

# JPBulletin

## Issue 3: May 2014



Welcome to the third edition of the JPBulletin.

Since the Justices of the Peace Branch (JPB) released the last edition of the JPBulletin in February, the JPB team has hit the ground running for 2014. We have been busy processing applications, planning and organising professional development opportunities and working with our volunteers in the

“JPs in the Community” Program, along with persons working independently as normal.

Apart from the many great things undertaken by the majority, unfortunately I have noticed an increasing number of complaints where JPs or C.decs have witnessed documents for friends or relatives. I remind you that it is strongly recommended that you do not witness documents where a conflict of interest may be argued. This can test the validity of the documents and also the capacity of the document to be accepted by a receiving agency.

Secondly, a reminder that a person is not qualified to continue in office under Section 17 of the *Justices of the Peace and Commissioners for Declarations Act 1991* should they meet any of the disqualification provisions. These can be found on the JPB Disqualifications Provisions factsheet

(<https://publications.qld.gov.au/dataset/disqualification-provisions/resource/8ed4a4b9-a770-4ccc-bdf5-5d84385b841f>). If you fall within this category please contact JPB urgently to notify staff.

Thirdly, if you are a member of a JP Association\* (see paragraph below) please ensure you are sending your annual subscription fee to the relevant organisation and not to JPB. There is no annual fee to continue as a JP or C.dec and these entities are independent of the Justices of the Peace Branch, Department of Justices and Attorney-General. JP Association contact details can be found

<https://publications.qld.gov.au/dataset/technicalbulletins/resource/b34ee468-ac34-4e8f-94fd-6288a0e68663>

# JPBulletin

JPBulletin May 2014

Finally I am pleased to announce JPB has recently launched a new online JP Shop, where you can purchase your stamps, logbooks and other merchandise. You will notice that you can now purchase your items online with a credit-card, making it easier and more streamlined for both you and my staff.

I thank each and every one of you for your continued dedication to your role as a Justice of the Peace or Commissioner for Declarations and hope you find this edition of the JPBulletin informative.

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

### **\*A note about Associations**

*I take this opportunity to remind you that the Justices of the Peace Branch in the Department of Justice and Attorney-General is the body authorised under the Justices of the Peace and Commissioners for Declarations Act 1991 to regulate all activities related to Justices of the Peace and Commissioners for Declarations in Queensland.*

*Associations perform a different role and membership is optional. If you choose to join an association, you may benefit from the opportunity to meet regularly with other Justices of the Peace or Commissioners for Declarations to share knowledge and experience.*

*If you receive a renewal request that includes payment of a membership fee, that request relates to an association and not the Justices of the Peace Branch. Likewise, if you decide to resign from an association you need to provide such information to the relevant association, not to the Justices of the Peace Branch.*

## JP Advisory Council update

The JP Advisory Council provides an opportunity for the Justices of the Peace community to recommend to the Attorney-General and Minister for Justice issues relating to the administration and re-vitalisation of the JP system of Queensland.

Upcoming agenda items for the next meeting scheduled for 12 May 2014 include, but are not limited to:

- Update on progress of phasing out of the Justice of the Peace (Commissioner for Declaration) category
- Update on the Justices of the Peace (Qualified) and Commissioners for Declarations handbook redevelopment project
- Upcoming professional development opportunities for Justices of the Peace and Commissioners for Declarations
- Cleansing of the JP Database

The JP Advisory Council Terms of Reference has recently been updated. A copy can be found on the JPB Website.

Whilst the Advisory Council generates its own agenda, there is every opportunity for registered Justices of the Peace or Commissioners for Declarations to send a submission directly to the JP Branch which, if relevant, will be presented to the Council for its consideration. In addition, JP Advisory Council members listed below can also be contacted, including submissions for consideration, through the Registrar, Justices of the Peace Branch at [damien.mealey@justice.qld.gov.au](mailto:damien.mealey@justice.qld.gov.au) who will ensure they are directed appropriately.

