



THE WORK ORDER SCHEME

AN EVALUATION OF TASMANIA'S
WORK ORDER SCHEME

BY

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A B S T R A C T

The Work Order Scheme was developed and introduced into the Tasmanian criminal justice system in 1972 as an optional alternative to short terms of imprisonment. It allows an offender to be sentenced to a maximum of 25 Work Order days which he must work one day per week on community projects.

An operational analysis over 26 weeks showed a 63% attendance, 25% absence with permission, and 12% absence without leave. Poor conduct reports averaged 3%, highly commended reports 6%. A comparison of recidivism rates between the 1974 Work Order and short-term imprisonment groups showed that 47% of the Work Order group committed further offences and 19% subsequently went to prison, compared to 62% and 40% respectively for the short-term imprisonment group. However, as the prison group had a more extensive criminal record, it could not properly be compared with the Work Order group.

The cost of operating the Work Order Scheme, \$4.50 per man per week, is considerably less than the cost of imprisonment, \$117.11 per man per week, an estimated saving to the state of \$1,175,000 for 1975.

Currently, 25 man years of work is provided annually for charitable institutions and needy individuals. The Scheme is considered a successful, unique and viable alternative to imprisonment, with numerous benefits to both the offender and the community.

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PART I.

INTRODUCTION AND DESCRIPTION

This section deals with historical aspects of punishment, Detention Centres and Attendance Centres in the United Kingdom and New Zealand, and an outline of the Tasmanian Work Order Scheme.

Traditionally in past centuries convicted offenders of all ages were disposed of either by flogging, mutilation, or death by any of a number of unpleasant methods. The hanging of small children was not unusual up to the early 19th century. The English Solicitor-General noted in 1785 that nine out of ten offenders hanged at that time were under 21 years of age. On the other hand, imprisonment as a punishment is a comparatively recent development, and in the early 19th century children and young persons - both those convicted and those awaiting trial - were sent to the same appalling prisons as adults, where no doubt they quickly became depraved and brutalised by their experience. Young and old were mixed indiscriminately, and regardless of the nature or gravity of their offence. A House of Commons report in 1817 described how petty pilferers, many of whom were boys, were "usually committed for a short time to prison, sometimes severely flogged, and then, without a shilling in their pockets, turned loose upon the world, more hardened in character than ever". Prisoners awaiting transport to the colonies were held aboard the convict hulks in conditions so well described by Charles Dickens. Since boys could not be transported until they reached fourteen years of age, some of them remained incarcerated on the hulks for as long as five years.

In 1838 the first prison for boys was set up in England. According to Mary Carpenter, a prison reformer of the time, the use of leg irons, armed guards, whipping, solitary confinement, and a general tyrannical regime, kept the boys in a desperate and unreformed condition, ready to break out, plunder and kill if they got a chance.

Notwithstanding the vastly improved conditions now existing in prisons throughout the world, some of them still offer mean and sometimes

degrading conditions and a prisoner's life is little more than an existence in futile occupations barren of opportunity and results.

Imprisonment is still the most widely-used form of punishing offenders and is regarded by many sentencers as an effective deterrent, both general and specific. Although there is much evidence suggesting that in many cases imprisonment of offenders is undesirable, unnecessary, and ineffective¹ the theory of imprisonment as a deterrent is a strongly motivating factor in much judicial sentencing. Even short-term sentences result in a number of problems arising to confront the prisoner, and to some extent the community. Loss of employment is almost inevitable, family relationships may be stressed and sometimes broken, the prisoner loses self-esteem, and (perhaps worst of all) there is the possibility of a young unsophisticated prisoner making poor associations in the prison.

There is increasing scepticism, especially amongst forensic workers, towards the theory of deterrence which Andenaes² describes as "... little better than a figment of the imagination, a fiction used by jurists as a defence for their traditional roles and concepts". He also quotes the Director of Copenhagen's University Institute for Hereditary Biology as saying, "I shudder when I think what this essentially fictitious concept has cost us in terms of thousands upon thousands of wasted, bitter man-years of imprisonment, and how many lives it has ruined which could just as well have been saved". (*ibid.*)

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1. Bittner & Platt, *The Meaning of Punishment, Issues in Criminology*, Vol. 2 (1966).
Carl Meninger, *The Crime of Punishment*, Viking Press 1968, and Nigel Walker, *Crime and Punishment in Britain*, Ch. 12 (1973).
 2. Johannes Andenaes, *Punishment and Deterrence*, University of Michigan Press 1974.

Beccaria³ in 1764 asserted that the certainty of detection and punishment is of more significance than the severity of the penalty. He went on to say the likelihood of conformity with social customs would be improved if punishments were devised which would fit the crime. Whilst sentencers have not completely put aside the solely punitive and retributive aspects of punishment within the philosophy of sentencing practice it is fair to say that they are taking increasing advantage of the many useful and practical intervention programmes offering alternatives to imprisonment. An example of this change is seen in the growing use by some courts in the United States of America of the facilities offered in, for example, Ohio and New York City.⁴ In these and some other States, programmes of intensive intervention at local level have been adopted and, as shown by Harlow⁵, compare favourably with more conventional methods.

In recent years administrators in criminal law and penal affairs have put considerable effort into providing practical alternatives to imprisonment. In particular, the case of the short-term prisoner has been given much attention and there are several examples of offenders being permitted to serve short sentences by means of Periodic Detention schemes, and the use of Attendance Centres as an alternative to incarceration. Such flexibility in penal concepts is to be commended in that the offender can serve his sentence with the minimum of disruption to his personal life and avoid some of the consequences of imprisonment

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3. Cesare Beccaria-Bones, *An Essay on Crimes and Punishments*, 1764 Academic Reprints, Stanford, California, 1953.
 4. John W. Palmer, Capital University Law School, Columbus. Federal Probation (US) September 1974.
James E. Dean. Deferred Prosecution and Due Process in the Southern District of New York. Federal Probation (U.S.) September 1975.
 5. Harlow, E. *Community-based Correctional Programmes: Models and Practices*. U.S. Pub. Health Production 2 2130, 1971.

already discussed.

Imprisonment, of course, still brands the offender with a mark of infamy which can weigh heavily against him in his fight for re-establishment in the community. Non-custodial methods, on the other hand, offer the possibility of escaping some, if not all, of the undesirable consequences of imprisonment. Notwithstanding the benefits of these non-custodial systems they still have some inherent defects:

- (a) they necessitate special and often additional accommodation and the employment of extra staff;
- (b) prison workshops are often closed during weekends and holiday periods, and to maintain them during these times would require an increase in the number of prison personnel to cope with shift duties. Even so, it is extremely doubtful that industrial work would be made available to offenders imprisoned intermittently;
- (c) projects under construction by full-time prisoners have to be stored away, and this cumbersome procedure would also apply to items being dealt with by the periodic detainees;
- (d) the routine of a prison can be seriously disrupted by the very presence of these prisoners, posing as they do some threat to security and good order. They frequently present themselves in a drunken condition, carry all kinds of potentially dangerous articles, and create the additional difficulty of requiring the establishment of separate facilities.

Prison administrators are regarding this kind of punishment with increasing disfavour and recommending the provision of special institutions which are quite distinct and separate from existing prisons.

Attendance Centres - United Kingdom:

The Great Britain Criminal Justice Act of 1948 introduced Attendance Centres as one of several new forms of treatment for young offenders. The Centres were designed to deal with youths not less than 12 but under

21 years of age. In practice, however, only two of these Centres were available to boys over the age of 17 years and no provision was made for girls. The stated aims of the Centres were:

1. to vindicate the law by imposing loss of leisure, a punishment that is generally understood by children;
2. to bring the offender for a period under the influence of representatives of the authority of the State;
3. to teach him something of the constructive use of leisure and to guide him, on leaving, towards organizations or activities where he may use what he has learned. Courts were also warned that such Centres were not considered suitable for those who had a long record of offences or who needed the sustained influence of a probation officer or removal from bad home surroundings.

In 1967 there were 63 Attendance Centres serving between them most of the main centres of population in England and Wales. The Centres were located in schools, youth clubs, public halls, and police premises. Staff were local agents paid at rates applying to evening institute instructors, except in the case of the Centres for senior lads which were staffed by prison and police officers. Loss of leisure was the penalty, with a minimum of twelve hours required to be served. Offenders were required to attend on consecutive or alternate Saturdays, younger boys often attending on one day and older lads another. Regimes varied from Centre to Centre but always seemed to include -

- (a) a physical inspection of the boys;
- (b) tasks such as cleaning the Centre, chopping firewood for pensioners;
- (c) some handcrafts, and instruction in practical subjects.

The most disagreeable tasks were reserved as a punishment for boys who committed breaches of discipline.

It is important to note that this type of punishment was not intended for offenders who would normally be classed as serious delinquents,

and those who had already served prison sentences were not eligible.

Detention Centres - United Kingdom:

Discussing the purpose of detention centres Walker⁶ says:

"Borstals and detention centres, like prisons, are owned, staffed and administered by the Prisons Department of the Home Office. The buildings are usually conversions of country mansions, military camps, and other similar establishments of a kind to be found in rural or semi-rural areas. Most detention centres and borstals are designed for security, with perimeter walls or wire; but some borstals and one detention centre are 'open'. The staff consist of prison officers, assistant governors, and governors, selected from the prison service as likely to be in sympathy with the aims of the borstal or detention centre regimes. Prison officers working in borstals do not wear uniform, but plain clothes - usually a tweed jacket and grey trousers.

Both types of institution, though conceived at very different dates, were originally intended as alternatives to imprisonment for adolescents specially selected by the courts as likely to benefit from a somewhat different regime. The intention of detention centres was summed up by the Home Secretary's white paper of 1959:

'Detention centres were intended by Parliament to provide a sanction for those who could not be taught to respect the law by such milder measures as fines, probation and attendance centres, but for whom long-term residential training was not yet necessary or desirable...'

The age range for borstal is now from the 15th to the 21st birthday, and for detention centres from the 14th to the 21st birthday. If the offender is under the age of 17 the court must not sentence him to borstal unless its opinion is that no other method of dealing with him is appropriate, and if it sentences him to a detention centre he goes to a junior one. The object of these restrictions is to protect as many juvenile offenders as possible from contamination by young adults.

Offenders can be sent to borstals or detention centres only for offences for which adults could be imprisoned. All types of court can make a detention centre order.

6. Nigel Walker, *Crime and Punishment in Britain*, Edinburgh University Press 1973.

A stay in a detention centre is meant to be short but strenuous. The staff of the centres feel strongly that if they are to achieve the best effect the boys' programme must be carefully planned so that they can aim at passing through various stages and grades at roughly the same time after admission. The statute recognizes this to the extent of providing a standard sentence of three months for juveniles who are sent to detention centres, but in England (not Scotland) exceptions are allowed."

A rather less sanguine note is sounded by West⁷ who comments -

"In spite of the limitation of free conversation between inmates to short set periods, and the patrolling of dormitories, the more important human contacts were between each other rather than between offenders and staff. The leadership of the more confident and aggressive, who were sometimes the most delinquent, was shown by the rapid assumption of criminal slang and verbal bravado by the previously unsophisticated. This contamination effect is likely to become increasingly damaging if all kinds and degrees of offender continue to be mixed up together in the same detention centre. Detention centres have been criticised as retrograde institutions, because the purpose is more obviously punitive than remedial. The things one intelligent ex-detainee recalled were being stripped of clothes and possessions, ordered about senselessly, set to scrub already clean floors, paraded in the snow, and made to shave with blunt blades. He summed it up as 'three months of blind obedience in digging holes, endless P.T. and continual unreasoning deprivation', and complained that the system merely exposed the power of the law without teaching the offender how to change himself in order not to get into trouble again.

Judged by the re-conviction rates of those passing through detention centres (more than a half re-convicted in the three years following release) the system is not particularly successful in deterring future criminality, but then neither are the approved schools and borstals, which give more prominence to reform by education, social training, and individual attention."

West, quoting from Dunlop & McCabe,⁸ goes on to say -

"For most of these youths, the energetic organised

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7. West, D.J., *The Young Offender*, Penguin 1974, p.224.
 8. Dunlop, A.B. and McCabe, S. *Young Men in Detention Centres*, Routledge (1965), p.223.

programme, starting at 6.15 a.m., with long periods of closely supervised hard work, and the enforcement of extreme orderliness and cleanliness, with frequent changing of clothes, showers, kit inspections, floor scrubbing, and parades, came as a new experience. Some affected indifference, like the boy who commented 'It's a lot of shouting, it can't hurt you ...', but most of them expressed resentment at the physical hardship, the prohibition of smoking, and other restrictions."

COMMENT:

Having due regard for the necessity to experiment with a variety of non and semi-custodial treatment methods, gratitude can be expressed to the Home Office Authorities in Britain for having grasped this particular nettle.

Administrators in Tasmania can count themselves fortunate in having had before them the British model, saving, as it has, costly forays into seemingly unprofitable areas.

Periodic Detention Centres: New Zealand

There can be little doubt that the concept of these centres was founded on the British prototype. In operation, however, they are markedly different as they were designed to permit detainees to perform certain kinds of activity within the community. The offender is still required to submit to a disciplinary and restrictive regime but a major feature of the scheme is the involvement of citizens in the rehabilitative programme.

