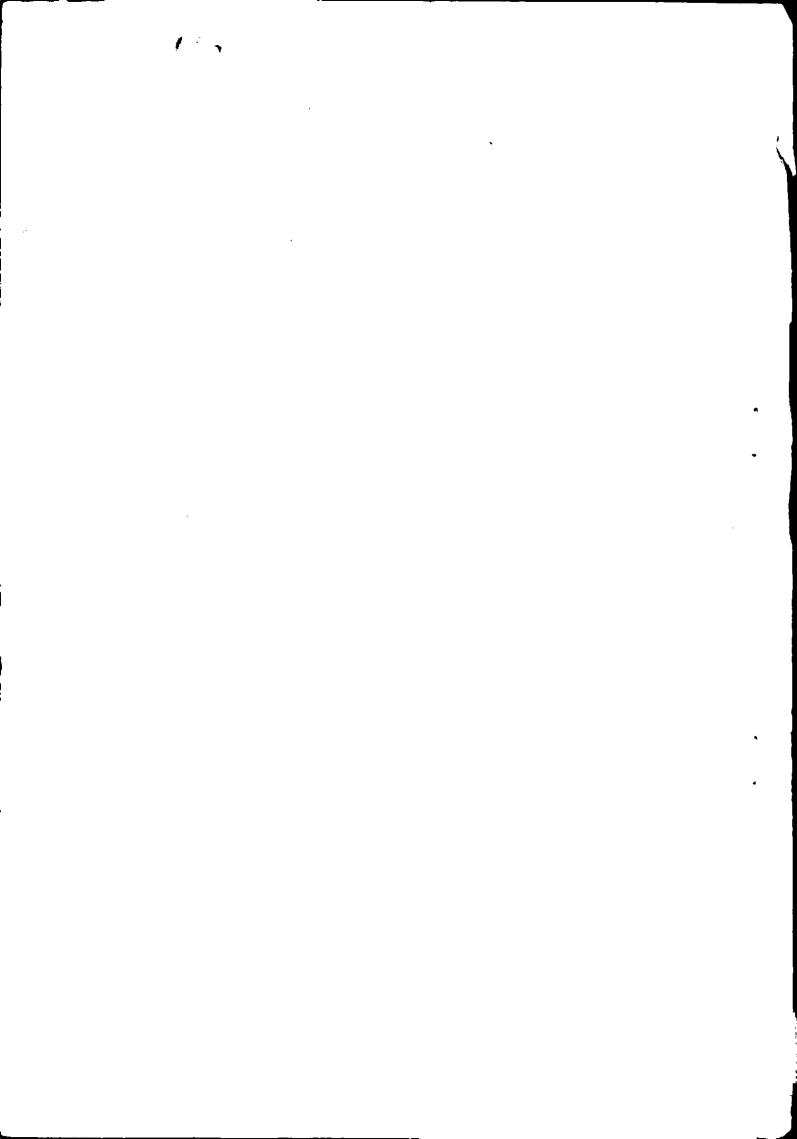
report on training project no.16

# THE VOLUNTEER IN THE CRIMINAL JUSTICE SYSTEM

by

C. R. Bevan

australian institute of criminology



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## THE VOLUNTEER IN THE CRIMINAL JUSTICE SYSTEM

Report by C.R. BEVAN

Canberra 3-7 October 1975

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Further information may be obtained from:

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P.O. Box 28, Woden, A.C.T., Australia. 2606

© Australian Institute of Criminology 1975 Copyright - not to be reproduced The seminar opened on Friday 3 October with a welcome by the Director of the Institute, Mr W. Clifford.

Mr Clifford said that this was the first seminar for volunteers conducted by the Australian Institute of Criminology. He explained that the Institute is unique, there is no other similarly structured institute of its kind in the world. This sometimes resulted in misconceptions as to its role. The Australian Institute of Criminology is independent, it is not attached to any university, nor is it part of government services. He described methods of social change effected by universities and governments and explained that the Institute is capable of operating with elements of both. Such an Institute has never been tried before, so its success cannot yet be determined.

