

Justices'

QUARTERLY



FIAT JUSTITIA
RUAT CAELUM

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Taranaki
celebrates
centenary



Congratulations, Taranaki!

Greetings to all Justices.

Taranaki association centenary

On May 12, my wife Karen and I attended a mayoral reception in New Plymouth to celebrate the centenary of the Taranaki association. During the evening, speakers referred to the changes in the role and responsibilities of Justices of the Peace that have occurred over the past 100 years. Reference was made to legislation that has changed, including the Riot Act. Justices' involvement in "reading the Riot Act" was changed in 1961 and removed from statute in 1987. As a result of these references, I was prompted to re-read the "Reading the Riot Act – A 200-year History of Justices of the Peace in New Zealand", by Philip Harkness, and to visit the library in the members' section of our website. How things have changed! If you have not read the book or visited the library, I recommend them to you. Congratulations to the Taranaki association on reaching this significant milestone and best wishes for the next 100 years.

Role of Justice of the Peace

While researching for the centenary celebration I came across the following observations:

When thinking about the role of Justice of the Peace in New Zealand today it is important to remember our ancient and honourable history. The first statute that defined a Justice of the Peace was in 1361 in the reign of King Edward III. The significance of that statute is that this was the first time that "the citizen" had been given a place in England's legal processes. That unbroken line of involvement as a Justice of the Peace in our justice system has been handed down to us to value and protect.

The really significant value of having JPs as part of the system of justice in New Zealand is that JPs represent the community. Parliament makes the law under which we all live. The police enforce the law. The stipendiary judiciary interprets the law. Each agency is funded by the state. As Justices of the Peace, we are independently appointed through a community process: we must always be representative of the community in terms of gender, ethnicity and age. We must always be available to citizens and

in most situations, we are the first encounter citizens have with the legal system.

JPs provide a bulwark for the citizen against the power of the state. We are independent of government, accountable only to our fellow citizens, and through our involvement with the justice system, we are guardians of democracy. Genuine democracy can only flourish when its citizens are informed and involved with the process of democracy, and no democracy can survive without a sound and accountable legal system.

– Past Federation President Kevin Geddes writing in the Justices' Quarterly, Volume 81 Issue 1

Community service

Service is a small word but for many New Zealanders it is a major part of their lives. Many Justices of the Peace have served their communities in many different roles prior to their appointment to the role. While it is difficult to quantify the countless hours that Justices provide to their communities in that role, it is fair to assume that these hours are additional to the service they continue to provide to those communities. In the context of service, can I extend my congratulations to those Justices that have been recognised in the Queen's Birthday Honours for their achievements and contributions to their respective communities.

Professional Development Advisors

Over the past 12 months, many of you will have interacted with Simone Baxter while Shinae Skelton was on maternity leave. Shinae has now returned to the Federation office and Simone has agreed to an extension of her fixed term. We now have two PDAs with their responsibilities shared between Judicial and Ministerial tasks - welcome back Shinae, and thank you Simone for agreeing to stay on.

Judicial practicum

As part of the Judicial Studies Course a practicum was held in early May. This course was in addition to the usual



Federation President
Peter Osborne

annual course and was necessitated by the recent retirement of a number of Judicial Justices. Congratulations to all the students that passed the practicum and thanks to the staff in the Federation office for their efforts in running an additional course – it is much appreciated by both the Board and the course participants.

Outcomes Agreement

In years gone by, the Federation entered into a Memorandum of Understanding with the Ministry of Justice with respect to funding the Federation for the provi-

sion of services. The document's name has now been changed to "Outcomes Agreement", with essentially the same content, and I was able to confirm the content and sign it in May. Thanks to Tony Pugh for representing the Federation in the discussions leading to the confirmation.

Federation elections

In early August associations will be notified of the need to consider nominations for regional representatives for 2023, and also to be thinking about the offices of President and Vice-President for 2023-24.

Regional conferences

Over the past two years, the COVID-19 pandemic has prevented a number of activities from taking place, including regional conferences. Under the current traffic light level we are permitted to have face-to-face gatherings with appropriate precautions. At AGM/Conference 2021, the following remit was passed: "That the RFNZJA Board review the format and appropriateness of regional conferences with regard to whether they deliver outcomes which reflect the needs of associations and Justices." I would like to see this remit discussed at our forthcoming regional conferences, whether they be in person or online.

Peter Osborne

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National Manager and Registrar:

Tony Pugh JP MBA BBS ACA

Professional Development Advisors:

Simone Baxter BDes (Hons)

Shinae Skelton BA LLB

Administrator: Katie Harvey BA

Editor Justices' Quarterly: Geoff Davies JP

Electoral changes aim for greater transparency

Changes to electoral law announced by Justice Minister Kiri Allan on June 27 aim to support participation in parliamentary elections, and improve public trust and confidence in New Zealand's electoral system.

The changes are targeted at increasing transparency around political donations and loans and include requiring the disclosure of:

- donor identities for any party donations over \$5000
- the number and total value of party donations under \$1500 not made anonymously
- the proportion of total party donations that are in-kind (non-monetary) donations
- loans to candidates from unregistered lenders.

"The results from public and targeted consultation were clear: New Zealanders want greater transparency about how our political parties and candidates are funded," Ms Allan said.

"Appropriately regulated political donations and loans underpin public trust in the integrity of our electoral system, and the key institutions of a democratic government.

"Importantly, better transparency of party and candidate financing helps support public trust and confidence in our electoral system. These changes will provide the public with more of the information they want."

Additionally, all registered parties would be required to make their financial statements publicly available every year.

Another important proposal is the temporary expansion of overseas voting eligibility for the 2023 General Election.

"Under the current law, New Zealand citizens and permanent residents lose their eligibility to vote if they remain overseas beyond three years for New Zealand citizens and one year for permanent residents.

"There have been some unique challenges facing New Zealand citizens and permanent residents who haven't been able to return home over the past two years, including COVID-19 travel restrictions and mandatory isolation requirements.

"While many requirements have been lifted, overseas voters still face considerable financial, travel, health, and logistical barriers to returning home, including the risk of further COVID-19 restrictions.

"The Government recognises that and will extend the voting eligibility criteria from three to six years for citizens, and one to four years for permanent residents.

"This would uphold the rights of thousands of New Zealand citizens and permanent residents to exercise their democratic rights by voting in the upcoming general election and acknowledges that the issues they faced were out of their control," she said.

The initiative would be temporary, applying only to the 2023 General Election. Any permanent changes to the eligibility criteria for overseas voters will be considered by the independent review of electoral law, which is due to report back by the end of 2023.

An Electoral Amendment Bill will progress the changes shortly, in time for the 2023 General Election.



AGM 2022 outcomes

The following remits were successful at AGM 2022. Work is under way to respond to, where appropriate, the directions given to the Board.

Remit 1

That the Royal Federation Board responds to the results of the 2021 Federal Structure Review by developing an action plan. This plan should include:

1. the detailed scope of the assessment to be undertaken
2. the timeframe
3. the parties involved (including consultants), and
4. the estimated cost.

This information should be communicated to all associations within six months of the 2022 AGM to allow time for robust discussion, prior to a vote at the 2023 AGM as to whether to proceed with the assessment process as proposed. *(As amended)*

Remit 2

That RFNZJA 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.

Remit 3

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

Notice of motion

A rule change was approved that has resulted in nominations for regional representatives to be submitted later (from August 1 each year, previously June 1), and the closing date for those nominations to be November 1. The change is effective for 2022 nominations.