The first residential centre for youths was opened in 1963 in Auckland. In 1968 adult centres were opened in Wellington, Hamilton, Christchurch, and Dunedin, but were non-residential. The centres are designed to deal with offenders whose ages range from above the age of 21 years and who have "uncomplicated backgrounds and who are not suffering

from 'deep-seated mental or emotional disability'".⁹ Apart from these general principles no special conditions were laid down and selection is based on the merits of each case. Additionally, and of major importance, is the fact that the centres are administered by the Probation Service, albeit they form part of the penal system. Some of the centres are residential but in 1962 a legislative amendment enabled adults to attend on a non-residential basis. As might be expected, offenders live at home during the week days, reporting for group discussions on Wednesday evenings, and spend the weekend in the centre from 7.00 p.m. on Friday evening until late Sunday morning.

In each city an Advisory Committee has been established, representing all sections of the community and presided over by a local magistrate. The committee is responsible for the overall administration of the centre and approves the centre's work programme. The most satisfactory number for comfortable operation is put at 20, and the full-time staff usually consists of a warden, his wife (caring for the domestic affairs of the centre), and a deputy warden.

A small evaluative study was undertaken in 1969. This showed that of the 251 youths who attended periodic detention work centres up to July 1967, 67 per cent were still living and working in the free community at the end of 1969.¹⁰

THE TASMANIAN SCHEME:

Consideration of all the facets of the systems already discussed prompted further investigation by the planners in the hope that a scheme

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9. Quote from an undated and unpublished Departmental Report.
10. "Periodic Detention in New Zealand", de Punga, R., Australian Crime Prevention Council, 7th National Conference, Melbourne, 1973.

could be developed for the State which would contain some of the better features of the British and New Zealand models but, at the same time, incorporating original ideas which would be both practicable and economic. What was sought was a treatment method which was a departure from traditional penal systems and the classic philosophy of retribution whilst retaining elements of punishment and discipline. At the same time it was felt that it would be distinctly advantageous to have a scheme which would benefit the community, and therefore, emphasis was given to engaging the community interest and enlisting the active participation of citizens. A number of criteria were laid down as being desirable components, and further planning aimed at satisfying as many of them as possible. The objective was to evolve a scheme which would -

- (a) offer flexibility of operation;
- (b) deal with a broad spectrum of offenders over the age of 16, of both sexes;
- (c) function throughout the State;
- (d) involve the community;
- (e) provide constructive community-orientated activities for offenders;
- (f) be, of its nature, economic.

The plan which ultimately emerged was simple in concept and provided that courts at all levels might, instead of sentencing an offender to a term of imprisonment, order that he should give a proportion of his free time on a number of Saturdays to working on specified community projects. The offender would be given the option of accepting work orders as an alternative to imprisonment, and sanctions would be provided for non-compliance with conditions of the order. Citizens and community organizations would be invited to submit proposals for work projects, and much of the actual supervision of offenders would be undertaken by citizen volunteers.

Tasmanian Trades and Labour Council:

At this stage of planning it was thought necessary to discuss the proposal with senior officials in the trades union movement. The concept of work without pay is, to say the least, somewhat foreign to the principles of unionism, and a hostile or negative attitude adopted by the unions would clearly and effectively prevent the implementation of the scheme, or at least substantially reduce its effectiveness. Accordingly, the President and the Secretary of the Tasmanian Trades and Labour Council were informed of the plan and invited to participate in discussions. This they did, and there can be no doubt that the harmonious relationship which developed between them and the planners made possible the acceptance of the plan by the Council.

The Council insisted upon certain conditions being incorporated in any proposed legislation: they were -

1. no work to be performed by offenders under the age of 16 years;
2. the scheme be placed on a trial basis for two years;
3. a review committee be established;
4. the committee must have on it a nominee of the Council;
5. the committee could not function in the absence of the Council nominee;
6. projects could not be undertaken without the concurrence of the Council nominee.

Feasibility Study:

In January 1971 a feasibility study was carried out involving the canvassing of all municipal authorities in the State and a representative selection of community organizations, including church and school groups, service clubs, and so on. The views of members of the legal profession, judiciary, magistracy and police force were also sought. Although

hesitancy was expressed in some quarters, the general response was favourable and the planners felt able to proceed in the knowledge that ready co-operation would be forthcoming from the greater part of the Tasmanian community.

Among the many matters discussed in the feasibility study were some basic guidelines dealing with the types of work which might be undertaken, and two major areas in which the work could be applied. It was suggested that offenders should not carry out work the nature of which was normally restricted to tradesmen. This narrowed the field but left open a good variety of projects to which offenders might be applied. Gardening for the aged and infirm, grounds' maintenance for institutions, house cleaning and wood chopping, were but a few of the suggestions put forward. It was thought that all work undertaken should be capable of being done with the use of simple hand tools.

In looking at areas for projects several came readily to mind -

- (a) non-government institutions for the aged, infirm, handicapped, and children;
- (b) institutions receiving some State support, e.g.: sheltered workshops;
- (c) State Institutions lacking regular maintenance staff, e.g.: Welfare Department Children's Homes.

Certain civic projects also commended themselves:

- (a) Parks, gardens and grounds of historic buildings not normally maintained by paid staff;
- (b) clearing or making bush-walking tracks and removal of bush-fire hazards;
- (c) improving or making picnic areas and children's playgrounds;
- (d) assistance to civic groups to develop local amenities for the benefit of the public.

Recommendations were also made dealing with compensation for injuries, hours and conditions of work, conduct of offenders, and guide-

lines for supervisors.

THE ACT:

Drafting commenced early in 1971 and the Bill was presented to Parliament in October of the same year; it made amendments to the Probation of Offenders Act 1934 and introduced a completely new Part dealing with Work Orders. The Act was proclaimed on 1st February 1972. Section II is here set out in full as it is the key to the whole legislation.

- "II (1) Instead of sentencing a person to undergo a term of imprisonment, the Supreme Court and Courts of Summary Jurisdiction may, with the person's consent, adjudge that he for his offence attend at such places and times as shall be notified to him in writing by a probation officer or a supervisor, on so many Saturdays, not exceeding twenty-five, as the court may order, and thereafter to do such things for such times as may be required of him under section twelve.
- (2) A memorandum of an order under this section in the prescribed form and supplemented by the prescribed information shall be drawn up, be sealed or signed as prescribed, and be given to the person against whom the order is made before he is entitled to depart from the court by which the order is made.
- (3) A work order shall be made only where it appears to the court that provision has been or will be made for the doing of work by the person against whom it is made.
- (4) A copy of a work order shall be sent forthwith to the Secretary of the Attorney-General's Department, "

An amendment made in 1975 substituted the word "days" for "Saturdays", thus enabling offenders to work on any day of the week. In practice, however, a Saturday is still the most regularly used day on which work is performed.

It is important also to note that a court may make a supervised

probation order against an offender in addition to making a work order, imposing a fine or a sentence of imprisonment. This has provided an excellent opportunity for counselling and other behaviour modifying techniques.

Offenders against whom a work order has been made are insured for injury by the State Government Insurance Office, and for this purpose they are deemed to be employees of the Crown (albeit unpaid) and hereafter shall be termed "employees".

Substantial penalties may be imposed by a court should an employee fail to comply with the terms and conditions of a work order.

There are a number of detailed regulations which govern the conduct and activities of the employee. Inability to work, for example, requires a medical certificate; no alcoholic liquor may be brought to a place of work. Working conditions are covered and guidelines laid down for the supervisor.

The Attorney-General is given power to appoint supervisors, and all probation officers are so appointed, but it is more common for supervision to be carried out by citizen volunteers.

The Scheme in operation:

The scheme in essence is an alternative to imprisonment and could, therefore, be held by purists to fall within the ambit of a penal system. The basis of the scheme is punitive insofar as the discipline to which the offender is required to submit involves restrictions on his leisure and regulates his activities during the days worked. Nonetheless, it marks a progressive departure from the traditional philosophy of retribution as it is designed to function within a community setting and in circumstances as already described. Accordingly it was decided that the

State Probation and Parole Service, being the main Government agency engaged in the non-custodial treatment of offenders, should administer the scheme.

As originally devised, the scheme was to some extent planned as an economic measure. It envisaged the use of existing probation and parole staff without addition and with the minimum of expenditure on equipment. These restrictions imposed problems of some magnitude on the Service, but had the advantage of compelling the administrators to be innovative and inventive. Lack of funds and shortage of staff, however, are a quite severe hindrance to administrators and in this case successfully impeded the smooth development of the scheme. Programmes of this kind can operate economically and offer substantial cost-benefits to a community. It is of the utmost importance, therefore, that they should be given adequate staff and funded accordingly.

The Tasmanian scheme came dangerously close to foundering on several occasions. It was due entirely to the heroic efforts of a few dedicated professional officers and support staff, with the assistance of a small group of citizen volunteers, who were convinced of the merits of the scheme, that it managed to survive and become a major force in the criminal justice system of the State.

Before discussing operational details of the scheme it is appropriate to briefly describe some of the physical features of Tasmania with an indication of its population distribution. It is an island with an area of 6,433,136 hectares and is the smallest of the Australian States, with a population of approximately 498,000 at the time of writing. These two factors combine to make it an ideal location for study and research purposes.

The population is widely dispersed throughout the State with heavier concentrations in and around Hobart, the capital city which is situated in the South, Launceston in the North, and Devonport and Burnie in the North-West. The State is divided into three regions - South, North, and North-West, the latter known as Mersey-Forth. The proportion of population in each of these regions is -

South	47.4%
North	26.9%
Mersey-Forth	25.6%

Figure 1 shows population distribution and the location of cities and towns.

Hobart and its population is somewhat cut off by comparison with the Northern and North-Western cities and towns, whilst the mining towns located on the West Coast are isolated and have developed individual characteristics.

These factors are mentioned because they had some bearing on the work order scheme, especially during the early months of its operation. For practical purposes the State was divided into the five districts in which an office of the Probation and Parole Service is located, i.e., South, North, Central North (Devonport), North-West (Burnie), and West Coast (Queenstown) - (Figure 5).

Initial difficulties encountered centred mainly around suitable work projects being located in country districts, and the provision of supervisors. It will be recalled that one of the essential elements of the scheme was its availability to courts throughout the State. It was inevitable, therefore, that a great deal of investigation and public relations work was necessary on almost every occasion on which an Order was sought for an offender who lived in a country or remote district.

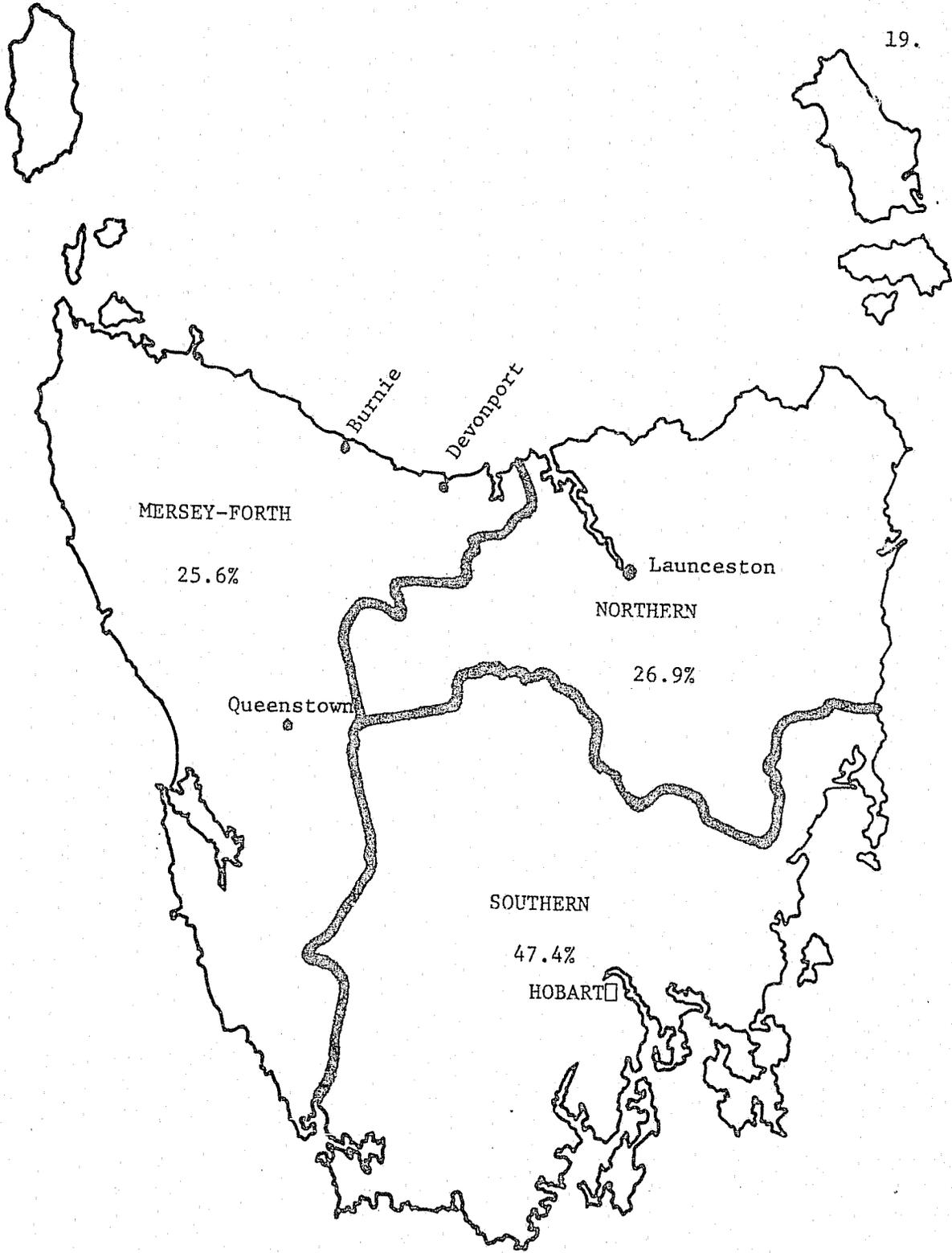


FIGURE 1.

