



Justice Pieces

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1. From the President

Kia ora koutou

Congratulations to Ms Joy Dunsheath JP who has been awarded an MNZM in the King's Birthday Honours for services to Human Rights, Women and Education.

I thoroughly enjoyed the Te Ao Māori workshop at the Bridge Club. Thank you to Helen Climo for setting this up. The facilitators were excellent, and the handout was a good reference point. Attendees were all provided with links to other resources, and I have been working my way through these. We are going to put on two more workshops and it would be great to see a good turnout for these. We have also taken licenses for a self-directed learning programme on Te Tiriti and I have my access link and look forward to completing this over the next weeks.

I recently met with the Deputy Mayor of Wellington, and she was impressed with the volume of work done in the city over the last year - 1184 Court matters disposed of, 14,115 customers at service desks and 43,381 documents dealt with. Congratulations to all for a great job! Time to start counting what we do at home or non-service desks work.



I continue to be concerned about the flow of nominations to become Justices of the Peace although that said 6 candidates appeared out of the blue in late May. Over the last few months, the candidates interviewed have been a mixed group and worryingly a number of candidates who wanted to be a JP to support their business activities and seemed oblivious to the conflict of interest that may ensue. Nomination forms can be downloaded off the Ministry of Justice [website](#). Please consider who in your community would make a good JP and while I cannot discriminate on the grounds of age it would be lovely to see the average age of our JP community start to go down.

Hope you have all had your flu shots and Covid shots and all the best for a healthy winter.

Ngā manaakitanga
Ann Clark JP

2. King's Birthday Honours

The Wellington JP Association congratulates Ms Joy Dunsheath JP on being awarded an MNZM in the King's Birthday Honours for services to human rights, women and education.

Joy has contributed to human rights, gender equality and sustainable development in New Zealand and overseas for more than 40 years.

Joy has held various positions at the United Nations Association New Zealand (UNA NZ) including Vice-President, National President and Conference Chair. She was a Board member of the United Nations Women Aotearoa New Zealand from 2007 to 2014. Through her advocacy, she has promoted Agenda 2030 in New Zealand and increased public awareness of the United Nations' Sustainable Development Goals. She has been a member of Graduate Women International New Zealand since 1986, serving on the National Executive, and as Wellington branch President from 2012 to 2014. She was elected as a committee member to the Graduate Women International Hegg Hoffer Fund (Geneva) in 2010 to assist refugee and displaced women to study towards academic qualifications. She has represented New Zealand at the World Federation of United Nations Associations International Plenary Assemblies and was elected to its Executive Committee in 2018. She has been an active member of the Ministry for Women's International Caucus for more than ten years. She has promoted public speaking in secondary schools including the national UNA NZ Speech Award. Joy was President of the Friends of the New Zealand Portrait Gallery Committee for three years.



3. Certifying Identity Documents

****** ALERT: The next set of Professional Development sessions focuses on this topic. *****

It used to be such a quick and simple process to certify an ID document, but that's no longer the case. There are so many different versions of "certification" coming to us now, such as verifications of ID that include certification of the document. There is no legal framework for certification, so the critical issue is what the receiving agency wants.

As JPs, we must be aware that there are different wording requirements when we certify an identity document that will be sent for processing to an organisation which is subject to the Anti Money Laundering and Countering Financing of Terrorism (AML-CFT) legislation.



Agencies required to comply with AML-CFT legislation include:

- Banks and Financial institutions
- Accountants
- Lawyers and Conveyancers
- Financial Advisors
- Real Estate Agents
- Brokers
- Businesses that deal in high value goods
- Gambling providers

How do you know what needs to go on the document? You don't, unless you ask the client "what this document is for" or "who the receiving agency is" for the document. You should also ask if the receiving organisation has given the client specific wording for the JP to use. It is advisable to explain why you are asking by saying something like

“some agencies require special wording especially financial organisations”. The client is not aware the JP needs to know this and so may not tell the JP unless asked.

Failure to comply with the requirements of the receiving organisation may result in the document being rejected.

After asking the client, if you are unsure whether the receiving organisation is covered by the AML-CFT legislation, use the generic wording for these agencies. It may not be necessary, but it won't be wrong!

If the receiving agency has not specified any wording, this is an example of what you can use:

I certify that this is a true copy of the original document which I have sighted, and it represents a true likeness of the individual.

Just a reminder: sign and date and print your name and JP number. Any combination of stamp and handwriting is OK so long as it clearly identifies who you are.

Don't throw out your stamp that says: “This is a true copy of a document presented to me as an original”. You will still need it for documents for immigration, education and many documents that go overseas.

4. Ministerial Professional Development

Thank you to everyone who attended our first batch of Back-to-Basics Trainings. If you have any questions or need clarification on any of the topics we discussed, please contact Carolyn: carolyn.marshall@outlook.co.nz.