Mr Clifford also spoke of his conviction that there are many areas in which professionals are powerless without volunteers.

The Project Director, Mr C.R. Bevan introduced the subject of interaction between professionals and volunteers in the criminal justice system. He pointed out that both statutory and voluntary organisations are uncertain of their roles, and that there is no clear precedent for Australia to follow. He predicted that the seminar would show professionals and volunteers to be essential to one another.

Mr Bevan spoke about the diametrically opposed attitudes to imprisonment developing in the United States of America and the United Kingdom. He emphasised that, despite this, everybody must still contribute their ideas on helping 'those persons who are the grist for the mill of criminal justice systems'.

#### THE DYAD RELATIONSHIP

The first seminar paper entitled 'The Dyad Relationship' was delivered by Mr H.G. Weir. Mr Weir drew on his experience with the Japanese volunteer probation officer system, during his three years in Japan from 1963 to 1966. He explained 'the dyad relationship' as the one-to-one interaction of a trained person assisting another person to arrive at a less self-damaging and self-defeating level of functioning. He regarded the dyad relationship as the crux of all human relationships, the basic element of society.

He went on to describe how this relationship is attempted in Japan's criminal justice system by the use of a vast, well organised, status bearing team of volunteer probation officers. He said that the government extends full recognition to volunteers; exercises care in selection; bears the costs of training; extends professional recognition; reimburses volunteers for costs involved in the performance of their work; and seeks the involvement of young people in the programme.

WORK ORDERS: THE PROFESSIONAL V. THE VOLUNTEER

Mr W. Bale's paper analysed the pros and cons of volunteers in this field. It gave detailed information on the community work order scheme in Tasmania. As examples of the distinct advantages of the volunteer in this field he mentioned:

- 1. Their missionary value (in terms of spreading throughout the general community, the value of the volunteer's involvement with offenders and disadvantaged persons).
- 2. The increased opportunities of finding employment for cases in which they are interested.
- 3. The subject quickly becomes aware that the voluntary supervisor is a volunteer and anxious to assist, not because he has to but because he so desires.

His paper was a convincing statement of the success of the community work order scheme, and was made more convincing by the sound reasons he used to back up his claims. He also claimed that this was an area of the criminal justice system in which the volunteer was perhaps superior to the professional.

Further opinions and information offered by Mr Bale in response to questions referred to the capacity of volunteers to write pre-sentence reports, especially in the juvenile area. In response to a question by Mr Batchelor, Mr Bale indicated that the trade unions in Tasmania were collaborating in the planning and the ongoing community participation in the scheme.

THE PROBLEM OF FINDING EMPLOYMENT FOR DISCHARGED PERSONS - WITH SPECIAL REFERENCE TO VOLUNTARY AGENCIES

Mr F.D. Hayes contributed to Session 5 his experience in prisons, and with prisoners and their after-care. At all stages he emphasised the importance of professionals, volunteers and even prisoners themselves, working together on the problem of finding employment for ex-prisoners. He mentioned the cooperation of the Commonwealth Employment Service but said that the whole problem should not be left to them. He cited a list of difficulties confronting prisoners seeking employment upon release, among them being:

- 1. The difficulties of adjustment to freedom
- Loneliness
- 3. Residual feelings of resentment
- 4. Inadequacy
- 5. Alcohol problems
- 6. Sexual difficulties

- 7. Shortage of money
- 8. Absence of references and ordinary work habits
- 9. Chaos in family life
- 10. The possibility of a disrupted marriage

Remedies suggested by Mr Hayes to overcome some of these problems included:

- a. Improving the quality of classification committees in prisons and the depth of their examination of each prisoner's potential.
- b. The practice of using parole officers to make and maintain contact with prisoners during their term of imprisonment.