STATE REGIONS

Population by Percentage.

Another factor which posed something of a problem was the not unnatural suspicions of people and organizations that desperate criminals were to be foisted upon them, notwithstanding the generally favourable response at the time of the feasibility study.

However, as time passed and the value of the scheme became more apparent community acceptance markedly improved and ultimately reached the stage when the Probation Service was being approached with requests for work to be undertaken throughout the State.

As already mentioned, a Work Order Review Committee was established and it met frequently to discuss the wide variety of work requests being made. Eventually blanket approval was given to projects relating to unskilled work in and around such places as geriatric units, pensioners' homes, sheltered workshops, and certain civic projects. With such approval it was no longer necessary for the Probation Service to refer these projects to the Committee for approval, and the need for regular meetings gradually fell away. The Committee now meets some three or four times in each year when progress reports are given by the Principal Probation Officer and community attitudes are discussed.

Comment must be made of the complete co-operation of the Tasmanian Trades and Labour Council which has fully supported the Work Order scheme. The Probation and Parole Service is indebted to the Council for the practical help, advice, and support so freely given over the years and without which the scheme could not have functioned as effectively as it has.

During the early months most requests came from Service Clubs which, with their community service orientation, were keen to obtain the services of employees to further the development of parks, reserves,

and other civic projects. Members of the clubs provided the supervisors and, frequently, such hand tools and motorised equipment as were needed for efficient work.

Many of the municipal authorities saw advantages in the scheme and sought employees for development work which would not have been carried out due to lack of funds. Municipal employees were the supervisors on these projects but were, of course, paid by the Authority at the appropriate rate. Some Authorities withdrew from the scheme when penalty rates became a drain on funds. Projects of this kind needed to be of some magnitude and capable of sustaining a relatively large number of employees to make over-time payments worthwhile. At the same time, by their very nature these projects tended to be endless and seemingly pointless to the employees and some discontent was apparent. This gave rise in some instances to outright rebellion, and speedy action was needed to ease the tension. It became obvious that real success was more likely to be achieved when projects contained a more personal element and/or gave the employee a greater sense of achievement, a sense of belonging, and of being needed. The Australian criminologist, David Biles, commented¹¹ -

"... the key concept to be borne in mind here is the individual person's 'sense of belonging'. People who really feel that they belong to groups or organizations don't break the rules of those groups ... Similarly, people who have a real sense of belonging to their country don't break the rules of that country. And these rules are the laws. A great deal of hard thinking needs to be done to determine how best we can overcome the lack of identity, the feeling of anonymity that is particularly prevalent in our cities."

11. Biles, David, *Crime in Australia : Guest of Honour Address*, Australian Broadcasting Commission, 5 November 1972 (subsequently reprinted in *Catholic Worker*, November 1972, *Police Journal of South Australia*, January 1973, and *Victoria Police Journal*, April 1973).

These remarks are particularly appropriate to the work order scheme and much of its success can be directly related to the relationships developed between many employees and the persons for whom they work, especially pensioners. It is abundantly clear that most offenders will relate very well to aged or invalid people and in many cases strong links have been forged between them, and the section of this report dealing with anecdotes recounts in some detail many heartwarming stories in this vein.

Since the legislation in essence provides an alternative to imprisonment it may well be thought that flexibility and leniency should be eschewed when work orders are being implemented. Initial application of the legislation by probation officers and supervisors tended to be harsh and punitive, partly because of the nature of the work available at the time. Media publicity lent colour to this view and at least two television exposures used such terms as "chain-gang" and "convicts". However, as more work of a different kind became available, and people realised that they were not going to be raped, bashed, or robbed, entirely different community attitudes developed, resulting in a more relaxed approach to employees - especially those who were classified as defaulters in some way or another.

An essential feature of the scheme was, of course, to deprive offenders of a portion of their own free time and to inject an element of punishment by requiring them to carry out some useful tasks without pay. Whilst still maintaining the integrity of this aspect of work orders, they are now seen as having some far reaching social effects and are taking their place as an intervention technique.

Operation:

As noted earlier before making a Work Order a court must be satisfied that provision has been, or will be, made for work to be done.

In some cases an enquiry would be made of the District or Senior Officer by a court clerk, but far more frequently a court is advised by way of a recommendation contained in a pre-sentence or background report. The writer of such a report will have in mind the suitability of an offender for a work order, and will have made relevant enquiries, including those relating to a work project already functioning or the possibility of one being established. It must be borne in mind that an offender may live and work in an area so geographically remote or inaccessible that it is simply not possible to initiate a project. Alternatively, the offender may be "work-shy", of aggressive, vagrant, or aberrant nature, or in some other way likely to cause disruption to a project.

It is considered that in such cases the sentencer, having been given the proper advice, should be extremely cautious in suggesting a work order. Apart from the obvious difficulties arising should such an offender be given a work order, the prospect of it being completed is bleak and the employee immediately becomes the subject of a charge for failure to comply with the Order. Under such circumstances the offender has been placed in double jeopardy, so to speak, and it may well be that a more appropriate disposition could be found.

For the sake of clarity, certain Sections of the Act are quoted :

- 12 (1) Where a work order has been made against a person, a probation officer or a supervisor shall notify him in writing that on a specified day or days he is required to report to a supervisor at a specified place and time and of any special provision made for his transportation to that place.
- (3) For the purposes of subsection (1) of this section,

an employee shall not be required to travel between his place of abode and the place at which he is required to report, in addition to the distance for which transportation is provided, a distance measured by the shortest practicable route, or more than seven miles.

- (6) When an employee has reported to the supervisor in compliance with subsection (1) of this section, he shall do such work or other activity as the latter orders subject to the regulations made under this Act.
- (7) That which an employee is required to do under a work order shall -
 - (a) be such work or other activity or such kind or class of work or activity as a work order committee has approved; and
 - (b) not be continued for more than eight hours, exclusive of any time allowed for lunch, on any one day.
- (8) An employee shall, in respect of his attendance, travelling, and work or activity under a work order, be deemed to be a worker employed by the Crown for the purposes of the Workers' Compensation Act 1927 and to be a worker within the meaning of that Act.

- 14 (1) If an employee -
- (a) fails to attend as required by a probation officer or supervisor;
 - (b) fails to carry out in a proper or reasonable manner the work or activity required of him;
 - (c) disturbs or interferes with any other person working or doing anything under a work order;
 - (d) assaults, threatens, insults, or uses abusive or unfitting language to a probation officer or a supervisor;
 - (e) fails to comply with subsection (4) of section fifteen;
 - (f) changes his place of abode for the purpose of evading the execution of this Act; or
 - (g) commits a breach of the regulations,
- he commits an offence for which a probation officer may proceed against him under the Justices Act 1959.
- (2) The court before which a complaint under this section is heard may -
 - (a) impose a penalty of one hundred dollars;
 - (b) increase the number of days specified in the order by not more than twenty-five more; or

(c) impose a term of imprisonment not exceeding three months.

15 (4) If an employee changes his place of abode he shall give notice of the change forthwith in writing to the Secretary of the Attorney-General's Department.

The Order having been made it is usual for the employee to be called for interview, when an assessment is made (if this has not already been done) of his suitability for one of a variety of work projects. He is then formally notified in writing of the date and time of attendance at an approved project, how to get there, and what transport will be supplied if necessary, and the name of the supervisor. He is also supplied with written instructions outlining his obligations and pointing out the penalties which may be imposed for failure to comply.

The supervisor receives a roll giving the names and addresses of the employees allocated to the project, and the supervisor is required to complete and sign the roll indicating the attendance, conduct, and diligence of each employee. The roll is mailed back to the nearest District Office of the Probation and Parole Service in the pre-paid envelope provided.

Supervisors and employees are notified well in advance when projects are stood-down for short periods, for example at the holiday times of Christmas and Easter.

Time lost due to sickness, accident, personal reasons, or imprisonment for other offences, must be made up, although there is provision for an employee to be returned to a court upon application to vary the original order.

Industrial gloves are provided free to all employees, as is special clothing and footwear in special circumstances.

Hand tools and garden implements are made available at no cost to most work order projects. Originally some of these were provided in a used condition by another government department and repaired and sharpened at the State Prison. Whilst useful as a temporary measure, this practice proved to be quite unworkable as the scheme developed and it eventually became necessary to purchase new equipment and small quantities of tools are now held in each District Office.

Supervision:

Mention has already been made of the roles played by members of the community organizations, and many of these accepted the designation of Supervisor. A great many other citizens joined the team of supervisors, such as those in charge of Homes for the Aged, Children's Homes, school and church groups, and so on. Most of these people work in an honorary capacity, although there is a provision in the Act for a daily payment plus a rate for the use of a private motor vehicle.

The field operation of the scheme is carried out almost entirely by unpaid volunteers. The very nature of their contribution creates a climate in which relationships can develop and prosper. The employee quickly becomes aware that his supervisor does not represent the Probation and Parole Service, or indeed the Law, in any way, and feels free to discuss any besetting problems in a more relaxed atmosphere.

Experience has shown that inter-personal relationships developed between employee and supervisor to a quite remarkable extent and in some cases resulted in a complete change in the anti-social attitudes adopted by employees.

Much thought was given to the question of training for supervisors and some suggestions entailed the extensive use of screening and careful

selection. Eventually it was decided to simply accept offers of assistance on the basis of good-will and that the volunteers were decent men and women willing to give their time and skill towards helping the scheme succeed.

The concept of volunteer supervisors is the linch-pin of the scheme, without them it could become a costly bureaucratic enterprise bogged down in procedural and administrative matters. The volunteers, untrammelled by Public Service regulations, can contribute much in the way of new ideas, fresh methods of communication, community service, and general assistance. In addition to his primary function of supervising work order employees, the voluntary supervisor is a significant economic feature of the scheme.

Stipendiary Staff:

To be effective and impartial, a community work order scheme must cover the whole State and be available to all the people. The department or agency chosen to run the scheme needs to be adequately staffed, and it must be emphasised that a scheme of this kind, well structured and properly run, can produce a speedy and co-operative response from the public which could overwhelm an agency which is not prepared, both in personnel and resources, to meet such a demand. The likely alternative would be over-taxing of existing staff and general administration with a consequent reduction in overall effectiveness and a slackening of community interest and response.

One benefit of a work order scheme is to focus more public attention on the department or service which is running it. The scheme has a definite missionary value and the interest generated can bring in its wake a change in community attitudes and a better appreciation of the work, aims and objectives of the Service.

P A R T I I

OPERATIONAL ANALYSIS

This section of the report will deal with the operation of the Work Order Scheme examined on a week-to-week basis.

It will deal with

- (1) attendance and conduct
- (2) differences between regions
- (3) differences between projects
- (4) the effect of the weather on attendance
- (5) the contagion element

M E T H O D

The operation of the Work Order Scheme was studied over a period of six months, from the first week in April 1975 up to and including the last week in September 1975. This involved a review of the different projects in the separate regions on a week-to-week basis. As 25 Work Orders is the maximum that can be given for any single offence, 26 weeks was the observation period selected. This would follow through a complete batch of Work Order employees. Weekly or fortnightly reports were forwarded from the regional offices by the Senior Probation Officers who are the regional administrators for each area.

Each Work Order employee during the period of observation was accounted for on a weekly basis by the project to which he was allocated, his attendance or reason for absence, and his conduct. For the purposes of this study only male Work Order employees were considered. It was felt that the small number of females involved, together with the difficulty in finding suitable work for them, would cloud rather than clarify the issue.

A person who had absconded was classified as absent without leave for a few weeks while efforts were made to contact him. Once it was established that he had absconded, he was dropped from further weekly analyses.

A person who was remanded in custody was counted as being in custody each week until sentenced. Meanwhile, a person sentenced to a term of imprisonment was classified as in custody once, and then dropped from further weekly analyses.

The study involved a total of 452 individuals on thirty projects

in five regions.

ATTENDANCE

Work Order employees were accounted for each week as either present, absent with permission, or absent without leave.

Absent with permission:

This category was broken down to include -

- (a) working for employer
- (b) sickness
- (c) personal reasons - e.g.: domestic problems wife about to be confined, attendance at funerals or weddings, etc.
- (d) project suspended: where the supervisor was unable to supervise; this may have been due to a public holiday, a lack of materials, or unsuitable weather for a particular type of project. In some cases it may have been where a pensioner supervisor had either gone to hospital, was ill, or had gone visiting. The criterion used for the classification of "project suspended" was that the suspension was initiated by the supervisor rather than the Work Order employee.
- (e) administrative error - including non or late delivery of Work Order notices; or incorrect information having been supplied to the Work Order employee
- (f) a category of OTHER covered any residual reason for absence with permission. This included being stood down during a period of annual leave; attendance at an intensive technical course in another area; and absence due to transport problems. This was particularly relevant to the Hobart region where the Tasman Bridge disaster had added a burden to travelling.

