



JP Newsletter

Interviews with juveniles and people with special needs by WA Police

Circumstances may arise where you may possibly be called upon by police and other agencies to attend interviews in respect to people including:

- children
- people with physical, intellectual or psychiatric disabilities
- Aboriginal people
- people who do not speak English or whose English is limited.

When interviewing a child or a person with special needs, more persuasive evidence is generally required to prove that a confession was voluntarily made and that it was obtained in circumstances that were fair to the accused.

For this reason it is highly desirable that such interviews be conducted in the presence of an independent party or interview friend.

In the past police may have asked JPs to perform the role of an independent party or interview friend.

However, the Commissioner of Police has instructed his officers that “Justices of the Peace are not to be used as interview friends” and this recognises the inappropriateness of the use of a JP in these circumstances.

The obligations and responsibilities of judicial independence and impartiality that come with being a JP remain with a JP at all times and cannot be turned on and off to suit a circumstance.

Notwithstanding any difficulties police or other agencies may have in finding a suitable person to perform the role of “interview friend” or “independent person” during interviews, it is the Department’s view that it is inappropriate for a JP to take on that role.

Accordingly, to protect your impartiality and judicial independence as a JP, any request by police, other agencies or a suspect to participate in such interviews should be politely declined.

Certifying documents

The Royal Association of Justices of WA has reported that some JPs are certifying copy documents presented on mobile phones, tablets and PCs.

In some instances JPs have had a stamp manufactured for this purpose.

Advice has also been received that some documents certified from electronic devices have been rejected by the agency requiring the certified copy, causing inconvenience to the JP client requesting the certification.

The general rule in respect to certifying a document as a true copy is that the person certifying the document must sight the original and the photocopy at the same time.

This is not possible in respect to documents viewed on an electronic device or PC.

Under these circumstances, JPs who are requested to certify documents displayed on an electronic device should politely decline to do so.

For more information please refer to Fact Sheet 4 and the Justice of the Peace Handbook available from www.dotag.wa.gov.au.

JP training calendar

Date	Location	Topic	Contact	Phone	Email
8/2/17	Perth	Witnessing Documents, Oaths and Affidavits	JP Training & Research Coordinator	9425 2525	jps@justice.wa.gov.au
28/2/17	Busselton Court	Court Procedures	Clerk of Court	9754 9666	busseltoncourt@justice.wa.gov.au
18/3/17	Perth Court	Court Procedures	JP Training & Research Coordinator	9425 2525	jps@justice.wa.gov.au

The JP training calendar is also available online at: www.courts.dotag.wa.gov.au/_files/JP_Training_Calendar.pdf

Did you know training modules are available online?

Have you considered online modules to assist in your on-going training to enhance your skills or to test and refresh your knowledge?

There are several modules delivered through the Central Institute of Technology on:

- VRO (court accreditation)
- Bail (court accreditation)
- Warrants (court accreditation)
- Traffic (court accreditation)
- Witnessing (for JPs engaged/interested participating in signing centres.)

- Sentencing
- Court Protocol

For more information please contact the JP Branch on 9425 2525.



Urgent call for JPs at signing centres

Many JP signing centres are reporting significant shortages of JPs to assist with rosters.

If you are able to assist and volunteer at a signing centre please contact your nearest signing centre.

A list of signing centres is available at www.courts.dotag.wa.gov.au