Mr Hayes emphasised the necessity for volunteers to be involved with prisoners inside the prison itself. He criticised the shortcomings of many professional parole officers in not getting really close to prisoners. He spoke favourably about the work release schemes in operation in some States, the civil rehabilitation committees and 'Rainbow House' in New South Wales. He said that, in some areas, only volunteers can provide the time and attention a situation demands, particularly where a completely safe climate for the reposing of confidences is a significant element in the relationship.

He mentioned the results obtained with a group of recidivist prisoners sponsored by the Sydney Rotary Club. Two parole officers, trained in group work, supervised the group, of which one half have stayed out of prison. Considering the failure rate which could be anticipated for such a group, this is regarded as a great success. Mr Hayes attributed the success of the scheme to the volunteers involved.

#### DEPARTMENTAL SUPPORT TO VOLUNTEERS

We are indebted to Mr John Noble for a comprehensive and indeed, reading between the lines, a courageous paper. One of its interesting revelations was that his own thinking is going through a continuous process of change. This is a hopeful admission on the part of a professional operator in the criminal justice field.

He denounces any government department which regards a volunteer system as a temporary expedient until sufficient professional workers become trained and experienced. He said that the community bears a large responsibility for involving itself in the criminal justice system. He pointed to a general movement - 'trendy' he called it - towards involving community in social problems, instancing the Australian Assistance Plan, and the employment of social planners and community development officers. He referred to the Australian Institute of Criminology's part in conducting seminars, demonstrating its wish to be involved in community contributions to social planning and social control.

Mr Noble seemed to have no doubt as to the essential character of a volunteer programme in criminal justice. The emphasis he placed upon the advantages of a volunteer probation service; his concern that professional workers make a commitment to the volunteers and respect their contribution; his complimentary comments on the service they can provide to children on probation and their families; are all the more warming to volunteers because of his understanding of the sensitivity, perceptiveness, interviewing skill and report writing ability that he clearly sees as necessary.

He indicated the ways in which some volunteers can misuse their position, no doubt to disperse any suspicion that he is unrealistically unaware of possible shortcomings and dangers. He gave an account of the Victorian Social Welfare Department's structured requirements, including one that volunteers are obliged to consult with stipendiary probation officers in all instances that have legal complications.

It seemed that Mr Noble's commitment to the volunteer, and the value of his and her potential to the proper functioning of the criminal justice system, did not earn him the good-natured attacks that he had to weather because of an apparent tendency on the part of the Victorian volunteers to feel less than optimally appreciated. Maybe he was in some measure suffering retaliation for his implication that the volunteers' own Association might do more to contribute to and strengthen the service in the future.

During discussion on the paper, it was widely questioned whether professionals can be of much help to volunteers, especially those young newly qualified social workers who have had little experience in the field. Some commented that the latter young people need as much supervision, training and opportunities for sharing experiences and consultation about cases as volunteers. Father Mike McMahon criticised 'antiseptic professionals in ivory towers' who are not really au fait with the communal experience of their clients, their actual living conditions, value systems and cultural behaviour patterns. Penny Mountain explained that professional probation officers are just not available when the volunteers need them. An anonymous comment was that maybe many stipendiaries are not professional in their attitudes and many volunteers are, in fact, more professional. Being a stipendiary was not regarded as a guarantee of being professional.

#### PRE-SENTENCE REPORTS

The session on pre-sentence reports was meant to be no more than some introductory remarks to an area of the criminal justice system in which it would have been highly unrealistic to attempt to present a paper in an hour and invite discussion.

Pre-sentence and pre-parole reporting are regarded by practising probation and parole officers as of vital importance. However, the acquisition of enough expertise to make such reports adequate for courts and parole boards is such a problem that services all over the country have requested a national conference on the subject.

The Australian Institute of Criminology has been asked to examine the likelihood of staging such a conference, possibly early in the new year.

The Assistant Director (Training) presented a thumb-nail sketch of the system operating in Queensland, its history and its format. He recommended that services, both stipendiary and voluntary, examine the feasibility of introducing short-form reports as developed by the Vera Institute of Justice in The Bronx, New York.

