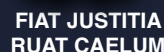


QUARTERLY



January 2022
Volume 90 Number 4



Federal Structure Review report completed

Hoping for normality in 2022

Tēnā koutou, fellow Justices.

I wish you all a very Happy New Year and best wishes for 2022.

As we make our way into the New Year I am sure that like me you will be hoping for some sense of normality.

First, I want to recognise those of you who, during the latter part of 2021, worked so hard to ensure that we as Justices of the Peace continued to deliver the services that our communities expect to receive from us. Your service to the public has been outstanding, and I know that for many of you it has been demanding, with many of your clients facing difficult circumstances.

As I have said in previous columns, we have learned that under COVID-19 face-to-face contact with clients is not always possible. This has meant that we had to do things differently. We have had to learn to process documents electronically and to use other techniques, such as letterbox drops. The training material provided by association educators has been excellent. If you are not sure how to use electronic document processing or letterbox drop techniques, please contact your association educator.

It is essential that all Justices of the Peace keep themselves up to date with such techniques. Being able to continue offering services to the public in challenging times means that we continue to be relevant to the community that we serve. It means that members of the public do not have to look for alternatives in respect of services that are usually provided by Justices of the Peace.

It has been great to see that despite the challenges presented to us many have been able to pass Accreditation. Many associations have been able to run education sessions and Accreditation study groups for existing as well as new members. At present almost 52% of our total membership has been accredited and there are eight associations where more than 60% of members are accredited. It is a good indication that so many of our members recognise the importance of keeping their knowledge up to date. However, while the numbers are improving there is still much work to do.

Unfortunately the recent round of association Annual General Meetings (AGMs) was significantly disrupted because of restrictions imposed by COVID-19. While some AGMs proceeded as normal many were replaced by Zoom meetings or were limited in the numbers of members that were able to attend. Under normal circumstances a member of the Federation Board attends an association AGM. This is important because it provides associations with the opportunity to learn first-hand the direction and strategies that the Board is engaged on. From the Board's perspective it is a good opportunity to meet members and to share ideas. This was not possible in many instances because of travel restrictions.

Most of you will know that unfortunately it has been necessary to cancel the in-person Federation Annual General Meeting /Conference that had been scheduled to take place in New Plymouth over February 25-27 2022. This was very disappointing, and the decision was made only after extensive discussion between the Federation and the Taranaki Justices of the Peace Association.

The key factors were the uncertainties related to the management of COVID-19 and most importantly, the potential health and welfare risks to those who would be attending. It was also important that the decision was made at an early stage in order to minimise any financial risk that would arise if the AGM/Conference had been cancelled closer to the date. The Board acknowledges and appreciates the hard work undertaken by the Taranaki association and in particular the association's Conference Organising Committee.

I am pleased to advise that there will still be a Federation AGM. There will be remits and notices of motion to be considered. These form an important part of setting the future direction of the Federation. Of particular importance will be consideration of the



**Federation President
Garry Nicholls**

Federal Structure Review. The AGM will be held on Saturday February 26 commencing at 10am. Information regarding the structure of the meeting will be announced closer to the date.

This is my last President's column for the Quarterly. I have really enjoyed my term as President over the past two years. While it has been a period that has been significantly impacted by COVID-19 it has been great to see the resilience of our

organisation as we have worked to cope with ongoing challenges.

I have enjoyed working with the Board. We are fortunate to have a group of people on the Board who are from diverse backgrounds and who have brought different skills and experiences to the table. Their support for me has been very much appreciated. Without a doubt the backbone of the Federation and to a certain extent our whole organisation is the office team led by Tony Pugh. I therefore acknowledge the support that Tony and the team have given to me as President, and to the whole organisation.

At the conclusion of the 2022 AGM the Board will be saying farewell to Rachael O'Grady. Rachael has been a member of the Board since 2013 when she joined as Northern Regional Representative. Rachael has made a tremendous contribution to our organisation. At the AGM of the Australasian Council of Justices' Associations (ACJA) in October, Rachael was elected President, only the second Justice from our Federation to have achieved this position. At the AGM, she also received a Certificate of Appreciation for her contribution to the ACJA over the past five years.

Kia anga tahi tātou ki mua : Let us move forward together

Ngā mihi nui

Garry Nicholls

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FIAT JUSTITIA RUAT CAELUM

Let justice be done, though the
heavens may fall

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NEWS

1

Three strikes law up for repeal

The Three Strikes Legislation Repeal Bill passed its first reading in Parliament on November 17 last year.

"This is a significant step closer to delivering on the Government's commitment to repeal the three strikes law," Justice Minister Kris Faafoi (right) said.

"The three strikes sentencing regime has not delivered reductions in serious violent crime, and nor is there evidence to indicate it has made communities safer.

"The three strikes law has resulted in unjustified and excessive prison sentences. In one case, a person was sentenced to 10 years' imprisonment for an offence for which the sentencing judge indicated they would, ordinarily, have imposed 18 months in prison.

"Removing the three strikes regime does not take away the most severe sentencing options available to judges, such as preventive detention, life imprisonment without parole, and extended supervision and public protection orders on New Zealand's most dangerous criminals," he said.

The Three Strikes Legislation Repeal Bill will now be referred to the Justice Select Committee for consideration.

"This will be the chance for the public and other interested parties to give their views on the Bill and I strongly encourage people to have their say on this important issue," Mr Faafoi said.

"The Bill is not retrospective. In the interests of saving victims from the impacts of re-sentencing or reinstatement of eligibility for parole, the Bill does not undo sentences handed down under the three strikes regime.

"Instead, we are asking the select committee to consider whether the Bill should include provisions for those who have already been sentenced under the three strikes regime and, if so, how."

Further information is available on the Ministry of Justice website:

<https://www.justice.govt.nz/justice-sector-policy/key-initiatives/repeal-of-the-three-strikes-law>



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ON THE COVER: The report on the Federation Board's review of the federal model of association membership has been completed ... story P4



Annual General Meeting 2022

The 2022 Royal Federation Annual General Meeting (AGM) will take place via a video-conference on Saturday February 26. Details will be distributed to associations shortly.

