

ROYAL FEDERATION of NEW ZEALAND JUSTICES' ASSOCIATIONS Inc

Te Kāhui Pou Whakatau Ture o Aotearoa



**POLICIES ADOPTED AT THE RFNZJA
ANNUAL GENERAL MEETING MARCH 2018**

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Introduction

- 1 The Constitution and Rules of the Royal Federation of New Zealand Justices' Associations Inc ["RFNZJA" or "the Federation"] state that

H1. ACTION OF FEDERATION BINDING ON ALL AFFILIATED ASSOCIATIONS

Every affiliated Association shall be bound by these Rules and by every resolution of every General Meeting or Annual General Meeting of the Federation and by any decision of the Board made consistent with the powers expressed or implied in these Rules.

- 2 Section A – Interpretation of the Constitution and Rules of the RFNZJA provides these definitions:

(c) "The Federation" means an affiliation of Justices' Associations as envisaged under the following Constitution and Rules;

(i) "Board" means the administrative officers as specified in Rule (5)(a) hereof;

- 3 In the absence of any reference to Policies in the Constitution and Rules, it is accepted that the formulation of draft or proposed policies is an implied power of the RFNZJA Board and Federation members.
- 4 A remit passed at 2014 Annual General Meeting (AGM) required that all proposed policies be debated and decided by all associations at an AGM.
- 5 Having policies that are adopted by associations at an AGM and are binding on all associations provides consistency of operation in meeting statutory and/or contractual requirements and ensures a single "voice" when dealing with matters of national importance.
- 6 As appropriate policies should reflect and/or be consistent with the Code of Ethics and Conduct.

A. Dealings with external bodies

To be read in conjunction with Policy B - Communications.

A.1 Purpose

To ensure through submissions, media statements and correspondence [“communications”] by the RFNZJA that the viewpoint of Justices of the Peace is considered in the development and application of legislation and policies and practices of government ministries, departments and other external bodies.

A.2 Procedures for Select Committees and Other Reviews of Legislation, Policies, Procedures of Government

1. Communications relating to Justices of the Peace under this policy will be made by the Board.
2. Individual associations or Justices of the Peace may suggest subjects or content for these communications .
3. The Board, as appropriate, may enable individual associations in consultation with the Board to issue communications which are consistent with RFNZJA policy.
4. The Board will consult with all associations prior to issuing any communications.
5. The Board in issuing communications will take into account the views suggested by associations or Justices of the Peace or expressed in consultation with associations.
6. Where such advance notice is not practicable, any communications will be notified to associations at the earliest opportunity.
7. The Board's submissions will reflect the majority view of associations where this is not unanimous.

A.3 Procedures for Other Bodies (e.g. local government/media)

1. Communications relating to Justices of the Peace under this policy will normally be made by the Board.
2. Where an association deems it necessary to comment on matters concerning RFNZJA policy or issues to other bodies, including but not limited to local government and the media, this is to be in prior consultation with the Board so as to avoid any conflict with RFNZJA policy.
3. Copies of any such comment or, in the event of oral comment a synopsis of the comment, are to be forwarded to the Board at the earliest opportunity.
4. Where time does not permit consultation with the Board before making comment, the Board is to be informed at the earliest opportunity.

A.4 Procedures for Local News

Associations may issue their own news releases concerning activities within their own associations or the work of Justices of the Peace in general. Associations are to forward a copy of their new releases to National Office.

Adopted: 3/03/2018

Reviewed: 2017 – Next review no later than December 2021

B. Communications

To be read in conjunction with Policy A. Dealing with External Agencies

B.1 Purpose

To...

1. inform others of the services that are provided by Justices of the Peace and how to access these;
2. inform suitable potential nominees for the position of Justice of the Peace and advise them of application requirements;
3. provide a considered response to external events or developments that may affect RFNZJA, associations, or Justices of the Peace;
4. influence others to further Royal Federation or association purposes;
5. inform Justices of developments and representations made on their behalf;
6. provide Justices with information to ensure they are up-to-date in carrying out both ministerial and judicial duties;
7. provide information on Royal Federation and association activities in addition to news released under Policy B.4, the Board will communicate through professional presentations and the use of appropriate media.

