

Conference time all round

It is regional conference season again and we have tried to meet as many delegates as possible at the various venues. The conferences have been very welcoming to Board members as well as association executives, with around 50 people at most of the meetings.

The agendas have varied, to meet the specific needs and wishes of the respective audiences. At each one we have discussed the structural review paper that was sent out to allow each association the time to consider and discuss the questions from the Board panel, to assist our thinking around what changes may need to occur. There is a six-week window from the end of each conference for these to come back from each association and contribute to the decisions leading to recommendations for the next Federation AGM.



Federation President Nigel Tate

of our members and, in turn, your members.

Justices of the Peace Act 1957

We are currently in discussions with several Members of Parliament about changes to the Justices of the Peace Act 1957. We will inform associations in due course of our proposals, which are informed by the many discussions at previous Federation AGMs and Conferences we have attended. Keep an eye out for this information when it comes.

This is nothing new. We have continued the work started by many past Boards and hope we may achieve the desired outcomes with this. As with any legislative change, it may take time to grind through the system. However, that will not deter us from pushing as much as possible without disruption. We are not asking for further proposals at this stage. If you are working with your MPs on any private member's bill, please involve your association council and the Federation, so we don't have conflicting bills.

This will likely slow things down or disrupt the progress of the current negotiations.

Association AGMs

We have already started visiting the association AGMs and I look forward to meeting with your executive and members alike. We are pleased that so many of the associations have worked together to schedule meetings in neighbouring associations on consecutive days allowing for more efficient coverage; even so, there is one date that was most popular leading to four AGMs being held at various cities around New Zealand and I would like to thank our Vice-President, Immediate Past President and regional representatives for picking up the slack so that we had a Board member at all AGMs.

Thank you to the associations for inviting us to attend these meetings. We feel that it is essential to maintain close contact between our Federation and associations to gauge the pulse

Board nominations

The Board is elected annually; therefore, each position requires a nomination. We know that most current Board members are happy to continue their work, and I ask that you check in with your local Board members, assuming you are happy for them to continue, to check that they have been nominated. Our rules don't allow Board members to canvass for support, but this does not stop associations from asking if they require a nomination. Nominations close on November 1 for all positions, and regional representative voting closes on December 1.

Nigel Tate



Attendees at the Southern Regional Conference in Timaru in September ... regional conference coverage, PP2-4. Picture: NIGEL BOWEN

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FIAT JUSTITIA RUAT CAELUM Let justice be done, though the heavens may fall

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AGM/Conference 2025

The Royal Federation Annual General Meeting and Conference will be hosted over the weekend of March 14-16 2025 by the West Coast association, in Greymouth and Shantytown. Remits and notices of motion must be received at the Federation office no later than November 1 to be considered by the AGM.

Associations have now received registration forms from the West Coast association. The organising committee's work is well under way, planning some interesting and exciting events over the course of the weekend. An attractive Partners Day tour is a fantastic opportunity to see a unique part of the West Coast.

Federation Board nominations

Nominations for the roles of regional representatives, Vice-President and President on the Federation Board for 2025-26 are now open. Nominations close November 1.

Judicial Studies Course

The current cohort of students started the Judicial Studies Course in April and will complete the course in late November. The next course is currently scheduled to start in April 2025. If you are interested in undertaking the course please contact your local court panel, president or registrar.

Use of stamps

The Federation office is experiencing a significant increase in the number of inquiries from agencies seeking confirmation of the authenticity of a Justice of the Peace where the signature is not clear. Agencies will delay actioning their client's documentation if the JP's details are not clear on the document. All Justices should be using stamps with their full names and JP number. The name on the stamp should match the gazetted name (unless legally changed - for example, by marriage).

The use of "known as" names can have a detrimental effect on the timely processing of documentation as it can add an additional step in the verification process for the agency concerned.

Compliance with AML-CFT requirements

In conjunction with the above, by far the most common formal complaint relates to Justices disregarding an agency's specific requirement for identity verification. Where special wording is explicitly requested, it should be used – ignoring the request by using different words, or a standard stamp, is very likely to result in rejection of the document and the client may have to start over, causing totally unnecessary delays.

Reminder: newsletters and circulars

Newsletters sent to the Federation by associations are loaded to the members-only section of the Federation website, as are the circulars which provide information about the activities of the Federation - from the landing page look for "Association Newsletters" and "Circulars".

ON THE COVER: Federation Past President Graeme Kitto, right, with Auckland association president Alan Martin, was the keynote speaker at the Auckland regional conference ... story P2. Picture: SHERRYL WILSON

2 REGIONAL CONFERENCES



80 attend Auckland event

By Auckland Regional Representative SHERRYL WILSON

The Auckland Regional Conference was held on September 22 at The Parnell Hotel and Conference Centre with 80 members in attendance. Federation President Nigel Tate and Northern Regional Representative Ric Odom also attended.

Molly Roberts led the karakia and waiata to open the day's event.

The keynote speaker was Federation Past President Graeme Kitto, whose session on "Sovereign citizens – what are the issues?" elicited a variety of questions and responses.

President Nigel Tate updated the membership on Federation matters, and Ric Odom led a session on the Federal Structure Review, as has taken place at all the regional conferences, clarifying the issues and also covering off "where to from here". All members had been sent the Federation discussion paper well before the meeting as well as having the opportunity to attend one of the three Zoom meetings offered.

After lunch the Auckland association's Annual General Meeting, chaired by outgoing president Alan Martin was held, during which Frank Rands was recognised and honoured with life membership.

At the close of the meeting the new AJPA council met with the Federation Board members present.



Outgoing Auckland association president Alan Martin congratulates successor Ian Gibson at the association's AGM, held straight after the regional conference.

Busy weekend in Timaru

By Southern Regional Representative ANTHONY BRIEN

Sunny spring weather welcomed 46 delegates to the 2024 Southern Regional Conference in Timaru on September 7-8. The conference programme covered topics relevant to the life of a JP as well as having time for presidents, registrars, treasurers and JJPs to meet to discuss common themes.

The conference was opened by Timaru mayor Nigel Bowen, with the day involving guest speakers James Meager, the MP for Rangitata; Al specialist Shaun Fisher; Judge Dominic Dravitzki; and Federation President Nigel Tate and Ric Odom from the Federation Board. South Canterbury association JPs

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hosted sessions which involved plenty of interactive discussion.

