



THE HONORARY
JUSTICES'
ASSOCIATION OF
TASMANIA INC



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Disclaimer

Opinions expressed in this Journal, whether editorially or by contributors, do not necessarily represent the views of The Honorary Justices' Association of Tasmania (Inc). On occasions articles are extracted or modified from other sources and the source of the article is listed in the article.

Contributions on matters affecting Justices and their Associations are particularly welcome, but all contributions are subject to the discretion of the Editors.

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THE HONORARY JUSTICES' ASSOCIATION OF TASMANIA INC.

(Founded 1925)

PO Box 1418, Launceston 7250 Phone (03) 6334 9699

Email: jpnorthtas@hjat.com.au Website: <http://jptasmania.com.au>

Patron:

Her Excellency, the Governor of Tasmania,
the Honourable Barbara Baker AC

President:

David Plumridge JP (h)
6331 2702
(m) 0417 330 747
E: ldplumridge@bigpond.com



Vice President:

Simon Rice JP
(w) 63312488 (m) 0428576974
E: simonrice179@gmail.com



Treasurer:

Michael Booth JP (m) 0417 326 488
E: m.booth@bigpond.com



Registrar/Secretary:

Sonia Wood CMC, JP
(h) 6343 4408 (office) 6334 9699
(m) 0407 507 044
E: soniachurchill4@gmail.com OR
jpnorthtas@hjat.com.au



Suzanne Farnell JP
(w) 6352 3436 (m) 0438 523 436
E: scottsec@internode.on.net
(retired from Committee February 2024)



John Campion JP
(h) 6394 4876 (m) 0429 881 883
E: coalpoint8@gmail.com



Bill Morgan JP
(h) 6334 3062 (m) 0409 343 063
E: billmorgan33@gmail.com



Prof. Em. Nigel Forteath
AM JP PhD
(h) 6331 7905 (m) 0418 335 473
E: forteath@dodo.com.au



Gary Byard, RFD, JP
(h) 6329 1220 (m) 0407 313 652
E: gbyard@bigpond.net.au



Linda-Ann Smith JP
0417 788 833
E: smiffy@bigpond.net



Journal:Editor:

David Plumridge, JP

Assisted by:

Prof Em Nigel Forteath AM JP PhD

Membership:

Sonia Wood CMC, JP

Michael Booth, JP

Life members:

Hugh Howell JP

Prof Em Nigel Forteath AM, JP, PhD

David Plumridge JP

Sonia Wood CMC, JP

Legal Adviser:

Grant Tucker BA., LLB.

Auditor:

Preece Accounting

Website:

Bill Morgan JP

Important information

Department of Justice resources for JPs

The Department of Justice has created a Resources for Justices of the Peace' webpage that they will develop and add to over time. The website is <https://www.justice.tas.gov.au/justice-of-the-peace/resources-for-justices-of-the-peace> on this page is also the **NEW and recently revised JP Handbook** https://www.justice.tas.gov.au/data/assets/pdf_file/0008/589481/Handbook-for-



FROM THE PRESIDENT

Welcome to the Winter 2024 edition of the HJAT Journal. My report this quarter is largely devoted to the proposal to amalgamate with the other two Tasmanian JP associations.

OVERWHELMING VOTE IN FAVOUR OF AMALGAMATION

The three associations – The Honorary Justices’ Association of Tasmania (HJAT), The Honorary Justices’ Association of Tasmania – North-West (HJAT-NW) and The Tasmanian Society of Justices of the Peace (TSJPI) – all held simultaneous polls of their members during June, with each poll closing on the 30 June.

I want to thank those members of the HJAT who took the time to consider the material sent out by this association and took part in the vote. The HJAT “turnout” was lower than the Committee hoped, but nevertheless it gave a resounding response in favour.

Details of the voting for all three associations are:

- HJAT: 31% voted, with 93% in favour
- HJAT-NW: 54% voted, with 87% in favour
- TSJPI: 42% voted, with 99% in favour

Across the state, these are very encouraging results and give the three associations the go-ahead to the next steps to form a single unified statewide association representing justices of the peace in Tasmania.

There is much work to be done – the vote by members in favour was simply the end of the beginning, not the beginning of the end.

WHAT WILL BE THE NAME OF THE NEW ASSOCIATION?

The Tasmanian Association of Justices of the Peace Incorporated (TAJPI).

WHAT HAPPENS NOW?

