



Speech by

**Mrs J. GAMIN**

**MEMBER FOR BURLEIGH**

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Hansard 21 October 1998

**APPROPRIATION (PARLIAMENT) BILL APPROPRIATION BILL**

**Committee (Cognate Debate)**

**Estimates Committee B**

**Report**

**Mrs GAMIN** (Burleigh—NPA) (4.18 p.m.): In joining this debate on the report of Estimates Committee B, I wish to speak about Justices of the Peace in Queensland. I note from Hansard the Minister's comment that the future role of Justices of the Peace is currently under review by the Queensland Law Reform Commission. I know that a discussion paper has been released, and we look forward to the commission's finalisation of that review. I note also that training is being beefed up for the Justice of the Peace (Magistrates Court) qualification, particularly for island and remote communities, such as Thursday Island and Kowanyama.

The ancient and honourable office of Justice of the Peace, JP, dates back to the 14th century when local peace officers assisted travelling judges who dispensed the King's justice. As the King's representatives they often achieved great power, especially during the 15th and 16th centuries. Justices of the Peace perform a variety of voluntary duties in the United Kingdom and in the United States, but they do not necessarily have any professional or legal qualifications. In France and Italy, Justices of the Peace are paid professionals and members of the career judiciary.

In Queensland and in Australia, voluntary or unpaid Justices of the Peace are an integral part of the justice system. Prior to legislative changes in 1991, appointments as Justices of the Peace were inclined to be more of a recognition of worthy citizens. Training may have been available and recommended but was not required, and ultimately a very large body of justices was built up—tens of thousands in Queensland—and some were more active and effective than others. So the new legislation was welcomed and it is effective.

As members of Parliament, we are all familiar with the process of applications and appointments for Commissioners for Declarations and Justices of the Peace (Qualified). A thorough study of the appropriate manual is absolutely vital and, of course, reference material can be taken into the examination room by applicants for Justices of the Peace (Qualified) as it is an open-book exam, but all applicants are strongly encouraged to participate in one of the excellent training courses on offer through TAFE colleges.

There is absolutely no excuse for failing the examinations or failing to correctly answer the four questions on the Commissioner for Declarations form. When the new legislation came in at the end of 1991, two or three older justices in my area were quite put out about it all. They thought they knew it all. They did not want to be part of any new systems, but they sat for the examination to upgrade to JP (Qualified) without the new manual and without updating their antiquated knowledge, and they were very cross when they failed. To give them their due, they settled down and did it properly and then they passed.

As members of Parliament, we offer a lending service of appropriate manuals through our electorate offices. Some justices in my electorate have expressed interest in Justice of the Peace (Magistrates Court). I understand that Islander and Aboriginal communities and rural and remote

courthouses are being dealt with first and, when this training is under control, then other justices will be chosen to train for JP (Magistrates Court).

The training courses offered through TAFE colleges and the training and working manuals are truly excellent. Dr Keith Tronc has done great work in terms of training manuals and in-service courses for commissioners and justices. A variety of publications is on offer at nominal cost, as well as badges of office, wall plaques, letterbox signs, window stickers and other articles. Like all members, I process many applications for Commissioner for Declarations and for Justice of the Peace (Qualified). In my electorate office, the services of a Justice of the Peace are in great demand by the general public because my electorate secretary is, of course, a Justice of the Peace. It is a very necessary qualification for an electorate secretary.

I encourage banks and other commercial institutions to put forward their employees for consideration, yet banks, real estate agents and a host of other enterprises constantly send their clients to my office for JP services. My secretary would process 10 to 15 requests every day. When my secretary first went on leave after I came into Parliament some years ago, it was a nightmare from the very first morning as I turned away or redirected many, many requests for JP services. As a result, I had to organise the nomination of my regular relief staff as Commissioner for Declarations to cope with the volume of requests.

It is pleasing to note that people wanting to access the whereabouts of Commissioners for Declarations or Justices of the Peace will soon be able to find this information on the Internet and that, as from next year, names and addresses will be included in the Yellow Pages. In conclusion, this ancient and honourable office is performed by a wide variety of persons from all walks of life who are dedicated to their communities and they do it on a totally voluntary basis.

Time expired.

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