B.2 Procedures for National Publicity

1. The Board will be responsible for national communication about any matters relating to Justices of the Peace and their functions.
2. Initial public statements on matters of national policy or national significance will be made exclusively by the Board.
3. Requests to associations or Justices of the Peace for interviews by international/national/ local media on Justice of the Peace matters which have been or are to be released nationally or internationally are to be referred immediately to the Board for either:
 - a. approval/non-approval to proceed; or
 - b. response by the Board
4. When national publicity emanates from the activities of an association and
 - a. this publicity is positive, the association concerned will exercise its own judgement as to the response having advised the Board (in advance where the situation permits); or
 - b. it is probable or definite that this publicity will be negative, the Board is to be consulted before any decision is made as to the response.
5. Where negative publicity has been generated without the foreknowledge of the association concerned, that association is to advise the Board at the earliest possible opportunity.

B.3 Procedures for Local Publicity

1. Associations will be responsible for local publicity, subject to the above conditions.
2. Local publicity of any nature generated by an association must avoid contradiction of any RFNZJA policy, legislation, contract or other guidelines such as the Minister's Best Practice Manual.

B.4 Procedures for Social Media

In this policy, “Social Media” means all online communication channels, portals and websites used for publishing, sharing and discussing information. Social media allows for active and immediate dialogue. It includes, but is not limited to, blogs, wikis and social media sites such as Facebook, Twitter, LinkedIn, and those for video and audio sharing.

1. All interactions on social media are subject to the procedures outlined in B1, B2 and B3 above.
2. All interactions on social media will be guided by the Royal Federation Codes of Ethics and Conduct.
3. Official social media activity will be communicated under the Royal Federation brand.
4. Social media channels may be used for positive and pro-active media opportunities. It is not appropriate to use social media to resolve issues or complaints.
5. Social Media posts are to abide by the law, respect copyright laws and show proper consideration for others’ privacy.
6. Justices of the Peace and staff of RFNZJA using a social media site as a private individual:
 - a. Must protect confidential and proprietary information. Information that is confidential or proprietary to Royal Federation, the Ministry of Justice, Courts of New Zealand and other stakeholder organisations must not be posted on social media channels.
 - b. Posts should not undermine the reputation of any board or staff member of Royal Federation or any other Justice of the Peace or stakeholder organisation.

B.5 Procedures for Justices’ Quarterly

The Justices’ Quarterly [“JQ”] is the official publication of the RFNZJA and the means of direct communication by the Board with Justices.

1. The editor of the JQ is directly answerable to the President and the Board with business matters being carried out by the National Manager.
2. The Board as publisher gives the editor editorial freedom within the following guidelines:
 - a. the editor is free to commission content to enhance the appeal of the publication, subject to budget provisions;
 - b. the editor will seek advertising and/or sponsorship to assist with the commercial viability of the publication;
 - c. the layout/format and production quality should reflect a modern contemporary publication;
 - d. it should contain:
 - i. articles or information of a general nature as deemed appropriate by the editor;
 - ii. articles of a legal or quasi legal nature which the editor considers to be of interest to readers including for example extracts from "Law Talk" or other similar publications;
 - iii. National Manager’s column through which matters of policy, governance, jurisdictions and administration are conveyed to Justices;
 - iv. contributions from the Professional Development Adviser (PDA) that meet the contractual requirement to “provide educational sections/updates in *Justices’ Quarterly* on Ministerial functions”, this content to be indexed annually;
 - v. contributions from affiliated associations of a wide general nature;

- vi. an on-going record of regional conferences, seminars, workshops, as well as notice of other association activities so that all interested Justices may participate.
3. The President and National Manager should be forewarned by the editor of anything of a controversial nature being considered for publication.
4. The method of distribution or dissemination will be regularly reviewed.
5. The cost to Justices will be determined by the AGM from time to time.