Staff change – Professional Development Advisor

Shinae Skelton has returned after twelve months of parental leave. Simone Baxter has agreed to an extension of her fixed term employment contract. Simone will be focused generally on Ministerial duties and Shinae will be taking responsibility for Judicial activities.

AGM/Conference 2023

AGM/Conference 2023 will be held in Invercargill, hosted by the Southland association. The programme will commence on Friday March 3 and conclude on Sunday March 5. The venue and start/finish times are currently being reviewed and will be advised to associations in due course.

New Justice Minister

A Cabinet reshuffle in late June included the appointment of Kiri Allan (right) as Minister of Justice, succeeding Kris Faafoi.

Ms Allan is also an Associate Minister of Finance, Associate Minister for Arts, Culture and Heritage, and Associate Minister for the Environment.

Before entering Parliament in 2017, Ms Allan managed a large agriculture and horticulture portfolio on the East Coast that included kiwifruit, dairy farms, forestry sites and apiculture. She also

practised commercial and public law in Wellington, the Bay of Plenty and the East Coast.

There are three other Ministers involved with the Justice portfolio: Aupito Su'a William Sio, Minister for Courts and Associate Minister of Justice, who has responsibility for Justices of the Peace; Kelvin Davis, the Minister for Maori Crown Relations: Te Arawhiti; and Marama Davidson, who is Minister for the Prevention of Family Violence and Sexual Violence.



Many highlights in long stint as registrar

Former Nelson Tasman registrar ROGER COLE looks back over his 18+ years in the job . . .

When I was elected registrar of the then Nelson Bays (now Nelson Tasman) association in November 2003, it never crossed my mind that my tenure would last 18½ years. Over this period I have had some great experiences, visited many places in New Zealand whilst attending 20 Conferences and AGMs (in the company of my wife Ruth, except for 2022), met some awesome people, and found myself deeply involved in some significant challenges with changes in legislation, procedural updates, new opportunities, expansion of the role, and proposals tabled at Conferences.

While I am recovering well from recent surgery, and my prognosis is excellent, the experience has caused me to reflect on the reality of my inevitable mortality, and with that the need to ensure that the roles I currently fulfil in the community are satisfactorily safeguarded. My role as registrar was one of them, hence my decision last March to step aside at the next AGM in October. As it happened, a succession was arranged quicker than expected, and I retired on April 30.

When I look back at our older records, with handwritten membership lists and financial records, and typewritten minutes, the effect of the home computer is clear. Access to the internet, email communications, and software such as Word and Excel have all made the tasks which fall to the registrar a great deal easier, which is a massive blessing given the expansion of the role over the years. And email, along with help with snailmail from another council member, enabled me to perform the registrar's duties during a number of overseas trips between 2005 and 2016, several of which were for six weeks or more.

But the greatest blessing to me has been Ruth, who has provided companionship, support, encouragement, and wise counsel, for which I am exceedingly grateful. It would have been difficult to have fulfilled my responsibilities without her support.

One aspect of some Conferences I have particularly enjoyed has been the opportunity to dress to a theme for the Saturday evening formal dinner. The picture shows Ruth and I in art deco outfits at Conference 2007 in Napier.

We had great fun assembling our accoutrements, and I spent quite some time painstakingly painting the white part on to my charity shop shoes. It is a shame that this ingredient of Conference life has not been more regularly observed. We wore the same gear a couple of years later at the Ashburton Conference where the theme was "Both Sides of the Law".

A feature of Conferences that has consistently been a high-quality component is the entertainment that is part of the formal Saturday evening dinner. It would be inappropriate to select even a few of the items as special, be



Roger and Ruth Cole in art deco costume at Conference 2007 in Napier.

cause all in their own way were excellent, topical and most enjoyable. The many associations whose Conferences I have had the pleasure of attending can be proud of the way they managed the event.

I must admit, however, that the remits section of Conferences has not always been especially captivating; fortunately, in most cases, matters that I felt were poorly reasoned were not supported. This view is not new: Conference 1936 resolved that "Some remits submitted were unnecessary".

Looking back at remits that have been raised at much earlier Conferences, as reported by John Lyle Noakes in "Federation 1924 - 1973" and the booklet covering Conferences from 1924 to 2003 issued at Conference 2003 in Nelson, the change in the nature of remits is remarkable. We no longer see remits calling for the return of the birch (1943 and 1961), nor that the sale of contraceptives should be made a criminal offence (1939), so it seems we have matured somewhat in this regard.

In April 2007 long-awaited updates to the Justices of the Peace Act came into force, introducing the requirement for initial training, which includes the associated online

• *Continued P4*

• From P3

assessment; this has been extremely valuable in ensuring that candidates have a properly structured introduction to the JP role, and demonstrate proof of basic competence before being sworn. The status of JP (Retired) was also formalised in the amended Act, making it much more acceptable for members to gracefully retire whilst retaining a post-nominal that recognises their community service in this role.

Later that year the nomination process was expanded to include a joint interview with representatives from both the court and the local association. This very welcome process, while it added a further task to my responsibilities, enabled much better input to nominations from both the court and the local association, and has at times resulted in a nomination not proceeding further.

In 2008 I was approached by the manager of the local Mental Health crisis team in relation to problems the team was having complying with the requirement of section 9 of the Mental Health (Compulsory Assessment and Treatment) Act 1992, that the purpose of the assessment examination and the requirements of the notice about this examination are explained to the proposed patient in the presence of a member of the client's family, or a caregiver in relation to the proposed patient or other person concerned with their welfare. The difficulty was finding someone to fulfil this role when no family member or caregiver was available or willing to do so, and I was asked if a team of JPs might be a possibility.

In short order a team of around half a dozen was assembled and trained, and I understand this was a blueprint for the establishment of such teams throughout the country. At times it is a challenging task – especially when called out in the small hours, as it is a 24/7 duty – and is one of the few functions for which we are paid, as we act as “members of the public drawn from the ranks of Justices of the Peace” and thus do not function in this regard as Justices of the Peace, nor sign ourselves as such.

The next big challenge was the impact of the changes to charities reporting requirements, which affect-

ed those associations with charitable status (which is the majority) as from the annual accounts for 2009. As a Chartered Accountant, and with a similarly qualified treasurer, to set up compliance for our association was no problem, but for many registrars it was an unwelcome imposition. I prepared our 2008 annual return in the appropriate format, and addressed the registrars meeting at Conference 2009. I provided copies of the format I had assembled, and explained what was needed.

In June 2010 I was asked by the Federation Board to carry out a review of the Federation financial system, and consider a number of associated matters. I found the systems in place to be sound, but did make a number of recommendations to the Board. Alan Hart, the then Federation Registrar, was very helpful in this, and with many other matters I discussed with him over time – I count both Alan and the present National Manager Tony Pugh as friends; both have been very supportive and easy to work with.

In 2012 service desks were introduced, nationwide – Nelson Tasman started with just a couple, and on the first day there were 22 clients. The numbers of clients and desks have expanded significantly, as has the team required to staff them – rostering is a task that after a few months I was very happy to pass on to someone else. It has been interesting over the years to see the increasing extent to which service desks have been patronised, with many comments from the public expressing gratitude and admiration to those staffing the desks.

Accreditation was the next big challenge. After much discussion at Conferences over a good many years seeking a means of recognition for members who were attending continuing education sessions, the current system was implemented, and at one stage our association achieved 80% of members accredited. Increased focus on provision of continuing education sessions eventually resulted in the formation of a team dedicated to this task, which meant I was no longer needed to attend these events. Covid has had a significant effect however, with the ability to provide the formal minimum

one-hour education session severely curtailed.