Absent Without Leave:

This category was broken down to include -

- (a) absconding - where contact was lost with a Work Order employee who had shifted residence without notifying the Probation Service. The move was usually interstate.
- (b) in custody - where an employee was absent because he was in legal custody; either remanded in custody, or sentenced.
- (c) non-compliance (refusal) : the Work Order employee did not attend and had no proper reason for failing to do so.

- (d) Other : any residual reason, generally where some unacceptable reason was given for non-attendance.

CONDUCT:

The conduct of each individual on a Work Order was classified each week as either excellent, satisfactory, or poor.

- (a) excellent : for a report of highly commended from the supervisor.
- (b) satisfactory : when the employee received neither an unfavourable nor a highly commended report.
- (c) poor : for late arrival, early departure, or any unfavourable comment made by the supervisor.

THE PROJECTS:

As well as controlling for the region and the project, the projects themselves were classified into one of three categories -

- (a) Individual Assistance Projects - where the Work Order employee worked on a one-to-one basis with an individual pensioner.
- (b) Personal Group Projects - where a group of Work Order employees worked for a group of people, e.g., geriatric units, sheltered workshops, hospitals, orphanages, etc.
- (c) Impersonal Group Projects - where a group of Work Order employees worked on a project which was not directly involved with people, e.g.: cemeteries, Council reserves, Canine Defence League, Railways, etc.

The projects, thus categorised, were used as a variable to check for attendance and conduct.

WEATHER:

The weather was monitored for its effect, if any, on attendance. It was felt that unfavourable weather resulted in a higher attendance. Inclement conditions typically led to the early dismissal of the Work Order employee who was still credited with a full day's work.

THE CONTAGION ELEMENT:

Court breaches for failure to comply with Work Order instructions were examined to determine their effect on attendance.

R E S U L T S

Table 1 shows the total number of individuals involved in the study, together with a numerical and percentage breakdown under the five regions.

A total of 452 Work Order employees were involved.

Of that number 55 percent began their Work Orders during the six month period and 40 percent completed their Work Orders. Seven percent absconded and three percent returned from absconding. It should be noted here that those who returned from absconding may not have absconded during the period of observation - most had absconded a considerable time beforehand. Ten percent spent some time in custody - either remanded in custody or after sentencing, and three percent were breached for failure to comply with their Work Orders.

Figure 3 plots, as a percentage, the weekly attendance and conduct rating for the total number of Work Order employees in the State. Percentages were used because of weekly fluctuations in the actual numbers involved. During the period of observation, some employees began, completed, were transferred, or absconded from, their Work Orders.

The Figure shows an average weekly attendance of 63.3%.

The average rate of absence with permission was 24.4%. This included the rating of 100% for the first week over the Easter

Holiday break. The average rate of absence without leave was 12.3%. Conduct ratings averaged 5.5% for highly commended reports and 2.8% for unfavourable reports.

Table 2 shows as a percentage rating the reasons given for absence.

This information is illustrated using a pie diagram in Figure 4.

Figures, 6, 7, 8, 9 and 10 show the attendance and conduct graphs for the regions of Hobart, Launceston, Devonport, Burnie, and the West-Coast respectively. They follow the same format as Figure 3 (the State total).

Figure 11 compares the average attendance, absence - with permission and without leave - and conduct ratings, for each of the regions, with the State average. The figure shows the percentage difference above or below the State mean for each of the five variables. The State mean forms the base line.

Table 3 shows the rank order of the five administrative regions according to their Rate, calculated by percentage attendance minus percentage AWOL. This balances the good with the bad, providing one objective score for each region. As a basis of comparison, the State Average is included.

The result of an analysis of variance testing for significant differences is also shown. Comparing the regional rates an F. value of 3.11 was obtained, with $p < 0.05$.

Differences in rates for the regions vary markedly from 69.9 for Burnie to 28.7 for Launceston.

An analysis of Variance for percentage attendance resulted in an F. value of 3.41; $p < 0.05$; and for percentage AWOL, F. 2.71; $p < 0.05$.

A comparison between region Scores which combines the objective attendance figures with the subjective values for conduct, is calculated by attendance minus AWOL plus excellent conduct minus poor conduct, resulted in an F. value of 2.28 which was not statistically significant.

Figures 12, 13, 14 show the percentage attendance and conduct on the different types of projects for each of the 26 weeks.

Figure 12: Individual Assistance Projects - working for individual pensioners.

Figure 13: Personal Group Projects - working at geriatric units, sheltered workshops, hospitals, etc.

Figure 14: Impersonal Group Projects - working at Pioneer cemeteries, railway lines, Council reserves, etc.

Figure 15 compares the average attendance, and conduct ratings on the different types of projects with the State mean. For each of the project categories, differences are presented as percentage above or below the State mean. The State mean forms the base line.

Table 4 shows the rank order for the different types of projects according to their Rate. The State mean is included for comparison purposes. The result of an analysis of variance testing for significant differences between the projects is also given. Comparing the project Rates, an F. value of 3.38 was obtained, with $p < 0.05$. Marked differences in Rates for the project types are apparent with the Individual Assistance Projects scoring 66.4 compared to 41.5 for the Impersonal Group Projects. Testing for statistically significant differences in attendance resulted in an F. value of 4.13, $p < 0.05$; and for percentage

AWOL F. = 1.92, Not Significant. An analysis of variance test for project Scores gave an F. value of 3.15 - not statistically significant.

Table 5 gives the rank order for specific Work Order projects according to their Rate. Included in Table 5 are the project categories, and the region in which the project was undertaken. The State mean gives a basis for comparison. The Table also shows percentage attendance, percentage AWOL, and the project Score.

Results of tests for analysis of variance are given.

Table 6 shows the results of a 't' test for the effect of the weather on attendance, absence without leave, Rate and Score.

Testing for the effect of weather on attendance, a 't' value of 3.15, $p < 0.05$ level was obtained. This is statistically significant and indicates that there is a higher attendance during poor weather.

The 't' value for absence without leave, 0.01, was not statistically significant.

Table 7 gives the results of a 't' test comparing the effect of court breaches for non-compliance with Work Order instructions, with the four variables - attendance, absent without leave, Rate, and Score.

Only absence without leave was statistically significant with a 't' value of 2.18, $p < 0.05$

D I S C U S S I O N

An objective measure for the operational success or failure of a scheme of this nature is not clearly defined. Can attendance be used as the sole basis for determining the scheme's success? Is the rate of absconding a fair gauge of its failure? Or do such measures over-simplify the issue?

What about mitigating circumstances affecting the employee's absence from the Work Order project: the *reasons* for the absence without leave, the *conduct* of the Work Order employee, the "rub-off" element of *court breaches*, and so on.

For the purposes of this study two different methods of assessment have been used taking into account attendance and conduct variables. The first method considers the total number of individuals working on projects during the 26-week study relative to the number and percentage of the total who defaulted in one way or another. (See Table 1.)

As a measure of the scheme's failure, Table 1 shows that of the 452 individuals observed during the period 15% misbehaved at some time on their Work Order project, resulting in the issue of a poor conduct report. Thirty-eight percent were absent without leave, 7% absconded, 10% spent some time in custody, and 3% were taken back to court where they were convicted of breaching Work Order instructions.

In favour of the Scheme, 24% were issued with excellent conduct reports - more than half as many again as those who received poor reports. Furthermore, 62% did NOT absent themselves without leave at any time, 90% did NOT spend time in custody, and 4% returned from absconding.

TABLE 1.

The PERCENTAGE (and number) of individuals involved in the 26-week Work Order study who began, completed, were AWOL, absconded, returned from absconding, spent time in custody, were breached for failure to comply with their Work Order instructions, and received excellent and poor conduct reports. The figures for the five regions and the State total are shown.

Region	State Total	Hobart	Launceston	Devonport	Burnie	West Coast
Number Involved	(452)	59% (259)	14% (65)	14% (63)	11% (50)	3% (15)
Began Work Orders	55% (249)	60% (157)	58% (38)	40% (25)	52% (26)	20% (3)
Completed Work Orders	40% (179)	40% (104)	35% (23)	40% (25)	42% (21)	40% (6)
AWOL	38% (174)	36% (94)	46% (30)	54% (34)	24% (12)	27% (4)
Absconded	7% (31)	6% (16)	3% (2)	8% (5)	16% (8)	-
Returned from Absconding	3% (14)	2% (5)	2% (1)	-	16% (8)	-
Custody	10% (43)	8% (21)	17% (11)	5% (3)	16% (8)	-
Breached	3% (13)	-	5% (3)	2% (1)	16% (8)	7% (1)
Excellent conduct	24% (110)	27% (71)	34% (22)	-	30% (15)	13% (2)
Poor conduct	15% (70)	14% (37)	26% (17)	13% (8)	14% (7)	7% (1)

This analysis of individuals provides a useful background to what actually happened during the period of observation, but fails to show the weekly fluctuations in attendance and conduct. To compensate for this a second method of assessment, using each week as a unit of comparison, has been included.

ATTENDANCE:

The weekly attendance and conduct graph for the State as a whole is given in Figure 3.

An average of 201 individuals were involved in Work Orders each week with an average weekly attendance of 63%. Of the 37% who DID NOT attend, 25% were absent with permission and 12% without permission.

Excellent conduct reports were issued at an average rate of 5.5% a week - almost double the figure for the issue of poor conduct reports at 2.8%.

Thus, relating the information in Table 1 with that in Figure 3, not only did more individuals receive excellent rather than poor reports, they also received them more frequently.

The reasons given by Work Order employees for absence from a project fall into a number of distinct categories, which are itemised in Table 2.

ABSENCE WITH PERMISSION:

(1) Project suspended

Of the number who were absent with permission one third, or 9.1% of the total number of Work Order employees were unable to work because the project had been suspended. Project suspension ranks highest in the six categories of reasons for absence with permission.

STATE TOTAL

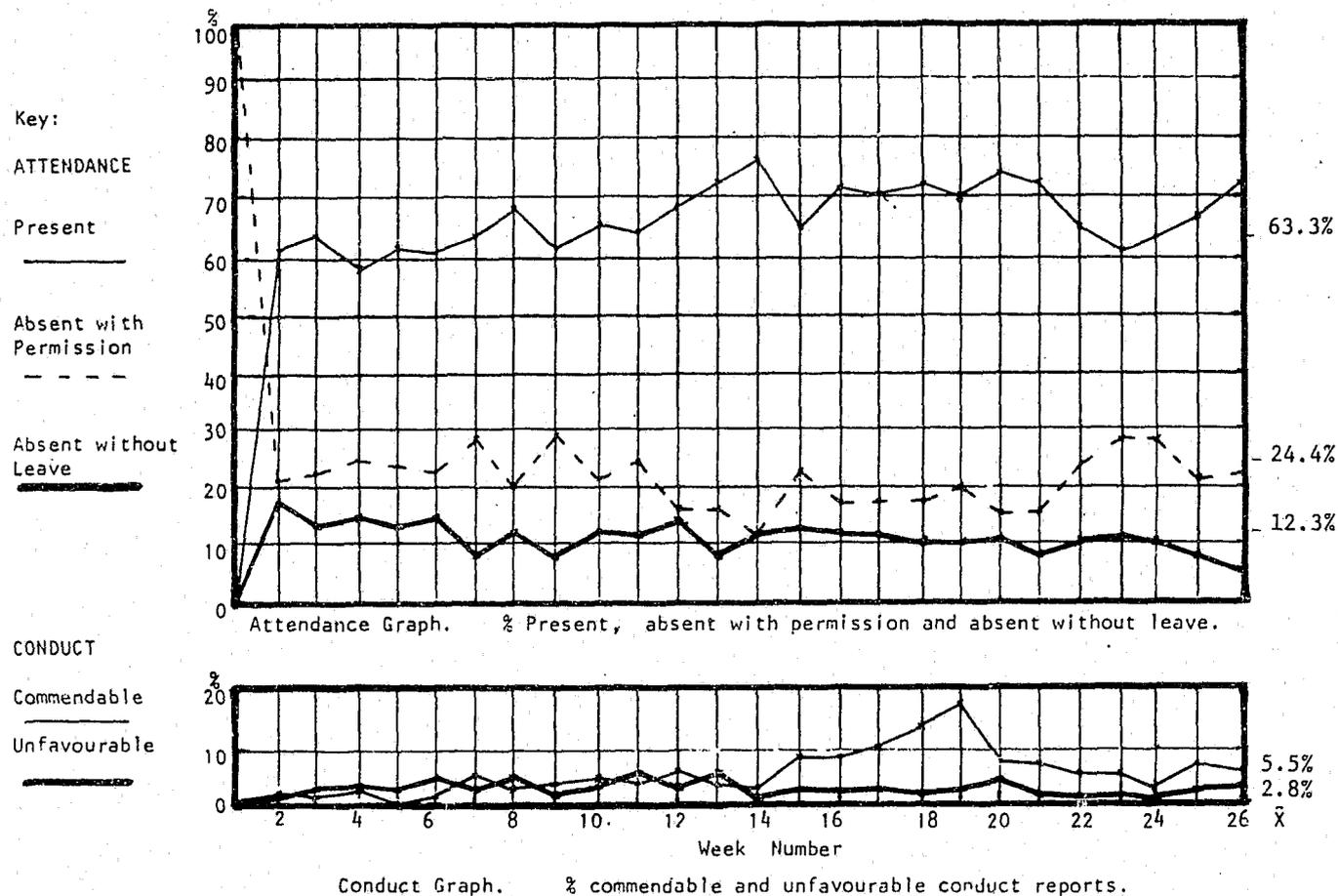


FIGURE 3 Weekly percentage attendance and conduct graphs for work order employees in Tasmania during the 26 week period. Figure shows average for attendance, absence with permission, absence without leave, and highly commended & unfavourable conduct.

