if the JPQ considers that the matter would be better resolved outside of court proceedings, the JPQ can refer the complainant to a Dispute Resolution Centre for mediation. For a list of Dispute Resolution Centres visit: www.qld.gov.au/law/legal-mediation-and-justice-of-the-peace/setting-disputes-out-of-court/dispute-resolution-centres/.

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5. JP under the magnifying glass

Profile – Jessie-Anne MacPhee Cooke JP (Qual)

Born and educated in Scotland, I migrated to Australia in October 1970. While employed by Australia Post, it became apparent that due to the nature of some of my work responsibilities, I needed to become a JP. I applied for and was appointed as a JP for New South Wales on 13 June 1979. My employment with Australia Post brought me into contact with staff from varying backgrounds and nationalities, which enhanced my interaction with clients in the wider community.



After some time to adapt to retired life, and having relocated to Cairns, I decided to go back to TAFE and do the course to become a Justice of the Peace in Queensland. I was appointed a JP (Qual) on 12 September 2001.

In March 2005 I received a letter from the JP Branch inviting me to attend a meeting about a JPs in the Community site at Stockland Shopping Centre, Earlville. I attended the meeting along with another nine JPs. The site commenced operations on 4 May 2005 and John Parry was the original site co-ordinator. The management of Stockland Earlville has been very supportive of the JPs in the Community site and purpose built a desk for JPs. During my time as the co-ordinator it has been very rewarding to see the number of volunteers grow and to have the privilege of mentoring newly qualified JPs. The introduction of JP Branch's mentoring program has been a very positive step and I only wish that it had been around in 1979 when I first became a JP.

Being a JP volunteer allows me to meet and assist many and varied members of the public in sometimes trying circumstances. Sharing experiences with and helping new JPs to gain confidence to perform their duties is very rewarding. Attending the professional development sessions helps keep me up-to-date and also lets me meet fellow JPs who work at other sites. Being a volunteer helps me fulfil my belief that we should all do something for our community. I also enjoy the challenge of the more unusual requests that you get. One occasion, I had clients who were deaf. None of us could sign, so the interview was conducted by writing questions and answers. Sometimes you have to make a judgement about acceptable evidence before signing a document and it's good to know that you have made the right decision when you contact JP Branch for advice.

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6. Acknowledgement of long service awards

JP Branch wishes to acknowledge the following JPs and Cdecs for their dedicated service to the community.

To apply for a long service award you can contact your local [State MP](#) who will nominate you for an award from the Attorney-General. We would appreciate if you could have your original date of appointment (or a rough idea) to assist with establishing your date of appointment.

The following people have recently been nominated and presented with their 50 year-long service award certificates:

- Edward Egerton
- Noel Fortescue
- John Hunter
- James McCullough
- Irene Maras
- Cyril Mear
- William Parker
- Heather Parry

Also a big congratulations to everyone who has received their 60 year-long service award:

- Elwyn Franke
- Joan Goldby
- Alan Gunn
- Merle Otway
- Graeme Pettigrew
- Walter Thomasson

Other recent recipients of 25 and 40 year-long service awards are listed below.

Thank you to all of our long serving JPs and Cdecs for your years of service to the community.



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40 Years of Service

| | | | |
|-----------|------------------|---------|------------------|
| Maurice | Banner | Myra | Landis |
| Robert | Barton | Joseph | Law |
| Douglas | Boulton | David | Lindsay |
| Petrus | Braat | John | McCormack |
| Annette | Brown | Bevan | McMurdy |
| Leslie | Buckley | Barry | Moore |
| John | Burchill | Denis | Murphy |
| Augustine | Chetcuti | John | Myers |
| Thomas | Cuffe | Robyn | Newton |
| Mary | Dixon | Darryl | Nicholls |
| Neville | Farley | Brenda | Payne |
| Reginald | Fenton | Grahame | Phillips |
| Morton | Howes | Felix | Reitano |
| John | Jamieson | Ronald | Smoothy |
| Fay | Jeppesen | Kevin | Stimpson |
| Morris | Jones | Peter | Wagner |
| Gary | Kachel | Peter | Watson |
| Denis | Keightley | Peter | Whitmee |

25 Years of Service

| | | | |
|----------|-------------------|----------|---------------|
| Neil | Ainsworth | Francis | Hughes |
| Belinda | Ainsworth | John | Hunt |
| Edward | Andersen | Caroline | Keen |
| John | Barletta | David | Keir |
| Neil | Bennetto | Robert | Kenyon |
| Leonard | Berthelsen | Ricardo | Krauss |
| Colin | Brighton | Keith | Lamb |
| John | Burchill | Kenneth | Lewis |
| Boyd | Busiko | Trudi | Lomas |
| Terrence | Byrne | Darryl | Lomas |
| Edith | Carmody | Barbara | Mapp |
| Alyson | Carroll | Craig | Marian |

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| | | | |
|----------|------------------|----------|------------------|
| Shelley | Casey | Roger | Matthews |
| Debra | Caulfield | Raymond | McDowall |
| Kevin | Clarke | Sandra | McLellan |
| Kim | Clarke | Michael | Mcshea |
| Irene | Cooper | Gordon | Middleton |
| Mark | Cranny | Geoffrey | Miles |
| Kemsley | Cross | Kevin | Milner |
| Robyn | Cross | Judith | Mortimer |
| Dallys | Dombi | Victoria | Mulcahy |
| Peter | Drew | Neil | Murray |
| Lynden | Duncan | Karen | Nawratzki |
| Karen | Dunstan | Darryl | Nicholls |
| Judith | Dwyer | Brett | Nicholls |
| Ross | Dwyer | Margaret | Owen |
| Graham | Edmunds | Noel | Powell |
| Robert | Evans | Bryan | Prideaux |
| Robyn | Fathers | Glen | Ramsay |
| John | Finnerty | Karl | Reye |
| Edmund | Flack | Lynn | Rowsell |
| Lex | Flack | Garry | Sawyer |
| Michael | Fraser | Desmond | Sawyer |
| Marie | Freestun | Werner | Schloen |
| Arthur | Fry | Coral | Stewart |
| Peter | Gash | Wendy | Wareing |
| Ksandra | Goodsall | Jennifer | Weston |
| John | Griffin | Debra | Wickerson |
| Cynthia | Harris | Hayes | Williams |
| Margaret | Harvey | Gregory | Willis |
| George | Heyes | Glenn | Wilson |
| John | Howe | Sandra | Woolford |
| Beverley | Hughes | | |