John Webb, Regional Superintendent, Social Welfare Department, Bendigo, Victoria, presented a short account of the content of pre-sentence reports that operate in his State. Mr Keith Williams, an honorary probation officer in Victoria, then commented on the practice of the presentation of reports, mostly on children, in his experience in Victoria. He made a point of the preservation of confidentiality in the reports. This was considered especially applicable in cases of juvenile offenders.

During discussion on these comments, Mr Michael O'Brien said that in Victoria and Queensland reports always contain a recommendation to the judges as to sentence. He said that a probation officer should not regard himself as competent to do more than merely indicate whether or not he considered a person suitable for probation.

SOME NEW FIELDS FOR VOLUNTEER EFFORT IN THE AUSTRALIAN CRIMINAL JUSTICE SYSTEM

Mr John Wass outlined new fields for volunteer effort in the Australian criminal justice system. He had recently returned from a trip to the United Kingdom, Holland, Denmark and other northern European countries in response to the need for redirection of the Victorian Prisoners' Aid Society. The functions of that organisation were being superseded by welfare officers appointed for work within prisons by the Victorian Social Welfare Department.

Mr Wass presented a detailed account of the plans and operations of NACRO (National After-Care and Rehabilitation Organisation) in the United Kingdom. The programme by NACRO is a threefold one, emphasising:

- 1. Education of the community in the causes and concomitants of crime.
- 2. The improvement of community care.
- 3. The elimination of social ills associated with crime.

It was mooted in comment and discussion, that the Australian Institute of Criminology might be expected to play a large part of the role of NACRO. Similarly the account of the Howard Penal Reform League seemed to point to the appropriateness of the Institute taking over such a role in this country. The establishment of the organisation in Victoria known as VACRO led to the adoption of the sub-title of Mr Wass's paper,

'The Second Mile'. Mr Wass referred to VACRO as 'hopefully like an eagle with two heads; one gazing forward at new ideas and the other at grey areas of government intervention'.

In further discussion Mr W. Bale of Tasmania expressed misgivings about the anticipated expense involved in implementing VACRO's programme and asked, 'Shouldn't we be looking at alternatives to imprisonment, rather than helping the victims, since VACRO, on Mr Wass's account, apparently would concentrate on ex-prisoners and their wives and families'. Mr Bale was asking the seminar to look at means of 'shortening the mile'.

Another participant asked whether VACRO might not tend to duplicate the work of the Australian Crime Prevention Council and the Australian Institute of Criminology, but the general consensus of opinion disagreed.

#### OPEN FORUM

The open forum chaired by Mrs Penny Mountain began with a request as to whether or not the Institute of Criminology might consider setting standards for volunteers. It was quickly established that neither the Institute nor any other body or person could profitably set standards. Mr M. O'Brien remarked that volunteers were apt to carry on with voluntary work regardless of whether or not standards were set. He said that as volunteers were working in the field because they wanted to, it was unlikely that this could be halted and Bill Bale supported him. Mrs Gaunt from Queensland said that the Institute should give basic training courses and knowledge of the behavioural sciences to volunteers as part of its training programmes.

Father McMahon again said that non-voluntary intervention was less than optimally useful because it failed to recognise how alienating are middle-class institutions to the offender, for whom modifications in the statutory systems exist or are purported to exist. He instances as 'institutions': probation officers; courts; hygienic and antiseptic offices with filing cabinets; all of which produce artificial relationships.

Bob Pett said that some seemed to assume that volunteers are 'somewhat lacking in grey matter'. He pointed out that they largely consist of people sound in their own right and successful in their ordinary fields of endeavour.

John Webb presented a five-clause content of a training programme for volunteers consisting of:

- 1. Acceptance of a standard code of ethics.
- 2. Counselling and techniques of interviewing.
- Knowledge of services with which they work including structure and functions of the services concerned.
- 4. Tapping and 'cracking' the resources.
- 5. A sound notion of social action.