Saturday's programme included the role of the JP today, how Al is impacting our work, recruiting and training new JPs, the value of regional and national conferences, JPs working from home and safety issues, and plenty of time to discuss matters important to JPs.

Dinner on Saturday night was a very social and enjoyable event. Delegates plus partners, 66 people in all, mixed and mingled before sitting down to a welcome

array of South Canterbury fare. In between courses, JPs' general knowledge was tested with varying degrees of success, and rewarded with lots of prizes.

The delegates woke to a fantastic sunrise on Sunday morning with some taking the chance for an early morning walk at Caroline Bay. The conference concluded with discussions following up on the previous day's activities, and on the Federal Structure Review.

Hosts the South Canterbury association hope that all delegates and partners enjoyed a fantastic couple of days in this special part of New Zealand.

A foot in each island

By Central Regional Representative LAURIE GABITES

As the Central Region includes associations in both islands, two conferences were again held this year.

The first, on August 17, took place in Blenheim, ably hosted by the Marlborough association with representation from both Nelson Tasman and Marlborough. We began with a mihi whakatau (speech of welcome) from Rangitāne, who are mana whenua, along with a discussion providing information on the history of iwi across Tauihu (Top of the South) given there are several Iwi in the area.

At each conference there was a guest speaker and in Marlborough we enjoyed a presentation by Judge Garry Barkle who sits in both Blenheim and Nelson courts. His focus was around the role of Justices and his support for the work we do. He provided a colourful description of the first Justice of the Peace, Thomas Kendall who first stepped ashore in the Bay of Islands on June 14 1814. Kendall was appointed by New South Wales Governor Lachlan Macquarie, to bring British justice to the crime-troubled colony of New Zealand.

A presentation and discussion on the Federal Structure Review was given by Ric Odom and Nigel Tate.

The afternoon featured discussions on topics including:

- · mentoring, education and Accreditation
- diversity
- · Heartland hubs
- key opportunities and challenges over the next 5-7 years
- · communication opportunities.

In the Heartland hubs discussion we learnt there are a number of these around the country and they might be options for service desks. Further information can be found at https://www.heartlandservices.govt.nz (they are nothing to do with Heartland Bank).

The discussion on opportunities and challenges suggested the following.

He gave a very interesting account of what we might expect from population

movement over the

next few years. His presentation built on what we heard from Professor Paul Spoonley at Federation Conference earlier this year.

In the afternoon Rebecca Demchick chaired a panel of younger Justices of the Peace who shared their experiences and ideas. It was a refreshing look at how we might look to the future, especially meeting the challenge of ensuring the right people are appointed and

finding ways to make it a welcoming process.

We spent the rest of the afternoon in workshops on succession planning, Accreditation and diversity, and ended the day with a presentation by Geoff Walker on culture acclimatisation, relating to his time in Gulu, Uganda.

Since the conferences there has been a lot of positive feedback which has prompted planning to begin for regional conferences in August 2025.

I enjoyed my time at each location and having the chance to catch up and chat with so many people. Thanks to the Marlborough and Wairarapa associations for their work in hosting the conferences - they did a wonderful job.

Let's now set our sights on next year and begin to think about what will work best for us in the Central Region.

Challenges	Opportunities
Diverse "thinkers"	Nominating – younger, diverse, the right people (commitment)
Keeping JPs interested and committed	Articles in newspapers and contacts
Security of JPs versus access to services and our identity	Improved education raises collegiality and relationships
Changing nature of ID eg RealMe	Delivery mechanism of service
Growing awareness of our personal safety	
Work with MPs re getting the appt process under way	
Capability capacity - technology	Capability capacity - technology

The following weekend the conference moved to Palmerston North, where all the North Island associations in the region were present. Wairarapa was the host association.

The conference started with a mihi whakatau from the mana whenua of the rohe (area). This was followed by a presentation from Richard Shaw, a professor of politics at Massey University's College of Humanities and Social Sciences. He is a regular commentator on political issues and the author of several academic publications about government, Parliament and politics in New Zealand. His heart increasingly lies in the historical and emotional territories explored in his books "The Forgotten Coast", "Tūrangawaewae - Identity and Belonging in Aotearoa NZ" and "The Unsettled - Small stories of colonisation".

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Rotorua hosts Northern region

By Northern Regional Representative RIC ODOM

The Northern Regional Conference was held on August 24-25 at the Arawa Park Hotel in Rotorua. The conference was organised and hosted by the Rotorua and Districts association, and 50 Justices representing seven of the nine associations in the region were in attendance.

Our first presentation was delivered by Allison Sankey of the Franklin association. Allison covered the topic of the new constitution reguirements, outlining the changes the new Incorporated Societies Act requires of societies' constitutions and highlighting the elements that must be included. The draft constitution developed by Franklin was used as an example. The presentation was clear, comprehensive and delivered in a style that left everyone in no doubt that Allison knew her subject. It was universally agreed that this was a relevant and very helpful presentation. It was also agreed that the presentation was so thorough that the workshop planned to follow wasn't necessary, so the time was used as an open forum

where a range of issues, topics and experiences was shared. The day closed with a round-up of key matters raised and discussed.

The conference dinner featured guest speaker Chris Grinter who had recently retired after 33 years as principal of Rotorua Boys' High School. Chris regaled the dinner guests with stories of his quest to raise



Rotorua and Districts association president Mark Lawrence addresses the Northern Regional Conference. Picture: CAROL BUCKLEY

the poor educational performance of boys - especially Māori boys - in Rotorua. It was a fascinating account of a school principal's determination - sometimes in the face of significant opposition - to make a positive difference, and ultimate success.

The second day of the conference began with another topic of relevance to Justices - unconscious bias. Federation Vice-President Carol Buckley presented and then led an informative workshop on the topic. All attendees engaged and all learned some important lessons.

Federation President Nigel Tate then provided an update on matters that have been occupying the National Office staff and Board including the updated Accreditation questions and our engagement with the Ministry of Justice.

I was responsible for delivering the last session of the conference - an update on and discussion about the Federal Structure Review. All attendees had received a copy of the latest discussion paper and there was positive and meaningful dialogue on this challenging subject.

On behalf of everyone who attended, I would like to thank all who made the effort to be there - the feedback has been very positive. I especially thank those who presented at the conference and the team at the Rotorua association, who did a fantastic job of organising the event.