One matter that has involved rather a lot of my time has been ensuring the Yellow Pages listings are maintained correctly. While I accept that some associations – understandably including some of the larger ones – have given up managing Yellow Pages listings, in my view there remains a small but significant portion of the community for whom the internet is completely foreign, and who therefore rely on the phone book to find JPs. I check listings on Internet Yellow Pages, and once a new listing appears I would call Yellow to confirm that it will be listed under the correct locality – sometimes that is not the case, and I fear this sort of situation will become frequent, that listings are not closely managed.

During my tenure I was also a Judicial JP, from April 2008 until I hit the compulsory retirement age of 75 in August 2020. While I fully support the establishment by the Chief District Court Judge of a compulsory retirement age, I have to confess to some resentment that it applied to me! I had some challenging experiences while on the bench – one of the more interesting some years ago was a young English gent who, during a remand hearing, perhaps a precursor to the recent phenomenon of sovereign citizens, advised me that New Zealand law did not apply to him. He was a challenge!

At Conference 2021 in Wellington I discussed with National Manager Tony Pugh the question of the Registrar's Manual, and how it had become very out of date. I was invited to do an update, and it was suggested that I also update the President's Guide, as the two need to dovetail on several counts. Although this project was deferred while the question of a Federal structure was under consideration, it has become clear that the two roles will in principle remain, and I have been asked by the Board to recommence this assignment, which will keep me busy for quite some time, and which Federation Past President Alison Thomson has very kindly agreed to peer review.

I have now happily handed over the Registrar role to my two successors, and wish them all the best.

From the Professional Development Advisors



Simone Baxter



Shinae Skelton

Welcome back to Shinae Skelton who has recently returned after being on parental leave for the past year. Shinae and I will be working together in the role of Professional Development Advisor at the Federation. Although we will be working collaboratively, my main focus will be Ministerial duties, while Shinae will have a stronger focus on Judicial duties. If you have any queries about your role as a Justice of the Peace, feel free to contact us. – **Simone Baxter**

Forms of identification

What is acceptable and for what purpose: the 'tiers' of identification

As a Justice of the Peace, you will commonly encounter a variety of identification documents, either for a certified copy, for Anti-Money Laundering and Countering Financing of Terrorism Act (AML/CFT) purposes or to satisfy yourself that the person named is the person who is signing. With a variety of different identification options available, it is important to understand what forms are acceptable and when they have restrictions.

Identification documents for AML/CFT

The Amended Identity Verification Code of Practice 2013 outlines what forms of identification are acceptable for AML. If you are unsure if the document your client has produced is acceptable, best practice is to ask them if they have checked the receiving agency will accept the identification in the form they have provided.

The Code of Practice states that for institutions to meet the customer due diligence requirements for AML, their client's identity must be verified by one of the following options:

Option 1: One form of the following primary photographic identification documents:

- New Zealand passport
- New Zealand certificate of identity issued under the Passports Act 1992
- New Zealand certificate of identity issued under the Immigration New Zealand Operational Manual published under section 25 of the Immigration Act 2009
- New Zealand refugee travel document issued under the Passports Act 1992
- Emergency travel document issued under the Passports Act 1992
- New Zealand firearms licence
- Overseas passport or a similar document that contains the name, date of birth, a photograph and the holder's signature
- A national identity card issued for the purpose of identification, by a foreign government, the United Nations, or an agency of the United Nations.

Option 2: One form of the following primary non-pho-

tographic identification documents:

- New Zealand full birth certificate
- Certificate of New Zealand citizenship issued under the Citizenship Act 1977
- A citizenship certificate issued by a foreign government
- A birth certificate issued by a foreign government, the United Nations, or an agency of the United Nations.

These must be presented in combination with a secondary or supporting form of photographic identification, for example:

- New Zealand driver licence
- 18+ Card/Kiwi Access
- Valid and current international driving permit as defined in rule 88(1)(b) of the Land Transport (Driver Licensing) Rule 1999 and a licence from another country with a translation.

The above photographic identifications are not an exhaustive list. Other secondary or supporting forms of photographic identification may be acceptable.

Option 3: A New Zealand driver licence and one of the following:

- Confirmation that the information presented on the driver licence is consistent with records held in the New Zealand Driver Licence Register
- Confirmation that the identity information presented on the New Zealand driver licence is consistent with the records held by a reliable and independent source (for example the information that is recorded for the purposes of the Births, Deaths, Marriages, and Relationships Registration Act 1995, the Citizenship Act 1977, or the Passports Act 1992 by the Department of Internal Affairs)

- A document issued by a registered bank that contains the person's name and signature, for example a credit card, debit card or eftpos card
- A bank statement issued by a registered bank to the person in the 12 months immediately preceding the date of the application
- A document issued by a government agency that contains the person's name and signature, for example a SuperGold Card as defined in the Social Security (SuperGold Card) Regulations 2007
- A statement issued by a government agency to the person in the 12 months immediately preceding the date of the application, for example a statement from the Inland Revenue Department.

You may be asked to assist clients with meeting these requirements. If you are approached, you should check for any instructions from the receiving agency or a "document guide". In the absence of instructions to the contrary you can use the following or similar words: "Certified true copy of [passport/driver licence/another document] that represents the named individual [client's name]."

ID documents requiring a certified copy

If a client requests a certified copy of their identification document for any purpose other than validating

their identity, there are no restrictions in place. For a certified copy, you are just confirming that the document that has been presented to you is an exact copy of the original document that has been presented to you. You can do this for any form of identification if you have sighted the original copy.

ID documents to satisfy yourself that the person named is the person who is signing

If you are viewing a form of identity as part of your process to be satisfied that the signatory is the person named in the document, there are a few options you could use. Best practice is to see a form of photo identification such as a driver licence, passport, New Zealand SuperGold Card with a photo or 18+ card/ Kiwi Access Card. You may still be able to use these forms of identification after they have expired if you are satisfied that the identity matches. It is not appropriate to decline the service if the client does not have identification. In this instance, you may ask reasonable questions to assure yourself of the person's identity or request that the client completes a statutory declaration confirming their details are correct.

As with any document, it is important to check that the client has confirmed with the agency receiving the document that it will meet their standard.

Read the statements below, and identify if they are true or false

1. A New Zealand driver licence is always an accepted form of Identification for AML purposes.

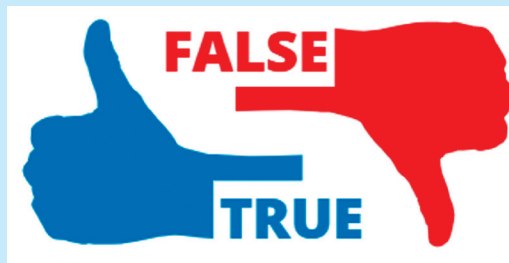
False: Some agencies may require an additional form of identification such as a birth certificate to be provided with the driver licence.

2. Passports and New Zealand firearms licences are two of the most commonly preferred forms of identification.

True: Government-issued photo identification is deemed to be more trustworthy than other non-government issued forms.

3. Common practice is to accept expired identification for up to two years after the expiry.

True: While there is no legislation that defines the rule, depending on what the purpose of the identification document is, some agencies will accept an expired form of identification for up to two years. If a client presents with an expired form of identification, best practice is to ensure that they have confirmed that the receiving agency will accept an expired identification before completing



the process. If you are checking for your own purposes, an expired form of identification should be sufficient. However, for AML purposes the agency may require a current form of identification.