Bill Bale mentioned again that not enough seminar time was being devoted to voluntary effort designed to ameliorate causes of crime and to the initial prevention of crime. He was supported by Mrs Wierenga.

Brother Peter Harper, of the Society of the Sacred Mission, and the Civil Rehabilitation Committee in the Australian Capital Territory, reported that one of his problems was not knowing how government departments work and reported difficulties with some departments. He doubted whether volunteers needed broad training - for example, it was unnecessary in legal fields.

#### PANEL DISCUSSION

To open the panel discussion Mat Derham mentioned the organisation known as 'New Directions'. This is an experiment in the use of ex-prisoners in after-care. Like Alcoholics Anonymous, direct confrontation is used in counselling. The Delancy Street Foundation in San Francisco was described as a dynamic community of 300 members, with official approval and recognition.

John Wass gave further information about VACRO, outlining a plan for its operation. The Organisation will be voluntary, with a paid secretariat and full members, associate members and consultative members in an advisory capacity.

John Noble answered questions and comments on the operation of the Victorian Department of Social Welfare in its relationships with the volunteer system in his State. He admitted that at the beginning, the Department expected volunteers would be eventually replaced by professionals, but now it seemed to be recognising the volunteers. Training officers are being appointed in some country areas and he sees regional offices geared towards local communities as being of first importance.

John Webb re-emphasised the desirability of a course for the training of probation officers, as it is a specialised area and not provided for in any educational institution in the country. In answer to Bob Cooke's question about whether or not any surveys had been conducted to try to compare the success rates between volunteers and professionals, John Noble provided the suitable and sensible answer. He said, 'It is difficult to define success. Sometimes breaking probation is, in fact, success, and some people finish probation that could not be, in any sense, regarded as successful completions. Perhaps the only suitable measure is that of a client's subsequent ability to develop more healthy relationships'.

#### REPORT ON WORKSHOP DISCUSSIONS

The four workshop groups met on four separate occasions. The groups were divided as evenly as possible in terms of numbers, State representation and representation of fields of voluntary work.

Each group elected to consider the relationship between volunteers and professional workers. It was seen that there is a range of responsibilities and styles in volunteerism; from the strictly-controlled worker with statutory responsibilities (who may receive some recompense for expenses); the member of a charitable organisation undertaking say, prison visiting, as an ancillary activity; to the completely autonomous individual who may, for example, accept a released prisoner for employment or accommodation.

Relationships with professional or statutory workers vary according to the type of voluntary activity undertaken: the greater the statutory responsibility, the greater the need for close and mutually supportive relationships with the professional worker, especially in such matters as training, supervision and guidance. The obverse similarly applies to a degree. However there is a need at all levels, and on both sides, for a greater understanding, sympathy and support, exemplified by the rigid, but often justified, defensiveness evident in many relationships between prison administrators and voluntary bodies, which sometimes prevent voluntary bodies from having an established relationship with offenders prior to their release.

The recent move towards regionalism in the Victorian Social Welfare Department was commended as creating a climate for improved relationships between professionals and volunteers in the probation system, and in fact between those professionals and the regional communities.

The volunteer's role in the criminal justice system was considered by the groups, who agreed that volunteers serve an important complementary role (rather than supplementary). Volunteers should be considered as an important part of the system rather than as plugs to fill temporary gaps in the system. They provide a bridge between the offender and the community which cannot be filled by statutory workers, who are perceived by the offender as officialdom and part of the punitive system. Accordingly the professional services must give recognition, and encouragement and demonstrate commitment to the voluntary workers involved in their field.

Some discussion centred on extension to the field of activities presently entered by or open to volunteers. It was felt that they should play an important role in community work order schemes; work release; and provision of a range of services similar to that embraced by NACRO (the National After-Care and Rehabilitation Organisation) in Britain, and that proposed for VACRO in Victoria. It was suggested that Queensland could particularly benefit from such involvement since there was currently little volunteer work undertaken outside the prisoners' aid societies. It was further suggested that the work of volunteers in the prison system should be expanded to include appointments of official prison visitors; direct involvement with prisoners at the time of their reception; and the development of recreational programmes such as

debating, plays, discussion groups and similar activities. While these activities could be organised through prison welfare officers, the benefit of a community link would again be invaluable.