Initially, the three associations will continue to operate, until such time as they can be wound up. Winding up is subject to the rules of the Commissioner for Corporate Affairs and entails a Notice of Special Resolution for Amalgamation being passed by each association at a final General Meeting. At this meeting, a formal decision to wind up must be supported by at least 75% of the members present.

The 2024 Annual General Meeting of the HJAT will take place as scheduled on the 17 September. Depending on how smoothly the process of winding up the three existing associations proceeds, it *may* be immediately followed by a Special General Meeting to vote to formally wind up the HJAT, otherwise this will occur on a future date of which notice will be given.

Until the JP associations are wound-up, the President, Secretary/Registrar and Treasurer of each of the three associations will form an interim Board of Management to facilitate transition to the new association and manage its affairs until the first AGM. As soon as the new association is registered with the Commissioner for Corporate Affairs, nominations for office will be called, and the first Annual General Meeting will be held with the election of office bearers, committee members and the Public Officer.

The new association's committee will comprise a maximum on nine (9) members: four (4) office-bearers (President, Vice-President, Treasurer and Secretary/Registrar) and not more than five (5) committee members. A minimum of two (2) and not more than three (3) representatives must come from each of the three "traditional" geographic regions of Tasmania.

I hope that every member of the HJAT will give serious consideration to standing for office in the new association. It will be an exciting time to get involved: one new statewide JP body capable of speaking with one voice to government, in particular the Department of Justice.

WHAT ABOUT ANNUAL DUES AND WHAT WILL THEY BE?

Annual dues for the TAJPI will be set at the first AGM of the new association. The dues of all three current associations range from \$25 for the HJAT to \$30 for the HJAT-NW and TSJPI. It can be safely anticipated that dues for TAJPI will be set at a similar level.

Insofar as the HJAT is concerned, members who were financial for 2023-2024 will be deemed to remain financial until the AGM of the new association. Current life memberships of all associations will carry over to the TAJPI.

HJAT DOCUMENT SIGNING CENTRE – C H SMITH CENTRE, LAUNCESTON

There will be no change to the operation of the DSC in Launceston. The HJAT-NW and TSJPI now operate similar DSCs in their regions. Together, they provide an indispensable service to the Tasmanian community.

OTHER NEWS

Revised JP Handbook

The review of the JP Handbook is complete, other than the section dealing with applications for search warrants by Tasmania Police. As I reported in the Autumn edition of the Journal, a new procedure for handling these applications is presently under consideration between the Dept. of Justice (who manage the policy) and TasPol. We hope the new procedure is finalised very soon so that the new Handbook can be released.

Justices of the Peace Act 2018

The Department of Justice is proposing amendments to the *Justices of the Peace Act 2018*. The most important are:

- Section 5 provides that a person must complete training required by the Regulations. This to be amended to training required by the Secretary, which would be consistent with other sections of the Act and resolve training requirements.

- Section 6 amendment to include that a JP cannot undertake duties until their appointment has been advertised in the Gazette.
- Section 7 amendment to change the reappointment window from 6 months before and 6 months after to 12 months before expiry.
- Section 8(3) reappointment every 2 years from 75 years of age to change to every 5 years.

If passed, these proposed amendments will be welcomed by all justices of the peace and ease the administrative burden on the Dept. of Justice. The proposed amendments to Secs. 7 and 8 are especially welcome. It is uncertain when these amendments will be presented to State Parliament. Until they are passed, the current status quo remains (see the Dept. of Justice article later in the Journal).

“Reasonably Available”

Following extensive consultation with the three JP associations, the Dept. of Justice has finally concluded a new policy on being “reasonably available”. It has been satisfying to have had the opportunity to significantly influence the development of this complex policy at a senior departmental level.

I expect it to be released soon once it has been formally approved by the departmental Executive.

Professional Development

With two nominations for the next Level One course, we have decided to go ahead with the training session on the 25 July at the C H Smith Centre. If you would like to attend, it is not too late to put your name down. Please contact the Registrar Sonia Wood via our email address asap.

The remaining training dates for 2024 are:

Thursday, 25 July

Thursday, 31 October

For members of the HJAT, there is no fee for attending one of the refresher sessions.

David Plumridge, JP
President

What would you do?

