

## Second Reading

**The Hon. JOHN HATZISTERGOS** (Attorney General, and Minister for Justice) [11.45 a.m.]: I move:

That this bill be now read a second time.

The Justices of the Peace Amendment Bill 2008 implements recommendations arising from the 2007 report on the five-year statutory review of the Justices of the Peace Act 2002. As honourable members would know, the Justices of the Peace Act provides for the appointment and reappointment of justices of the peace for five-year periods, setting out the functions of justices of the peace and establishing a public register of justices of the peace. The proposed amendments will streamline the process for the reappointment of justices of the peace, ensure that their appointments remain in force until their applications for reappointment are determined and enable the introduction of a code of conduct for justices of the peace.

The New South Wales Government acknowledges the valuable input of New South Wales justices of the peace associations during the review, which made a number of suggestions for improving the operation of the justice of the peace scheme. Submissions to the review identified that the process for reappointment of justices of the peace by the Governor is time consuming and unnecessarily formal. The report recommends that a simpler administrative alternative be implemented.

The bill amends the Act to allow the renewal of justices of the peace through the Director General of the Attorney General's Department, rather than requiring the approval of the New South Wales Governor. Initial appointment of justices of the peace will continue to be approved by the Governor. Submissions to the review of the Act also raised concerns that situations may arise where a renewal is not complete before a justice of the peace's term expires, for example, due to administrative error or delay. The bill addresses that by providing that where an application has been duly made the person's appointment remains in force until such time as the application has been determined.

The report recommends also the introduction of a code of conduct for justices of the peace. Codes of conduct are already in place for justices of the peace in South Australia and Western Australia. A New South Wales code of conduct will be designed to make justices of the peace more aware of what standards are expected of them. It will cover matters such as the prohibition on the charging of fees or profiting from the office of justice of the peace, the need to maintain confidentiality, notifying the Attorney General's Department of certain information such as a criminal charge or conviction or bankruptcy and it would cover the general conduct of a justice of the peace, such as behaving in a courteous manner.

In New South Wales there are more than 84,000 justices of the peace, who voluntarily perform functions for the benefit of the community, such as witnessing signatures on legal documents, administering oaths, taking statutory declarations and certifying copies of original documents. The bill will enhance the provision of those valuable services by cutting red tape, maintaining public confidence and upholding the integrity of the office of justice of the peace. I commend the bill to the House.