$\bar{X}_n = 201.$

TABLE 2

PERCENTAGE MEAN ATTENDANCE AND REASONS FOR
ABSENCE ON ALL WORK ORDER PROJECTS IN TASMANIA.

PRESENT 63.3%

ABSENT WITH PERMISSION -

working for employer	5.0%
sick	7.8%
personal reason	1.6%
project suspended	9.1%
administrative error	.5%
other	.4%

Total 24.4%

ABSENT WITHOUT LEAVE -

abscond	.5%
custody	1.4%
refusal	10.3%
other	.1%

Total 12.3%

100.0%

Mean number of individuals on Work Orders
each week = 201.

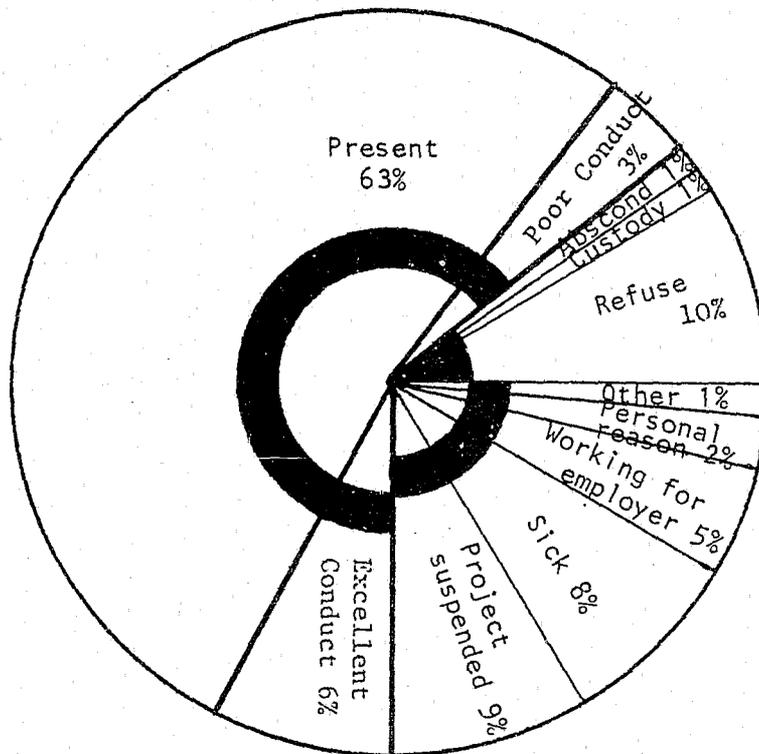


FIGURE 5 Proportionate distribution of mean weekly work order attendance and reasons for absence for all work order employees in Tasmania during a 26 week period.

$\bar{X}_n = 201$

(ii) Sick

Illness accounted for an average of almost one third the number who were absent with permission each week - 7.8% of the average weekly total of Work Order employees. However, this figure is loaded by the inclusion of accident victims under the category of "sick". Some of the younger employees seemed to be particularly susceptible to accidents - usually involving motor vehicles. The resultant injuries often included fractures, making the employees unfit for Work Orders for extended periods of time. In most cases medical certificates were produced and the employee resumed work when he recovered.

(iii) Working for Employer

An average of 5% of the total working group were absent with permission each week while working for their normal employer. The "working for employer" category ranks third in the list of reasons given for absence with permission.

When the Work Order employee is required to work overtime at his normal job his employer must contact the Regional Work Order Administrator to request leave of absence for that particular week. Permission is usually granted, with consideration to the financial standing of the employee - which is often far from healthy.

(iv) Personal Reasons

Personal reasons made up a small component of the number absent with permission each week - an average of 1.6% of the total working groups were given leave because of some personal reasons. These included wife about to be confined,

domestic problems, attendance at funerals or weddings, and so on.

(v) Administrative Error

Administrative errors resulting in absenteeism accounted for 0.5% of the average number of employees working on projects each week. Included in the category of "administrative error" were lateness in forwarding instructions to the employee, or incorrect information having been supplied to him.

(vi) Other

A category of "other" was included under absence with permission to cover any residual reason not already listed. It accounted for 0.4% of the average weekly total of employees.

The category included such reasons for absence as the employee being stood down during a period of annual leave, attendance at an intensive technical training course in another region, and absence due to transport problems - particularly in the Hobart region where the Tasman Bridge disaster has made travelling from the Eastern Shore a difficulty.

ABSENCE WITHOUT LEAVE

(i) Non-compliance:

Typically, employees who were absent without leave were unable to give a proper reason for failing to report for duty. Included under the category of "non-compliance" they made up almost the entire number who were absent without

leave each week - 10.3% of the weekly number of employees, relative to the total percentage absent without leave - 12.3%.

Where an employee absented himself and had no proper excuse to offer he was reprimanded and warned of the consequences of his continued refusal to comply with his Work Order instructions.

An employee who fails to comply repeatedly is returned to court for breaching the Work Order instructions and is liable to a maximum penalty of three months' imprisonment, plus a further term of imprisonment for the original offence.

(ii) In custody

An average of 1.4% of Work Order employees were in custody each week. They were accounted for while on remand until sentenced. Once sentenced to a term of imprisonment they were dropped from further weekly analyses.

(iii) Absconding

An average of 0.5% absconded each week - usually interstate.

(iv) Other

The three categories listed account for most absence without permission. Only 0.1% of the employees were absent for some other reason - generally where an unacceptable excuse was offered.

THE REGIONS:

Weekly attendance and conduct graphs for the five different regions, Hobart, Launceston, Devonport, Burnie and the West Coast, are shown in Figures 6-10 respectively. A comparison of the mean results

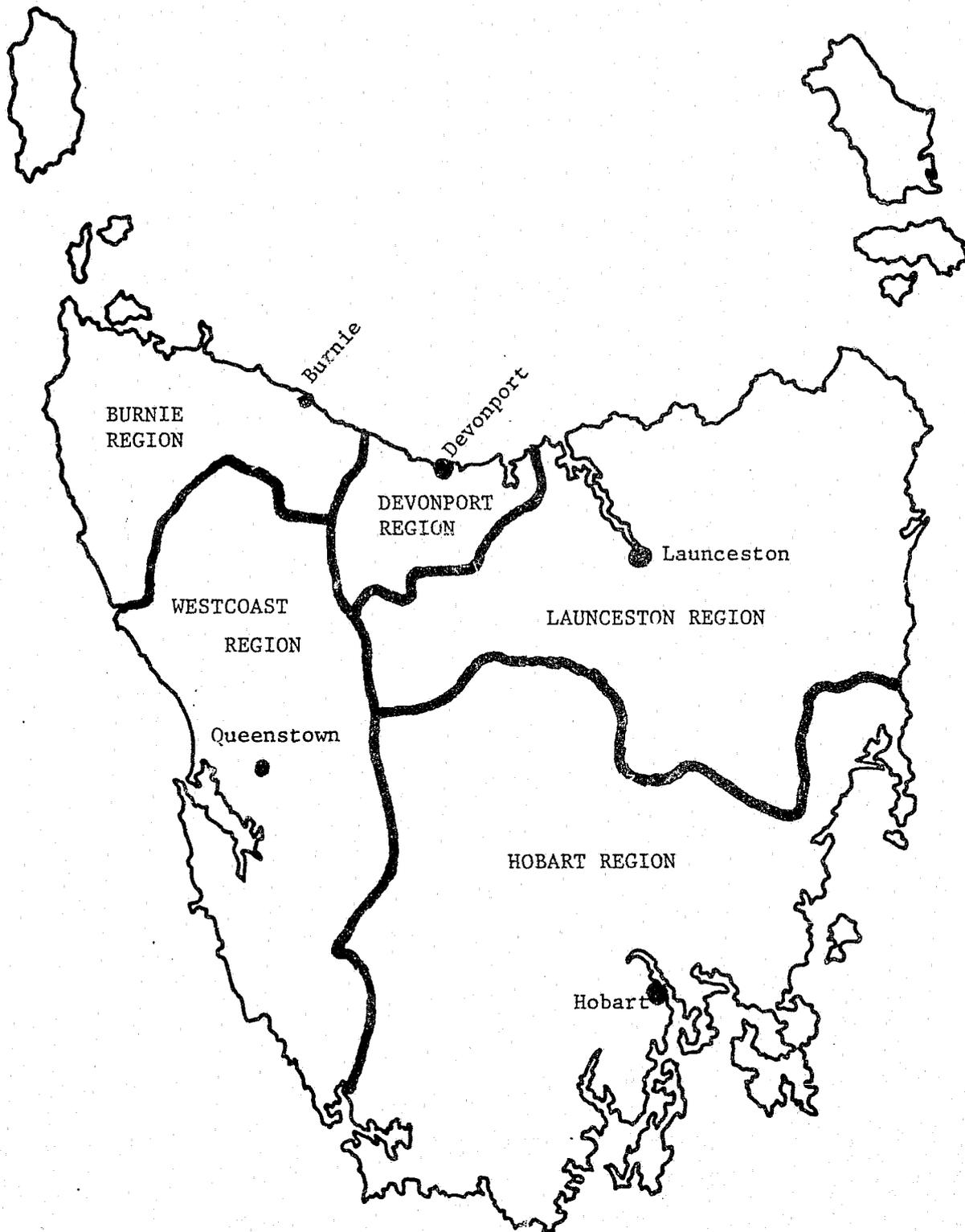


FIGURE 5.

Regional boundaries for the administration of the work order scheme.

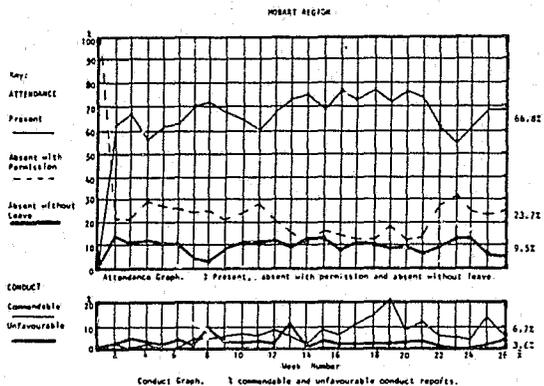


FIGURE 6 Weekly percentage attendance and conduct graphs for work order employees in the Hobart region during the 26 week period. Figure shows average for attendance, absence with permission, absence without leave, and highly commended & unfavourable conduct.

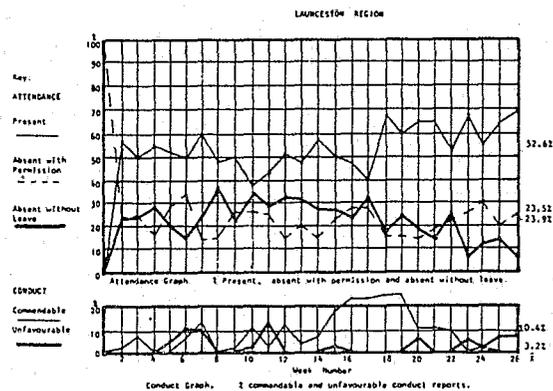


FIGURE 7 Weekly percentage attendance and conduct graphs for work order employees in the Launceston region during the 26 week period. Figure shows average for attendance, absence with permission, absence without leave, and highly commended & unfavourable conduct.

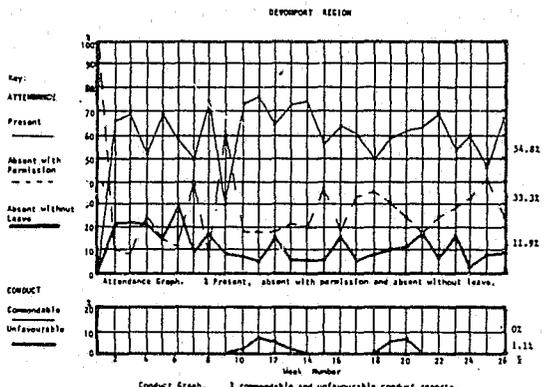


FIGURE 8 Weekly percentage attendance and conduct graphs for work order employees in the Devonport region during the 26 week period. Figure shows average for attendance, absence with permission, absence without leave, and highly commended & unfavourable conduct.

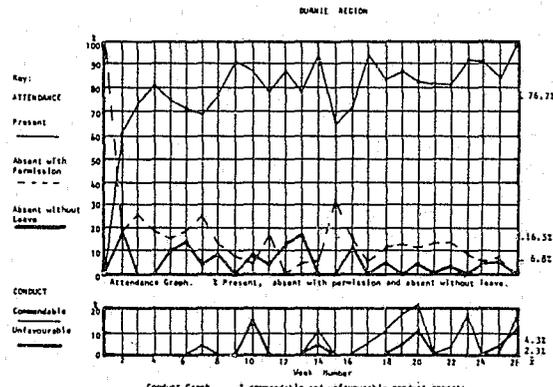


FIGURE 9 Weekly percentage attendance and conduct graphs for work order employees in the Burnie region during the 26 week period. Figure shows average for attendance, absence with permission, absence without leave, and highly commended & unfavourable conduct.