4. A gold card can never be used as a form of photo identification.

False: Gold card holders can request that a small passport style photo be added to their gold card. While this may not be accepted by all agencies it can be used to sufficiently confirm the client's identification.

5. All identification documents are considered a primary identification if they include a picture.

False: A primary identification is an official document, usually issued by a government agency. Not all forms of identification fall into the category of primary. This does not mean they are not valid forms of identification; it just means there will be some circumstances when restrictions on their use will be in place or accompanying documents may be required.

Communicating with clients who have hearing loss

At some point in our lives, most of us will experience some form of hearing loss. A person may be born with a hearing impairment, or it can be caused by a medical condition, exposure to noise, or ageing. For some people, loss of hearing can affect speech, cause anxiety and lead to avoiding situations that involve communication with others. As hearing loss can happen gradually over time, not everyone with hearing loss will know they have it.

Although in the current climate masks have become an important part of keeping yourself and others safe, mask-wearing can make interacting with others even harder for people with hearing loss. People may struggle to hear what you are saying if your voice is muffled by the mask, or they are unable to read your lips while you are speaking.

If a client is unable to communicate effectively, they may become frustrated or withdraw from the situation, which could lead to their needs not being met. To ensure this does not occur, it's important that you are practising effective communication.

What can you do to assist with communicating effectively?

Communication involves at least two individuals: a speaker who sends the message, and a listener who receives the message. There are some simple steps that you as a participant in the communication process can use to assist in being an effective communicator, not just when dealing with a client who has hearing loss, but with all clients.

Gain attention

Acknowledge the person by their name, ask questions to ascertain that the client can hear and understand you such as "How can I help you today?"

Face the client

When dealing with clients, make sure that you are facing them, and look at them when talking. If you need to look over the document, do so before you begin to talk. Talking while you are looking down creates an extra barrier for someone trying to hear and understand.

Check in

While you are communicating with the client, check they can hear and understand you. Look for clues to indicate they cannot hear you properly, such as not engaging with you, not responding when you ask questions or talking over you off-topic.



Use clear speech

Slow down, speak clearly, but do not shout. Shouting distorts the sound of speech and if not wearing a mask may make lipreading more difficult.

Use gestures if appropriate

If appropriate, use hand gestures to emphasise what you are communicating or point to the relevant section of their document.

Avoid background noise

Although not always possible on a public service desk, where possible, meet a client in a quiet space. If there are background noises such as a radio or TV turn them down or off to minimise additional noises. If there are other people talking loudly nearby, ask them to lower their voices.

Stay calm and look for alternative ways to complete the task

If the client starts to get frustrated, take a step back - chances are they are not frustrated with you but with the process. Take a breath and look for alternatives. Be patient and don't rush the conversation.

Although there is no single way that is perfect to deal with all situations, using these steps will give you a good base for effective communication.

Listen, don't assume

As a Justice of the Peace, you will encounter a variety of clients and requests. Although you will often be the expert in dealing with specific documents, it is important you take care to listen to the client and understand what the requirements for their document are.

Don't just assume what you think they need.

Ask the client questions to ensure that you are on the right track.

With what task they are needing assistance?

Who is the receiving agency?

Has the agency provided any instructions?

For example, if a client requests that you certify a copy of their passport or other identification document, check what the purpose is. If you are certifying this document to say it is an exact copy of the original, then you can proceed as you would for a certified copy.

If the document is to go to a bank or other financial institution, you are likely to be certifying the client's likeness to the identification document for AML/CFT purposes. If the agency has provided specific wording, either through the client or within an instructional document, make sure that you use those words.

If a client indicates that they need something different to what you have anticipated, make sure that you take this on board and ensure that what you are doing is what is required. Remember, the tasks you assist clients with are important and how they are administered could affect their acceptance.

An important aspect of receiving good service is feeling like you are being listened to and having the task you require completed appropriately. Ensuring that you meet the client's needs and accurately perform the task they require is key to your role as a Justice of the Peace.

Resign or retire?



Under section 3A(b) of the Justices of the Peace Act: *Every Justice appointed under section 3(1) continues in office until he or she retires or resigns, by notice in writing to the Secretary - but what is the difference between retired and resigned?*

To retire as a Justice of the Peace you must have served for a minimum of 10 years, not been suspended from office, or must not have, without reasonable excuse, abandoned the performance or failed to perform the functions of a Justice. If you meet the criteria, once gazetted you will be eligible to use the designation "JP (Retired)".

If you wish to retire, please speak to your association registrar, or send your letter of retirement to administrator@jpfed.org.nz

What happens if you do not meet the threshold for retirement, but are no longer able to perform your duties as a Justice of the Peace?

If for any reason you choose to resign from your role as a Justice of the Peace but have not served for the minimum 10-year period, you will be unable to use the designation "JP (Retired)" and will instead have resigned as a Justice of the Peace. The process for this is the same as retirement, and your resignation will be gazetted as such.

Please keep in mind that retirements and resignations are batch-processed. Due to the nature of this process, we are unable to specify a specific date for your retirement/resignation to become effective. You will not be formally retired/resigned until the notice has been gazetted and you can continue your duties up until that date.

Updating your phone



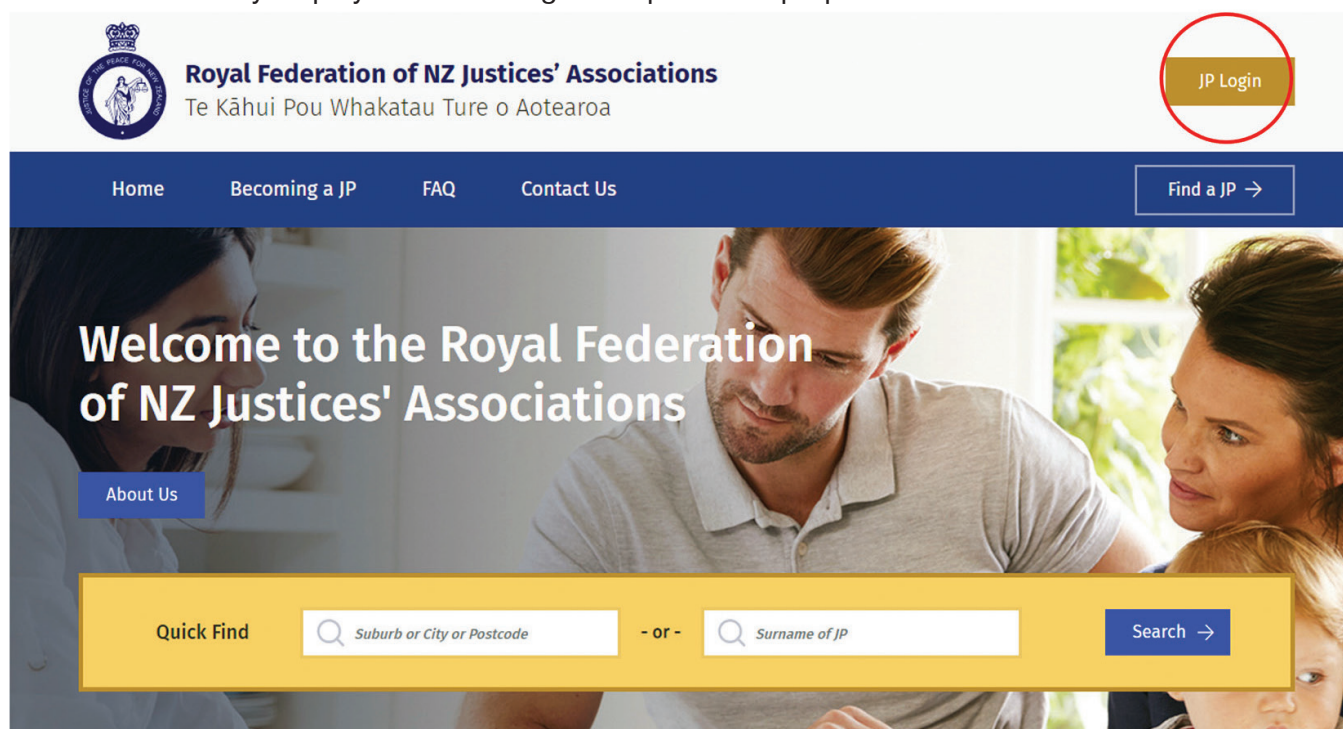
Recently we have had a few members of the public contact us about inaccurate details in JP listings, specifically landlines no longer being active. With landlines becoming less common, it is important that if you no longer have a landline, you update your contact details on your JP profile. If the details that appear in the "Find a JP" search are not up to date, clients will be unable to call you to make an appointment and you may find people turn up unannounced.