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From the Professional Development Advisor



Shinae Skeltor

Update availability on 'Find a JP'

Here are some website inquiries from the public on justiceofthepeace.org.nz:

"Hi, we made an appointment to see a JP via text message. But, when we arrived, the JP told us off. They told us that they are a volunteer, and they preferred to do JP stuff on a weekend. We were advised that there's a list of all JPs available and it states their availability and that we should have checked this. This specific JP was listed as available 'anytime'. Please update the list so that people who need JP services won't be told off."

"I have phoned four JPs in my area. Jeez they all unavailable and all bounced me on to another JP ... FFS ... is that why it's a free service ... I have now been referred to CAB."

To update your availability on "Find a JP", log in to justiceofthepeace.org. nz and go to your profile page.

Scroll down until you find the "Availability" box. There you will find a range of options providing different times you might be available to the public and preferred methods of contact. Choose the availability option that best suits you.

Finally, don't forget to scroll to the bottom of the page and select "Save".



Availability

Active

Is this a postal address?

Additional Address

Address

Country

Availability

Active

Evenings and weekends. Please phone for an appointn >

Evenings and weekends. Please phone for an appointment.

Weekdays. Please phone for an appointment.

Anytime. Please phone for an appointment.

Evenings and weekends. Please text for an appointment.

Weekdays. Please text for an appointment.

Anytime. Please text for an appointment.

Please text during business hours, weekdays, for an appointment.

Please phone after business hours on weekdays for an appointment.

Please phone during business hours, weekdays, for an appointment.

Please text after business hours, weekdays, for an appointment.

Please phone after business hours, any day, for an appointment. Please text after business hours, any day, for an appointment.

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Please phone during business hours, any day, for an appointment.

Please text during business hours, any day, for an appointment.

Business hours, please text for an appointment.

Business hours, please phone for an appointment.

Anytime. Please phone or text for an appointment

Please phone or text for an appointment.

Day time only, not evenings

Weekends



Apostille documents – is it for or of?

What is the difference between certifying an apostille and certifying for an apostille?

To understand this, we must first understand the apostille certificate.

Where someone is required to use a public document (such as a New Zealand government-issued document like a birth certificate) in another country, and that other country acknowledges The Hague Apostille Convention, the receiving country may ask for the document to be "apostilled". This is essentially an internationally accepted method of certification and verification of the document's legitimacy. Notaries public hold an internationally recognised position and are authorised to apostille documents. New Zealand Justices of the Peace are not so authorised.

Certifying copies of documents for the apostille

Sometimes a copy of the document will be apostilled. In other cases, the receiving foreign agency will require an original document to be apostilled. Where a copy of an original document is being apostilled, the certification can only be completed by a notary public or the agency who issued the original document. Justices of the Peace cannot certify copies of documents for an apostille.

Certifying a copy of an apostille certificate

Sometimes a client has had a document apostilled by a notary public and wishes to have a certified copy of that apostille certificate and document.

For instance, where the overseas organisation receiving the apostilled document requires the client to provide original documents only, the client may have a certified copy taken of their apostilled original document, before posting the original document overseas. This provides the client with a certified copy of their document to use locally and some form of proof that the document was apostilled prior to posting.

Justices of the Peace may certify a copy of an apostille certificate where the apostille process is complete, and someone wants a copy of it.

An analogy

A Justice of the Peace cannot witness separation agreements. They do not have jurisdiction to assist in completing a separation agreement document. However, if a client has a fully witnessed separation agreement and a copy of that document and asks you to certify the document as a true copy, you would be able to certify the copy.

Immigration New Zealand

The Immigration New Zealand (INZ) website indicates that it is now possible to apply for most visas online, via their portal, using RealMe. Looking at the process for online applications, it is unlikely that a Justice of the Peace will be needed to assist with this process. Most documents can be submitted online directly to INZ, without any need for certification or statutory declarations.

There remains the option to apply for visas on paper if the applicant cannot apply online.

There is no definitive list of which visas may be applied for manually, but there is an option to search for forms on the "Application Forms, Guides and Checklists" search page of the INZ website.

INZ notes that out of date application forms will delay the application process for the client. There is no change to the way in which Justices assist a client who is completing an application on paper.

The ultimate conflict of interest

Feedback from a law firm:

"We required a client, who is a Justice of the Peace, to provide us with a certified copy of their photo identification. The Justice of the Peace certified their own identity document. Is this acceptable?"

Answer

No, this is not acceptable. Certification of an identity document, including a statement that the client resembles their identity document, is supposed to be completed by a trusted and independent third party.

Do te reo Māori affidavits need to be transcribed?

A question for you: the Manual suggests that affidavits written in foreign languages must be translated and that the translation must be attached to an affidavit made by the translator. Does this requirement include affidavits written in te reo Māori?

Part 6.10 of the Manual states that:

"An affidavit in a language other than English may be filed in District Court, High Court or Family Court proceedings.

"The non-English affidavit must be accompanied by an affidavit by an interpreter.

"The interpreter's affidavit must have exhibited to it:

- a copy of the non-English affidavit (it is recommended that you certify this copy, see chapter 3).
- the interpreter's translation of the non-English language affidavit."

This advice is based upon rule 1.19 of the District Court Rules 2014, rule 1.15 of the High Court Rules 2016 and rule 160 of the Family Court Rules 2002.

All these rules specifically apply to affidavits "in a language other than English". Accordingly, these rules apply to affidavits written in te reo Māori.

Te reo Māori is an official language of New Zealand. Why should deponents be required to have their document translated?

The District Court, High Court and Family Court Rules provide practical instructions to ensure the smooth functioning of the court. These rules pragmatically acknowledge that many court participants, court staff and judicial officers do not speak or read te reo Māori fluently.

Special rights are given to court participants wanting to speak in te reo Māori and to parties who would like the documents they receive to be translated into te reo Māori - see rules 1.15 and 1.16 of the District Court Rules, for instance.

Section 7 of Te Ture mō Te Reo Māori 2016 Māori Language Act 2016 ensures that members of the court, parties, witnesses, counsel and other persons, with leave of the presiding officer, hold the right to speak te reo Māori in legal proceedings. If any such person wishes to speak te reo Māori, the presiding officer must make sure a competent interpreter is available.

Can a person have

more than one legal name?

Scenario:

A client visits you to make an affidavit. The name they have written on their document does not match the name on the passport they produce.

The passport has their married name, the client explains. They have written their maiden name on the affidavit. This is the full name as it appears on their birth certificate, which they do not have with them at the appointment.