B.6 Procedures for Judicial Education Bulletin

1. This publication meets the contractual requirement to “*develop and distribute the Judicial Education Bulletin [JEB] to all Judicial JPs*”.
2. The Professional Development Adviser (PDA) as editor of the JEB is directly answerable to the National Manager for all administrative and publication matters and to the Board member with responsibility for judicial education for policy (jurisdiction) matters.
3. JEB should contain material of a general or specific nature relating to the on-going education of judicial justices.
4. JEB should contain summaries of or links to relevant appeals and cases.
5. The President and National Manager should be forewarned by the PDA of anything of a controversial nature being considered for publication.

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C. Website

To be read in conjunction with Policies B Communication and G Privacy.

C.1 Purpose

To provide a means by which

1. Justices of the Peace (and authorised others) may access information about their roles, functions and practices and information about the organisation of the Royal Federation of New Zealand Justices' Associations Inc; and
2. the public can access information about the appointment of Justices of the Peace, their roles and functions, the contact details of the RFNZJA and affiliated associations, and the contact details of Justices of the Peace who are members of an affiliated association of RFNZJA.

C.2 Procedures

1. The governance of the website will rest with the Board of the RFNZJA one of whose members will be assigned the portfolio of website oversight.
2. The portfolio-holder will report to and advise the Board at each meeting on matters relating to the governance of the website.
3. The management of the website will rest with the National Manager who will ensure that the contract between the RFNZJA and the web host is honoured:
 - a. the web content is regularly monitored and kept current
 - b. sub-hosting by associations is accommodated and supported
 - c. access difficulties experienced by Justices of the Peace are resolved
 - d. specific requirements set out in the National Manager's job description are met
 - e. the Board portfolio-holder is regularly briefed about all website-related matter
 - f. the Board receives a report at each of its meetings about the use of the website together with any requests/recommendations for the Board's consideration.

C.3 Protection and use of information collected/accessed on-line

1. When there is a visit to the website, RFNZJA may use automated tools and methods to collect certain information about the visit, including (without limitation)
 - a. the internet protocol address and domain name used by a computer to connect to the internet.
 - b. the operating system, browser and search engine being used to reach jpfed.org.nz.
 - c. the date, time and duration of visits to the Royal Federation website.
 - d. the pages viewed.
2. The Board reserves the right to collect more extensive information where it deems such action is appropriate and is in line with legal requirements.
3. The Board is not responsible for the privacy or security of third party websites that are accessed via links on the jpfed.org.nz

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4. Members can access, review and update their own profile and contact details. Such information will be viewable by Site administrators, RFNZJA staff and website contractors.
5. Through the provision of an email address members consent to receiving emails from the Board when deemed appropriate by the Board or at the request of an association/associations.
6. All users of the website must respect the copyright and fair use of the intellectual property of RFNZJA (including the logos and content generated by RFNZJA) and others.

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D. Education

D.1 Purpose

To ensure the Board through its staff meets its obligations as specified in the accompanying procedures in accordance with statutory requirements and contractual undertakings.

D.2 General Procedures

1. The Board will:
 - a. be accountable to the Ministry of Justice for the delivery of initial training to all provisionally approved Justices of the Peace, Visiting Justices and Issuing Officers.
 - b. be accountable to the Chief District Court Judge for the training of Judicial Justices through the academic course it provides;
 - c. ensure a Professional Development Adviser (PDA) is appointed whose job description will detail the tasks to be undertaken to give effect to the Education policy;
 - d. develop and provide training and education resources for Justices of the Peace (Ministerial and Judicial), Issuing Officers and Visiting Justices;
2. Every affiliated Association will
 - a. provide appropriate induction training and ongoing education of its members using national education resources and other material issued from time to time;
 - b. when requested, provide on-going education to non-members (which may be at their cost);
 - c. deliver on-going education in ministerial duties to members at a regular interval in ministerial duties;
 - d. deliver induction training to provisionally approved nominees and report as required in this respect to the Board and be accountable to the Ministry of Justice through the Board for the delivery of induction training;
 - e. appoint or elect sufficient trainers and education officers to meet the training and education needs of the association's members;
 - f. liaise with the Board's staff on such matters as:
 - i. the names and contact details of current trainers and education officers;
 - ii. distribution and provision of training material and training to provisionally approved nominees and advice to the Board of training completion as required;
 - iii. assistance with the delivery of training and education by the association.
 - g. In respect of Judicial Justices:
 - i. provide support for Justices in training and a system of mentoring;
 - ii. hold an education meeting at least quarterly and keep a record of those justices who attend;
 - iii. undertake an annual review of the performance of each member of the panel; and
 - h. attest to the Board annually on the competence of their judicial panel members based on their annual review of performance.