Staying up to date with administrative tasks

Different login screens for the website?

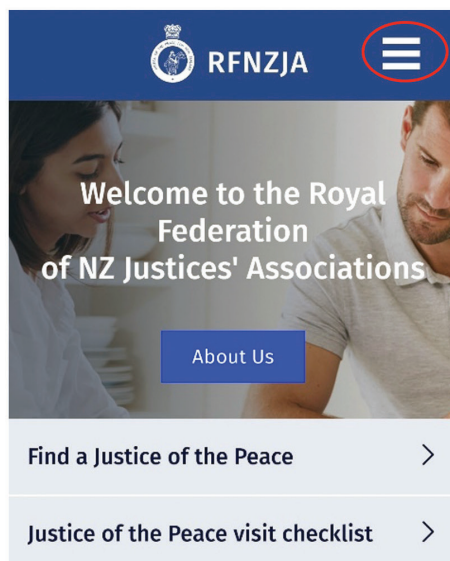
Logging into the website can appear in different forms depending on the device you use. Computers, tablets, and phones may produce a different landing page depending on the device setup. If you are unfamiliar with the format, it can be a bit tricky to navigate how to log in.

If the website appears in the format shown below, you will find the login button on the top right-hand corner of the screen. Simply click the JP Login button and you will be directed to the login page. This format is commonly displayed when using a computer or laptop.

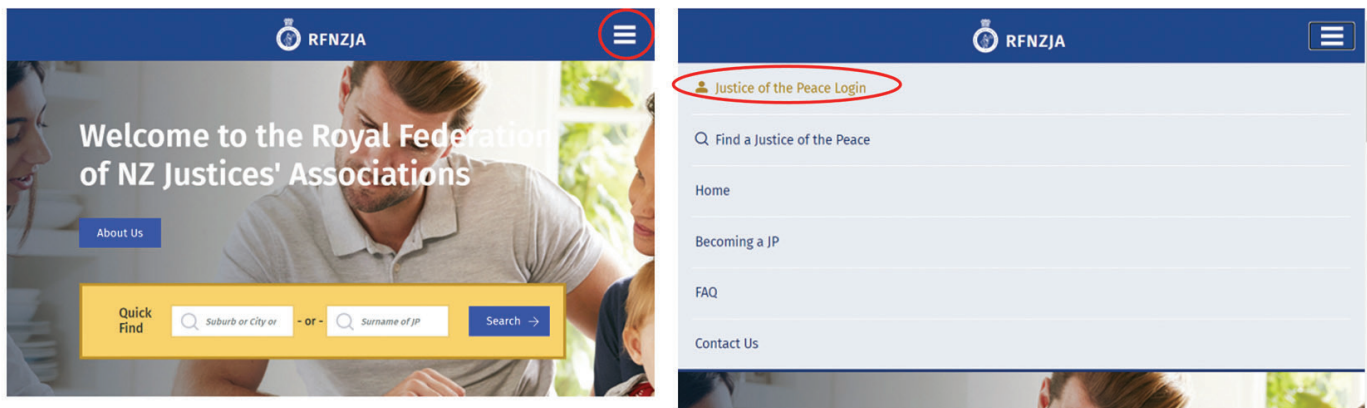


Typical mobile phone layout

If you are using a tablet or mobile phone to access the website, you will most likely be using the accompanying formats. Instead of the grey bar at the top of the page, you will see a blue bar with three small lines to the right. These lines indicate that there is a menu. Click the three lines and a dropdown menu will appear. From here, you simply need to press “Justice of the Peace Login” and you will be taken to the login page.



Typical tablet/iPad layout



Once you have reached the login page, enter your username (surname and Justice of the Peace number with no spaces between or after) and your password before clicking “Login”.



Member Login

Please login below to access the members area

JP Login

Username*

Password*

[Forgot your password?](#)

Unavailability on the website

For personal reasons, you may need to take a short break from your duties as a Justice of the Peace. If this is the case, you can mark yourself as unavailable via your profile on the website in the below section.

Not Available	NotAvailFrom	NotAvailTo
	<input type="text" value="dd/mm/yyyy"/> <input type="button" value="📅"/>	<input type="text" value="dd/mm/yyyy"/> <input type="button" value="📅"/>

If you do need to mark yourself as away for a short period of time, do not remove your address, phone numbers or any other details from your profile. Just enter the dates using the not-available option and you will automatically be hidden during the selected time. When the time elapses, your normal listing will be automatically reinstated.



Privacy revisited

The Privacy Act 2020 came into force in December 2020 and the implications for Justices of the Peace were explained in the January 2021 Quarterly.

How have you adapted to these changes in the law?

Recapping privacy rules for Justices

Collecting information

- If you are collecting information about an identifiable individual, this falls under the Privacy Act.
- You must only collect information when you have a clear (legal) purpose for doing so.
- Your purpose for collecting information must be connected to your function or activity.
- You must only collect as much information as necessary to meet your identified purpose.
- You must communicate to the client what information you are collecting and recording, your purpose for doing so, the circumstances in which you would share that information, how you store that information and when it will be disposed of.

Holding information

- Store the information securely in a place that cannot be easily accessed by others.
- Enable the client to access their personal information upon request.

Sharing personal information

- Disclose information where you have the permission of the client
- Disclose information where the law requires it of you

- Disclose information where it is consistent with the purpose you collected it for
- Do not disclose more information than necessary.

Dispose of personal information

- Keep personal information for as long as it is needed for the reason it was collected.

Additional considerations when applying the Privacy Act to logbooks

See the January 2021 Quarterly for a breakdown of how the Privacy Rules apply to maintaining a record of activities (also called a logbook).

Collection

Look at your logbook entries over the past year.

Have you recorded only information necessary to meet the purpose of your logbook?

Your record of activities acts as an aide-memoire, enabling you to provide surety to clients and receiving agencies that the proper processes have been followed. This is connected to your functions as a Justice of the Peace and enables you to provide a better service.

Have you collected information for any other purpose? Collecting information to build a database of what your clients look like or where they are from is unlikely to assist you in being a better Justice. Look closely at what information you are recording and question its usefulness – do you really need to remember your client's gender, what their job is, their passport number?

Storage

Where do you usually keep your logbook?

Putting your logbook in a drawer rather than leaving it on your desk could be the difference between a family member passively accessing your notebook and you maintaining your client's security.

Sharing personal information

Over the past year, have you shared information about the services you provided as a Justice of the Peace?

You may have disclosed information to an agency, such as a bank, in accordance with your reasons for recording clients' details.