Has the client properly written their full name for the purposes of the affidavit?

See facing page



Update your email address on the website

If you have a new email address, make sure you update your justiceofthepeace.org.nz profile. Login to the website, and go to your profile page.



Royal Federation of NZ Justices' Associations

Te Kāhui Pou Whakatau Ture o Aotearoa

JP Home

Profile

Training

Accreditation Exam

Scroll down to the textbox named "Email" and enter your new email address.

Email

enter your email address here

Scroll to the bottom of the page and select "Save".

Save

You must keep your email address up to date if you would like to receive Accreditation update reminders, Quarterly update reminders and to be able to reset your password in the event you forget your login details.

What is a 'full name'?

On the topic of full name, the Manual directs that "the client should write all their names as on their birth certificate, passport or marriage certificate". No definition of full name is set out in the Manual.

There is no definition of name or full name in the Legislation Act 2019, the Oaths and Declarations Act 1957 or any court Rules.

There are, however, many references to the court's expectation that participants, particularly deponents and parties to proceedings, write their names in full. See for instance, rule 158 of the Family Court Rules 2002, which sets out the requirements for affidavits to be submitted to the Family Court including that the deponent write their full name.

An ordinary interpretation of full name would be that it would not include nicknames, pseudonyms or abbreviations.

Expectation that the client's full name is also an official or legal one

When discussing signing official documents such as affidavits or statutory declarations, in past articles we have indicated that clients should write their full "legal" name or "official" 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?

. . .

"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." (Justices' Quarterly Volume 90 No 4 January 2022)

From this, we gather that there is a requirement, both in our Manual and from government agencies, that clients write their full name and that this must be an "official" name that can be validated against a New Zealand (or overseas) authoritative identity data source.

It is reasonable to assume, in the absence of specific legis-



lation or guiding information indicating otherwise, that courts or organisations receiving affidavits or statutory declarations require clients to write their full "legal" or "official" name.

While there is no requirement that clients have their authoritative identity document, birth certificate or passport etc on hand to validate their identity when meeting a Justice of the Peace, there is an expectation that the name written on the client's affidavit is an official name. Where the client does not have identification on hand, the Justice may ask reasonable questions of the client to satisfy themselves that the name is the client's official full name.

Can the client have more than one 'official' name?

In a 2014 document entitled "Good practice guidance: For the recording and use of personal names", which has now been replaced by the Information Assurance Standard, the Department of Internal Affairs provided definitions for different categories of names which proves useful in answering this question:

Note: this document's purpose was to provide organisations with guidance on how best to record identification data to ensure individuals are uniquely identifiable and data was recorded in an orderly manner. It was not intended to provide official definitions.

Official name

A name that can be validated against a NZ authoritative identity data source.

Names that could qualify for this category come from documents such as NZ identity documents (birth certificates, citizenship certificates and passports) and the majority of overseas passports.

Assumed name

Any other name that a person uses providing it is not for the purposes of deceit.

These names include Married/Civil Union names, overseas registered names, Preferred names, Aliases, AKAs, CKAs. tribal names. role based names etc

Anchor name

This represents the first Official name established in New Zealand.

 At birth - when recorded with Department of Internal Affairs on a birth certificate or citizen by descent certificate or

 At first entry into New Zealand - when recorded with Immigration New Zealand

As an anchor name it should be in very rare circumstances that this name should ever change. Anchor names are a subset of Official names.

Validated name

This is an Official name that has been checked against its authoritative source and was found to exist.

It should be noted that, depending on the method used to validate the name, it does not guarantee that the person who has provided the name has not stolen it. Validated names are a subset of Official name and can be indicated using a flag.

False name

Any name that is found to have been used for the purposes of deceit, fraud etc.

These names will be Assumed names and/or Official names (where stolen) until such time as they are determined to be false.

Even then, it should be noted that a stolen name could still be a validated Official name, just not in the context of the person who has been claiming it.

Data.govt.nz provides further definitions:

"'Official name' refers to a name that can be verified against New Zealand Government approved authoritative data sources, such as birth, citizenship, passports, and immigration records and the documents associated with them."

"'Known as' refers to all other names that people are entitled to use through marriage/civil union, common use, or preference."

According to the two above sources, a married name could be an assumed or "known as" name, unless the married name can be verified against New Zealand Government approved data sources, such as a passport. If verifiable, a married name can be an official name.

A birth name is both an anchor name and an official name, verifiable against New Zealand Government approved data sources.

What makes a name "official" according to the now outdated DIA advice and the data.govt.nz definition is whether that name that can be validated by recognised identification documents. It is possible, then, for a person's married name and birth name to qualify as "official".

If you change your official name (through marriage or other means) can you continue to use your original official name for official purposes?

www.govt.nz provides guidance on how and when to change your name on official identification documents.

Changing your name when you get married

In New Zealand, you don't usually have to do anything

special if you want to change your name after you get married or have a civil union.

Name options after getting married

When you get married, you can:

- · keep your last name
- · take your husband, wife or partner's last name
- hyphenate or use a combination of both your last names with a space in between.

How to change your name

If you want to change your last name, you do not usually have to complete any forms or go through a process.

When you get married, you'll be sent a form to update your details on the electoral roll. Otherwise, you can just start using your new last name.

Different organisations have different rules for proving identification (ID), but you can usually use your marriage certificate if you need proof to show you've taken your partner's last name.

You can choose to legally change your name — it's up to you.

Changing your name on your driver licence

You do not have to update your driver licence if you change your name when you get married, even if you legally change your name.

Name changed by marriage or civil union

If you changed your name by marriage or civil union, you can still travel on a passport in your original or birth name. You must book your tickets using the name in your passport.

You need to apply for a new passport if you want to:

- change the name in your passport to your married or civil union surname
- · go back to using your birth surname in your passport.

Apply for a passport due to name change:

If you want to change the name in your passport, you'll need to apply for a new one. The name in your passport must be your officially registered name.

If your name has changed since your last passport was issued, you'll have to apply for a new passport. You can apply for a passport online if your name was changed within New Zealand.

You can change the name in your new passport if your name was changed by:

- · marriage or civil union
- deed poll or statutory declaration.

Tell people about your name change

Births, Deaths and Marriages will let the Electoral Commission know about your change of name, but other government agencies and other organisations will not automatically be notified. It's up to you to update your

information with places like Inland Revenue, your bank and RealMe.