Board elections

The following nominations for the Board were received:

President: Peter Osborne

Vice-President: Nigel Tate

Northern Regional Representative: No nominations received

Auckland Regional Representative: Sherryl Wilson

Central Regional Representative: Laurence Gabites

Southern Regional Representative: Graeme Barber and Lindsay Dow

Graeme Barber was the successful nominee.

Confirmation of the successful nominees will take place at the AGM.

Nominations for the Northern Regional Representative will be called for at the AGM and an election will be held if required.

All Board positions take office at the conclusion of the AGM on February 26 2022.

Remits

One:

That the Royal Federation Board responds to the results of the 2021 Federal Structure Review by developing an action plan (including an implementation programme) to address the recommendations arising from the review. The initial plan should be communicated to all associations within six months of the 2022 AGM to allow time for feedback, in preparation for endorsement of a finalised plan at the 2023 AGM.

Proposer: Northland

Rationale

The Federal Structure Review has generated results which reflect the thinking and expectations of current members. The impetus generated from this significant piece of work should not be hindered. The results of the review show a clear direction for the future, and they clearly identify a change away from the current federal structure. This result contrasts with the review undertaken in 2008 which indicated that little change was required. Any changes to the structure

arising from the review will likely have widespread implications for all associations and their members. A process loop, of communication and feedback, will help ensure that the implementation of any changes results in a stronger organisation which is fit for the future. The Federation must be seen to be responding to members' expectations, and this remit ensures the Board can meet that requirement.

Board comment

The Board is in full support of the recommendations in the FSR Report and believes that it is time to progress the recommended actions.

Two:

That the Royal Federation implement, with immediate effect, and for the period up to the 2023 Royal Federation AGM and Conference, a move to online seminars for judicial trainers and ministerial trainers. Immediately following the 2023 AGM and Conference a review to be undertaken to determine the effectiveness of the format and the suitability to continue with future online seminars.

Proposer: Rotorua and Districts

Rationale

COVID-19 related lockdowns have forced a re-think on how course delivery can be undertaken in a safe environment without compromising quality. Feedback following seminars and meetings held in 2021 suggests that online delivery can be a successful medium for the type of discussion and information sharing which has traditionally been delivered by Royal Federation in a face-to-face setting. Online delivery can be delivered efficiently, at a significantly lower cost, and with less inconvenience for attendees. Cost savings could be channelled into delivering more events and with more participants than is currently possible given budgetary considerations.

A progression of the online seminars for trainers may be a move to a similar nationwide format for issuing officers, judicial Justices (all), and other specific roles undertaken by Justices of the Peace.

Board comment

The Board supports this remit. Within the current COVID-19 environment the safety of Justices is paramount, so the Board supports this remit and rationale.

Three:

That the Royal Federation Board work with, and advocate for, the Ministry of Justice to remunerate Justices of the Peace who undertake judicial duties in the District Court.

Proposer: Central Districts**Rationale**

The expectations upon judicial Justices have increased substantially since the passing of the Criminal Procedure Act 2013. The subsequent workload of judicial Justices enables a more manageable workload for other members of the judiciary, yet judicial Justices are the only members of the judiciary who are not recompensed for their services. Given the increasing personal, professional and time commitments needed for this role, it is considered appropriate that progress is made in this area.

Board comment

The Board does not support this remit.

- Justices of the Peace have a proud tradition in our country of voluntary services, and lay participation in the District Court.
- Justices of the Peace accepted their commissions with no thought of personal remuneration. This is part of their service to the community and is known when Justices of the Peace take the Oath.
- All Justices of the Peace are judicial officers, therefore if judicial Justices were paid for their services, then ministerial Justices could also make a case for being paid. In recent times there has been a significant increase in the complexity of the tasks carried out by ministerial Justices.
- There is a risk that if the Federation advocated for judicial Justices to be paid there would be a reduction in work allocated to them.
- The Federation has always advocated for the continuing need for Justices of the Peace to provide a service in the judicial system because:
 - They enable cases to be dealt with locally, cost-effectively and promptly
 - They make a significant contribution to the number of cases that are heard and disposed of each year
 - Of their particular availability within each community and representation of it.

That argument loses emphasis the moment that payment is sought for the Judicial role.

- With payment comes more accountability and the expectation that judicial Justices are trained beyond the level to which they are currently trained.
- The lay magistracy is one of the oldest legal institutions. The concept of lay justice has frequently been viewed as being underpinned by, or identified with, theories of democratic legitimacy and democratic participation. The delivery of justice by the collaboration of lay people is intended to represent a model of "true" democracy. In particular, commentators have stressed the importance of lay justice as a democratic safeguard against professional power. As soon as a payment is introduced the concept of "lay justice" is lost.



- If payment is pursued, Federation stakeholders could consider other "agencies" that may pick up and do the work done by judicial Justices, without expectation of payment.

Notice of motion

That the RFNZJA Constitution be amended at Section E to read:

Section E3 (c) Regional Representatives

- Written nominations for the positions of the four Regional Representatives will be called for by the National Manager on 1st August annually and may be received from any affiliated Association in the respective region. An Association may forward only one nomination.*
- Following the closing date for nominations the National Manager shall advise Associations in the respective regions of the nominations received*

AND:

Section E3 (d) Nominations for all Board positions are:

- for Regional Representatives, to be delivered to the National Manager not later than 1st November in each year*

Proposer: Nelson-Tasman**Change summary**

E3 (c)(i) *The date for calling nominations be changed to 1st August annually – previously 1st June.*

E3 (c)(ii) *The 31st July date for the closing of nominations be removed from clause (ii) – as it is no longer required.*

E3 (d)(ii) *This clause to be amended to Nominations for Regional Representatives to be delivered to the National Manager not later than 1st November in each year – previously 1st August.*

Rationale

The earlier nomination date proposed by Canterbury and passed by the AGM has created a two-tiered nomination system. It has imposed unnecessary administrative demands on the Federation staff and is not needed.

JPs seeking nomination as a Regional Representative should be encouraged to attend and speak at a Regional Conference and this would allow more than one person from an association to register their intention. There is no requirement for a person intending to seek nomination for a Board Regional Representative position to have formal nomination status to attend and speak at a Regional Conference.