Concern was voiced at the limitations on recruitment of volunteers in the criminal justice system. The need for volunteers from the lower socio-economic groups was evident but so far has not been met. Whilst emphathy and understanding could exist at any level, it could be improved by involvement of volunteers from backgrounds similar to those of offenders. Two suggestions were for the involvement of ex-prisoners and ex-offenders, and the recruiting of family members, neighbours and friends for specific cases. Increased recruitment through service clubs was also recommended. Some concern was voiced regarding maintenance of quality standards with extended recruitment sources.

It was felt that recruitment could be assisted by the making of films on voluntary work for television broadcasting.

Considerable attention was given to the need for training of voluntary workers in the criminal justice system. It was clearly agreed that training needs varied between the different fields of activity undertaken by volunteers in that system. However there was a need for a basic orientation programme common to all fields. One group felt that this might be achieved by the preparation of a book giving guidelines for volunteers in the criminal justice system.

It was strongly felt that the commitment and support of professional workers was most important as a basis for the training and development of volunteers, and that case study and case discussion methods in consultation with professionals would be a highly suitable training method. The recent appointment of training officers in some regional offices of the Victorian Social Welfare Department was commended, as were some initiatives by the same Department to determine by questionnaire the perceived training needs of volunteers.

The workshop groups further considered the role of the Australian Institute of Criminology in its relationship with voluntary groups in the criminal justice system. It was recommended that the Institute undertake the following responsibilities:

- . collation and dissemination of information relating to the criminal justice system, especially information related to volunteer activities, programmes, training and research
- . to act as a channel to significant policy makers for the views of volunteers
- . evaluation of Federal legislation impinging on the criminal justice system and dissemination of such evaluation
- . undertaking of an in-depth study of the role of the volunteer in the criminal justice system
- . encouragement and stimulation of the introduction of honorary probation and parole systems in both juvenile and adult jurisdictions throughout Australia

- preparation of a book of guidelines for volunteers in the criminal justice system
- . survey of juvenile and adult offenders about their feelings and recommendations for criminal justice reform.

#### RECOMMENDATIONS

A seminar is meant to be a means of gathering together people, interested and involved in common aims, to the following ends:

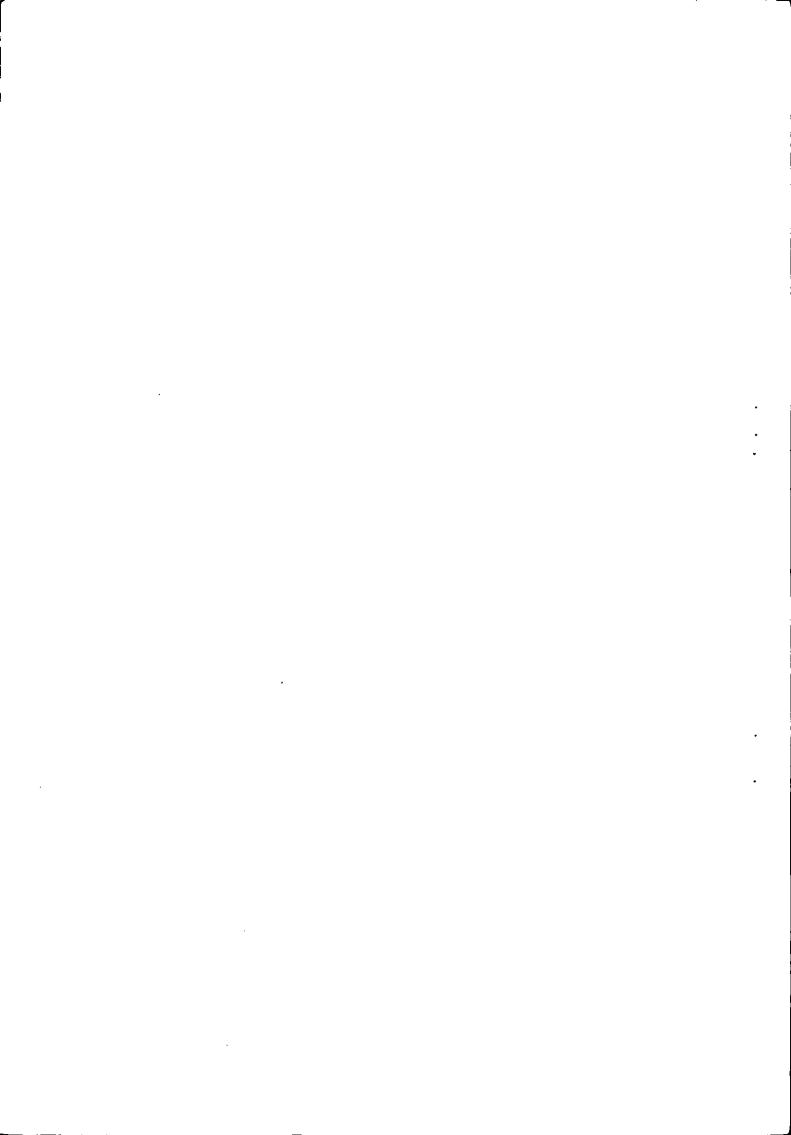
- 1. To discuss common problems and, by dialogue and sharing of experience, to increase each individual's capacity to solve his problems and improve performance.
- 2. To catalogue those problems still unsolved at the close of the seminar so that continued thought and experimentation may be applied to their eventual solution.

From 1960, the Australian Prison After-Care Council consisted almost exclusively of volunteer organisations. It provided a forum for discussion between the various statutory arms of the criminal justice system which solved many problem situations that had previously impeded their efforts towards a common aim - the prevention of crime. It also led to an increased awareness of the great need for police and prison officer training programmes - with emphasis on the behavioural sciences.

Can there be any real doubt that identical training is desirable for volunteers? My personal opinions, borne of this and previous seminars are here summarised:

- 1. For work in a criminal justice system the selection of volunteers should be carried out only by very experienced, suitably qualified workers already in that field.
- 2. The selection should be made after a structured series of tutorial type group meetings so that assessment can be made on basic attitudes and capacity for further development and learning.
- 3. After selection and accreditation, the volunteers must be given on-going opportunities for regular case discussions and sharing of problems with professional workers on an equal footing.
- 4. It should be obvious that the training of professional workers includes a commitment to the worth of the volunteer in the system.
- 5. It should be recognised that there are opportunities for contribution by volunteers in a criminal justice system which do not require structured training, but a sincere compassion for the inadequate, lonely and the helpless. Such volunteers should be welcomed and encouraged to contribute their capacity for friendship and concern.

- 6. Only a professional body sincerely committed to the worth of the volunteer in the system will organise the selection and training, and take the trouble to allocate cases to various trained and not-so-trained helpers on the basis of clients' needs.
- 7. It should be remembered that in the final analysis it is the professional who, quite apart from his own ethical standards and committed self-image concerning the proper performance of his duties, is the one ultimately responsible to his department and to his Minister of the Crown for the proper discharge of his responsibilities.