This guidance indicates that there are official means by which one can change their name in New Zealand. However, upon changing your name, not all government or private entities are notified of the change.

The client may choose to notify other government departments or private entities of their name change or not. The client can continue to utilise their passport and driver licence issued under their original name and may continue to interact with entities under their original name.

This acknowledges that a New Zealand citizen may legitimately operate using different surnames for different purposes.

How does this apply to Justices of the Peace confirming their client's identity?

There are no specific rules for how to establish the client's full name for the purpose of an affidavit, statutory declaration or other document.

As directed in the Manual, an easy means of confirming a client's identity is to compare the name they have written to

an official government identity document, such as a passport, driver licence or birth certificate.

An alternative method is to ask questions of the client to reasonably satisfy yourself that the name written on the document is the full name of the person appearing before you. If the name written does not match the identity document presented to you, it may still match the name written on another of the client's official identification documents.

If, as in the scenario, the client's identity document differs from the name written, you may:

- 1. Decline to continue, if you believe that the person before you is not the person named in the document.
- 2. Ask the client to cross out the name they have written and write the name as it appears on their official identity document.
- Take the affidavit/declaration, after questioning the client and establishing that you are reasonably satisfied that the name the client has written on the affidavit/declaration is an official, full name belonging to the client.

The task is to reasonably satisfy yourself as to the client's identity. You are not an investigator or fraud detector.



A guide for conducting private citizenship ceremonies is now available on the justiceofthepeace.org.nz website.

New Zealand citizenship represents formal membership in the New Zealand community.

A citizenship ceremony is the opportunity to formally welcome new citizens to both New Zealand and the local community and for the new citizens to publicly declare their commitment to New Zealand.

The Citizenship Act 1977 states that all candidates for the grant of citizenship will be required to swear the Oath or take the Affirmation of Allegiance at a public citizenship ceremony. The Minister of Internal Affairs may also authorise a private ceremony to be held.

Those who can officiate at a private ceremony within New Zealand are:

- · District Court judge
- · solicitor of the High Court of New Zealand
- · Justice of the Peace
- · Member of Parliament
- · mayor or deputy mayor of a territorial authority

- chairperson or deputy chairperson of a regional council
- authorised officer of the Department of Internal Affairs (DIA)
- officer of the Armed Forces who holds a rank not below that of lieutenant-commander in the Navy, major in the Army, or squadron leader in the Air Force, in the case of a person who is a member of the regular forces, reserve forces, or territorial forces (as those terms are defined in section 2(1) of the Defence Act 1990).

Local councils often host citizenship ceremonies for local soon-to-be citizens. Note that if the mayor becomes unavailable for the ceremony, they may delegate this responsibility to the deputy mayor or any other person on the list above but not to a city councillor.

Arranging and holding a private citizenship ceremony

1. Candidate must receive permission to hold a private citizenship ceremony

Once a candidate has been approved for a private ceremony, the DIA will email them a private ceremony arrangement form.

2. Candidate must contact an authorised officiator (possi-

bly a Justice of the Peace)

Often, the candidate will call or email an authorised officiator to ask if they are available to conduct the ceremony.

3. Candidate must provide the private ceremony arrangement form to the authorised officiator

Once the candidate has arranged a Justice of the Peace (or other authorised officiator) to conduct their ceremony, they must provide the Justice with the private ceremony arrangement form.

4. Agree upon a date, time and venue for the ceremony

The Justice of the Peace is not responsible for providing a venue

5. Justice of the Peace (or other arranged officiator) must complete the arrangement form and email to the DIA

This document informs the DIA of the arrangements that have been made and prompts them to send the Justice or other officiator the Private Ceremony Pack.

6. The DIA will post you the Private Ceremony Pack

After the DIA has received the completed private ceremony arrangement form, the following documents will be posted to the ceremony officiator before the ceremony:

- · a letter addressed to the ceremony officiator
- · a private ceremony confirmation form
- · a copy of the oath or affirmation of allegiance
- a congratulatory letter from the DIA to the candidate
- · a certificate of New Zealand citizenship
- · a copy of the national anthem
- if the candidate's English is limited the candidate may require a family member to interpret for them. If this is the case the DIA will include a statutory declaration which the interpreter completes and the JP witnesses.

Keep the certificate secure

It is very important that the security of the certificate(s) is maintained at all times. Please ensure the certificate(s) are stored in a suitably secure location.

Hold the ceremony on the agreed upon date

The date the ceremony is held must be the same that is recorded on the citizenship certificate, which the Department will provide you before the ceremony. If the date is no longer suitable, the certificate must be returned to the Department and a new one issued. 7. Finalise the ceremony details with the candidate

There are elements that must be included in the private ceremony. There are elements that the candidate may choose to include in or exclude from the ceremony.

It is recommended that you discuss the order of events in advance so that everyone is well prepared on the day.

Required elements

Oath or Affirmation of Allegiance

Every candidate aged 14 years or older must make an oath or affirmation of allegiance.

Younger candidates may elect to make an oath or affirmation despite there being no requirement for them to do so.

If there are multiple candidates, such as a family, it is possible for them to make a joint oath or affirmation (like deponents making a joint affidavit).

The oath or affirmation may be made in te reo Māori. These are included in the Guide available on the website.

Presentation of the certificate

Upon making their oath or affirmation, you must present the candidate their citizenship certificate.

Optional elements

- · Attendance of friends and family
- · National symbols like flags or singing the National Anthem.
- · Armed Forces symbol
- · Opening and closing prayers
- · Speeches and performances
- Refreshments
- 8. Conduct the ceremony

Before taking any oaths or affirmations, confirm each candidate's identity, either through sighting their identification or asking reasonable questions.

The Guide provides an exemplar script that you can follow or adapt to suit your purposes for the ceremony. It includes the specific wording of the oaths and affirmations.

It also contains a link to a video of a congratulatory message from the Governor-General. This is commonly played at council ceremonies and you may elect to play it also.

9. Return the ceremony confirmation form to the DIA

You or the arranged officiator must complete this form (provided to you by the DIA at step 6).

When the client has already signed

Sometimes a client may have already signed their affidavit or statutory declaration before meeting with a Justice of the Peace. In these circumstances, two courses of action are available to you:

- 1. You may direct the client to cross out their signature and re-sign the document.
- 2. You may accept the witness's signature as written.

See 5.7.1 and 6.7.1 of your Manual.