D.3 Judicial Studies Course

D.3.1 Purpose

To provide and administer the Judicial Studies Course that satisfies the requirements of section 3B of the Justices of the Peace Act 1957.

D.3.2 Procedures

The current procedures are found at:

<http://justiceofthepeace.org.nz/MemberServices/Judicial+Studies+Course/General+Information.html>

And at:

<http://justiceofthepeace.org.nz/About+JPs/Royal+Federation+Policy.html?>

D.3.3 Judicial Panel Membership and Appraisal Procedures are found at:

For consistency, legal advice relating to the functions and practice of Judicial Justices of the Peace should be sought through the Federation. This does not preclude Justices asking and receiving advice from Judges related to specific situations that arise for them in Court.

D.4 Issuing Officers

D.4.1 Purpose

To train and support all those who are (or are to be) authorised as issuing officers under s.108 Search and Surveillance Act 2012 under the Contract for Service with the Ministry of Justice.

D.4.2 Procedures

1. The Board will
 - a. develop, update and host on the Federation website the training module for prospective Issuing Officers. The module also serves as the manual for authorised Issuing Officers;
 - b. make available through the website case notes, information and updates relevant to the role of issuing officers;
 - c. ensure at least two meetings of issuing officers and associated agencies with the Professional Development Adviser (PDA) in each association area within each three-year authorisation period.
2. Each association will
 - a. maintain a list of its members who are issuing officers;
 - b. inform the Board of any member who wishes to note their interest in becoming an issuing officer or who wishes to resign or has resigned as an issuing officer;
 - c. facilitate the meetings of issuing officers and agencies referred to in 1.(c) above, the facilitator of which will be an issuing officer but may or may not be an association education officer. Associations must advise the Board when meetings are to take place. Facilitators' costs may be claimed as per training/education sessions.

D.5 Accreditation

D.5.1 Purpose

To support the achievement of excellence in the delivery of quality Ministerial services to the New Zealand community. Therefore, Justices of the Peace are:

- a. encouraged to actively undertake on-going learning (which may take various forms) about their specific duties and their role within New Zealand's justice system; and
- b. to confirm that they are meeting the expectation contained in clause 2 of the Code of Conduct – maintain a working knowledge of the duties, responsibilities and obligations of a Justice of the Peace by regularly participating in education sessions provided by their Associations or Royal Federation - and thereby to assure the public of the currency of their knowledge.

D.5.2 Procedures

- a. The Board will provide an outline of the current requirements to gain and maintain accreditation through on-going learning;
- b. The Board will provide access to a recording template on the website on which each Justice of the Peace will enter the required activities they have undertaken.
- c. The Board will ensure that all Justices of the Peace who have current accreditation are identified on the website.
- d. The Board will on request provide each association with a list of those of its members who have current accreditation.
- e. Each association will be responsible for communicating with and offering support to those of its members who have not achieved, or are not maintaining accreditation.
- f. Each association may conduct a quality assurance check on any of the information entered by any members.

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E. Complaints

Notes:

1. It is imperative that readers of this policy are thoroughly familiar with sections 5 and 5D of the **Justices of the Peace Act 1957** and of the Minister's **Best practice manual** ["BPM"] which outline the course of action to be followed.
2. This policy is to be read in conjunction with Policy F Discipline and Support.