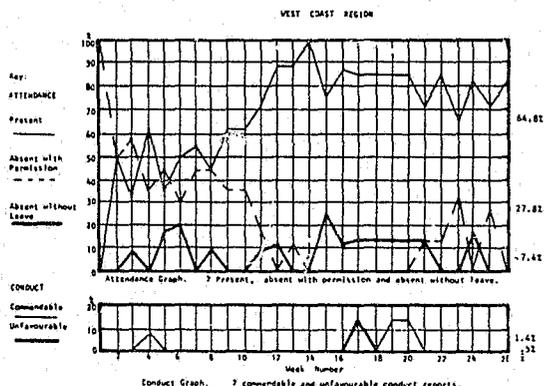


FIGURE 10 Weekly percentage attendance and conduct graphs for work order employees in the West Coast region during the 26 week period. Figure shows average for attendance, absence with permission, absence without leave, and highly commended & unfavourable conduct.

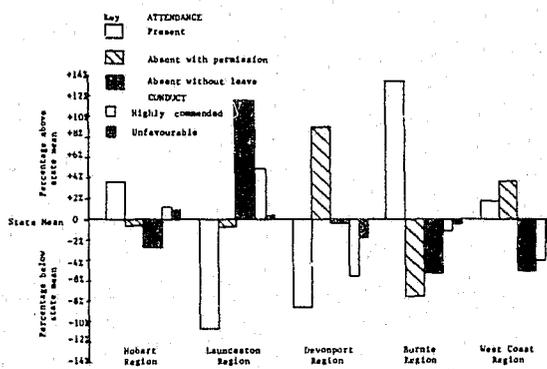


FIGURE 11 Regional differences for mean attendance and conduct presented as percentage above or below the state mean. Figure shows percentage present, absent with permission, absent without leave, and highly commended & unfavourable conduct.

for the regions is shown in Figure 11.

For each of the five variables - % present, absent with permission, absent without leave, highly commended, and unfavourable conduct, differences are presented as percentage above or below the State mean.

(a) Attendance

The Burnie region, with the highest weekly attendance score of 76.7%, exceeds the State average by 13.4%. On the other hand, the Launceston region has the lowest weekly attendance of 52.6%, or 10.7% below the State mean.

The rates for absence without leave follow a similar trend. The Burnie region has the lowest rate of 6.8% (5.5% below the State average), while the launceston region has the highest AWOL rate, 23.9% (11.6% above the State average).

(b) Conduct

Bearing in mind the relative attendance scores for the Burnie and Launceston regions, the weighting of excellent and poor conduct reports for the two appears to be inconsistent with the implication that the scheme is operating more effectively in Burnie.

The average rates for excellent and poor conduct reports for the State as a whole are 5.5% and 2.8% respectively. However, the Launceston region, which has the lowest rate of attendance and the highest AWOL rate, also has the highest rate for excellent conduct reports - 10.4%, nearly double that of the State average. At the same time, the poor conduct rate of 3.2% is only 0.4% above the State average.

On the other hand, the Burnie region which has the highest attendance and lowest AWOL rates, scores less than the State

average for excellent conduct reports - 4.3%, or 1.2% below - and only slightly less than the State average for poor conduct reports - 2.3%, or 0.5% below.

The discrepancies between attendance and conduct ratings for the two regions may be explained with reference to objective and subjective measures. Whereas attendance is an objective measure - either the employees are present or they're not! - the rates for excellent and poor conduct reports are dependent on the attitude of the person who issues them.

It may be that the regional administrator for the Burnie region EXPECTED Work Order employees to toe the line, and did not give either good or bad reports lightly. The high attendance and low incidence of AWOL and absence with permission seem to indicate that the administrator ran a tight ship.

The attitude of the administrator for Launceston may have been a little more lenient, making him relatively generous with the issue of good conduct reports - possibly in order to balance against the poor attendance.

When an employee turned up for a project - and at a weekly attendance of 52.8% it was only slightly more than every other person who did so - the relative rarity of the event may have been deemed worthy of a good conduct report. However, the issue of good conduct reports as a possible compensation for poor attendance is NOT evident in the Devonport region which, like Launceston, has a below-average attendance. Out of a weekly average of 37 males employed on Work Order projects in the region over the 26 weeks, not one was issued with a good conduct report. Reassuringly, only 1.1% were issued with poor conduct reports.

Notable here is the marked increase in excellent conduct rates for the Hobart, Launceston, and Burnie regions after the 14th week. The increase was apparent for approximately six weeks. This could well have been due to the effect of an interim report given by the researcher to the State Probation Officers, among whom were the Regional Administrators. The accompanying talk, which included regional comparisons, appears to have boosted morale and increased competition - each administrator was keen to have his region look "good". Of course, the attendance rates are unlikely to have been directly influenced by the increased motivation of the administrators, but the subjective conduct reports can be influenced more readily, and apparently were.

Using five variables as a measure of the operation of the Scheme in each region has the advantage of accuracy in specific details but it does not make for ease of regional comparisons in an overall sense. To overcome this problem each region has been given a rating based on the formula $\% \text{ attendance minus } \% \text{ AWOL}$, thereby giving a regional Rate which can be directly compared between regions.

The rates, as shown in Table 3, range from a top of 69.9 for Burnie to a low of 28.7 for Launceston. An analysis of variance testing for significant differences is significant at the .05 level.

Table 3 gives the figures for percentage attendance and AWOL for each of the five regions. As well as the Rate, a regional Score has been calculated. The formula used combines the objective attendance figures with the more subjective values for conduct ($\% \text{ attendance minus } \% \text{ AWOL plus excellent conduct minus poor conduct}$). However, the F.

TABLE 3

Rank order of administrative work order regions according to Rate (% attendance minus % AWOL) and result of analysis of variance testing for significant differences. Also shown are % attendance, % AWOL, and Score (% attendance minus % AWOL plus % excellent conduct minus % poor conduct), and the result of their respective analyses of variance.

Region	Rate	Attendance	AWOL	Score
Burnie	69.9	76.7	6.8	70.6
West Coast	57.4	64.8	7.4	58.3
Hobart	57.3	66.8	9.5	60.4
STATE MEAN	50.9	63.3	12.3	52.8
Devonport	42.9	54.8	11.9	39.8
Launceston	28.7	52.6	23.9	31.1
F.	3.1060	3.4138	2.7053	2.2828
df.	4/29	4/29	4/29	4/29
p.	<.05	<.05	<.05	>.05
Sig.	X	X	X	NS

value of 2.28 is not statistically significant at the .05 level.

The results of the analysis of variance tests for significant differences in attendance and conduct between regions are also given. Both are significant at the .05 level.

The question now arises as to why the rates are so markedly different between the regions: Could the differences be accounted for by the fact that some of the regions had a paid supervisor, other than the administrator, who visited the various projects once or twice each Saturday to check on any problems? Indeed the Burnie region did have a paid supervisor, but so did Launceston. On the other hand, the West Coast region, which ranks second, did not. The size and number involved in the Hobart region meant that only some sub-regions or specific projects were under the control of a paid supervisor. The Devonport region, ranking second last and with a Rate value below the State mean, did not have a paid supervisor.

It would appear there is no direct relationship between the employment of a paid supervisor and the regional differences in Rates.

What about differences between administrators? The administrators for the Burnie and the West Coast regions had a policy of giving a remission of one in every ten Work Order days if the employee's performance was satisfactory. It did not take long for the word to get around, and the effect seems to be evident in Tables 1 and 3. In Table 3 the Burnie and the West Coast regions are first and second in their Rate value. Not only is the overall performance in the two regions better than in other regions, they also have a smaller proportion of individuals whose performance is unsatisfactory, individuals AWOL, and a higher

proportion of individuals with excellent conduct - as shown in Table 1.

There are no grounds for suggesting that perhaps a softer line towards employees was taken in the Burnie and the West Coast regions. Both have a higher proportion of individuals in custody, absconding, and breached than in the other areas.

The Hobart region, third in rank order according to Rate, has its own unique problems. With the largest single proportion of the Work Order force - 59%, or 259 people - there is the question of how many supervisors would be required to cover such a large area and keep a check on an average of 107 people per week. In the Hobart region there was *only one paid supervisor to look after 107 people.*

The Regional Administrator acted as overseer for the Eastern Shore area involving between 30 and 40 individuals. However, there was no supervisor for the large Western Shore area and the New Norfolk and Channel areas. In spite of this, the Rate value for Hobart region is still 6 points above the State average.

The Devonport region ranks second last and 8 points below the State mean in its Rate value. Notable here is the high incidence of absence with permission - 36%. This can be attributed to a high level of illness (particularly where employees had been involved in motor vehicle accidents), and the number of projects suspended.

The Individual Assistance project type has not yet been fully developed in the Devonport region where the emphasis has been on the less successful Impersonal Group Projects. Under these circumstances the unavailability of one supervisor can mean that many of the Work Order employees have to be stood down. Further development of Individual

Assistance Projects could boost the Devonport Rate.

In spite of the employment of a paid supervisor the Launceston region ranks last, with a rate of 28.7, or 22.2 below the State average. The fault to a great extent lies with the administrator who showed little imagination or initiative in the selection and implementation of projects. On the administrative level a lack of contact with the community and a denigrating attitude to the Scheme as a whole was apparent. It was claimed that it took up too much time - time which was needed for normal daily administration work.

The Launceston Regional Office, with six stipendiary Probation Officers, is second in size only to the Hobart office - while the average number of Work Order employees involved each week (27) was less than the Devonport region whose two Probation Officers deal with 37 Work Order employees - and less than the Burnie and the West Coast regions where three Probation Officers look after 30 Work Order employees.

The selection of inappropriate projects and a lack of involvement on the administration side seem to be the main causes for the Launceston region's poor showing relative to other regions in the study. If steps were taken to boost morale in the region, including the proper development of new projects and the recruitment of more involved honorary supervisors, no doubt this would have a positive effect on Launceston's Rate value.

Consideration of regional differences only goes part way in the overall analysis of the factors affecting the Scheme's successful operation. The project types also have a bearing on performance.

THE TYPES OF PROJECTS:

The performance graphs for Individual Assistance, Personal Group, and Impersonal Group projects are shown in Figures 12-14 respectively. A comparison of the mean results, with project differences expressed as percentage above or below the State mean, is shown in Figure 15. Table 4 gives the rank ordering of project types according to their Rate value. As shown, Rate values vary from 66.4 for Individual Assistance projects to 41.5 for Impersonal Group Projects.

Comparing the rates, an analysis of variance test for significance differences is significant at the .05 level. It would appear that from a performance point of view Individual Assistance Projects are by far the most successful (Rate value 66.4, or 15.5 above the State mean).

Personal Group projects rank second with a Rate value of 53.5 - 2.6 above the State mean and, lagging behind, Impersonal Group Projects with a Rate value of 41.5 fall 9.4 points below the State mean.

Before drawing any conclusions from these figures the process of allocating Work Order employees to projects and individual preferences amongst the employees should be taken into account. For example, a certain amount of pre-selection must obviously take place while some individuals prefer to work on Group projects. The pre-selection relates to matching the type of offender with the project. It would be unreasonable to place a foul-mouthed, violent 18-year old on an Individual Assistance Project with a sensitive 85-year old religious widow. Crimes associated with dishonesty or alcoholism also restrict placement on particular types of projects.

In the early stages of the Scheme there was a marked apprehension on the part of the pensioners to the prospect of having "criminals"

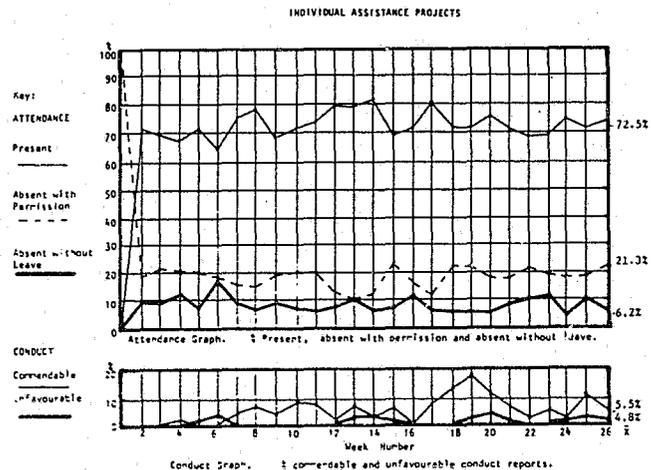


FIGURE 12 Weekly percentage attendance and conduct graphs for work order employees on individual assistance projects during the 26 week period. Figure shows average for attendance, absence with permission, absence without leave, and highly commended & unfavourable conduct.
 $\bar{X}_n = 68.$

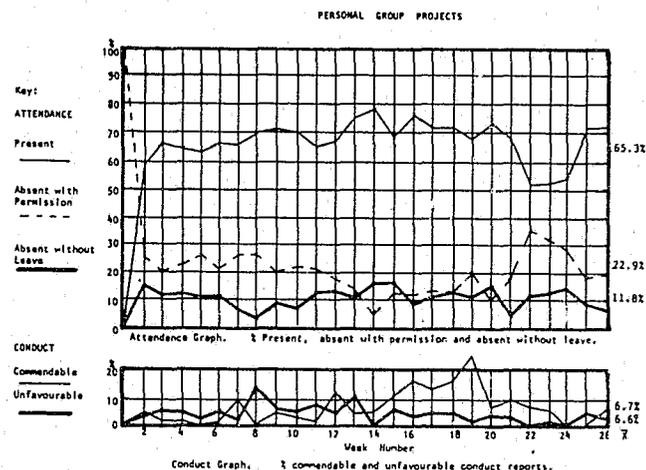


FIGURE 13 Weekly percentage attendance and conduct graphs for work order employees on personal group projects during the 26 week period. Figure shows average for attendance, absence with permission, absence without leave, and highly commended & unfavourable conduct.
 $\bar{X}_n = 62.$