While either course of action is acceptable legally, both have advantages and disadvantages. The first option enables you to proceed with executing the document and undertaking your witnessing task in the usual way. However, the crossedout signature may invite questions from the receiving agency.

If you choose the latter, you could take alternative steps to confirm the veracity of the client's signature.

You could ask them to sign a separate piece of paper for you to compare against the affidavit or declaration. Alternatively, you could ask the client to sign your logbook (record book) where you intend to make the entry to record their appointment details. This would have the added advantage of indicating in your logbook that the document had been signed prior to your appointment.

FEDERATION CENTENARY 2024

The fourth quarter-century: 1999-2024

September marked 100 years since the beginnings of today's Federation, and former Federation Registrar ALAN HART is telling the story over the four issues of Volume 93 of the Quarterly in calendar 2024. This article concludes the story, from 1999 up to date

This has been the hardest of these articles to write, as I have so many "live" memories of the past 25 years, both personally and as a JP, many of which I canvassed in my retirement article in issue four of Volume 85 of the Quarterly (January 2017).

All Justices of the Peace serving today were at least born, or at school or in the workforce during part or all these decades. How much that affected us individually is a personal matter but the one constant (as it was for each of the other three quarters) is change.

Our first article traversed the changes in New Zealand and the wider world in the aftermath of World War 1, and this one concludes with the ongoing implications of dealing with the COVID-19 pandemic.

Changes in society

When we look back over the past 25 years, we see an almost constant reporting of one disaster after another and seemingly endless conflicts or warfare at one level or another somewhere around the world. Not much has changed from the world-views which our parents and grandparents might have experienced.

We started the quarter with fears for the Y2K bug, which didn't really cause much damage in the end, and finished it with the very real pandemic which caused significant loss of life and had a dramatic impact on our economic wellbeing in the housing sector alone (over \$1 billion was wiped off people's equity).

In between those two bookends, we in this country saw artistic highs through the Lord of the Rings films with lows of the Canterbury earthquakes in 2010, and again in 2011 with a tragic loss of life. Then we saw a sight most of us never expected to see – a gunman from overseas wreaking havoc and destruction in the murders and injuries of the mosque attacks in 2019.

For many the 2005 civil union legislation changes were a personal matter while the Olympics and lately the Paralympics have opened our eyes to the courage and determination of so many athletes whom we are proud to call "ours".

What awesome performances by all Paralympians – how proud they must be of their participation irrespective of whether they end up with a medal, a PB or just being there. Watching Dame Sophie Pascoe on screen now as a commentator brought back her exploits as a participant from 2008 when she won her first gold medal.

Equally, seeing some younger drivers at all levels makes me wonder how Scott Dixon can continue at such a high level as he has done since the same year! (And it was also in 2008 that the Evers-Swindell twins won their first rowing gold medals ... a great year.)



The author (right) and Scott Simpson MP JP at a parliamentary reception in 2017.

Other sports have featured with the usual mix of successes out of proportion to our population size, for example the Rugby World Cup in 2011 and 2015 and the women's Cup five times so far this century.

As a society we have become more diverse but worryingly seem less tolerant with one another.

The mix of the traumas of the 1990s and the worries of the end of the Federation century this year have seen a major change, which a speaker at a recent regional conference covered. The composition of our population and its ongoing shift northwards was highlighted, and we could all benefit from considering the impact of such changes on us, both collectively and individually as Justices of the Peace.

Statistics NZ	2001*	%	2023	%
European	2.871.000	73.82	3,383,742	67.76
Māori	526.000	13.53	887,493	17.77
Pacific peoples	232.000	5.97	442,632	8.86
Asian	238.000	6.12	861,576	17.25
Middle Eastern / Latin American /				
African	2.000	0.05	92,760	1.86
Other ethnicity	20.000	0.51	56,133	1.12
Total	3.889.000		4,993,923	

Statistics NZ data for 2001 is rounded and summarised while their latest estimates are that the 2024 population was 5,269,939 of whom 75% live in the North Island.

Added to that figure of five million we also have an estimated 750,000 to a million Kiwis living overseas, either permanently or on extended travel. Most live in Australia (roughly 55%) while for Māori the percentage is significantly higher - of about 185,000, 80+% now reside in the Western Isle. Statistics NZ noted that we had the second highest diaspora in the OECD as a % of population.

Rather than bore you with why changes in society have occurred and why they will continue to do so have a look at https://nzhistory.govt.nz/browse/timeline/date

Changes for JPs

All of us serving our communities now as Justices of the Peace were affected one way or another by the above events but surprisingly as a movement it almost passed us by. During 2015, following the publication by Philip Harkness of his work on 200 years of Justices of the Peace in New Zealand, the Board determined to ask Past Federation President Gavin Kerr to facilitate the collection of memories of living Past Presidents and Registrars (plus advisors) as part of the preliminary work/research for the centenary to be celebrated in 2024.

The request sent out to the then 21 living Past Presidents, a previous national Registrar and previous Quarterly Editor saw contributions which culminated in over 43,000 words comprising 101 pages of memories, which are of course impossible to fit into the space available here.

Equally, a summary of events from a Past President covering the period 2002-09 contains numerous examples of matters addressed. In part this reflected a deliberate decision by the then Board to be proactive and tackle challenges in a proactive manner rather than take a reactive stance. This saw over 20 formal submissions on legislation and Law Commission projects made and even more importantly the development of experience in talking directly with politicians and government officials at all levels, especially through the select committee process.

As could be expected there were some successes, some failures and a number of 50/50 outcomes. Losses included such as the Coroners Act removal of JPs from almost all involvement, while the Corrections Act review enhanced the input for Visiting Justices. A direct loss would be in the judicial area with the continued expansion of the role of community magistrates, now throughout the country. The removal of depositions or preliminary hearings further reduced our jurisdiction.

That said, the biggest "win" was finally getting our own Act amended after decades of frustration. Part of the groundwork was laid early in this quarter with the then Minister responsible for JPs in his address to Conference 2001 at Palmerston North committing to review the guidance to MPs on our appointments, and a requirement to undertake training and to keep up to date. This in turn led to the initial work in the education area which owed much to a special meeting of the then education committee held in 2003 and was undoubtedy a highlight which helped in many other successes as part of the work on the Amendment Act.