E.1 Purpose

To have all complaints of whatever level of seriousness relating to Justices of the Peace dealt with consistently and expeditiously. This means that all complaints from any source (in writing unless there are exceptional circumstances) that imply some degree of dereliction of duty or misconduct by a Justice of the Peace by either commission or omission will be dealt with in accordance with the provisions of the BPM.

E.2 Procedures

1. The BPM outline the process for resolving complaints relating to Ministerial duties.
2. Pages 26-27 of the BPM outline the process for resolving complaints relating to Judicial duties but excluding an appeal against the judicial process in court or a decision given in court.
3. The National Manager to whom all complaints, including public criticism of a Justice of the Peace and those which are unjustified, are referred will assist associations to handle complaints appropriately so as to ensure consistency.
4. Each association will develop and maintain a process for handling low-level complaints to ensure they are treated with tact and neutrality, avoiding any sense of defensiveness and giving an assurance that the complaint will be investigated and a decision reached expeditiously and in accordance with the principles of natural justice.
5. The National Manager, on request, will provide guidelines for associations wishing to draw up or revise their own complaints procedures.

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F. Discipline and Support

This policy is to be read in conjunction with Policy E Complaints.

F.1 Purpose

To ensure that each association will offer appropriate support to the Justice concerned, to ensure that the Justice acts in accordance with the Codes of Ethics and Conduct and within the skill set required of a reasonably competent Justice. This may be as an outcome of the resolution of a complaint at association or Ministerial level or when a matter that is affecting the performance and/or behaviour of a Justice of the Peace is brought to the attention of an association. The support will be in addition to responding as required by any applicable statutory provisions.

F.2 Procedures

1. To implement this policy, each association will develop and maintain a process for following up on the decisions reached by the association or at Ministerial level when complaints are resolved, and offering support.
2. Each association will also develop and maintain a process for ensuring that matters affecting a Justice's performance and/or behaviour brought to its attention, but not the subject of a complaint, providing additional education and support as required.
3. The National Manager, on request, will provide guidelines for associations wishing to draw up or revise their own discipline and support procedures.
4. The Board will publish and update from time to time Guidelines for associations regarding Justices affected by ill health and unable to competently carry out their duties.

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G. Privacy

To be read in conjunction with Policy C Website.

G.1 Purpose

To comply with the provisions of the Privacy Act 1993, promoting and protecting individual privacy with regard to:

1. the collection, use and disclosure of information relating to individuals, and
2. access by each individual to information relating to that person held by the Board.

G.2 Procedures

1. The Board will appoint a Privacy Officer who will adhere to the principles in s.6 Privacy Act 1993.
2. The duties of the Privacy Officer will include:
 - a. being familiar with the 12 privacy principles
 - b. being familiar with any other legislation governing what an agency can and cannot do with personal information
 - c. dealing with, or providing advice on, requests for access to personal information or the correction of personal information
 - d. dealing with any complaints about possible breaches of privacy
 - e. training other staff, Board members or, on request, association officers to deal with privacy properly
 - f. advising the Board and, on request, association officers on how to ensure business practices comply with privacy requirements
 - g. advising the Board and associations of any privacy impacts of changes to their practices
 - h. liaising with the Privacy Commissioner on behalf of the Board and, on request, on behalf of an association.
3. Any complaint regarding a breach of privacy will be dealt with through the Complaints Policy and Procedures. The complainant has the right at any time to lodge a complaint with the Privacy Commissioner.

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Reviewed: 2017 – Next review no later than December 2021

H. Use of post-nominal "JP"

To be read in conjunction with Policy B Communications

H.1 Purpose

To assist in the consistent application of the over-riding principle to be followed by all Justices of the Peace which is:

No use should give the impression that the use of the letters "JP" is for the purpose of furthering trade, business or professional interests or of enhancing the status of the individual relative to his or her peers.

H.2 Procedures for Positioning

1. Justices of the Peace are entitled to use the letters "JP" after their name and it is proper for the letters to be inserted after Royal Honours at all times, but preceding academic, professional and other qualifications, e.g. John Smith, MC, QSO, JP, BCA, Dip BS, FBINZ, AAMINZ.