However, not every person who makes inquiries of you is entitled to your client's personal information. A disgruntled or concerned family member may call you to confirm that you witnessed a document. Unless your client consented to you disclosing the

details of their appointment to family members, you are not able to confirm that you witnessed the client's document or that you even met with the client.

Disclosure rules apply to your general conversations about your duties. When discussing your experiences with other Justices of the Peace, have you included identifying information? This could breach your client's privacy.

Have you accidentally disclosed information? It can be easy to send a client the incorrect document when dealing with documents online. You could accidentally email a client another person's statutory declaration or identification document, for instance.

Disposal of information

Have you ever disposed of logbook information?

Look at the records you are currently storing. How old are they and have you ever disposed of a logbook? Why not?

Privacy gone wrong

The Office of the Privacy Commissioner posts case notes on their website outlining instances where organisations have breached the Privacy Act. Case studies provide an opportunity to learn from other's mistakes.

Case One: A sensitive file was burgled from a social worker's home - a paper file was brought home from work and left in a backpack that was opportunistically lifted by a burglar. The social worker's work laptop was also taken.

What can we learn?

We assume that items we keep at home are safe and private. This is not always the case.

Keep information, such as your logbook, safely stored at home, in a drawer or cupboard rather than in the open, such as on a table. Ensure electronic files are password-protected.

Case Two: Through her work transcribing, a hospital employee learnt that a woman she knew had been diagnosed with an illness. The employee mentioned this to a mutual friend who contacted the woman to express their concern. The woman had not told friends or family about her illness.

What can we learn?

Guard against casual disclosures. You may think it is harmless to mention to a friend that a mutual acquaintance visited you for JP services, but you may inadvertently disclose more than intended.

Casual disclosures are not limited to mutual friends. You may mention a client and an encounter to someone you believe is unrelated to the client. When doing so you may unwittingly be speaking to someone who is familiar with the client. New Zealand is a small place!

Case Three: An email request from a client to send details of their personal information was responded to by a new employee. The employee sent the client's personal information but inadvertently also sent information about the debts owed by several other clients.

What can we learn?

If unsure about the information a client has the right to access, seek advice before acting.

Set a delay rule on your email account. A delay rule on your outgoing emails creates a delay between when you select "Send" and when the outgoing email actually leaves your account. A delay gives you the opportunity to prevent your email from being sent, should you realise you have made a mistake. Search online for how to create a delay rule on your email account.

Practise recalling emails. Your email system may allow you to recall a sent email if that email has not been read by the recipient. Practise sending and recalling an email so you are prepared should the need arise.

See [privacy.org.nz](https://www.privacy.org.nz) for more case notes.

A rewarding experience

By JEMMA McDADE

The final part of the latest Judicial Studies Course, the practicum, took place in the Wellington District Court over May 3-4. The practicum enabled students to put into practice the knowledge we had gained from our six months of study.

We had all met virtually and collaborated on assignments in small groups, but it was lovely to meet one another in person, listen to different views on the topics covered by our study and learn from the experience of the course facilitators.

Day one was a mixture of informative sessions, adding greater detail to topics covered in our assignments and providing practical guidance on how to complete documentation. Our tikanga Māori session highlighted the importance of cultural recognition and challenged us to extend our use of te reo and tikanga in the courtroom.

The difficult-scenarios mock court session gave us an insight into juggling defendants who are keen to disrupt the court, whilst ensuring that the process runs calmly and smoothly. This session demonstrated examples of the variety of defendants that we might encounter and the reasons behind some of their behaviour, and we had to put into practice some of the tools learned during our study.

Our shared evening meal was a lovely chance to relax and get to know one another. We came from a variety of backgrounds and it was particularly interesting to discuss our motivations



for taking the course.

At the start of day two we were treated to a private tour of the Supreme Court, and heard of some of the history behind its construction and process.

We then had four mock court sessions covering remands, judge-alone trials, delivery of decisions and sentencing.

These enabled us to find out how it feels to be on the bench, running the court and delivering decisions. It was a very challenging part of the course. We all had a number of opportunities to sit alone and as a pair to deliver decisions we had written earlier in the day. We received focused and detailed feedback, giving us all areas in which we can improve.

It is clear from the vast amount of study resources and advice provided to us that a massive effort goes into the co-ordination and management of this course. It was a hugely informative and rewarding experience and I would highly recommend the course to any Justice who is thinking about increasing their contribution.

Our sincere thanks go to Judge Barbara Morris of the Wellington District Court, and to Garry Nicholls, Pip Hewett, Ann Clark, Caroline Ludford, Tony Pugh, Simone Baxter and Katie Harvey for your advice, patience, and humour in guiding us all through the practicum.

Ehara taku toa, he takitahi, he toa takitini:
Success is not the work of an individual but the work of many.



Practicum attendees visiting the Supreme Court: from left, Chris Faulls, Sharon Ayto, Tara Robinson, Naomi Parker, Carly Gunn, Carol Buckley, Jemma McDade, Paige Carlyle, Caroline Ludford, Karen King, with Federation Past President Garry Nicholls. Picture: KATIE HARVEY

Centenary celebrations begin

The Taranaki association launched its centenary celebrations in May with a very successful reception hosted in the New Plymouth District Council Chambers by Mayor Neil Holdem.

In addition to current and retired members of the Taranaki association, a number of invited guests including Glen Bennett MP, and two local District Court judges, Judge Gregory Hikaka and Judge Tony Greig. Federation President Peter Osborne and his wife Karen, and Central Regional Representative Laurie Gabites were also in attendance. All attendees were given a special badge struck to commemorate the occasion.

Following the official welcome and speeches, Peter Osborne presented long service certificates to Mary Perrott and Kevin Rimmington, who have served as JPs for 30 years. This was followed by the cutting of the very impressive centenary cake by Donald Gibson, who was sworn in as a Justice in 1980, and association president Fiona Parkinson.

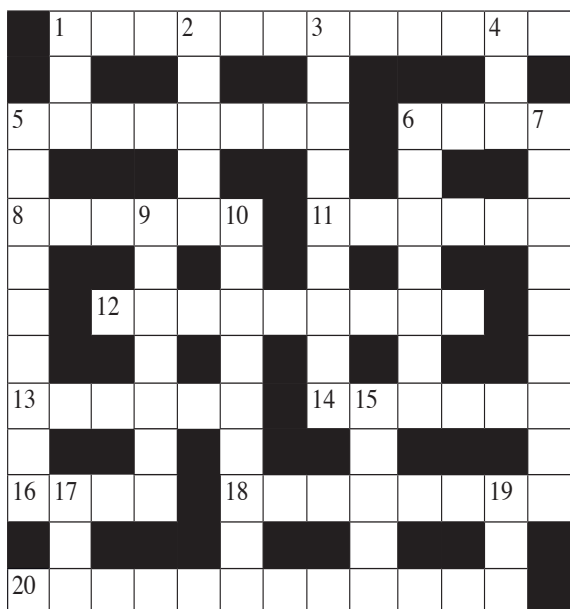
It was fitting that the reception was held on May 12 2022 as it was on May 13 1922, one hundred years ago almost to the day, that a meeting of local Justices was held, and the decision made to form an honorary Justices of the Peace association, to be called the Taranaki Justices of the Peace Association, with all Justices in the Taranaki province being eligible to join.

Centenary celebrations will continue with a "Mix and Mingle" for all Taranaki Justices, past and present, planned for Friday August 12.

