



Justice Pieces

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1. From the President

Kia ora koutou

This is my last column as President of the Wellington Justices of the Peace Association. It has been a pleasure and a privilege to serve alongside you all. I have enormous respect for the many skills you bring to bear on our work and especially for those JPs who are providing extra over service through activities such as Nominated Adult and Issuing Officers with the out of hours pressure. I know many of you are or have been helping with the election. I do have a plea however in that as more JPs are choosing not to see people at home we have not seen a comparable jump in volunteers for the Service Desks. If two hours is too much, we can always split shifts with an hour for each of two JPs. I have always found the service desks to be really interesting and you meet many lovely people and it is great to be able to help them with whatever they need completed.



I look forward to supporting the new Council and will continue in my roles as a JP on the Service Desk and in the Court with the occasional contribution to Professional Development and anything else that may be useful.

We will be continuing with the Te Ao Māori professional development. Interestingly attendees have seen applicability of many of the concepts to our customer interaction with other cultures than Māori.

One of the key attributes of a JP is to be open to ongoing learning and with so many new requirements attendance at professional development and Accreditation remains of considerable importance. Our redeveloped website now has helpful documentation to support our work and if you cannot attend Professional Development I recommend you to look at those resources and the professional development resources in the Royal Federation Justices quarterly.

It has been interesting to see the attention to detail required of us has not flowed through to the Agencies requiring our services. The Ministry of Justice changed the Marriage Dissolution forms and left us with a mistake on the Affidavit, the forms for the name change and gender identity misspelled solemnly and one of my clients was bothered that this would nullify the Declaration, and last but not least I found a Form which had the Oaths and Declarations Act with the wrong year and no it was not an Australian Declaration. All these matters and understanding the exact requirements of agencies and the limits of our authority are great for the old grey cells.

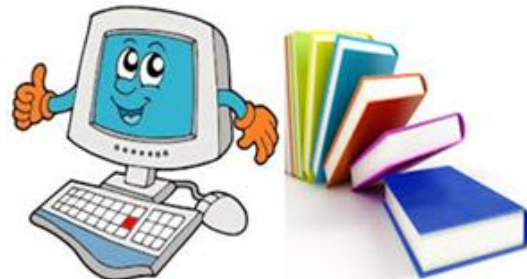
I wish you all the best for the future and look forward to continuing to serve albeit in a different capacity.

Ngā manaakitanga
Ann Clark JP

2. Professional Development

Thank you to everyone who attended our first and second Marriage Dissolution Trainings. If you have any questions or need clarification on any of the topics we discussed, please contact Carolyn by email: carolyn.marshall@outlook.co.nz.

The final training for the year will be held in Kapiti at the Waikanae Community Centre on Saturday, 25 November 2023, 9:30am to 11:30am. Details are set out below. We look forward to seeing you.



Training Topic: *Marriage Dissolution*

| | | |
|----------------------|------------------|--|
| Saturday 25 November | 9:30 to 11:30 am | Waikanae Community Centre, 28-32 Utauta Street, Waikanae |
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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.

We will shortly be setting the dates and venues for our 2024 trainings, as well as the topics to be covered. We are keen to expand our Training Team and would be interested in hearing from JPs who would like to help prepare and present our trainings in the future. Any suggestions for Training Topics are always welcome. Please contact Carolyn by email: carolyn.marshall@outlook.co.nz.

3. Record Keeping

Why do we keep records? It is because a transaction may be queried by an agency. No matter how few or how many clients you see, it is not sufficient to rely on your memory alone. It is good practice to explain to a client why we are recording the transactions that we are keeping the record for their benefit and not for ours. If a client does not want you to keep a note of the transaction you need to respect their wishes.

Keep a notebook or diary and record an entry for all transactions containing the date and time, nature of the transaction and where it took place (e.g. home or work or service centre name).

- 12 June 23 5:10 pm K Smith 5 x cert copies/passport Home
- 13 June 23 9 am Dissolution application Work
- 14 Jun 23 3pm G Smith CC AML Home

When keeping a record of a client's name, you are technically an 'agency' which has 'collected information' about that person, under Part 5 Privacy Act 1993.