Finally, in 2005 the then Minister, Rick Barker, reported that a Parliamentary Counsel Office draft of an amendment Act had been prepared. This coupled with the work associated with the unveiling of the grave of our first President (Richard Hanlon) by him greatly enhanced our visibility. Then at last, as reported at length at the time in 2006 through the work of then President Gavin Kerr and our Minister, Clayton Cosgrove, we rejoiced in the passage of the legislation. The key

attributes are well known but essentially relate to the appointment process with compulsory initial training; a new complaints and discipline process; the provision for JPs to retire, and finally a compulsory aspect of training to execute any judicial role.

The formalities completed, with the Royal Assent on April 14 2007 we were acknowledged with a parliamentary function hosted by Clayton Cosgrove, who had earlier spoken to several meetings including regional conferences on the Act and his work on the "Stocktake Report". We as Justices of the Peace owe him much for his championing our cause, as did the late Chief District Court Judge Russell Johnson and former Chief Justice Dame Sian Elias.

For us 2007 was also a successful year in the work involved in the review of the issuance of search warrants and similar actions which in 2012 saw the Search and Surveillance Act's provisions dealing with our training and authorisations as issuing officers, which continue to this day. The support of various Secretaries for Justice and their staff was amply demonstrated by the triennial Service Agreement and security of funding.

A final key year for us was celebrated in 2014 with the marking of the Bicentennial of our service to the country since that of Thomas Kendall in 1814. Events of that celebration were well covered in the Quarterly and elsewhere but especially included a reception at Government House where a special set of stamps was launched by the Governor-General, Sir Jerry Mateparae

The success of Conference 2014 at Waitangi will remain vivid to all who attended and was well recorded both in that year's Annual Report as well as in several issues of the Quarterly.

The work of Greg Weake on the complete redevelopment of our website greatly facilitated subsequent work he and others did for the Accreditation facility (now over 58%) and equally for the work of Rachael O'Grady on the Judicial Studies Course which we took over from the Open Polytechnic of New Zealand and which was formally launched by our then Minister, Chester Borrows.

JPs at this time

As an organisation our membership numbers started to decline both in raw numbers and as a proportion to our growing population. This reduction largely reflected the introduction of the JP (Rtd) provision as well as the success of the service desks around the country (there are now more than 465). We started the quarter with 7532 members which by last year had reduced to 5262. The Office of Legal Counsel at the Ministry of Justice has indicated that their records show currently a total of 6689 JPs with a gender split of 3644 male and 2629 female, which includes 111 whose status is "Unknown/ overseas". Equally they record 3652 as having been approved to use the JP (Rtd) status.

These figures indicate that currently approximately 78.69% of JPs in New Zealand are members of one of our affiliated associations. However, the reduction doesn't fully reflect the proportionality to our country's population, which rose from just under four million to

FEDERATION CENTENARY 2024 15



around 5.3 million - the ratio to population has reduced from two JPs per thousand to just under one per thousand.

Most importantly, of the current members we can reflect that our age, gender and ethnic mix now largely represents the general make-up of society, as shown earlier in this article. These show that approximately 52% are male and 48% female with 35% under 65 and the balance reflecting our lifetime tenure. About 68% identify as the generic "European/NZ" with 9% Māori and 24% "Other". (Of that last group it is interesting to note that we now have JPs speaking 44 different languages!)

A review of these past 25 years indicates that we often continue to discuss similar topics, such as our structure which has been under the microscope several times over that period, as has the thorny issue of compulsory membership and equally, of ongoing training.

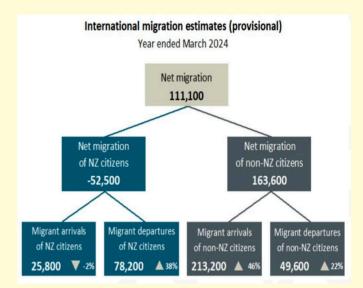
End of our century

It has been a privilege to be asked to put together these articles in part as a summary of how our role has changed over this century of our existence as a national body.

I have been asked several times over the months I have worked on this project whether I think we will still have a role to play in New Zealand society in 20 years and beyond. The regional conference presentation I mentioned earlier indicated that by 2043 over 75% of us will live north of Taupo. We will be more diverse than ever, but the main increases will be due to international

migration rather than domestic, mainly because of a steadily decreasing birth rate. Equally, we are ageing as a society.

What impacts these projections will have for us collec-



tively or individually is open to conjecture and all JPs will have equally valid but differing opinions.

So, I have no real single answer. Our role has changed dramatically not just since Thomas Kendall in 1814 but even going further back as far as the 12th century to Richard I (the Lionheart) or an Act of 1325 or later with the introduction of our title in 1361 legislation to help "keep the peace". That action will evolve even further as we continue to change as a country, whether it be domestically, regionally or internationally.

Irrespective of what that role will look like we all undertake to "do right by all manner of people without fear or favour" – our motto in part says "may we do what is right no matter what the outcome".

Personally, I think we will continue to exist for a long time yet. I hope that our future lies in the hands of as our recent appointees such as those who participated in a panel presentation at the Central Regional Conference (below). I wish them well and encourage them to meet the unknown future with fervency and zeal in the face of challenges yet to come.



NEWS 16

New tough laws on gangs

Legislation passed through Parliament last month provides police and the courts with additional tools to crack down on gangs that peddle misery and intimidation throughout New Zealand, Justice Minister Paul Goldsmith (right) said.

"From November 21, gang insignia will be banned in all public places, courts will be able to issue non-consorting orders, and police will be able to stop criminal gangs from associating and communicating.

"Greater weight will also be given to gang membership at sentencing, enabling courts to impose more severe punishments, as committed to in the National, Act and NZ First Coalition agreements.

"Gang membership has increased 51% over the past five years, alongside violent crime increasing 33%. This Government is committed to restoring law and order.

"Repeat offenders continually convicted of displaying their patches in public will be subject to a new court order, prohibiting them from possessing any gang insignia either



in public or private for five years.

"Gang insignia being displayed from inside a private vehicle will also be covered by the patch ban.

"Police will be better equipped to target disruptive gang events, with the power to issue dispersal notices to break up public gang gatherings and to place a non-association order on those involved for the week following the event.

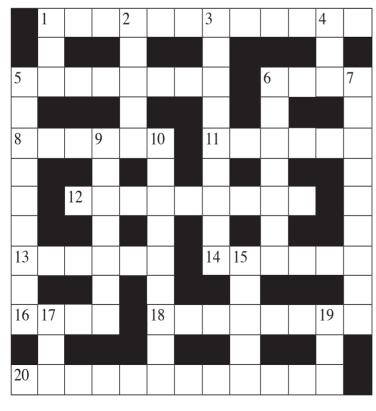
"Non-consorting orders issued by the courts will prevent the most serious gang criminals from associating and communicating with one another for three years, where there is a risk of them planning or committing further gang crime.