Association nominations for all Board positions would be called for from 1st August annually and be delivered to the National Manager not later than 1st November in each year. The voting system as previously applied prior to the adoption of the Canterbury 2020 remit would remain.

Board comment

The Royal Federation Board is in full support of this Notice of Motion.

Review report presented to Board

By RACHAEL O'GRADY

Following a remit passed at the 2021 Federation AGM the Board conducted a review of the federal model of association membership. This was an opportunity to review an organisation that was last reviewed in 2008.

A review of this type is a necessary and significant piece of work that a healthy, responsive organisation carries out periodically to check whether its structure is in alignment with both its members' needs and the organisation's key objectives.

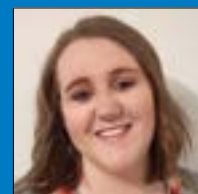
Critical to this project is the feedback from individual Justices and associations. The Board is very appreciative of the large volume of feedback received.

The project team has analysed and compiled the information supplied into a summary report, including recommendations. The report, submitted to the November meeting of the Board, was accepted, and can now be found on the Federation website: Royal Federation of NZ Justices' Associations (justiceofthepeace.org.nz). Associations have received a copy of the report which can be shared with members.

The report will be presented to the 2022 AGM. Decisions will be made at that AGM, and it will be beneficial for members and delegates to be well-informed about the recommendations for action.



From the Professional Development Advisor



Simone Baxter

What does the traffic light system mean for JPs?

From early December 2021, New Zealand moved into the traffic light settings (COVID-19 Protection Framework) to help protect Aotearoa New Zealand from COVID-19, while allowing people more freedoms.

The new system will result in some changes to the way we have been providing Justice of the Peace services to our community.

Under the traffic light system, you may see clients face-to-face at your residence. If you are seeing clients at home, it is recommended that you both wear masks, practise safe distancing and record the details of their visit in your logbook.



Can I ask a client if they are fully vaccinated or ask to see their vaccination pass?

Yes. However, a client is not obligated to provide this information if they do not wish to. Likewise, a client may ask you if you are vaccinated but you are not obliged to answer this question either.

If a client is unable to confirm their vaccination status, and you feel uncomfortable seeing them in your home, you can offer remote procedures as an alternative, such as online via video call or letterbox drop.

While we are under the traffic light settings, some service desks will remain closed. The decision on whether a service desk will be able to open will be determined by the organisation which provides the venue. Please note that some organisations may require you to be fully vaccinated to enter their premises.

Remember, this is new territory for all of us. How we do things may continue to change, and it is important that you keep up to date with communications from your association, the Federation and the Government.

- *This article was written on December 10 2021.*

When did you last update your contact details?



It is important that the details appearing on the website are up to date, so that members of the public requiring assistance or receiving

agencies verifying authenticity can contact you. Please log on to the Federation website and check your contact details are current.

What is a ‘full legal name’?

Often when administering documents you need to take the client’s word that what is written is their name. A Justice should take reasonable steps to be adequately satisfied that the signatory is the person named in the document. Best practice is to request to see a form of photo identification such as a driver licence, passport, New Zealand Gold Card or 18+ card / Kiwi Access Card. Keep in mind that it is not acceptable to refuse to administer a person’s document because they don’t have photo identification. Have a look in your Ministerial Manual for additional options for confirming identity.

Most documents ask for the deponent’s full name to be recorded, but what does “full name” mean and how do we identify it?

What does ‘full legal name’ mean?

A full legal name is the name that identifies a person for legal and administrative purposes. This includes an individual’s first name, middle name(s) and surname without the use of initials or nicknames.

The Department of Internal Affairs (DIA) refers to this as an “official name” and provides the following description: a name that can be validated against a New Zealand authoritative identity data source. Names that could qualify for this category come from documents such as New Zealand identity documents (birth certificates, citizenship certificates and passports) and the majority of overseas passports.

Under New Zealand law, when a person is married or enters into a civil union, they have the option of assuming the surname of their partner. In everyday circumstances this is generally fine to do without any additional documentation. However, according to DIA this would constitute an “assumed name” not an “official name”. A name assumed on marriage/civil union does not appear in any register held by Births, Deaths and Marriages. However, if a passport is subsequently issued, the name can be validated as an “official name” by the passport.

Some agencies will allow a person to change their name in their database by providing proof, such as a marriage licence, of that name change. When

administering a document, you should confirm that the name the client has used on the form is the name they have provided to the agency.

Should the signature match?

Usually, a signature is simply someone’s name written in a stylised form. However, this is not always the case. A signature is just an original identifiable mark created by the user; this does not need to be a direct reflection of their name.

When you are administering a document for a client, if you notice that their signature includes additional letters to what they have written as their name, best practice is to double-check they have used their full name before signing your section. If the client has confirmed that the name written is their full name you have met the legal requirement.

Although not necessary, if a client presents you with a form of identification that includes signature, it can be a good idea to check that the signature matches what the client has signed on the document.

What is my occupation?

When administering documents, you will at times be required to state your occupation. When your occupation is required as the executor of a document, you are being asked to specify the role or title that authorises you to act as a witness, to take the declaration or affidavit or otherwise execute the document. If you are asked to note your occupation when administering a document, write “Justice of the Peace”.

Writing anything other than “Justice of the Peace” will cause confusion for the receiving agency. Likewise, if you are retired from your occupation, noting “Retired” in this section may lead the agency to believe you are JP (Retired) and therefore not authorised to administer the document.

Test your knowledge: affidavits

1. When administering the oath or affirmation should you indicate in the jurat what method was used, i.e. sworn or affirmed?

Yes – ensure that you cross out the option that does not apply to the process used in the jurat (6.8 Ministerial Manual 2020).

2. If you don't have a stamp, what details should you include in the jurat?

Print your name (District Court Rules 2014 5.9(b)) and include your Justice of the Peace number. Ensure that you also delete any references to other authorised person(s) and replace with "Justice of the Peace" if not noted (6.8 Ministerial Manual 2020).

3. What does "at" in the jurat mean?

"At" in the jurat means the town or city where the affidavit was signed (6.3.2 Ministerial Manual 2020). If you are doing this via audio-visual means, use the location of the deponent.