A reminder to you that the Justice Quarterly magazine, which is issued by the JP Federation has education pages on various topics. Please make a point of reading these, as they do contain valuable information for JPs. In particular, the April issue has a section on Affidavits, one of the topics which was covered in our Back-to-Basics Training.



Our next set of Professional Development starts on Saturday 10 June 2023, and will focus on a review of AML/CFT (Anti Money Laundering and Countering Financing of Terrorism). Details of the dates, times and venues are set out below. We look forward to seeing you.

Training Topic: *A Review of AML-CFT*

Saturday 10 June	9:30 to 11:30 am	Wellington Bridge Club, 17 Tinakori Road, Wellington
Tuesday 11 July	5:15 to 7:00 pm	Wellington Bridge Club, 17 Tinakori Road, Wellington
Saturday 12 August	9:30 to 11:30 am	Waikanae Community Centre, 28-32 Utauta Street, Waikanae

Training Topic: *Marriage Dissolution*

Saturday 9 September	9:30 to 11:30 am	Wellington Bridge Club, 17 Tinakori Road, Wellington
Tuesday 10 October	5:15 to 7:00 pm	Wellington Bridge Club, 17 Tinakori Road, Wellington
Saturday 25 November	9:30 to 11:30 am	Waikanae Community Centre, 28-32 Utauta Street, Waikanae

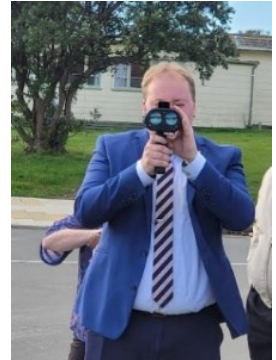
Any suggestions for training topics are always welcome. Please don't hesitate to contact Carolyn by email: carolyn.marshall@outlook.co.nz.

5. Judicial Professional Development



Caroline Ludford, Judicial Educator, organized a session with the NZ Police at their road policing unit. We had a full attendance over two days with both established judicials and in training judicials. The judicials looked at the steps taken with measurement and evidence for Excess Breath Alcohol and discussed the options for testing the drug impaired. They went outside to operate the radar speed measuring devices. Lisa Beighton and Brad Olsen have kindly agreed to have their photos published while operating these devices.

If there was ever a reason for you to consider becoming a Judicial Justice, this must be one.



6. A Judicial JP's Journey

By Gordon Noble-Campbell, JP

As a relatively recently appointed JP, I was not familiar with the role of a judicial JP (or "JJP") until it was promoted by our Association and I attended an initial information session to find out more. In my professional life and in other voluntary community roles, I had developed an understanding of how to apply laws and regulations in practical situations, so the prospect of doing so in a formal court setting was something which I thought could be an interesting extension of my core role as a ministerial JP.

Having been accepted to embark on the course, it was initially a little daunting to consider the academic study aspects of the required training, given I had not been a tertiary student for many years! Having said that, I found the academic content to be very interesting and quite stimulating, very much based on practical examples and clearly focused on developing the right mental models to apply to decision-making in a court environment.

The second part of my training involved a "practicum" session in the District Court where JJP aspirants are asked to apply the theories contained in the textbooks in "mock" situations in a real court setting. An essential part of the training process, the practicum provided hand-on practical experience with "actors" (court personnel) playing various roles involved in a range of hypothetical situations.

Following successful completion of the formal training, my "real" training began in working with experienced JJPs as part of the regular roster at the Wellington and Porirua District Courts.

On reflection, I appreciate that developing competence and confidence in the JJP role is based on four key factors:

- *process* - fully understanding the formal framework and structured procedures in which each court operates,
- *paperwork* - the importance of capturing and recording the right information concerning defendants and the matters which bring them to court, and the decisions that JJPs are required to make,
- *people* - being aware that the court is staffed with legal and judicial professionals who are there to support or work with JJPs in undertaking their role, and
- *performance* - noting that sitting JJPs are responsible for all that happens in court, with the necessity for proceedings to be conducted in a calm, objective, controlled, professional manner.

To become a JJP you must prepare yourself to embark on a journey, which will result in ongoing personal and professional development, which is at times challenging and which overall I have found to be rewarding. I would recommend all ministerial JPs to consider the opportunity if offered.

In my experience, success in the role relies on a newly appointed JJPs being able to: take and apply constructive criticism when offered; build confidence in dealing with difficult situations (and defendants); and to be objective and considered when faced with complex decisions. Every court sitting provides a new learning opportunity.

7. Te Ao Māori Pilot Workshop Success



A small but very involved group of JPs voted that the pilot workshop on 10th May was a great success.

This introductory workshop was very accessible even for those who had no prior knowledge of Te Ao Māori, or Te Reo. The two-hour workshop was facilitated by Brenda Crookes and Roger Haenga. The first half covered pronunciation and greetings, and in the second half, the group explored together some of the barriers Māori may face when they visit a JP.