"Gang members make up less than one quarter of 1% of the New Zealand adult population, yet are linked to 18% of all serious violent crime, 19% of all homicides, 23% of all firearms offences, 25% of all kidnapping and abductions, and 25% of all the crime harm caused by illicit drug offences.

"This Government is committed to ensuring there are 20,000 fewer victims of violent crime by 2029, and reducing serious youth offending by 15%," Mr Goldsmith said.

"Part of that is ensuring gang members are no longer able to wreak havoc throughout our communities. Our message to them is clear: the days of behaving like you are above the law, are over."

CROSSWORD



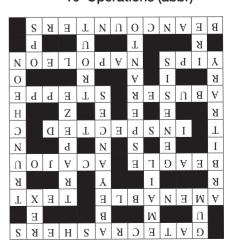
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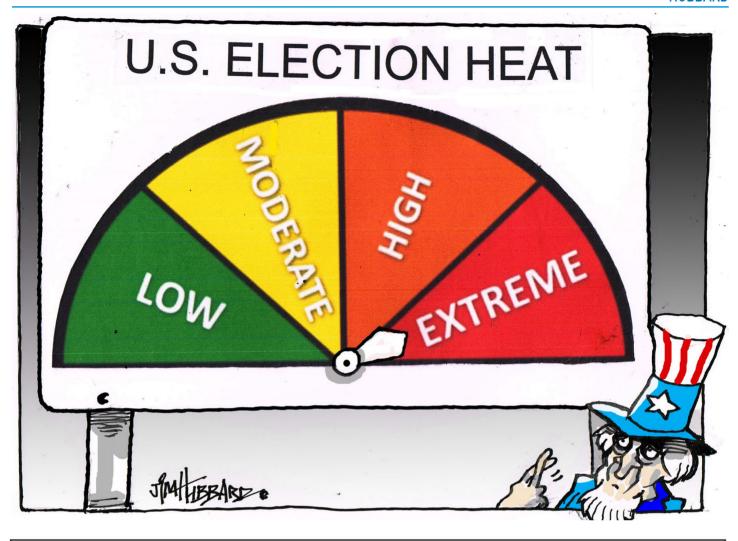
- 1 Uninvited partygoers
- 5 Accommodating
- 6 Subject matter, words
- 8 Darwin's ship
- 11 Cashew
- 12 Examined carefully
- 13 Persecutor
- 14 Treeless plain
- 16 Offputting sporting nerves
- 18 Little Corporal
- 20 Accountants (sl 4,8)

DOWN:

- 1 Tree secretion
- 2 Electronic communication
- 3 A bay scene (anag)
- 4 King (Latin)

- 5 Subject to individual discretion
- 6 Acrobatic apparatus
- 7 Police weapon
- 9 Origin, beginning
- 10 Artificial language
- 15 Game fish
- 17 Anger
- 19 Operations (abbr)





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JP RUBBER STAMPS

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.

Barnes-Lack, Sandra Maree, Opotiki

Burt, Andrew Kinloch, Rotorua

Caston, Brian Raymond, Ngunguru

Cuthbert, Ailsa Ross, Gisborne

Field, Troy Christopher, Masterton

Foy, Warwick David, New Plymouth

Fyfe-Rahal, Anna Catherine, Nelson

Goldsmith, Kristina Grace, Dunedin

Gregan, Joy Margaret, Nelson

Griffiths, Neville John, Dunedin

He, Jingjing, Christchurch

Holtsbaum, Erica Lee, Masterton

Houghton, John Kenneth, Nelson

Jourdain, Trinity Erica, Pokeno

MacDonald, Judith Dale, Whanganui

Maru, Tiegan Louise, Motueka

Mason, Garry Richard, Tauranga

McLuckie, Stephen, Nelson

Phillips, Lisa, Papamoa Beach

Phoa, Soo Yeong Patrick, Palmerston North

Ram, Bal, Rotorua

Ransome-Boyd, Hinemoa, Whanganui

Reid, Kathryn Lesley, Christchurch

Renata, Christine Sarah, Waipukurau

Samuel, Samantha Sharmini, Kirwee

Stace, Sharon Anne, Waimate

Stephens, Matthew Ian Kelliher Malcolm, Wellington

Thomas, Karl Brendon, Wallacetown

van den Broek, Edward, Rotorua

Watson, Andrew Richard, Whakatane

Wilson, Callum Samual Hopkins, Dunedin

Dated at Wellington this 12th day of July 2024 Hon Nicole McKee Associate Minister of Justice Ale, Cordelia Toto'a, Ashburton

Bhandari, Santosh Prasad, Auckland

Broadhurst, Marita Kathleen, Hamilton

Clarke, Aaron Lindsay, Lower Hutt

Feast, Raewyn Joy, Christchurch

Fowler, Ann Judith, Marton

Hall, Susan, Raglan

Hargreaves-Greer, Janet Ann, Tauranga

Harwood, Victoria Jennifer, Whangarei

Henderson, Janet Lyndsay, Auckland

Holland, Fan-Chen Jeanie, Hamilton

Holmes, Patrick Anthony, Whangarei

Keinert, Gloria Lenon, Mosgiel

Kooner, Rajvir Kaur, Auckland

Mackay, Heather Louise, Warkworth

Milne, Lois Jillian, Christchurch

Mirams, Sarah Jane Andrina, Auckland

Naiker, Maha Lingam, Auckland

Nepal, Amulya, Rolleston

Panjabi, Jayashree, Dunedin

Paton, Russell, Port Waikato

Pukkunnel Varghese, Yeldos, Auckland

Robertson, Mataiva Dorothy, New Plymouth

Singh, Satnam, Christchurch

Snellaert, Jacob Caine, Auckland

Sukumaran-Saramma, Sam, Ngaruawahia

Tierney, Anna, Auckland

Weber, Karen May, Matakohe

Wong, Almo, Auckland

Yala, Teremoana, Porirua

Dated at Wellington this 26th day of August 2024 Hon Nicole McKee

Associate Minister of Justice

THE NZ JUSTICES' QUARTERLY Published in January, April, July and October

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.

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