#### PROJECT DIRECTOR

C.R. Bevan Assistant Director (Training), Australian Institute of Criminology

#### **LECTURERS**

W.C.R. Bale Barrister, Hobart, Tasmania

F.D. Hayes Assistant Director, Department of Youth, Ethnic and Community Welfare, New South Wales

J. Noble Regional Superintendent, Department of Social Welfare, Victoria

J. Wass Prisoners' Aid Society, Victoria

H.G. Weir Secretary, Australian Institute of Criminology
President-Designate, International Prisoners
Aid Association

#### **PARTICIPANTS**

L.J. Batchelor President, Prisoners' Aid and Rehabilitation Society, Tasmania

R.G. Burnett Honorary Probation Officer, Probation Officers' Association of Victoria

R.A. Cooke Honorary Child Welfare Officer, Department of Social Welfare, Tasmania

M. Derham Secretary, Prisoners' Aid Society, Victoria

M.P. Dray

Coordinator of Work Release, Department of
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C.L. Ferguson President, Prisoners' Aid Society, Townsville

W.A. Freeman Member of Parole Board for Queensland

B. Gaunt Volunteer, Probation and Parole Service, Brisbane

C. Gilmour Executive Officer, Magisterial Service Legal and Judicial Service Commission, Boroko, Papua New Guinea

S. Glenn	Volunteer, Department of Correctional Services, Adelaide				
Brother P. Harper	Society of the Sacred Mission, Civil Rehabilitation Committee, Australian Capital Territory				
C.J. Holten	Council Delegate, Probation Officers' Association of Victoria				
A. Kantor	Honorary President, Women's Association of the Prisoners' Aid Society of Victoria				
H. Lane	Welfare Officer, Prisoners' Aid Society, Alice Springs				
T. Jack	Honorary Secretary, Prisoners' Aid and Rehabil- itation Society, Hobart, Tasmania				
M. McIntosh	Field Officer, Aboriginal Legal Aid, Australian Crime Prevention Council, Darwin				
Father M.A. McMahon	Honorary Probation and Parole Officer, Western Australia				
P.A.M. Mountain	Honorary Probation Officer, Probation Officers' Association of Victoria				
C.K. Muller	Honorary Probation Officer, Sunraysia District Honorary Probationers' Association, Mildura				
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H.M. North	Volunteer, Civil Rehabilitation Committee, Sydney				
M.D. O'Brien	President, Society of St Vincent de Paul Prison Visitation Conference, Victoria				
N. O'Neill	Law Reform Commission, Papua New Guinea				
R.J. Pett	Honorary Probation and Parole Officer, Western Australia				
B. Richards	Volunteer, Townsville				
D.R. Smith	Manager and Supervisor, Work Release, Victoria				
D.M.R. Were	Honorary Probation Officer, Probation Officers' Association of Victoria				
J.R. Webb	Regional Superintendent, Social Welfare Department, Bendigo				

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D. Wright
Honorary Probation Officer, Department of Social Welfare, Victoria

S.J. Wright
Volunteer in Probation and Parole, Department of Correctional Services, Adelaide

#### Friday 3 October 1975:

- 4.00 pm Opening Session
- 5.30 pm Reception

#### Saturday 4 October 1975:

- 9.30 am 'Volunteers in Dyadic Relationships' H.G. Weir
- 11.00 am 'Work Orders: The Professional V. the Volunteer' W.C.R. Bale
- 12 noon Workshops
- 2.00 pm 'The Problem of Finding Employment for Discharged Persons With Special Reference to Voluntary Agencies' F.D. Hayes
- 3.30 pm Workshops

#### Sunday 5 October 1975:

- 9.30 am 'Departmental Support to Volunteers' J. Noble
- 11.00 am 'Pre-Sentence Reports' C.R. Bevan, J. Webb, K. Williams
- 12 noon 'Some New Fields for Volunteer Effort in the Australian Criminal Justice System' J. Wass
- 2.00 pm Workshops
- 4.00 pm Panel Discussion C.R. Bevan, J. Noble, W. Bale, J. Wass

#### Monday 6 October 1975:

- 9.30 am Open Forum
- 11.00 am Workshops
  - 2.00 pm Visits of Observation
  - 3.30 pm Workshop Reports

### Tuesday 7 October 1975:

9.30 am Presentation of Workshop Reports

11.00 am Summary and Recommendations - C.R. Bevan

12 noon Conclusion and Closure - W. Clifford

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