### **JP Advisory Council Members**

- |   |                           |
|---|---------------------------|
| • Damien Mealey<br>(Chairperson)          | • Brian O'Grady           |
| • Steve Blinkhorn (Deputy<br>Chairperson) | • Vanda Pertzelt          |
| • Bernie Burke                            | • Bob Pilkington          |
| • Rody Costigan                           | • Susan Warrington        |
| • Roger Fewster                           | • Kevan Wolfe             |
| • Errol Neale                             | • Ric Wood                |
|   | • Joel O'Mara (Secretary) |

# JPBulletin

JPBulletin May 2014

At the last meeting conducted on 10 March 2014, the Advisory Council recommended to the Attorney-General and Minister for Justice that he consider the introduction of a five year renewal period and to also review the de-registration provisions of the *Justices of the Peace and Commissioners for Declarations Act 1991*, to remove persons no-longer deemed suitable as a Justice of the Peace and Commissioner for Declarations. The Minister is still considering these.



## Alerts and Information

Read the latest alerts and information JPs and C.decs need to know:

- Full name on documents
- Use of Seal of Office
- Mortgage Witness Certificate

### Am I required to place my full name on a document?

Generally there is no requirement to insert your full name when witnessing a document for a member of the community, unless otherwise stated on the document. If your full name is required then the document will normally provide a space for this to be inserted, such as a Land Titles forms and some statutory declarations.

At times, it is also stated in legislation or the regulations of an act that the witnessing officer *must* place their full name on a document that they have witnessed. An example of this is the Form 1 Complaint and Form 2 Summons of the *Peace and Good Behaviour Regulation 2010*, s.8(f) Approved form for complaint and s.9(e) Approved form for summons must include provisions for the name of the justice.

**It is important to remember that when a document asks for your full name, you include your entire middle name; e.g., John James Smith, and not initials.**

One of JPB's administrative roles, upon request, is to confirm and provide full names of JPs and C.decs from financial institutions, superannuation companies and other similar organisations. To enable confirmation of these details JPB firstly requires a copy of the document to verify the details of the witnessing officer. Once this is received an officer from JPB will access the details on our system, confirm the details provided and contact the organisation, providing the full name only.

At times a full name is requested when certified copies are actioned. JPB has taken steps to try and assist all parties with this process by making changes to include a line with 'Name' inserted on certified copy stamps sold by the JPB. If you have had your certified copy stamp for a while there is no need to

# JPBulletin

JPBulletin May 2014

replace it, just cross out 'Title' on the bottom line, and insert your name. Your seal of office states your qualification.

## Appropriate Use of Seal

If you have recently transitioned to Commissioner for Declarations or Justice of the Peace (Qualified) and been issued with a Seal of Office you may find the Appropriate Use of the Seal of Office helpful. This document can be found on the JPB website.

For any person still appointed as a JP(C.dec) please contact JPB to assist you in transitioning to a C.dec, upgrading to a JP(Qual), or to resign if you are no longer active or interested in retaining your appointment.

## Witness Certificate for a Mortgagor in Queensland

Have you been witnessing Land Titles documents and unsure what to do with the Witness Certificate? The Department of Justice and Attorney-General has developed a Witness Certificate that can be used by JPs if required. A copy can be found along with the following Technical Bulletin, which is available to assist you.

<https://publications.qld.gov.au/dataset/technicalbulletins/resource/9d59f242-1954-44fd-8d35-306a28e1b009>

## Update your details



If your contact details change, don't forget to let us know. You can [update your details](#) online or call us on 1300 301 147.

# JPBulletin

JPBulletin May 2014

## JPs and QCAT

# QCAT

Queensland Civil and  
Administrative Tribunal

### What is QCAT and what role does it play in our justice system?

The Queensland Civil and Administrative Tribunal (QCAT) is an independent tribunal which actively resolves disputes in a way that is fair, just, accessible, quick and inexpensive. The tribunal provides expert decision-makers across a wide range of jurisdictions. From minor civil disputes to protection of the elderly, anti-discrimination, building cases and more, QCAT strives to deliver justice for all Queenslanders.