2. The criteria for use are based on the assumption that appointment to the office of Justice of the Peace indicates a sense of good judgement and a commitment to the integrity of the office on the part of the office-holder and is consistent with the Codes of Ethics and Conduct.

H.3 Procedures for Usage

1. Although it is customary for the letters "JP" to be placed after the name of a Justice of the Peace, the propriety of doing so is limited to certain instances. There is a clear contradiction in use between allowing the letters to appear after a name on company prospectuses and not on letterheads of the same business, or even business cards. So as to avoid any accusation of commercial influence, the letters JP should not be used on their own in a business setting, or in a way that commercial influence might be inferred.

2. ACCEPTABLE USE

- a. When signing as a Justice of the Peace
- b. Personal correspondence
- c. Private notepaper
- d. Social functions
- e. Election pamphlets and verbally for Parliamentary & Local Body elections
- f. Public Company prospectus or annual report
- g. Professional business cards or letterheads where in addition to other honorifics, qualifications
- h. Personal visiting cards without business or similar information
- i. On a gate plate (usually shown as "Justice of the Peace").

3. UNACCEPTABLE USE

- a. Cheques
- b. Driving licences
- c. Commercial advertising
- d. Election billboards (Parliamentary or Local Body)
- e. Business envelopes
- f. Where clearly intended to create a business or similar advantage
- g. Use of "JP" or "justice" in personal/business email addresses or other electronic medium unless this explicitly relates to a matter covered under the Communications policy)
- h. By marriage/civil union/funeral celebrants
- i. Letters to the editor of newspaper or magazine
- j. Personal comments on social media.

Adopted: 3/03/2018

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I. Canvassing for office for positions on the Board

I.1 Purpose

To ensure a consistent and fair process through having Associations and intending nominees for positions on the Board to be elected in accordance with Rule E3 of the RFNZJA Constitution and Rules follow the procedures below.

I.2 Procedures

1. If possible, intending nominees should inform regional representatives and associations of their intention to seek nomination one month prior to their regional conference to assist conference planning.
2. Intending nominees will be given an opportunity to address the conference (or conferences).
3. An association council may invite intending nominees to speak to their association.
4. An association president/registrar may contact intending nominees to clarify or seek further information prior to the closing date for nominations, 01 November, but intending nominees will not communicate with individual Justices about their nomination by any means.
5. Intending nominees will provide their curriculum vitae of no more than 500 words. It should include a recent photograph, their experience relevant to the position and a statement of how they perceive the role and what they intend to achieve in it.

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J. Regional Conferences

J.1 Purpose

To...

1. allow all justices from the associations within each region as listed in Rule D6 of the RFNZJA Constitution and Rules to meet and discuss issues;
2. allow a wider spectrum of justices, who would not normally attend RFNZJA AGM/ conference, the opportunity to learn of how the federation of associations functions and thereby assist succession planning;
3. update justices on issues/projects the Board and the federation of associations are involved in;
4. consider possible remits for RFNZJA AGM and encourage discussion and feedback;
5. provide an opportunity to include an aspect of ongoing education;
6. provide an opportunity for registrars to meet with the National Manager; and
7. provide an opportunity for intending nominees for the Board to address the associations.

J.2 Procedures for Organisation

1. Venues for regional conferences should be agreed no later than at the regional meeting held during the RFNZJA AGM/ conference each year.
2. Regional conferences will be held in August or September.
3. The regional representative is responsible for the conference programme and will include topics agreed by the Board for all regional conferences.
4. Funding for regional conferences:
 - a. Each conference should be fiscally neutral;
 - b. Attendees pay for their travel, meals, and accommodation if required;
 - c. A registration fee should cover other expenses e.g. guest speaker, cost of venue;
 - d. Each region has a designated sum for reimbursement as a contribution towards travel expenses to associations (as determined by the regional representative) and any sundry items not covered by the registration fee; and
 - e. The regional representative or the local host association may gain sponsorship to help cover costs.
 - f. The regional representative and host association will produce a budget to ensure that all costs are covered.

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