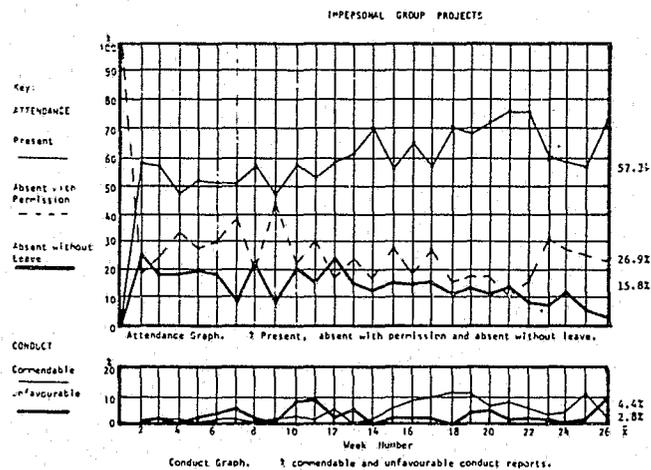


FIGURE 14 Weekly percentage attendance and conduct graphs for work order employees on impersonal group projects during the 26 week period. Figure shows average for attendance, absence with permission, absence without leave, and highly commended & unfavourable conduct.
 $\bar{X}_n = 71.$

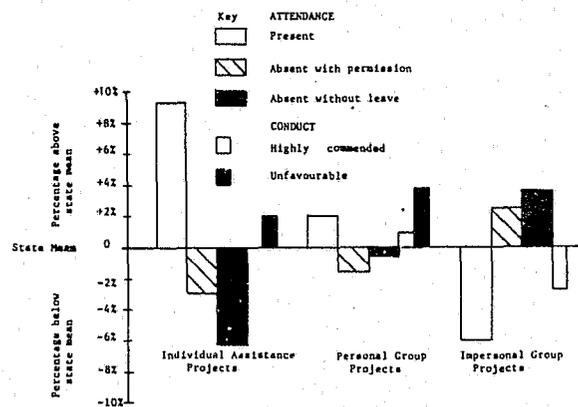


FIGURE 15 Project differences for mean attendance and conduct presented as percentage above or below the state mean. Figure shows percentage present, absent with permission, absent without leave, and highly commended & unfavourable conduct.

TABLE 4

Rank order of types of work order projects according to Rate (% attendance minus % AWOL) and result of analysis of variance testing for significant differences.

Also shown are % attendance, % AWOL, and Score (% attendance minus % AWOL plus % excellent conduct minus % poor conduct), and the result of the respective analyses of variance.

Project Type	Rate	Attendance	AWOL	Score
Individual Assistance Projects	66.4	72.5	6.2	71.5
Personal Group Projects	53.5	65.3	11.8	53.6
STATE MEAN	50.9	63.3	12.3	52.8
Impersonal Group Projects	41.5	57.3	15.8	42.9
F.	3.38096	4.1326	1.9237	3.1492
df.	2/27	2/27	2/27	2/27
p.	<.05	<.05	>.05	>.05
Sig.	X	X	NS	NS

working around their homes. This apprehension can be understood and was to be expected. Few aged people who have raised children according to certain moral standards would then seek to become directly involved with "criminal" elements - a section of the community about which they know little apart from hardly re-assuring reports in the media.

Careful matching of offenders with supervisors has to a great extent overcome this apprehension and instilled confidence in the pensioner's ability to "cope". The effectiveness of the pre-selection programme is borne out by reports of some pensioners who now feel confident enough to specifically ask for "problem cases". There are also examples of social relationships developing between the pensioner and the Work Order employee - where offenders have continued to work for a pensioner after they have fulfilled the requirements of their Work Order until someone else can take over the project; pensioners appearing in court on behalf of Work Order employees who have been charged with further offences. Instances of employees working back on Personal Group Projects have also occurred.

No project type has escaped a certain number of breakdowns, but in an overall sense the Individual Assistance projects seem to allow for greater scope in bringing out the best in people - both the pensioner and the Work Order employee.

THE PROJECTS

Successful as the Personal Assistance projects may have been an Impersonal Group project had the highest Rate value of all projects studied. The rank order of projects according to their Rate value is shown in Table 5.

On the basis of these rate values the projects fall into three

TABLE 5

Rank order of Work Order projects according to Rate (% Attendance - % AWOL) and result of analysis of Variance testing for significant differences. Also shown are % Attendance, % AWOL, and Score (% Attendance - AWOL + % Excellent Conduct - % Poor Conduct) and the result of the respective Analyses of Variance.

Region	Type	Project	Rate	Attendance	AWOL	Score
Hobart	Impersonal Group	Eastern Shore	84.2	85.9	1.7	80.7
Hobart	Individual Assistance	Country pensioners	77.1	77.1	0.0	112.1
Launceston	Individual Assistance	Launceston pensioners	76.9	76.9	0.0	61.5
Burnie	Individual Assistance	Burnie pensioners	75.9	80.0	4.1	62.0
Burnie	Impersonal Group	Burnie Park	71.1	78.4	7.2	43.4
Hobart	Individual Assistance	Eastern Shore pensioners	70.3	71.2	0.9	89.5
Hobart	Impersonal Group	Country areas	62.9	71.5	8.6	61.1
Hobart	Personal Group	Eastern Shore	62.1	76.4	14.2	60.2
Burnie	Individual Assistance	Circular Head pensioners	61.3	73.5	12.2	63.3
West Coast	Impersonal Group	West Coast projects	60.7	68.4	7.7	58.7
Hobart	Personal Group	Walkabout Workshops	60.4	69.4	9.0	60.4
Hobart	Personal Group	Western Shore	59.9	68.3	8.5	32.6
Hobart	Personal Group	Lady Clark	58.5	67.6	9.1	53.2
Hobart	Personal Group	Yalabee	58.2	69.9	11.7	-24.1
Hobart	Personal Group	Lillian Martin	57.6	67.1	9.4	1.6
Launceston	Personal Group	Launceston projects	56.5	67.2	10.7	75.5
Hobart	Impersonal Group	Poimena	55.3	62.3	7.0	20.6
Devonport	Individual Assistance	Devonport pensioners	54.9	66.6	11.6	43.4
Hobart	Individual Assistance	Western Shore pensioners	54.5	66.0	11.5	31.2
Launceston	Impersonal Group	VDL Railway	53.3	61.7	8.5	49.9
Hobart	Personal Group	Country areas	51.8	61.2	9.4	24.5
STATE MEAN			51.0	63.3	12.3	53.7
Hobart	Impersonal Group	Mt Stuart	44.7	56.7	12.0	46.9
Devonport	Impersonal Group	Pioneer Cemetery	43.4	50.0	6.6	43.4
Hobart	Impersonal Group	University	42.3	56.3	14.0	57.0
Devonport	Impersonal Group	Don Railway	36.0	47.2	11.2	28.0
Devonport	Impersonal Group	Latrobe	17.1	36.1	19.0	-16.2
Hobart	Personal Group	Corumbene	14.2	42.2	28.0	-39.6
Launceston	Impersonal Group	Launceston projects	14.1	41.9	27.8	6.7
Launceston	Impersonal Group	St Oswalds	-5.4	37.8	43.2	-21.4
Launceston	Impersonal Group	Canine Defence	-14.6	34.9	49.5	-10.8
F.			10.72	6.41	11.42	6.89
P.			<.01	<.01	<.01	<.01
Sig.			XX	XX	XX	XX

distinct groups -

The top six projects ranging from 70.3 to 84.2.

A drop of more than seven points to the middle group which has a range between 36 and 62.9 and includes the largest proportion of projects.

The third group involves five projects and is separated from the middle group by almost 19 points.

The Rate values in group three range from minus 14.6 to 17.1.

Comparing Table 5 with Tables 3 and 4 some anomalies are immediately apparent.

The rank ordering shown in Tables 3 and 4 would imply that Burnie projects and Individual Assistance Projects should take the top positions. On the other hand, Launceston and Impersonal Group Projects should fall into the bottom grouping. However, the two top projects were undertaken in the Hobart region and a Launceston project had the Third highest Rate value. Although four of the top six projects were of the Individual Assistance type, two Impersonal Group projects were among the top six - one from Hobart and the other from Burnie. The Hobart Impersonal Group project ranked the highest of the lot.

It would, therefore, appear that some factors other than the region and project type had a bearing on performance. The anomalies in Table 5 can be explained with reference to differences between administrators, supervisors, and ineffective matching of offenders to supervisors. These factors need not necessarily be taken into consideration for the five bottom projects, which tend to comply with the findings of Tables 3 and 4.

The three projects scoring the lowest Rate values were undertaken in the Launceston region, and of the five, four projects came under the

Impersonal Group category. Figures for percentage attendance, AWOL and Score are also given in Table 5, together with the results of Analysis of Variance Tests for significant differences.

THE WEATHER

The effect of the weather on Work Order attendance is shown in Table 6. Using the same four variables - attendance, AWOL, the Rate, and the Score - t tests were conducted to test for significant differences.

The Table shows that inclement weather *DOES* have an effect on the rate of attendance - more people turn up in poor weather than in good weather - but it has no effect on the AWOL rate. Thus, if attendance increases in poor weather and the AWOL rate remains the same, the higher numbers attending must come from the category who would normally be absent with permission. The majority of these would no doubt come from the 7.8% of the Work Order force who claim sickness each week, and the 5% who are working for their employers. Two-thirds of the offenders placed on Work Orders are unskilled workers (see section 3), who would often be required to work outside. Inclement weather often means that they are "stood-down" from their normal employment making them available for their Work Orders.

When the weather is unsuitable for a particular type of project the Work Order employee is given an early dismissal - usually within a couple of hours of reporting - but he is still credited with a full day's work. Attendance in poor weather conditions implies that little, if any, work will be required of the employee. Simply by reporting for duty he will be complying with his Work Order instructions - the rest of the day is then free to use as he chooses.

TABLE 6

t test of the effect of the weather on work order attendance.

Weather	No. of Project-weeks	- X	S.D.	t.	p.	Sig.
<u>ATTENDANCE</u>						
Fair	506	.6084	.295	-3.15	.029	X
Foul	178	.6868	.257			
<u>AWOL</u>						
Fair	506	.1311	.202	.01	.991	N.S.
Foul	178	.1309	.189			
<u>RATE</u> (% attendance - % AWOL)						
Fair	506	.4772	.424	-2.16	.031	X
Foul	178	.5558	.402			
<u>SCORE</u> (% attendance - % AWOL + % Excellent conduct - % Poor conduct)						
Fair	506	.3451	.746	-1.36	.173	N.S.
Foul	178	.4341	.757			

COURT BREACHES - AND THE CONTAGION ELEMENT

The effect of court breaches was studied to determine whether there was any rub-off element when one of the employees was breached for failing to comply with Work Order instructions. The t test carried out showed no significant effect on Work Order attendance, but a minor *negative* effect is shown in the AWOL rate - that is, there was a slight increase in the AWOL rate after one of the working party had been breached for non-compliance with Work Order instructions.

ANECDOTAL EVIDENCE

The use of only one measure without reference to any of the other factors in operation could make the Work Order Scheme appear either a resounding success or a dismal failure.

Of course breakdowns occur. During this study an average of 11% were absent without leave each week, 7% absconded, 10% spent some time in custody, and 3% were breached for non-compliance with Work Order instructions. Whatever the criterion used the Scheme, but its very nature, should not have a 100% success rate. The aim of the Work Order Scheme is to give the offender another chance. If the Scheme had a success rate of 100% the implication would be that the selection procedure was too stringent with only the cream of the offenders being given the opportunity to take part. Many offenders who, given the chance, might have made a go of it would therefore be precluded from the Scheme.

The level of breakdown to be tolerated should be determined by the social acceptability of the Scheme - its public image - and as to whether such breakdowns have a chain reaction effect.

The conduct figures for the State as a whole with the rate of favourable conduct reports almost double that of unfavourable reports,

TABLE 7

t test of the effect of court breaches
for non-compliance with work order instructions
on work order attendance.

Breaches	No. of Project- weeks	- X	S.D.	t	p	Sig.
<u>ATTENDANCE</u>						
No breaches	675	.6291	.289	.29	.776	N.S.
Breaches	9	.6016	.153			
<u>AWOL</u>						
No breaches	675	.1292	.198	-2.18	.030	X
Breaches	9	.2737	.177			
<u>RATE</u> (% attendance - % AWOL)						
No breaches	675	.5000	.421	1.22	.222	N.S.
Breaches	9	.3280	.312			
<u>SCORE</u> (% attendance - % AWOL + % Excellent conduct - % Poor conduct)						
No breaches	675	.3694	.751	.35	.730	N.S.
Breaches	9	.2825	.606			

seems to augur well for the public image of the Work Order Scheme.

The statistics have been examined and have their own part to play in the quantitative description of the Work Order Scheme, but they do not tell the full story. Consideration should also be given to some of the anecdotal evidence - details of some of the outstanding successes and failures. The most outstanding failure concerned a Work Order employee, a young compulsive thief, who was working for a pensioner. The pensioner leased a small flat at the back of her house to a young couple who were absent for a period of time, leaving a purse and money behind an unlocked door! It does not take too much imagination to piece the story together: the employee stole the money and was picked up shortly afterwards. This is the only breakdown of this kind which has occurred.