### How are JPs making a difference for QCAT?

As part of a \$3.5 million four-year initiative to capitalise on JP skills, and build on the success of the tribunal to date, a pilot project has been undertaken where JPs can hear some minor civil dispute matters (valued at less than \$5,000 and excluding urgent residential tenancy matters) before QCAT.

During the pilot, the tribunal can be constituted by two JPs, one of whom must be legally qualified. This approach is intended to free up magistrates and QCAT adjudicators to deal with more complex matters.

### What are minor civil disputes (MCDs)?

Minor civil disputes make up a significant part of QCAT's jurisdiction and include residential tenancy disputes, dividing fence disputes, minor debts as well as consumer and trader disputes.

### How is the trial going?

Following a rigorous recruitment and training process, 109 JPs have heard over 2300 matters in Brisbane, Ipswich, Maroochydore and Southport and Townsville since the pilot commenced in June 2013.

### Where to from here?

A final evaluation of the pilot program, being conducted by the Department of the Premier and Cabinet, is due for completion in March 2014 and will form the basis for decisions on the future of the program.

Recruitment for JPs to participate in the trial is currently closed; however, you can register your interest in future opportunities by emailing [QCAT.JPTraining@justice.qld.gov.au](mailto:QCAT.JPTraining@justice.qld.gov.au). For more information visit <http://www.qcat.qld.gov.au/about-qcat/justice-of-the-peace-trial>.

**Please note:** JPs who are currently part of this program should witness documents with their correct title; e.g., JP(Qual), and not JP(QCAT).

## Using your title on social media



With the ever increasing use of the internet and associated social media, it is important to be aware of the appropriate use of your title as a Justice of the Peace (JP) or Commissioner for Declarations (C.dec).

### What is social media?

Social media may include, but is not limited to, social networking sites such as Facebook and Myspace. It also includes:

- professional networking and recruitment sites (e.g. LinkedIn)
- video and photo sharing websites (e.g. YouTube, Flickr, Vimeo, PhotoBucket, Pinterest, Instagram)
- blogs (e.g. TypePad, Blogger, Wordpress, Tumblr)
- microblogging (e.g. Twitter)
- content-driven communities (e.g. Wikipedia)
- product-based communities (e.g. vehicle owner discussion sites)
- review and recommendation sites (e.g. TripAdvisor, Product Review Australia)
- discussion boards, forums and groups (e.g. Whirlpool, Google groups, Yammer)
- vod and podcasting communities (e.g. Blubry.com)
- social Q&A (e.g. Yahoo!Answers, Answers.com)
- online multiplayer gaming platforms (e.g. World of Warcraft, Second Life)
- instant messaging (e.g. SMS, MSN, SnapChat)
- crowdsourcing (e.g. Thumb)
- geo-spatial tagging (e.g. Foursquare)
- posting comments to online news media sites (e.g. [www.couriermail.com.au](http://www.couriermail.com.au), [www.brisbanetimes.com.au](http://www.brisbanetimes.com.au)).

### Issues

Recently, JPB has received various queries regarding JPs and C.decs using their title in social media and other electronic mediums (such as email).

By using your title on social media, any articles or posts can be associated with your role as a JP or C.dec. You may believe that anything posted on your social media is a private communication between you and your viewers.

# JPBulletin

JPBulletin May 2014

However, in both law and practice, anything that is posted on social media has effectively been published for anyone to read, and by using your title of office these posts can be associated with your role as a JP or C.dec.

This not only includes your own posts but posts by others who have access to your social media such as friends posting to your Facebook or your 'liking' or commenting on posts on other's social media.

Therefore, JPB recommends you do not use your title in relation to your social media.

### **What is acceptable?**

As JPs and C.decs you are encouraged to inform the public that you are available to witness documents. Examples of this could be letterbox signs, window stickers or putting a notice up in your workplace.