4. True or false? When administering an affidavit for multiple deponents, you can use the same jurat.

False: each deponent must have a separate jurat (6.4.3 Ministerial Manual 2020)

5. True or false? All statements are considered affidavits.

False: the requirements of affidavits are prescribed by law (District Court Rules 2014 9.66)

6. Can an affidavit be sworn on a Sunday?

Yes – an affidavit can be sworn on any day of the week including Sunday (District Court Rules 2014 - 9.71)



Advising unavailability via the website

There may be times when you are away or for personal reasons are unavailable to assist the public for a short period of time. If this is the case, you can mark yourself as unavailable via your profile on the website in the section below.

Not Available	NotAvailFrom	NotAvailTo
	dd/mm/yyyy	dd/mm/yyyy

Once you have entered the dates you will be unavailable, scroll to the bottom and click "Save". By doing this, your listing will be hidden from the public search on the website during the specified time.

Please do not untick the "Active" box under the address. Your address will automatically be hidden, using the date fields shown above, for the period you have indicated you will be unavailable. When the time elapses, your normal listing will be reinstated.

Tips for using video calls



While the Epidemic Preparedness Modification Order is in place, in-person activities have migrated online. We are increasingly reliant on the internet to stay connected, and this new way of communication looks set to continue.

Video platforms such as Zoom, Microsoft Teams and Skype are great tools to enable us to continue to connect with members of the public and provide Justice of the Peace services, but we need to ensure we are using safe online practices.

The specifics of each video platform will differ, so it is important to familiarise yourself with the program/s you choose to use. Many of the principles are the same no matter what platform you choose to work with.

Here are some key tips for online video call safety:

- **Use different meetings for each client**

This will ensure that your meeting is secure, and once the meeting has ended, parties will be unable to re-join. This will help ensure that only the parties who are involved with the task will be present.

- **Make use of the waiting room so you can control who is admitted to the call (not all video platforms have this feature)**

The waiting-room feature is a good way to monitor who has access to a video call. Once the participant joins, they will be admitted into a “waiting room” where they will wait until you bring them into the call. This will ensure that a client does not join early and interrupt you doing something unrelated.

- **Ensure that your internet security and software is up to date**

When sharing files and using programs that connect with other users, ensuring that your internet security is up to date is important. Updates are not just about adding new features, they are also about fixing vulnerabilities on a device or program that could be used by hackers to gain access.

Viruses can be shared via emails and files without the sender being aware. By ensuring that your internet security is up to date you will limit the risk of receiving a malicious file.

- **Choose an appropriate location in your home**

Some programs allow you to blur your background or add a virtual background to your video. Many users will choose to enable this feature to hide their background or personal items from the other participant in the call. Although this is a handy tool, it does create some difficulties when you need to hold up documentation for the other participant to see.

If you are concerned about the items on display in the background of your video, it may be best to pick another area of your home with fewer personal items on display.

Just as when you have a person visiting you in your home, best practice is to set yourself up in an area where other members of your household will not be able to hear the call. Personal details and information may be shared via the video call and the client's privacy should be considered.

- **Ask questions beforehand so you know what to expect on the call**

When a client contacts you to make an appointment for a video call, it is a good idea to ask as many questions as necessary to ascertain what they require. Dealing with documents via video call takes longer due to the distance between parties and extra steps. If you can ascertain what is required prior to the call you can ensure you have all the correct information and processes at hand for a smooth appointment.

Asking the client to send you a scan or photo of the document before the call is a good way to check that the correct information is provided and that you, as a Justice of the Peace, have authority to administer the document.

- **Set up a separate email**

You will require access to an email account for receiving and sending signed documents. It is a good idea to set up a separate address for Justice of the Peace services to keep your clients' personal information separate from your everyday email, especially if you share an email address with your partner or other family members.

- **Think before you download**

If someone sends you a link or asks you to download a program be aware of what it is and why you are doing it. To send and receive jpegs, pdfs and Word documents you should not need to download any additional programs.

Dealing with an uncooperative client

With the various changes that have been taking place throughout the country at present, many people find that their tolerance has decreased as their day-to-day life is strained. While the majority of members of our communities will handle these situations well, others may find it harder. Due to the nature of the role, it is not uncommon that a Justice of the Peace may encounter clients who due to stress and frustration in uncertain times become uncooperative or difficult.

Knowing how to handle situations of difficult behaviour will help you to serve the community. If you find yourself dealing with frustrated, stressed, or uncooperative clients, remember these helpful tips.

1. Choose your attitude

The role of a Justice of the Peace is important and should be conducted in a professional manner. As a Justice of the Peace, you should always ensure that you are in the right mindset when carrying out Justice of the Peace services.

Choosing your attitude is not just about what you say; non-verbal cues also reflect your attitude. To help set the scene for a good experience for both you and the client, ensure that you present yourself in a confident, professional, and polite manner.

2. Active listening

If you find yourself with a client who is getting frustrated, give them the opportunity to explain what they are requesting. Actively listen to what they have to say: this means letting them speak without interrupting. After you have given them the opportunity to explain, paraphrase what they have said to demonstrate that you have listened and that you are focusing on them.

If a client is stressed or frustrated it may be harder for them to articulate the service they need. Active listening can allow you to sit back and assess the situation to ensure that you can provide the appropriate service to the client.

3. Keep calm and lower your voice

When you are dealing with a difficult client, keeping calm is essential. Heightened emotions can

make situations harder to deal with - avoid letting your emotions take over the situation. If you feel like the situation is beginning to get out of hand, take a deep breath and adjust your voice.

Often the client is frustrated with the situation, rather than you, so try not to take their behaviour personally.

4. Build rapport with empathy

When someone is acting emotively, it is easy to become dismissive or react negatively. Disregarding a client's feelings may inflame the situation. Often acknowledging their feelings, whether or not they are justified, will enable the client to feel heard and calm them down. Statements such as "I understand this situation is frustrating for you" or "I can see this situation has caused you stress and concern" are a good way to demonstrate empathy to clients.

5. Be clear with the client

If you are making an appointment with a client either online or in person, make sure that you ask appropriate questions to understand the service being requested. It may be appropriate to ask the client to send you the document they require to be administered before you meet so you can review and ensure it meets the requirements before the meeting.