Q. You are presented with a Tasmania Police National Police Certificate application form. What would you do?

A. The new forms no longer require a witness or certification by a JP of the 'Commencement Document', the 'Primary Document' and the 'Secondary Document'. It is now the responsibility of Service Tas. to check all three categories of documents. On the front of the application is written: *"Take completed form and identification to: Any Service Tasmania Service Centre."*

Q. Do I need to sight personal ID before certifying a document as a true copy of the original?

A. No. This is a common misunderstanding amongst JPs. Anyone can present the original document for certifying. The overriding rule is that you *must* be satisfied that it *is* the original document before certifying the copy. Who presents it is immaterial.

But...there is one important exception: when you are required to certify a photo as being the true likeness of an individual, that person *must be* present so that you can properly identify them.

How to register for HJAT website access

Editorial note: we are once again repeating this article to assist our members with signing up to our Association's website.

The website address is <http://jptasmania.com.au>

which is the same address as the old one.

There are two main areas, the Public and the Private. Anyone can access the Public area but to use the Private area you must first be a member of the Honorary Justices' Association of Tasmania and be registered to do so. Even if you were able to access the old website (using your JP Number and Name), you **MUST** re-register to use the new site. This is a one-time registration.

To register, click on the [Register link](#) which is below the Logon button on the right side of the site as shown in the image to the top right. Fill in your details and Click "Register" at the bottom.

Registration for Membership
Please fill out the below form in order to gain access to the Members area of the JP Tasmania Website.

Please allow 48 hours for verification. Once your credentials have been approved, you will receive an email confirming your access.

Username *

First Name

Last Name

Email *

Password *

Minimum length of 8 characters.
The password must have a minimum strength of weak.

Strength indicator

Repeat Password *

Biographical Info:

Login for members access
Username or Email

Password

Remember Me

This sends your details to the Site Administrator who will confirm your membership and allow you access to the site. In a few days you will receive a reply email notifying you of your activation.

From then on you will use your chosen username and password to use the site, as shown in the bottom image.

Having logged in you reach the Home Page (1st image on the left) which will allow you to browse the several drop-down menus and check out the content of site.

Login for members access
Username or Email

Password

Remember Me

[Register](#)

From the Department of Justice



Justice of the Peace Reappointment

Justices of the Peace (JPs) are appointed until they reach the age of 75. However, JPs are then able to apply for reappointment every two years up until attaining 85 years of age.

JPs can apply for reappointment if it is either six months before or six months after their expiry date.

Whilst the first time you will need to submit an application for reappointment is at the age of 75 years, it is imperative that you remember to apply for reappointment every two years thereafter.

The Department encourages you to apply for reappointment in the six months before your term expires. This is to ensure that there is no period between your term expiring and the reappointment creating a situation where you are not able to undertake the duties of a JP.

It is important that you monitor your expiry date to ensure you are not performing the duties of a JP without being validly appointed. Performing the duties of a JP after your term has expired but before submitting an application for reappointment means any duties you perform will be invalid.

All JPs are encouraged to apply for reappointment using the [online form](#) or by going to justice.tas.gov.au and using the top right search box to search for JP reappointment.

To be eligible for reappointment a JP must meet the following conditions –

- Have not attained the age of 84 years and 6 months

- Be an Australian citizen
- Reside in Tasmania and be actively serving the community as a JP, and be willing to continue to do so
- Be fit and proper to hold the office of a JP
- Not be insolvent or found guilty of an offence that is punishable by a sentence of 6 or more months.

Whilst the Department does endeavor to send an email reminder to each JP to apply for reappointment, it is ultimately the responsibility of the individual to monitor their own expiry dates and to submit an application for reappointment.

If you are unable to access the online reappointment form for any reason, you can contact the Department to request assistance to find the online form or to receive a paper form – you can do this by writing to the Secretary of the Department at GPO Box 825, Hobart, 7001, by emailing JP@justice.tas.gov.au or by calling 6166 1429.

Forensic Tools (Part 2)

DNA Databases.

In Australia, the Criminal Intelligence Commission provides police and forensic scientists with access to the National Criminal Investigation DNA Database. This database is available 24hrs. a day, 7 days a week.

Over the last 20 years, more than 1.2 million DNA profiles have been added. These profiles include samples from crime scenes, suspects, and offenders as well as deceased persons and samples from items belonging to missing persons. A “cold hit” is referred to those cases in which a crime scene DNA sample is matched with a person’s DNA already held in the DNA database. Likewise multiple crimes might be linked through DNA samples collected at multiple crime scenes, even when no offender is identified (see *The Golden Gate Killer* below).