### **Email signature block**

While it is acceptable to use your title in your email signature, this should be removed in any instance where this is not relevant; for example, when your email is of a private nature, when it could be perceived as a complaint or defamatory, or that your title is being used for influence or personal benefit.

### **Further reference**

You may wish to familiarise yourself with the *Justices of the Peace and Commissioners for Declarations Code of Conduct*  
<https://publications.qld.gov.au/dataset/justices-of-the-peace-branch-code-of-conduct/resource/038be83f-d5c8-45b2-894f-a648bd64ee2a>, specifically points 2, 3, 4, 7, 13, 15 and 16.

## JPB Professional Development



Attorney-General Jarrod Bleijie, at the recent Kallangur seminar

JPB has commenced delivering professional development workshops in 2014, including having run 8 workshops at our South Brisbane office and 5 workshops in Townsville with approximately 200 attendees to date.

If you live in North Queensland you might like to read the article about what is coming up in your area.

We have also conducted three seminars for JPs and C.decs living in the electorates of Murrumba and Redcliffe, Kallangur, Mansfield and Sandgate. There are several more electorate based seminars scheduled over the coming months.

We have our usual workshops available, such as:

- Enduring Powers of Attorney/Advance Health Directives
- Record of Interview
- Justices Examination Orders
- Warrants
- Land Titles

We have also introduced a number of workshops on other 'soft' skills to compliment technical workshops we offer, such as:

- Fraud and Cyber Crime
- Client Care for JPs

Visit the JPB Professional Development calendar to view and register for upcoming events. <https://www.qld.gov.au/law/legal-mediation-and-justice-of-the-peace/jp-and-cdec-information/professional-development>

### Fraud and CyberCrime

In March we were really excited to hold our first workshop on Fraud and Cyber Crime, and it seems like our JPs were too. With 44 people booked to attend this has been our most popular workshop to date. Detective Sergeant David Dunn, Queensland Police Service's Fraud and Cyber Crime Group, presented on a range of topics including emerging trends in fraud and cyber crime, internet banking and identity crime.

## News from the North



Mr David Crisafulli MP, Adeline Phelan and volunteer JPs at the Townsville hospital

Greetings to all JPs and C.decs, from Mackay to Cooktown and west to the Isa.

2014 has seen the start of a very busy year for the professional development of our JPs and C.decs in North Queensland. Numerous workshops have already been listed on the JPB website. Please make sure you visit the workshop calendar on the following link to register.

<https://www.qld.gov.au/law/legal-mediation-and-justice-of-the-peace/jp-and-cdec-information/professional-development>

Continuing on from our successful information workshops of 2013, we have again engaged speakers and trainers from the following departments:

- Department of Natural Resources and Mines: Land Title Documents
- Queensland Health : Justices Examination Order
- Queensland Police Service : Search and Arrest Warrants

The support, valued information and training provided by these guest speakers have ensured all our JPs and C.decs are up to date with the correct procedures and legislative changes associated with witnessing documents where these Government departments are the receiving agencies.

This year has seen the introduction of new and varied topics added to our training. JPs who volunteer at our numerous signing sites are often confronted by that "one off" document that requires they have an understanding of what is expected. With this in mind, we have engaged guest speakers from Probation and Parole, Youth Justice and Department of Transport and Main Roads to provide an overview of their role and the procedure to follow for documents requiring the services of a JP. Some of these documents include affidavits, traffic infringement notices, complaints and summonses and warrants.

Planning is well in hand for our Cairns and Mackay workshops. Last year saw an overwhelming interest in attending these workshops, so we will be offering two days of workshops in Cairns on the 12<sup>th</sup> and 13<sup>th</sup> May followed by workshops planned for Mackay and areas commencing the week of the 19<sup>th</sup>

## JPBulletin

JPBulletin May 2014

May. There are 19 workshops that have been listed on the JPB webpage. Numbers are limited, so please check out the website and book early.