If the client is meeting you at your home, remind them of the safety measures in place, i.e. to wear a mask and scan in on arrival.

Sometimes you may be unable to provide the service requested due to time restrictions, inability to administer documents online or health concerns. If this happens advise the client how they can contact another Justice of the Peace via the Federation website to assist.

6. Keep yourself safe

Remember that you provide your services on a voluntary basis and are not compelled to provide your services where you feel unsafe or threatened. If you feel your safety is at risk, you should decline to act.

Exemption from wearing a mask

In the current climate, mask-wearing is recommended and, in some cases, required for day-to-day activities. The Ministry of Health website advises that “we should all wear a face covering such as a disposable or washable mask whenever we leave our home”. However, there are some instances where mask-wearing may not be possible for some people.

While it is mandatory for people aged 12 and over to wear a face covering in some situations, this does not apply to people for whom wearing a face covering is unsuitable due to a disability or health condition.

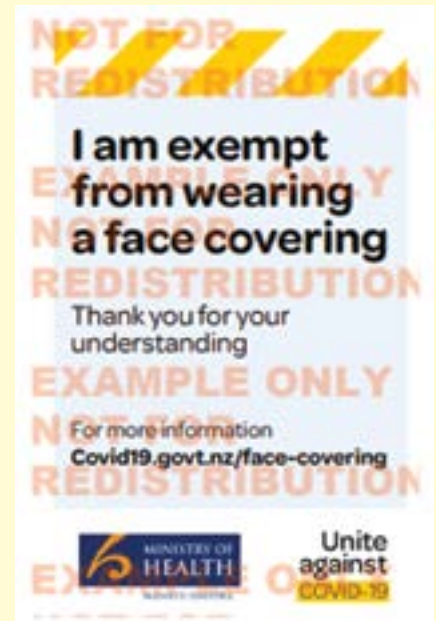
Some people will have an exemption card (example pictured), to show that a face covering is unsuitable for them. However, exemption cards are not mandatory, and you do not need one to be exempt from wearing a mask.

While it is inappropriate for you to enquire about the nature of a client’s disability or condition, it is reasonable for you to check whether they are exempt from the requirement to wear a face covering.

Those who are unable to wear a face covering should still be adhering to other safety measures such as staying home if they are sick, keeping their distance from others when out and about, washing their hands and or using hand sanitiser and keeping track of where they have been.

Ensuring your own safety when seeing clients, whether they wear a mask or not, and adhering to the Ministry of Health guidelines is important:

- Get vaccinated as soon as you can – booster shots are now available
- Stay home if you’re sick
- Use basic hygiene
- Wear a mask (if you can)
- Record your movements
- Follow physical distancing guidelines
- Be aware of the current COVID-19 restrictions.



Administering documents online

If you are administering documents online, ensure the client has confirmed that the receiving agency will accept documents that are not the original, i.e. the scanned version you send back to the client. Some agencies will require that the original signed copy be sent to them. Justices of the Peace are not obligated to post the original copy to the client or the agency.

If the client requires the original copy of the document, consider organising an in-person appointment (if appropriate for your area), a letterbox drop or make arrangements for the client to collect the document from you after the appointment.



What is a QR code?

In the October 2021 Quarterly, I wrote about the COVID-19 tracer application (app) QR codes. Using QR codes to easily log where you have been is a great initiative, but what is a QR code?

Invented in 1994 by the Japanese automotive company Denso Wave, QR codes, short for Quick Response codes, are a type of barcode that can be scanned via programs on digital devices like smartphones. A QR code stores information as a series of pixels displayed as black squares arranged in a square grid on a white background.

A QR code can be linked to open a webpage or application, download a document, share information, or log a location. QR codes are becoming more common - some couriers use them on their parcel labels, businesses use them for promotional material, product tracing, loyalty programmes and electronic verification. In some countries, QR codes have been incorporated into identification documents, currency, and headstones.

How to use a QR code

Some smart devices will already have a QR code reader built in, but others will require you to download an app to use the QR code function. Some QR codes, such as the ones used for COVID-19, tracing will require you to download a specialty app. Once you have



downloaded the app or ascertained if your device has a built-in QR code reader follow the steps below.

1. Open the app or camera feature on your device.
2. Point your device camera at the QR code - make sure you hold it steady so the QR code can clearly be read.

3. Once the QR code has been scanned by the device, you will either be prompted to click for the next action, or it will automatically direct you to the link embedded in the code

To test out how a QR code works, try scanning the one at right using a digital device.



What does 'sovereign citizen' mean?

Sovereign citizens are a group of people who believe that the police and other government agencies are corporations who are restricting their natural rights. They believe all people are born free with rights and that things such as laws and taxes are oppressing people and forcing them into an oppressive contract with the government.

Sovereign citizens believe they are not bound by the laws of the country in which they physically reside. They believe that individuals have the right to decide when to ignore the government's rules

and they dispute any taxes or fines that are imposed against them. In their minds, accepting a law or regulation means they have waived their rights as "sovereigns" and have accepted a contract with the government.

They often come to the attention of authorities due to driving offences. It is a core belief of the movement that "sovereigns" have the right to travel freely without the need for a driver licence or vehicle registration. Some Justices of the Peace will also encounter sovereign citizens who are requesting docu-

mentation is administered, usually in an affidavit style to be affirmed, stating that they are not bound by any law of New Zealand and will not recognise the authority of our nation's leaders or any government officials.

If you are faced with a client who claims they are a sovereign citizen and requests you administer their document, remember that you are only authorised to act under specific legislation. If their request falls outside of this legislation then you may not be authorised to administer the document.

Kiwi President for ACJA

Federation Immediate Past President RACHAEL O'GRADY (right) attended the 2021 AGM of the Australasian Council of Justices' Associations at its AGM last October. At the meeting she was elected President of the Council, only the second New Zealander to hold the role, following Federation Past President Kevin Geddes in 2011-2012 . . .