– Fiona Parkinson



Federation President Peter Osborne presents a long service certificate to Taranaki's Mary Perrott.
Picture: KAREN OSBORNE



ACROSS:

- 1 Exponent
- 5 Baldness
- 6 Trade in
- 8 Mental or physical condition
- 11 Bureau
- 12 Whipping boy
- 13 Non-native
- 14 Forearm bone
- 16 All ----, in total
- 18 Reticent
- 20 With consideration

DOWN:

- 1 Comrade
- 2 Casket
- 3 Scene of Nelson's victory
- 4 Period
- 5 Loathsome
- 6 Ultra-conservative

CROSSWORD

7 No players (anag)

9 Discovered

10 Children's game

15 Farewell

17 Scottish cry of surprise

19 Light stream



Queen's Birthday and Platinum Jubilee Honours List 2022

Eleven Justices were recognised in the Queen's Birthday and Platinum Jubilee Honours in June. They are, with their association affiliation in brackets, and condensed citations:

Officer of the New Zealand Order of Merit (ONZM)

ADHIKARY, Mr Uddhav Prasad (Auckland)

For services to the Nepalese community

Mr Adhikary (right) has been promoting Nepali culture and contributing to the Nepalese community in New Zealand since 1996. Between 1996 and 2000 he was an executive committee member of the Everest Kiwi Association, now the New Zealand Nepal Society, the oldest Nepalese community organisation in New Zealand. Between 2000 and 2016 he held several positions with the New Zealand Nepalese Society including joint secretary, secretary and president, during which he helped migrating Nepalese families to settle in New Zealand, provided tertiary education advice for Nepalese international students and helped organise annual cultural activities including Teej and Dashain. He has been a Justice of the Peace since 2005, and was elected president of the Non-Resident Nepalese Association New Zealand in 2021.



Trust, established in 1985 to stimulate student interest in science and technology through participation in a science award scheme. He has been the chairperson of Canterbury Westland Science Fair Organising Committee since 1983, responsible for sponsorship, school liaison and starting the Year 7/8 Science Fairs in Christchurch. He has also been involved with Scouting New Zealand since 1962, holding various positions including Metropolitan Zone Commissioner and District Leader. Mr Atkins was a Judicial Justice of the Peace from 1989 till 2021.

DALTON, Mrs Adrienne Kathryn (Hauraki)

For services to conservation and youth

Mrs Dalton co-established Te Whāngai Trust in 2007 as a social enterprise, which to date has supported around 800 New Zealanders from challenging backgrounds to upskill with career opportunities supporting nature. She has a background in special needs education and social care and became involved with conservation working with Taskforce Green to restore native bush on her and her husband's farm. She then set up Te Whāngai Trust with her husband as a pilot programme with the Ministry of Social Development, later personally funding its continuation. Mrs Dalton has provided pastoral care to at-risk youth and regularly completes a two-hour round trip to collect suspended students from a high school to gain work experience with the Trust. The Trust has received several Sustainable Business Awards.

Members of the New Zealand Order of Merit (MNZM)

ATKINS, Mr Nicholas Stuart (Canterbury)

For services to science and the community

Mr Atkins has been contributing to education and science since 1985 through the Science Badge Award Trust. He was a founding member of the

Queen's Service Order (QSO)

MANNING, Mr Simon James (Wellington)

For services to funeral services and disaster victim identification

Mr Manning has been in the funeral industry since 1980 and established Harbour City Funerals in Wellington in 1989. Following the 1979 Erebus tragedy, he was asked by the Funeral Directors Association of New Zealand and the New Zea-

land Embalmers Association to develop a more structured disaster response for future events with fatalities. He has led New Zealand's Funeral Disaster Response Team since 1988, developing multiple teams of qualified volunteers to work on rotation to mitigate fatigue and mental health strain. He opened the team to all those qualified in the industry, organised formal training, and offered the team's services to the New Zealand Police.

Queen's Service Medal (QSM)

ANDREWS, Mrs Jennifer Louise (Marlborough)

For services to seniors and local government

Mrs Andrews has supported older people in the community through a variety of avenues for 23 years, volunteering her time beyond her paid employment to advocate for seniors. She has been on the Marlborough District Council since 1998, including four terms as deputy mayor. She has been involved with a range of committees such as the Older Person's Forum since 1999.

CHAND, Mr Ami (Auckland)

For services to ethnic communities

Mr Chand was a founding member of the Waitakere Indian Association in 2000 and initially played a significant role in organising the annual Waitakere Deepawali Festival, which has grown into an important cultural event for West Auckland. He has been deputy chair of the New Lynn Festival of Cultures Trust since 2000, which organises an annual festival for multiple ethnic groups. He has been a Justice of the Peace for more than 20 years.

DUVAL, Mr Llewelyn Phillip (Canterbury)

For services to the community

Mr Duval has been contributing to the Christchurch community for more than 30 years. He was the volunteer coordinator of the Christchurch Police Kiosk in Cathedral Square between 1989 and 2009, managing upwards of 120 volunteers at various times. He received the District Commander's Certificate of Commendation for his services. Mr Duval has been a Justice of the Peace since 2000.

LEEBODY, Ms Jeanette Margaret (Otago)

For services to netball and the community

Ms Leebody has dedicated more than 50 years to

education and netball in New Zealand. She was a teacher in Niue before becoming a teacher at Gore High School from 1969 to 1978, then moving to St Peter's College in Gore, where she taught until retirement in 2014. She has coached and managed netball teams throughout her teaching years and held executive roles on the Eastern Southland Netball Committee, including president.

TOLOA, Mr Luther Alafia QPM (Wairarapa)

For services to the Pacific community

Mr Toloa has been a key Pacific leader for the Wairarapa community for several years. His achievements include advocating for the building of a multi-million dollar regional netball facility, comprising a clubhouse, administration block, 12 outdoor netball courts, six with artificial covering and three with large roof structure and lights, after his granddaughters pointed out to him the disparity between local rugby and netball facilities. It is now shared with other indoor sports.

Honours: Queen's Police Medal for Distinguished Service, New Year 1994

WALDRON, Mrs Heather Belle (Bay of Plenty)