Thank you to all the JPs who continue to support the training opportunities being offered throughout North Queensland. 54 professional workshops will be listed for your benefit throughout 2014 with video link workshops being offered to remote centres such as Cloncurry, Richmond and Julia Creek. Planning is also underway for workshops to be delivered in Mt Isa with dates to be advised.

I look forward to seeing you all at the upcoming workshops in 2014.

Cheers

Adeline Phelan

Contact for North Queensland:

Belinda Cronau

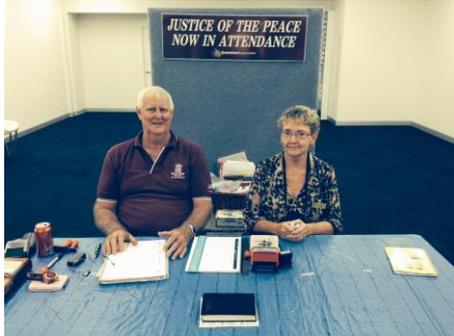
Senior Community Engagement Officer – Townsville

Email: [belinda.cronau@justice.qld.gov.au](mailto:belinda.cronau@justice.qld.gov.au)

Phone: 07 4781 8700

Mobile: 0477 738 811

## JPs in the Community



Barry and Cheryl, volunteers at the Deception Bay Shopping Centre

It's nearly half-way through the year and we have achieved so much already. Since the January edition of the JPBulletin we have welcomed another two sites to the JPs in the Community program, New Farm Library and Redcliffe Library.

New Farm library has been operating for some time, however, now with the support from Brisbane City Council and the founding volunteers, Rita Malone and David McVeagh, the site can be officially become part of the JPs in the Community program..

After the last JPBulletin the expressions of interest for volunteers at Redcliffe Library has been fantastic. Due to the interest, an additional day has been added to the roster to accommodate the number of volunteers. Thank you to all the volunteers on the roster. This will prove another quality service for the Redcliffe community.

### Sad Loss to the JPs in The Community Program

On behalf of the JPs in the Community Program we are sorry to announce the sad, and unexpected, passing of Mr Edward (Ted) Cameron, long-time coordinator of The Pines Shopping Centre signing site on the Gold Coast and active volunteer at several sites in the region.

Ted was a great supporter of the JPs in the Community Program. His efforts and friendship to the volunteers and local community will be truly missed.



Volunteers at the Morayfield Shopping Centre

### Donations for Angel Flight

Over the past number of years clients attending the Morayfield Shopping Centre have donated approximately \$30,000 to Angel Flight.

Since September 2010 the volunteers at this site, when asked about fee-for-witnessing

# JPBulletin

JPBulletin May 2014

payments, have advised clients that while they are unable to accept payments, that the client may wish to make a voluntary donation to Angel Flight, via the authorised donation tin.

Angel Flight is a charity that coordinates non-urgent flights, free of charge to patients, for medical reasons to those in rural and remote areas. With most Angel Flight pilots donating their time, skills and most aircraft costs, and Angel Flight covering fuel, the \$1, 000 (approx) a month from the JPs in the Community site at Morayfield is really making a difference.

A big thank you to the generous clients who have donated and the volunteers involved, under the coordination of Mr Horrie Hunt.

JPB has a policy for charitable donation boxes to be placed for JPs in the Community sites. Should you require further information please contact the Community Engagement Team at [ipsinthecommunity@justice.qld.gov.au](mailto:ipsinthecommunity@justice.qld.gov.au).

## JPs in the Community site recruitment

All JPs in the Community sites welcome expressions of interest from prospective volunteers, however the following sites have been specifically identified:

- Atherton Courthouse
- Brisbane Myer Centre
- Deception Bay Shopping Centre
- Kallangur Library
- Mooloolah Valley Community Centre
- Narangba Library
- Tully Courthouse
- Victoria Point Shopping Centre

For further information on these sites visit our [website](#). To express your interest in volunteering contact the Community Engagement Team [ipsinthecommunity@justice.qld.gov.au](mailto:ipsinthecommunity@justice.qld.gov.au).