As Bob Dylan famously said, "the times they are a changin". Given social distancing, cancelled in-person events and digital communities, it was no surprise that the 2021 Australasian Council of Justices' Associations (ACJA) AGM was held by Zoom. In total there were 19 councillors and five observers from 10 of the 12 financial ACJA member associations in attendance at the meeting on October 16 last year, including two councillors and an observer from the Federation Board.

The ACJA was first convened as a Federal Council in April 1915 and later became the Australasian Council after New Zealand joined in 2008. The ACJA provides education, networking, resources, and forums for Justice of the Peace associations within Australia and New Zealand. Its vision is to improve the conditions of Justices, to seek high standards for appointment and training throughout all jurisdictions and to provide improved services to the community generally.

Change was an underlying theme to much of the business at the AGM, including the election of a new executive. After eight consecutive years as President, Rod Nicholas (Canberra) stepped down. Beverly Alley (Canberra) was elected registrar, taking over from Terry Wardle (Adelaide). Christine Cordingly (New South Wales) remains as deputy registrar. The position of Vice-President became vacant as a result of the change of President; no election took place during the AGM, but John Carpendale (Queensland) was subsequently appointed Vice-President.

The agenda allowed time for discussion on how associations have managed throughout the COVID-19 pandemic. In most ACJA jurisdictions audio-visual witnessing is being conducted. In some cases, the public's need for witnessing and attesting documents has resulted in lobbying for "remote witnessing" legislative changes to be made permanent. Ensuring Justices remain engaged in association activities during the pandemic has been challenging for some associations, while others have adapted to the circumstances and are establishing new initiatives which are clearly focused on the future as well on the changing landscape for the provision of Justice of the Peace services to their respective communities.

Another discussion item of particular significance for the Australian associations was around the work the Australian Government, states and territories are doing in prioritising working towards a common approach to document execution, focusing on statutory declarations

and deeds. The Deregulation Taskforce at the Department of the Prime Minister and Cabinet has released a consultation paper on opportunities for reform. The ACJA was invited to make a submission on the consultation paper and to participate in a stakeholder round-table discussion, and outgoing President Rod Nicholas updated the meeting on this piece of work.

In accordance with ACJA Policy and Procedures, Certificates of Appreciation were presented to a number of ACJA councillors who had represented their member organisations for five years or more (including this author).

The cancellation of the past two ACJA conferences required that the conference programme was updated. Tasmania was confirmed as host for the 2022 conference; it will be held in Hobart October 7-9. New Zealand will host the 2023 conference.

ACJA MEMBER ASSOCIATIONS

AUSTRALIAN CAPITAL TERRITORY

ACT Justices of the Peace Association Inc.

NEW SOUTH WALES

The Northern NSW Federation of Justices of the Peace Inc.
Australian Justices of the Peace Association Inc.

NORTHERN TERRITORY

Northern Territory Justices' Association Inc.

NEW ZEALAND

Royal Federation of New Zealand Justices' Associations Inc.

QUEENSLAND

Queensland Justices' Association.
Association of Justices of the Peace and
Commissioners for the Declarations Inc.
Gold Coast Justices Association

SOUTH AUSTRALIA

Royal Association of Justices of South Australia Inc.

TASMANIA

Tasmanian Society of Justices of the Peace Inc.
Honorary Justices Association of Tasmania Inc.
Honorary Justices Association of Tasmania North West Inc.

VICTORIA

Royal Victorian Association of Honorary Justices

WESTERN AUSTRALIA

Royal Association of Justices of Western Australia Inc.
Fremantle Association of Justices

Long service and hard work recognised

By Auckland association councillor SUE FURNESS

The Auckland association has recognised the long and much-valued service of immediate past president Sherryl Wilson with a Certificate of Appreciation, which was presented to her by current president Frank Rands.

Sherryl was appointed in 1981, when fewer than 5% of New Zealand Justices were women, and has therefore held the warrant for over 40 years. Despite the demands of a full-time job as a school deputy principal, and with a young family, she accepted the challenge. There was little formal training available, beyond the "Little Blue Book"; there were no mentor or support groups, and she recalls feeling thrown in the deep end! However, she thrived on the challenge of the learning required and found additional ways to serve.

Sherryl was already a member of Toastmistress and in 1981 became president of the New Zealand Region of International Toastmistress and then a life member. Until recently she was also an active marriage celebrant and she is a past president and life member of Celebrants Aotearoa, the Celebrants' Association of New Zealand. In her professional life she was a school principal and also served on the board of her children's school.

Sherryl has seen many changes over her 40 years. She welcomes the celebration and ceremony which now surrounds the swearing-in of new Justices, in contrast to her own swearing-in which was conducted in chambers at the Magistrates' Court in Auckland, with only Sherryl and the judge present. She has also been keen to promote professional develop-



Sherryl Wilson and Auckland president Frank Rands after the presentation of a Certificate of Appreciation to Sherryl recognising her 40 years' service as a Justice.

ment via hub training and local support groups, keeping Justices up to date with changes in both law and society so that we remember the responsibility as well as the privilege of our role – of serving with professional dignity, tact and compassion.

As Sherryl reminds us, members of the public are often seeking our help in dealing with unfamiliar processes at times when they may be feeling anxious and overwhelmed because of issues such

as loss of employment, financial hardship, an impending court case, relationship breakdown, or bereavement.

Sherryl is currently the Auckland Regional Representative on the Federation Board, a member of the AJPA council, and chair of the centenary committee planning celebrations for the AJPA centenary in 2022.

Thank you, Sherryl, we celebrate and appreciate all your hard work over so many years.



Members of the Nelson Tasman association council, family members, Past Federation Presidents Denise Hutchins (front row, third from left) and Terry Byrne (back row, sixth from left); association president Chris Bascand (back row, seventh from left); Nissa Mowjood (back row, fifth from right), and members of the Nelson Whākatu Muslim Association.

Connecting with a local community

By PIP JAMIESON

As Justices of the Peace we all take the New Zealand Judicial Oath which states we “will do right to all manner of people after the laws and usages of New Zealand without fear or favour . . .”.

How do we know how to do right to all manner of people unless we actually know them, and are open to treating them fairly and without favouritism? We all tend to connect with people we know and who are like us, and it is not always easy to make connections with people from different age groups, communities, religions or nationalities.