The Database also may prove invaluable in identifying an unknown deceased person. In such cases DNA may be collected from clothing or perhaps a toothbrush.

DNA matching is a key tool in the identification of multiple victims involved in a disaster. Following the Bali Nightclub bombing in 2002 some 200 people lost their lives (88 Australians) and a further 209 were badly injured. Identification of the dead was carried out in four steps: assessment of physical characteristics such as sex, eye colour, height tattoos and scars; dental records; and DNA analyses. However, because of the power of the bomb, 70% of the victims were identified through DNA analysis.

When a match is achieved between two samples of DNA, it is a strong indicator that the two come from the same person – the likelihood of two people sharing the same DNA is ONE in a BILLION!

Advances in DNA technology are continually ongoing. DNA phenotyping (predicting appearance from DNA based on observable and somewhat predictable physical characteristics) is revolutionising cold case investigations. It is now possible to predict what the face of a lost child/adult will look like several years after he/she disappeared. In cases where no prior photographs are available it is now possible to include eye colour, skin colour, hair colour and shape of the face.

Many people have sought their family history through Genetic Genealogy and some notable cold cases have been solved as a result. The extraordinary case of the *Golden Gate Killer* is an excellent example.

Joseph DeAngelo was born in New York in November 1945. He joined the U.S. Navy in 1960 after which he attended Sacramento State University graduating with a degree in Criminal Justice. In May 1973 he became a police officer. In 1979, he was arrested for stealing and suspended from duty, only to be fired after he allegedly stalked the Police Chief's house.

Although he was married for some 20 years and was often violent towards his wife, apparently neither she nor their three daughters knew of his crimes. Indeed, his eldest daughter believed he was the "perfect father". The first burglary that later would be attributed to DeAngelo, occurred in March 1974. A piggy-bank containing \$50 was stolen and the clothing of the female who owned the house scattered over the floor. Strangely, bank notes in plain sight were ignored! Subsequent burglaries in the area were equally strange with stealing from jars full of coins, foreign coins, single earrings and medallions often the only targets. General ransacking was common.

On September 11, 1975, in Visalia, California, the mystery thief broke into the home of an academic by the name of Claude Snelling. In February of that year, a man had been chased from the latter's garden after having been seen trying to prise open his daughter's bedroom window. It was 2 a.m. on September 11th when Snelling heard a strange noise. Going outside he came face to face with a masked male who was attempting to kidnap his daughter. Snelling was shot twice and would later die in the arms of his wife. The daughter escaped but was badly bruised. The masked gunman escaped on a bicycle.

The house break-ins continued and the \$4000 bounty placed on Snelling's killer produced no results. On December 12th 1975, a masked man entered the back-yard of house which had been chosen by the police for a stake-out following sightings of a man several days earlier in the garden. Taken by surprise the intruder removed his mask and feigned surrender. However, seconds later he drew a gun and shattered the flashlight which the police officer was holding close to his face and the would-be intruder disappeared into the darkness.

Sacramento California 1976 – 1979): DeAngelo moved to Sacramento in 1976. Here his crimes escalated from burglary to rape. His initial *modus operandi* was to hunt out women who lived alone in single storey homes with a quick escape route via a path or open space. On one occasion when he was spotted by a young man who gave chase he shot and seriously wounded his pursuer. Most victims claimed they had seen or heard a prowler on their property before

an attack. Indeed, the police believed the intruder often would enter a victim's home and unlock windows, unload guns and plant ligatures for later use several days before an attack! He frequently phoned future victims to ascertain their daily routines.

DeAngelo became tired of attacking single women and turned his sights on couples. This change of plan may have been brought about by press reports claiming the 'rapist' singled out single women. He now entered the bedroom of couples dazzling the victims with a torch and threatening them with a gun. He carried out at least 37 attacks against women in this Californian location. One of his trade-marks was to tie up his victims with shoelaces.

In 1978, a young couple exercising their dog in proximity to one of the rape crimes were found shot dead. A shoelace lying close by was similar to those used by the rapist. The police felt sure the rapist had murdered the two dog walkers. In 1980, attacks and rapes started to take place in Southern California where the perpetrator became known as the Original Night Stalker. He killed most of his victims.