## JPB mentoring program



JPB Mentoring Office Sam Watts presenting at a recent Mentoring Workshop in Redcliffe

**JPB Mentoring Program provides newly appointed Justices of the Peace and Commissioners for Declarations, or those wishing to re-enter the system, the opportunity to work with an experienced JP to further develop their skills and knowledge.**

JPB is really excited about what is planned for 2014. We will be conducting more workshops all across Queensland to make sure that we are giving our Mentors our full

support and consistent approach state-wide.

So far this year we have held 4 Mentoring Workshops in Caboolture, Toowoomba, Sunshine Coast and Redlands. We have also placed another 126 new Mentees state-wide since the beginning of the year.

The Mentoring Program is recommended to all newly appointed JPs and C.decs so they can attend one of our signing sites, while undertaking practical application of their duties, one-on-one with an experienced JP.

If you are interested in becoming a Mentor or a new Mentee and want to be part of the JPs in the Community Program please contact Craig Moffat on (07) 3013 5458 or by emailing [jpsinthecommunity@justice.qld.gov.au](mailto:jpsinthecommunity@justice.qld.gov.au).

## JP under the magnifying glass



### Profile – Lisa Shaw JP(Qualified) and Community Training and Support Officer, Justices of the Peace Branch

I love my job! It is a job that gives me great satisfaction whether it be to engage with

Commissioners for Declarations and Justices of the Peace across the State to assist with enquiries about certain documents or when I am delivering a professional development session, and in the past delivering the accredited training courses.

#### When did you become a JP?

In 1999 I attended the Cairns Courthouse on a Saturday morning and completed the examination along with about twenty other people.

I became a Justice of the Peace while working for the Queensland Police Service in Yarrabah in Far North Queensland. At the time of taking my Oath I would never have dreamt that the act of completing the examination would have lead me to the role that I am now undertaking for the Department of Justice and Attorney-General as a Community Training and Support Officer.

#### What happened next?

In 2003 I started work at Chinchilla Magistrates Court. The courthouse was also an agency for other government departments and it was a place where people came to seek assistance; whether it be to have documents witnessed, register a motor vehicle, have their Will prepared or, in the case of one gentleman with vision impairment, have his mail read to him. It was there that I signed my first application for a search warrant, arrest warrant, sat on the bench for a bail application and issued my first Justices Examination Order. For all of these things I referred to my Justices of the Peace Handbook for advice and the steps on how to complete the documents.

In 2006 I transferred to Ipswich Magistrates Court and after twelve months as a Court Services Officer there I applied for a secondment in Brisbane Magistrates Court for six months to work on a project. That has lead to me

# JPBulletin

JPBulletin May 2014

performing various roles within the Department that involved training, change management, human resources, records management and other projects.

## **When did you join JPB?**

Late in 2008, I was approached by Damien Mealey to come and work in Justices of the Peace Branch and deliver training for Justices of the Peace (Qualified).

The role has developed over the past five years and during that time I have contributed to the training of over four thousand people and to the professional development of several thousand more.

The training and professional development has taken me all over Queensland and one of the more memorable courses was when I was training in Rockhampton. There was a fire in the building and we had to evacuate the building in the middle of the exam. The students were still keen to complete the exam and it was a sight to see them sitting on the ground in the car park finishing their exams with the smoke and emergency services in the background. The good news is they all passed the assessment.

## **What are you currently working on?**

Currently I am co-ordinating and delivering professional development for JPs and C.decs with State Members of Parliament. JPB are also providing professional development opportunities delivered by Queensland Police Service, Department of Natural Resources and Mines, Office of the Adult Guardian and other stakeholders here at our office in South Brisbane and other regional areas across Queensland.

## **Tell us about one of your key achievements?**

An achievement that I am proud of is contributing to the development and accreditation of the current Commissioners for Declarations and Justices of the Peace (Qualified) course that is delivered by various training organisation across Queensland.

Lisa Shaw

Team Leader, Professional Development, Mentoring & Community Engagement

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