In the evaluations, all the participants were able to identify something new they could apply in their role as a JP.

Many thanks to the participants who volunteered for the pilot. For those that weren't able to attend, the workshops will be repeated in Kāpiti on 15th July and in Wellington on 29th July.

As they are interactive, we are still keen to manage numbers. Please contact Helen Climo: ahclimo@gmail.com to pre register for either of these workshops.

When you have attended the Te Ao workshop, you will be offered the opportunity to enrol for Understanding Te Tiriti for Individuals (concise) - Groundwork which is a more in depth exploration of Te Tiriti and what it means for us today, that you undertake online at home.



8. Verify or Certify??

Some JPs may have noticed that Kainga Ora is insisting on the word VERIFY rather than CERTIFY. All you can do is to check what the expectations are. The requirement for the word *verify* has come up with applications for the grant funding for leaky buildings and earthquake strengthening. We are also advised that a lot of the funeral industry are now requiring *verify* rather than *certify*, so ask what is wanted.



Remember that there is no statutory definition of what the wording should be, so to the extent possible, use what the receiving organisation has requested.



Kainga Ora has a couple of Statutory Declarations, both of which require annexures or exhibits. One requires the attachment of a certified copy of the NZ Passport that has been certified by the taker of the Declaration and the appropriate Exhibit Note added; the other requires the certified copy of the passport and the IRD income statement. Please check if that needs to be a certified or verified copy. They may need verified copies rather than certified copies. They certainly need the Exhibit Notes completed for the attachments by the taker of the declaration.

9. Affidavit / Affirmation

Have you recently been presented with a document headed "Affirmation" and wondered how it differs from an Affidavit and what the process is for a JP? We just process it the same way as if it were headed "Affidavit". It still contains written evidence that will be presented to the court. We still use the same exhibit note stamp which says *This is the document marked " " in the affidavit of ...*

The difference in the Affirmation document is that the client only has the option to Affirm and some of the latest Affidavits we have seen only give clients the option to Swear the oath while some Affidavits give both options and you could strike one option out.

This has raised an issue as to what we do if a client presents with an Affirmation but in fact wishes to Swear the oath instead. This happened recently and the JP crossed out Swear and substituted Affirm. The client returned with a replacement which was written as an Affidavit as she said the first document had been rejected with the crossing out. We don't know whether that was the only reason it was rejected.

Some JPs have crossed out and substituted Swear for Affirm and vice versa at the request of the client and it has been accepted. Perhaps the best practice is that we err on the side of caution and say it will be acceptable if they (the client) get their lawyer to confirm it will be acceptable.

In February this year, a client had a document headed Affidavit and contained only the Swear option. She contacted her lawyer and said she wanted to Affirm. The lawyer sent her a replacement document headed Affirmation.

10. Marriage Dissolution Applicant's Name Change

There has been some discussion about name change for marriage dissolution applicants. Recently Catherine sought advice on the marriage dissolution affidavit. Catherine was once Andrew, so Andrew was on the marriage certificate. The approach is you take a statutory declaration of the name change with the attached exhibit a copy of the DIA approved name change. The affidavit is completed in the current legal name Catherine not the name Andrew that was on the Marriage Certificate for this person.

11. When a Translator is Required

At a recent professional development session, a Justice cited the example of using a 12-year-old child to translate a marriage dissolution affidavit for her parents. The best practice would be to seek support such as an adult not related, certainly not someone directly affected by the situation and a minor in this case.

If the client is not able to provide a translator, there are many community groups who could lend someone to assist and if stuck, try the Community Law Centre or the CAB.

Google Translate can be useful if you are on holiday or want to understand something, but it is not reliable for a legal document or to translate something that either you or someone else is signing. If you have any concerns about a document you are asked to sign, remember you can always decline to provide a service. If you are certifying a copy of document in another language, just scan the original and the copy for same number of sentences, capitals and spacing to do your best. If asked to witness something you cannot understand, stand back and think twice.

Do you speak a language other than English?

If you do, please login to the Federation [website](#) and on your Profile page update the section on languages spoken. This will allow us to find someone who can help when a client has a request for a foreign language.

12. Kiwi Access Card



A [Kiwi Access card](#) is the replacement for the old 18 plus card. It is highly unlikely that you will be required to sign one of these applications as you must have known the person for 12 months. It is a Photo ID card that proves someone's identity and that they are over 18 and can purchase alcohol. As it has no signature on it, it is not always accepted for other purposes.

13. Wet Signatures

Wet signature is the process of signing a physical paper document, form or contract with pen and ink. [Contract and Commercial Law Act 2017](#) requires wet signatures on many documents.