By the time his crime spree came to an end in the mid-1980s he had earned a plethora of names but when all were put together following a lucky DNA match he became known as the *Golden Gate Killer*. He is alleged to have murdered at least 13 people, raped over 50, and burglarized over 120 others.

His arrest was a stroke of luck! A police officer randomly uploaded the *Golden Gate Killer's* genomic sequence to a public genealogy database, *GEDmatch*, which is normally used to help people research their family tree. By chance a familial match came up. A relative of DeAngelo's had uploaded their DNA onto the database when doing an ancestry search. The donor was traced and the investigation led police to DeAngelo. He was covertly monitored and his 'discarded' DNA samples, collected from drink cans, matched samples taken from various crime scenes.

On 24th of April 2018, DeAngelo was arrested and charged with 14 counts of murder and 13 counts of kidnapping. He made a confession of sorts claiming an inner personality named "Jerry" forced him to commit the crimes. He could not be charged with rapes and burglaries as the statute of limitations had expired for these offences – American Law! He was convicted and sentenced to life in prison without parole.

Professor Nigel Forteach AM JP PhD

HJAT-NW report

Wow, what an introduction to winter. Brisk “white” mornings but magical days.

Activities have been fairly quiet in this quarter.

The signing centre continues to increase in activity. It has now received over 1000 clients, a wonderful milestone. Results for the past 3 months are as follows:

136 stat decs; 3 warrants; 308 certifications, totalling 447 forms from 175 clients.

Overall, stats thus far are as follows: Stat Decs & Affidavits - 717; Warrants - 19; Certification of Documents - 1084, totalling 1820 varieties of documents dealt with by the centre. Persons served - 702. Once again, sincere thanks to Mr Ian Day for his organisation of this service, and thanks to Greg Douglas, Wendy Richards, Lyn Jackson and Theresa Kendall for being the available JPs.

This year’s donation of \$150 from Willing & Assoc was to the Salvation Army Red Shield Appeal. A wonderful gesture and again, we thank Maryanne and her staff very much for allowing the Association to use the office facilities for the signing centre.

The amalgamation of the three associations into one is well under way. The process has been overwhelmingly accepted by each individual association. There is a full description of things thus far in previous pages of this Journal so I will add no more.

It is hoped that a Bench Justice course will be conducted before the end of this year. Anyone interested in furthering their career is encouraged to attend. It is a very informative course and even if you don’t proceed to become a Bench Justice, the course is most useful. Please forward any interest to the Registrar at the following email: hjatnorthwest@gmail.com

Calendar of events:

Information session on VAD: Chelsea Room, Furner’s Hotel, Reibey St. 6pm. Date tba.

July 31: L1 Introductory/Refresher course. Devonport Courts, Griffiths St., 7.30pm. (If you would like to attend please contact the Registrar.)
hjatnorthwest@gmail.com)

Sept 11: Annual General Meeting. Guest Speaker from Community Corrections. Chelsea Room, Furner’s Hotel, 6pm.



Lorraine Smith



Lyn Jackson



Wendy Richards



Karen Linegar



Jake Weeda



John Burton



Sharon King



Corey McGrath

**The Honorary Justices' Association of Tasmania
North-West Inc.**

(Founded 15 August 2006)

PO Box 5021 Ulverstone 7315

Email: hjatnorthwest@gmail.com

PRESIDENT:

Lorraine Smith JP

(m): 0417 365 625

clsmith24@bigpond.com

IMMEDIATE PAST PRESIDENT:

Karen Linegar JP

(m): 0419 339 782

Karen.linegar@ths.tas.gov.au

**REGISTRAR,
PUBLIC OFFICER &**

Lyn Jackson JP

(m): 0438 135 255

Mallynjackson0@gmail.com

TREASURER:

MEMBERSHIP:

Wendy Richards JP

(m): 0418 135 984

wjrichards@bigpond.com

VICE PRESIDENT: Vacant

COMMITTEE:

Jake Weeda JP

(h): 6425 2862

(m): 0438 252 861

jrweeda@bigpond.com

John Burton JP

(m): 0428 027 200

johnandsandra11@gmail.com

Corey McGrath JP

(m): 0419 212 780

Corey.mcgrath@gmail.com

Sharon King JP

(m): 0418 395 184

shazz1_123@hotmail.com

LIFE MEMBERS: Glenn Emmett, Ian Day, Alan Waddle OAM (dec), John Bloomfield, Karen Linegar

AUDITOR: Don Willing & Associates Pty Ltd