For this reason, it is recommended that you do not record identifying information such as passport number or phone number or address in case you lose your notebook or the entry is seen by a person not entitled to see it. There is no specific reference in the Privacy Act regarding the length of time that records be kept. Justices should retain records "for such time as a reasonable person would expect the information to have exhausted its usefulness". Records are to be destroyed by incineration, deletion (if digitally recorded) or shredding.

(JP Manual section 9.8 and Code of Conduct section 11.8.2 [6])

4. Separation Agreements

Over the past couple of months documents called "Separation Agreement" have been presented by a number of clients who wish to attach it to their Marriage Dissolutions. These documents begin with the confirmation of the date that the couple agreed to separate but in the next sentence they state how they would divide their finances. The documents ask for a JP to witness the signature.

From the Citizens Advice website. "If the separation agreement is to include how you will divide your relationship property, it will need to follow the form of a relationship property agreement. You will each need a lawyer to advise you on the agreement, and they will need to certify that you received legal advice about the agreement."

The JP manual does not include anything specific about the role of JPs in witnessing Separation Agreements, but it is obvious that if you are presented with a document which contains any mention of division of relationship property, you need to inform the client/s they need a lawyer to advise and witness this. If it is a document simply witnessing the agreed date of the separation, we can oblige by witnessing their signatures, but it is not necessary. Both clients could simply sign the form and take a copy each for their own peace of mind as it is not necessary to have a written agreement when the time comes to do the Marriage Dissolution.

5. JPs not Found on Royal Federation Website

Anyone can search on the Royal Federation website (www.jp.org.nz) to find a JP. The search can be done using a surname, town, suburb or postcode. However, if a JP has updated their profile to indicate they are unavailable at the time of the search, their name will not show when the search results are presented.

We have noticed an increasing number of agencies using the search function to confirm that the JP who has signed a document is a bona-fide JP. If they don't see the JP in the search results, they may send the documents back to the client, unable to be processed.

To help address the confusion this may cause, the Royal Federation has put this disclaimer on their website when the search results are presented:

Find a Justice of the Peace

Please ensure that when you are searching for a Justice of the Peace you do not enter a unnecessary space before or after the word.

Attention all agencies:

The listings provided on this site are offered primarily to allow the public to locate an available Justice of the Peace in their area. It is not an official listing of all Justices. If you are unable to locate or identify a specific Justice of the Peace for validation purposes, please email us via the contact form here: <https://jpfed.org.nz/Page/ContactUs> – or call us during business hours: (04) 918 8447

| | | | |
|---|--------|--|--|
| Location | | Surname | |
| <input type="text" value="Suburb or City or Postcode"/> | - or - | <input type="text" value="Surname of JP"/> | <input type="button" value="Search →"/> Clear search |

If you are contacted by a client who has had their forms returned, you should let the client know that you are a proper JP, the agency is mistaken and refer them to the Royal Federation as above.

6. Next Judicial Studies Course

The next Judicial Studies Course is fast approaching and we ask anyone considering taking on this course to please make contact. Come and chat and see what is involved in becoming a Judicial JP. The next course commences on Monday 1st April 2024. All applications must be in by Monday 4th December 2023. Please contact the Court Panel Manager, Caroline Ludford: caroline_ludford@hotmail.com or 021 958 404 for further information.

7. AGM 28 October

A reminder about our AGM to be held at the Wellington Bridge Club on 28th October. The AGM starts at about 10:45am and it is preceded by a Professional Development session on "Working with Disabled Clients" at 9:30am.

8. Retirements

Angela Gorton

Ann Clark, President, was delighted to be able to present the JP Retired Certificate to Angela Gorton. Angela helped out both on Service Desks and was of great assistance to the Professional Development Committee under the guidance of Dierdre Dale JP. Angela was appointed in 2008 and was active until last year and is now enjoying life in Malvina Major Retirement Village.



Karl Pulotu-Endemann

Duane Williams MBE, JP presented Fuimaono **Karl Pulotu-Endemann** MNZM, JP Retired with his JP Retired Badge and Certificate after 32 years' service to New Zealand, mainly in Wellington.



Iride McCloy

Iride McCloy (right) receiving her JP Retired Badge and Certificate from Maureen Pratchett. Iride says she misses the people contact, but no longer has the time available to properly carry out her JP role. A the best, Iride!



If you have served for more than 10 years as a JP, but are no longer active for any reason and wish to seek JP Retired status, please email registrar@jowellington.org.nz.