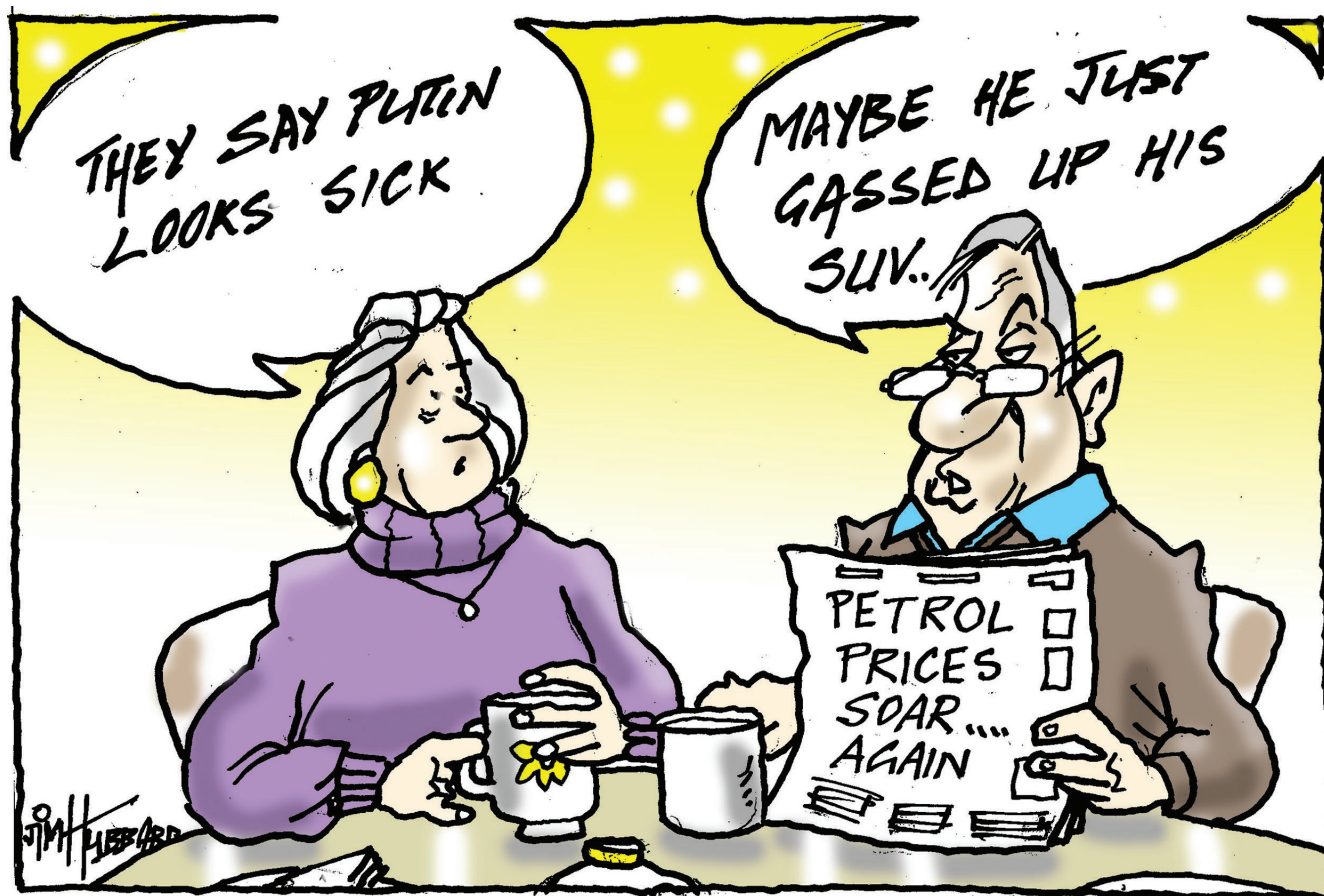
For services to the community

Mrs Waldron has been involved with Tauranga Returned and Services Association since 1987. She joined the Tauranga RSA Executive in 2010, was vice-president from 2013-2015, and was the first female president of the club, from 2016-2018. She became a member of the Bay of Plenty Justices of the Peace Association in 1999. She was a training officer from 2001 to 2005 and again from 2008 to 2009. She was a member of the council from 2000-2010, serving as vice-president 2004-2006 and president 2006-2008.

WOODS, Mr William Edward (Canterbury)

For services to conservation and the community

Mr Woods has volunteered with community organisations in Canterbury, including the committees of Sheffield Waddington Township, Malvern St John, and the Glentunnel Museum extension. He has been a member of the Hororata Historical Society, the Port Hills Park Trust Board (from 2009), the Summit Road Society Board (from 1998), and president since 2009. He was a Selwyn district councillor for several terms between 1989 and 2004 and mayor from 1992-1995. He is currently on the Malvern Community Board.



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Date

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WELLINGTON
Justice of the Peace for New Zealand

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that represents the named individual

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Date

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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.

Anderson, Kerry Alwyn, Upper Hutt
 Colohan, Peter Edward Thomas, Auckland
 Corlett, Gaylene Maree, Nelson
 Hooper, Brandan Randal, Rangiora
 Irvine, Peter Robert, Rotorua
 Kelly, Latisha Ann, Tokoroa
 Kerby, Sarah Angelique, Nelson
 Knowles, Barbara Joy, Tuakau
 Kumar, Shaneel Saxena, Auckland
 Leishman, Stanley James, Milton
 Loader, Chrissina Catherine, Dannevirke
 Lu, Bill Tian Ze, Dunedin
 McDonnell, Barbara, Queenstown
 McLeish, Jean Heather, Kaiwaka
 Roach, Bryan Wynyard, Opunake
 Rowe, Erena Elizabeth, Nelson
 Tan, Hiok Mui, Christchurch
 Teki, Susan Irene, Christchurch
 Wong, David King Poh, Christchurch
 Wrenn, Kylie Ann, Dannevirke

*Dated at Wellington
 this 21st day of March 2022
 Hon Aupito William Sio
 Associate Minister of Justice*

Baker, Alison Jean, Wakefield
 Berghan, Regina Rehina, Maketu
 Blackburn, Bronson Manning, Dunedin
 Butterworth, Patrick Julian, Greytown
 Clayton, Jan Rachel, Te Aroha
 Cowan, Bruce Hunter, Dunedin
 Ford, Tere Takurangi Kathy, Tokoroa
 Foxx, Bronwen Louise, Whakatane
 Gray, Pania Aroha, Lower Hutt
 Ion, Carolyn Jane, Kawerau
 Meredith-King, Pauline Theresa, Palmerston North
 Napier, Vivien Lewanna, Greytown
 O'Leary, Mark Jonathan, Tokoroa
 Parker, Gregory Noel, Whangarei
 Prakash, Sunit, Wellington
 Price-Walker, Timothy John, Havelock North
 Roberts, Marie Sian, Kawerau
 Rooney, Erolia Leinatioletuitoga, Dunedin
 Seru, Peni Diani, Hunterville
 Williams, Glenn Victor, Te Puke
 Wills, David Alexander, Havelock North

*Dated at Wellington
 this 20th day of May 2022
 Hon Aupito William Sio
 Associate Minister of Justice*

New Privacy Commissioner

The Secretary of the Cabinet, Michael Webster, has been appointed Privacy Commissioner, replacing John Edwards, who left in December last year to take up the appointment of United Kingdom Information Commissioner.

The Privacy Commissioner's role is to promote and oversee the thirteen information privacy principles established by the Privacy Act. These principles deal with the collection, security, use and disclosure of personal information, access to and correction of personal information, and the assignment and use of unique identifiers.

Announcing the appointment, Justice Minister Kris Faafoi said that Mr Webster's career has to date focused on enabling and driving good governance,

the promotion of democratic rights and values, the development and application of codes of conduct and behaviour, and working to ensure compliance with both statutory provisions and constitutional conventions.

"Our reforms in 2020 reflected the vital importance of the protections in the Privacy Act, which ensure people's personal information is properly safeguarded in our digital age," he said.

Mr Webster has worked in the Cabinet Office, Department of the Prime Minister and Cabinet, for the past 13 years and has been the Secretary of the Cabinet and Clerk of the Executive Council since March 2014.

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Opinions expressed in this journal, whether editorially or by contributors, do not necessarily represent the views of the Royal Federation of New Zealand Justices' Association (Inc). Contributions on matters affecting Justices and their associations are particularly welcome, but all contributions are subject to the discretion of the Editor. Contributors are requested to forward matter to the Editor, Geoff Davies, email merlin81@xtra.co.nz, to reach him not later than the last day of November, February, May and August to be available for publication in the upcoming issue. Readers are requested to promptly inform the registrar of their local Justices of the Peace association of any change in their address. Numerous Quarterlies are returned marked "gone no address", "Redirection order expired" "Deceased" or "Not a box holder on rural delivery", etc. Published by the Royal Federation of New Zealand Justices' Associations, typeset and designed by Word for Word, Titahi Bay, and printed by Beacon Print.