Thanks to Nelson Tasman association Justice Nissa Mowjood, who facilitated the necessary introductions, Nelson Tasman council members and Past Federation Presidents Denise Hutchins and Terry Byrne had the pleasure of spending some time getting to know members of the Nelson Whākatu Muslim

Association recently.

“We were welcomed to the mosque by members of the association and greeted with hospitality and delicious food,” said association president Chris Bascand. “We were asked about the role of Justices of the Peace and what functions they cover, along with the long history of Justices in New Zealand.

“Then the essence of Islam was carefully explained to us, along with some helpful information on what is considered part of the beliefs and customs that many Muslims hold and follow. We were also able to ask questions about Ramadan, prayer etc and hear about the personal journey of a number of the members of the Muslim community.

“It was very interesting to learn that there are members from more than 20 different nationalities in the Muslim association, coming from re-

ally diverse backgrounds, and now employed across a number of fields such as civil construction, education, doctors in general practice, and many community roles,” he said.

The Muslim association has been in existence in Nelson since 2017 and has as its mission “... to support the Muslims living in the Nelson region to build a resilient and inclusive community. We would like to enhance the understanding of Islam among both Muslims and non-Muslims promoting social harmony”.

“This wonderful opportunity is the start of an ongoing relationship and commitment to help promote such social harmony and understanding of other cultures. We look to other opportunities to be open to our wider community so that we may fulfil our role as Justices in a far more appreciative and informed manner,” Chris said.

NEW YEAR HONOURS

**Five Justices were recognised in this year's New Year Honours.
They are, with their association affiliation in brackets, and edited citations:**

Companion of the New Zealand Order of Merit (CNZM)

MIDDLETON, Professor Emeritus Stuart Alan, ONZM (Auckland)

For services to education

Professor Emeritus Stuart Middleton has contributed to secondary and tertiary education for more than 45 years. Professor Middleton became Head of the Centre for Studies in Multiple Pathways at the Manukau Institute of Technology (MIT) in 2010. He was instrumental in the development of the Tertiary High School which opened at the MIT Otara campus in 2010, to lift barriers to higher education. Around 2000 students have since attended, with high NCEA pass rates at levels one, two and three. He has been significantly involved in Pasifika development programmes via MIT, including a special curriculum for school leavers in Tonga in 2013/2014. He chaired the establishment committee of the Auckland Māori and Pasifika Trades Training Initiative (MPTT) from 2014 to 2017. He has worked with IBM to introduce P-Tech to New Zealand, aimed at getting more Māori and Pacific learners into the technology sector, and launched at MIT in 2020. He chaired the Community Education Trust Auckland (COMET) through its transition from a council-controlled organisation from 2010 to 2014.

• **HONOURS: Officer of the New Zealand Order of Merit, Queen's Birthday 2010**

Officer of the New Zealand Order of Merit (ONZM)

ALOESE-MOE, Tuita'alili Vaitava'e Su'a (Auckland)

For services to the Pacific community

Tuita'alili Vaitava'e Aloese-Moe has been contributing to the health and education sector for the Pacific community for more than 40 years. Ms Aloese-Moe was a registered obstetric nurse at Middlemore Hospital between 1975 and 2000. She discovered a common concern for young Pacific mothers was the struggle of finding Pacific early learning services for their children, and helped her Samoan Catholic community establish Sagato Iosefa Aoga Amata Early Childhood Education to meet this demand. She completed studies in early childhood education and alongside Pacific community leaders established the Mangere Pacific Early Childhood Education Trust, and was appointed the inaugural chair, serving from 1997 to 2011, with five centres established today. She founded the Tava'esina Trust Board and Fetu Ta'iala Aoga Amata, and with community encouragement opened another Pacific early childhood education centre in Mangere, Fetu Aolele, in 2015.

ARULANANTHAM, Mr George Chandrakumar, QSM (Auckland)

For services to the community

Mr George Arulanantham received a Queen's Service Medal in 2012 for his

services to the Tamil community. Mr Arulanantham has been involved with several Rotary clubs in the Auckland and Taranaki regions, since 2012, and has held positions including programme co-ordinator, helping organise street appeals. He was a member of the Taranaki Multi-Ethnic Council between 2012 and 2015 and was key in establishing the Extravaganza event, which celebrates different cultures through food and performance. In 2017, he was elected honorary treasurer for the Auckland Network of the Institution of Engineering and Technology United Kingdom, promoting engineering to members in New Zealand. He was appointed a voluntary assessor by the Institution of Engineering and Technology United Kingdom in 2019. He was chairperson of the Taranaki region of Engineering New Zealand in 2014, organising seminars and professional development courses.

• **HONOURS: Queen's Service Medal, New Year 2012**

Queen's Service Medal (QSM)

KNIGHT, Mrs Catherine Mary (Cathy) (Nelson-Tasman)

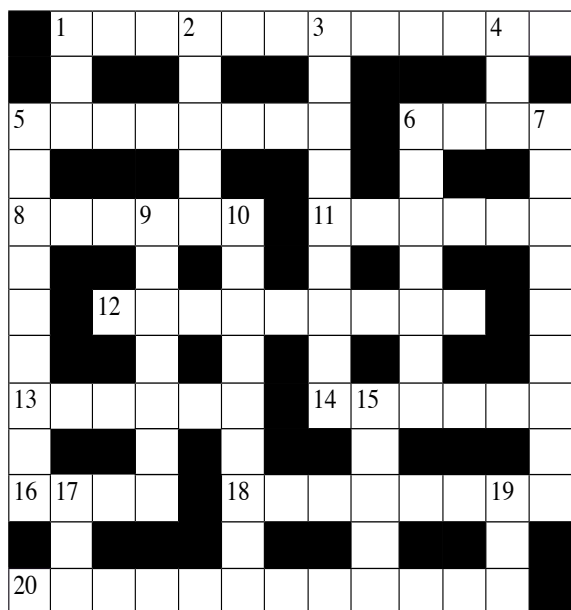
For services to the community

Mrs Cathy Knight has been involved with a range of community organisations in Nelson for 30 years. Mrs Knight has held several offices with the Nelson Tasman Justices of the Peace Association since 2004, including president from 2012 to 2014. She has been a judicial JP since 2005 and was appointed judicial trainer for Nelson Tasman in 2019. She has been Regional Naval Officer for Nelson since 1993, undertaking liaison work for ship visits and with organisations such as the city council, port authorities, the RSA and New Zealand Cadet Forces units. She was a key organiser for the Trafalgar bicentenary commemoration event in 2005, involving the presence of 10 ships in Nelson harbour. She has been Nelson branch manager of the New Zealand Law Society for almost 30 years.