In summary there are some documents where an electronic signature is not permissible. These include, but are not limited to:

- wills
- affidavits
- statutory declarations
- other documents given through oath or affirmation
- powers of attorney.

14. Adding a Photo to SuperGold Card

Turning 65 is accompanied by the SuperGold card which can be used as a photo ID if you add a photo to it. This could be useful if you don't have a current form of photo identification, such as a driver licence or passport. To arrange for a photo to be added to your card, visit your nearest AA Office with your card, along with three forms of identification that verify your name and date of birth (such as a current passport, driver licence, birth certificate or deed poll), plus evidence of your address (such as a bank statement or utility bill). Take originals and they can do the copies. Your photo will be taken, and a new card posted to you. It is a free service for all SuperGold card holders.



15. Elder Abuse and Exploitation

Remember that we are not social workers and we cannot give ADVICE. A number of JPs have expressed concerns that they are being asked to witness signatures on gifts of money as clients are under the misapprehension that our signature makes it legal and enforceable. It does not. So maybe think about a referral to Age Concern if you think that ELDER ABUSE may be at play. Some of these matters are quite distressing and all you can do is your best. If the client insists, there is little you can do.

16. South African Documents

Documents destined for South Africa MUST be completed in black ink or biro. Recently a client at Wellington Central Service Desk had all her documents completed by a JP in blue ink. She and her family will be back for all to be done again in black ink as a requirement.

17. Changing Registered Sex on Birth Certificates

From 15th June 2023, a new self-identification process will replace the Family Court process for people wishing to change the registered sex on their birth certificate. Under the new process, applications will be received directly by Births, Deaths, and Marriages. For this application process, a statutory declaration will be required.

It has not yet been established if this will be a standard form from the Department of Internal Affairs or the use of the usual standard Statutory Declaration form will be sufficient.

18. The Tale of The Peripatetic JP Service Desk

We are excited to report that the Newtown Service Desk is back in the revamped Newtown Community Centre (NCC), as of 15th May.

We had to vacate the premises in April 2021, as there was a significant upgrade being done. It took, of course, way longer than planned.

Initially we shared space with the CAB in a small office opposite Newtown Library. The lease ran out so we were on the move after a year or so – the CAB chose to take space in the MSD Building on Riddiford Street, but the JPs opted to go with NCC to its temporary premises on Green Street. We shifted there in January 2022. That lasted until mid-March 2023 and then while the shift back to NCC was taking place, we were in Smart Newtown, next to Newtown Library. (Side note, Pepe Robertson was instrumental in getting Smart Newtown started, 20 years ago. She is our Monday roster JP!)

It was a great delight and relief to know our wanderings are over! Eileen Brown and Sue Esterman attended the blessing (at dawn!) of the revamped NCC building. There was a big crowd despite a 6.15 am start! Peter Jackson (the kaumatua associated with NCC, not that other Peter Jackson) led a dignified and moving blessing and walk-through the premises. We ended in the theatre, which is going to be magnificent when all the techno stuff is completed. There were speeches from Deputy Mayor Laurie Foon, Tom Law, who's the chairperson of NCC Board, and Eryn Gribble, the kaiwhakahaere of NCC. Waiata concluded the official proceedings, followed by breakfast kindly provided by Wellington City Council.

It's really beautiful – a total transformation all round, and while there is still some work to be done, it's 99 percent operational in late May.

The JP office (which is a bookable space when we are not there) is small, light, has lovely artworks on the walls, and has also one of the lovely old windows with coloured panes of glass. It's great.



We're open!

Renovations at the main centre (corner of Colombo / Rintoul Streets) are complete.

Come and visit us, 9-4.30pm Monday - Friday.

19. Our Newest Justices of the Peace

Our newest Justices of the Peace after being sworn in by His Honour Judge Black at the Wellington District Court on Monday 22nd May 2023.



From left to right: retired Judge Grace, Jayasudhasri Jaiganesh, Judge Black, Daniel Gamboa Salazar and Tianyu Xu

We introduced the above four new JPs to His Honour Judge Black at a lovely swearing in ceremony ably supported by Carolyn Marshall and Audrey Fell-Smith. We had a packed court room with lots of friends and family along to support the new Justices of the Peace.

His Honour Judge Grace has recently retired from the Bench and is now serving as a JP in the Makara Community where he keeps bees on a lifestyle block. Jayasudhasri (Jay) Jaiganesh lives in Karori and works for Kainga Ora as a senior Business Intelligence Consultant. In her spare time, she cooks and tutors singing. Daniel Gamboa Salazar is a Colombian refugee and has now settled in New Zealand living out in Plimmerton and is working with the refugee and youth communities. Tianyu Xu is from China and specialises in ocean engineering and naval architecture and will be working in Central Wellington.

Congratulations from the Wellington Justices of the Peace Association on your appointment and welcome to our Association!

Congratulations!