OLIVER, Mrs Taulapu (Marlborough)

For services to the Pacific community

Mrs Taulapu Oliver has supported the Marlborough Pacific community since the 1990s. Mrs Oliver helped new Pacific migrant workers and their families to settle into the region, assisting with translation services on how to apply for key documents and services such as drivers' licences, bank accounts, and citizenship applications. She established a weekly Sunday gathering for the Pacific community at Pollard Park, helping individuals and families settle into life in the region. She supported the Kalia Trust to launch the first Marlborough Polyfest in 2019. She has helped families enrol children at schools and with general practitioners. She represented the Samoan community on the board of Marlborough REAP from 2011 to 2016. She has been on the board of Community Law Marlborough since 2000.



ACROSS:

- 1 Season's greeting (5,3,4)
- 5 Drive for success
- 6 Plan secretly
- 8 Motto on head-dress badge for NZ infantry in WWII
- 11 Go around
- 12 Celebrated Kiwi writer
- 13 Frozen drip
- 14 Most senior order of knighthood in the British honours
- 16 Dark blue
- 18 Contagious viral disease

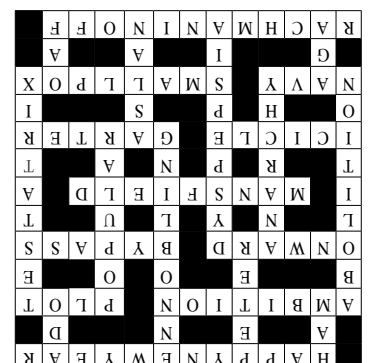
20 Russian composer

DOWN:

- 1 Overacting performer
- 2 Gradually fade out
- 3 Giving rank or title to
- 4 Fuss
- 5 Doing away with a practice or system
- 6 Liked by many
- 7 Woman who has made a will

- 9 Absence of government
- 10 Pipes days (anag)
- 15 Narnia lion
- 17 Muslim official
- 19 Rough chap

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PURSUANT to section 3 (1) of the Justices of the Peace Act 1957, Her Excellency the Governor-General has been pleased to appoint the following persons to be Justices of the Peace for New Zealand.

Ambler, Mark Faraday, Thames
 Bosch, Franciscus Bernardus, Auckland
 Boyes, Victoria Alice, Greymouth
 Bradburn, Dominic John, Auckland
 Bullock, Gillian Margaret, Pokeno
 Cameron, Andrew Roy, Porangahau
 Cloughley, Julie Clare, Swannanoa
 Colville, Jarrod Andrew, Palmerston North
 Curtis, Michael Godfrey Bruce, Waihi Beach
 Fawcett, Janette Margaret, Auckland
 Friend, Tracey Anne, Dannevirke
 Garing, Tony Shayne, Christchurch
 Hall, Jane Elizabeth, Blenheim
 Harding, Elizabeth Jean, Auckland
 Henderson, Leslie Grainger, Ashburton
 Henson, Michael Kenwyn, Cambridge
 Hughes, Adam Geoffrey, Auckland
 Jackson, Jenny Margaret, Ngaruawahia
 Khouri, Zafer, Hamilton
 Kumar, Ashwani, New Plymouth
 Lennox, Gillian Maree, Waverley
 Lewis, Janice Ann, Tauranga
 Llewellyn, Murray Charles, Cambridge
 Malak, Hana, Auckland

Noonan, Gaile Beverley, Nelson
 Paitai, John Hepa Makimou, Kaitia
 Pollisco, Marifil Florinda Arnoco, Christchurch
 Poppelbaum, Alexis Helena, Auckland
 Reid, Vicki Suzanne, Nelson
 Retter, Ella Hilda Rosemary, Feilding
 Rewi, Renee Tawhai Theresa, Hamilton
 Richards, Natalie Paretera, Rotorua
 Roadley, Rachel Lucy Munro, Ashburton
 Salisbury, Tina Marie, Tauranga
 Singh, Anne Leuteoamoa, Auckland
 Singh, Harjit, Palmerston North
 Sinnott, Lindsay Thomas, Greymouth
 Snowsill, Julie Claire, Warkworth
 Tia-Phal, Sauiluma, Christchurch
 Warner, Brent Watts, Mount Maungatua
 Williams, Amanda Rachel, Christchurch
 Wood, Raylene Angela, Taumarunui

*Dated at Wellington
 this 15th day of October 2021
 Hon Aupito William Sio
 Associate Minister of Justice*

Anderson, Paula, New Plymouth
 Bravenboer, Alison Patricia, Auckland
 Brien, Anthony Raymond, Timaru
 Burns, John Stuart Hugh, Tuakau
 Clayton, Penelope Dianne, Hahei
 Crichton, Jeremy Nigel Eustace, Queenstown
 Cunningham, John William, Te Kauwhata
 Fergusson, Terry Arnold, Rotorua
 Goodhew, Angelina Jane, Horeke
 Keeling, Jan Elizabeth, Duntroon
 Lamb, Paul Thomas, New Plymouth
 McMullan, Raelene, Hokitika
 Paull, Janeen Ivy, Oamaru
 Rico, Alfredo Mattheu, Te Kauwhata
 Rogers, Stephen Alfred, Runanga
 Sharma, Nisit Ram, Whanganui
 Simpson, Suzanne Margaret, Te Kauwhata
 Simpson, Davida Ursula Nga Taura, Hokitika
 Walker, Emma Jane, Wellington
 Woods, Diana Jane, Wellington
 Young, Bronwyn Alexandra, Queenstown
 Zulfiqar, Ghasanfer Ali, Richmond

*Dated at Wellington
 this 22nd day of November 2021
 Hon Aupito William Sio
 Associate Minister of Justice*

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