Another example of a breakdown - of a less serious nature this time - concerned an employee who did a "break and enter" job when he should have been working on a Work Order project.

Not all breakdowns, however, can be attributed to the Work Order employee; at times it is the supervisor at fault. A Minister of religion was appointed supervisor for Work Order employees in the rural area in which he worked. The suggested projects had been passed by the Work Order Projects Committee and involved cleaning up the cemetery around the Church, working on the Church itself, and providing assistance for pensioners in the area. Work Order supervisors may claim a nominal \$20 a day, together with some allowance for travelling expenses. This particular supervisor claimed the full allowance allowed. It was a number of weeks before the discovery was made that he was capitalising on the Scheme to have his own private garden maintained and improved by Work Order employees.

Along the same line, an employee was placed with a deserted housewife who had a number of children and needed help around the home. Not long after acquiring the services of the Work Order employee she took in a boyfriend who then established himself on the verandah, can of Foster's in hand, and proceeded to issue instructions and ultimatums to the employee.

These are the more notable breakdowns to date, which are balanced by some of the outstanding successes.

An illustration of a Work Order success story where pensioner supervisors offered to appear in court on behalf of an employee concerned a 40-year old alcoholic.

At the time the employee had completed 14 of the 20 days of the Work Order to which he had been sentenced for a charge of driving whilst disqualified. He was taken from the project facing charges related to a previous offence and held in custody for three weeks pending a pre-sentence report.

The administrator for the region received at least three 'phone calls and several other reports from concerned pensioners for whom the Work Order employee had been working. They wanted to know if there was anything they could do to be of assistance to the employee who had done so much for them. Among those who were prepared to appear in court were some who were either incapacitated or handicapped. Their willingness to help would in itself have caused them some personal hardship. The administrator assured the pensioners that he would incorporate their comments in the pre-sentence report.

Later in court, the magistrate complimented the employee on the

attitude of the elderly folk and offered him a further Work Order of 20 days for the previous offence. After completing the sentence, on several occasions the employee continued to work for the pensioners on a voluntary basis.

The construction of an adventure playground at a Home for retarded children has proved one of the more successful Personal Group projects undertaken in the Hobart region. Over the period of the programme four young employees have put in a considerable amount of time over and above the requirements of their Work Orders. One of them has worked for seven Saturdays beyond the original 20 to which he was sentenced. The group included one lad who had spent most of his own youth in various institutions. As well as working on the Work Order project each Saturday he would return on Sundays when he organised games for the children and lent any other assistance he could towards the running of the Home.

The success of the Individual Assistance projects relative to other types of projects was illustrated in a case involving a 17-year old youth who was originally assigned to work with a group. After it seemed apparent he was not settling into the project he was sent to work for an elderly pensioner with whom he completed his Work Order in a satisfactory manner. With the completion of his sentence no one else had been appointed to take over from him, and the Work Order employee gave up another five of his Saturdays to help the pensioner until a suitable replacement had been found. In the meantime, his girlfriend kept his pensioner supervisor company.

The experience of being involved in the Work Order Scheme has had a considerable influence on the life of a 40-year old alcoholic. Sentenced to a Work Order for driving whilst disqualified the employee

had an extensive record of imprisonment and unstable employment. He was invited to discuss the Scheme with the administrator for the region, but was ordered from the office when he turned up drunk. At an interview the following day the administrator told the employee he would be placed on a group project. His problem with drink could lead to other problems if he was placed on a one-to-one basis with a pensioner. Furthermore, he could not be trusted to attend on a regular basis. The employee warned that his placement with a group would only serve to compound the drinking problem. Once the day's work was finished he would no doubt head down to the pub with the other employees on the project. The administrator decided to give him the chance to prove himself, but subject to the strictest supervision. Over the next 12 weeks the employee worked on the garden of a pensioner who later commended him as an extremely good worker. The people in the area also commented on the quality of his work, and the garden has now become the show piece of the street. Since completing the programme the Work Order employee has maintained contact with the regional administrator and has found a stable job - determined not to be out of work again. His wife reports that his drinking habits have moderated and he has a greater sense of pride and responsibility, now taking an active interest in maintaining his *own* garden.

Social relationships developing between a Work Order employee and his pensioner supervisor are not uncommon in the Work Order programme. One case in particular concerned a young lad who was assigned to assist a pensioner couple after being convicted of a drug offence. The couple, an elderly woman and her husband who was dying of cancer, are reported to have looked forward to each Saturday when the employee would come to

work in the grounds of their home, to such an extent that only on Saturdays did the dying man get out of his bed and begin to show an interest in what was going on around him. He would sit in the garden talking to and discussing work with the employee. When the Work Order had been completed and it was time to leave all three - the husband, the wife, and the employee - were in tears. Since that time social contact has been maintained.

A timely change of project saved one Work Order employee from contributing to the statistics related to the failure rate of the Scheme. The case involved an offender who was frequently in fights and had an extensive record. Known as 'Dracula', he began to cause trouble shortly after beginning work on a group project. More often than not he was absent from the project and prosecution was imminent when, as a last resort, he was re-assigned to an elderly people's Home. The pensioner supervisor for whom he was to work had already supervised the work of other employees over a number of years, and in spite of this experience she expressed the pessimistic view that this was one case with which she would *NOT* be able to cope.

As the weeks went by the employee's conduct reports improved until finally his behaviour was exemplary. The pensioner supervisor later died, but the relationship she had built up with the Work Order employees was apparent in their grief at her death. The employee mentioned in this example then took it upon himself to initiate his own assistance projects for pensioners living in the Home until a new supervisor had been appointed.

A sense of pride and achievement in the Work Order Project is

apparent in many of the Scheme's success stories. There are several examples of employees who have put in time over and above that required of them to see the project through to its end. One involved a 42-year old employee with a long history of crimes related to violence. A concrete finisher by trade, he was assigned to a project at a local Priory which involved work relevant to his own skills. The employee assumed the role of unofficial supervisor and often came back late in the afternoon to finish off some work begun that day. As a result, 40 yards of concrete were laid - a necessary addition to the often water-logged grounds.

P A R T I I I

COMPARISON OF WORK ORDERS

AND IMPRISONMENT

This section of the Report describes the characteristics of the 1974 Work Order group and compares their recidivism with the short-term imprisonment group of the same year.

M E T H O D

An analysis was made of all males given work orders in 1974 and of all males given a prison sentence of up to three months in 1974. Females were not considered in this study as it was felt that the small proportion involved (approximately 1 in 100) would cloud rather than clarify the issue. The data was collected from the files of the Attorney-General's Department Probation and Parole Service, the Police Department CIB, and the Prisons Department.

Work Order Group:

The work order group consisted of 340 cases - 4 cases were discarded due to lack of information.

Variables considered were:

the regional office under whose jurisdiction the individual came;

month of conviction;

age at conviction;

occupational status, according to the Congalton Scale;

stability of work record. The criterion used for an unstable work record was 4 or more changes of employment in the preceding twelve months.

marital status;

family background: regular or irregular.

Irregular signifies any irregularity in the family relationships, such as loss of one parent through death, divorce, or separation, for single males, or defacto relationships for those married;

education. Number of years at school;

intelligence. Above average, average, or below average. The classification used was generally on the estimate provided by the supervising probation officer unless an IQ score was available on the individual's file. These scores, when listed, were invariably below average;

literacy. Known illiterates and sub-literates were recorded as such;

whether or not the individual was represented in court;

whether alcohol was considered to have played a part in the offence;

the type of primary offence on which convicted. The person may have committed a number of offences for which he made one court appearance. The classification of primary offence refers to the main charge laid against the offender. The categories used were -

crimes against the person;

property;

conduct; and

other - which in this study were all traffic.

The classification is the same as that used by the Bureau of Census and Statistics.

Number of work order days given in the one court appearance. Although only one offence is listed in the category "type of offence", the individual may have been convicted of more than one offence in any one sitting. This means that some Work Order sentences could be in excess of the maximum number of 25 work order days which can be given for any one offence;

default - if an individual absconded during his Work Order he was classified accordingly. If he missed more than 1 in 10 days without a proper excuse he was classified as defaulting;

previous record. The number and types of primary offences were recorded. The offences were classified as those dealt with in Children's Court, crimes against the person, property, conduct, or other. Each court appearance was counted only once according to the primary offence. The number of charges and convictions at each appearance were not counted;

previous number of prison sentences served. Wholly suspended prison sentences were not counted;

recidivism. This was scored according to the frequency and type of offences. All individuals who were convicted of another offence before 30 June 1975 were classified as recidivists. This allowed a maximum of 18 months and a minimum of 6 months as individuals were sentenced at different times through 1974;

Type of sanctions used for recidivists -

fine;

probation;

work orders; or

prison.

Prison Group:

Complete information was not available for the prison group, but such information that was available was used. Defaulting in the prison group was obviously not the same as defaulting in the work order group. After all, it is not quite so easy to abscond or fail to report whilst in prison as it is on a work order.

In the prison group any misbehaviour which resulted in a charge being proved (entered in red on the prison file) was considered defaulting and classified as such.

RESULTS AND DISCUSSIONCharacteristics of the Work Order Group

The characteristics of those offenders who were placed on Work Orders are shown in the pie diagrams (figures 16-23).

Most were young, with more than one-third in the 18-20 years age group. (Figure 18)

About two-thirds of the group were unskilled workers; (Figure 19)

more than half had an unstable work record; (Figure 20)

two-thirds were single; (Figure 21)

one half had irregular family backgrounds; (Figure 22)

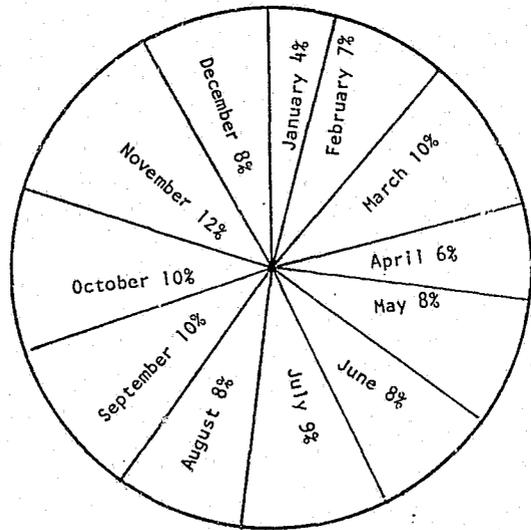
two-thirds did not complete 4th year high school; (Figure 23)

over three-quarters had an average or below-average intelligence; (Figure 24)

alcohol played a part in half of the cases; (Figure 27)

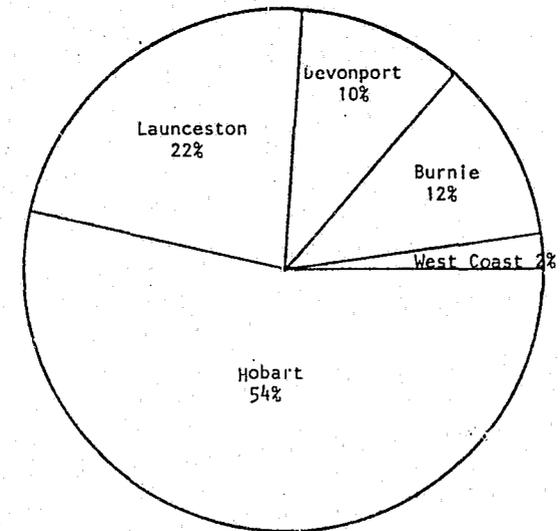
half of the work order group had committed property offences; (Figure 28)

one-third had committed traffic offences, particularly drink-drive offences or driving whilst disqualified; (Figure 29)



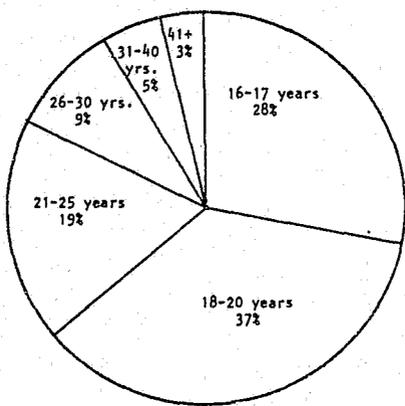
MONTH	PERCENT
January	3.5
February	6.8
March	10.0
April	6.2
May	8.2
June	8.5
July	8.8
August	7.6
September	9.7
October	10.3
November	12.4
December	7.9
<hr/>	
	100.0

FIGURE 17 Proportionate monthly distribution of individuals sentenced to work orders in Tasmania, 1974.
n = 340



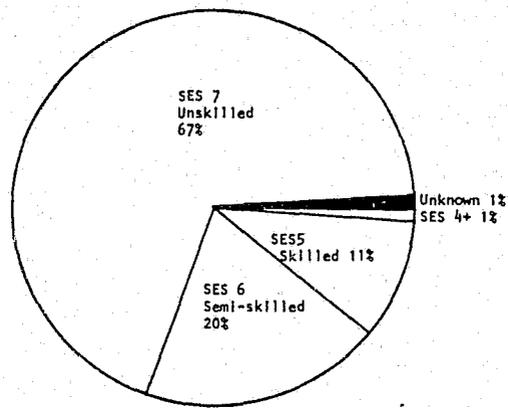
REGION	PERCENT
Hobart	53.8
Launceston	21.8
Devonport	10.0
Burnie	12.6
West Coast	1.8
<hr/>	
	100.0

FIGURE 16 Proportionate regional distribution of individuals sentenced to work orders in Tasmania, 1974
n = 340



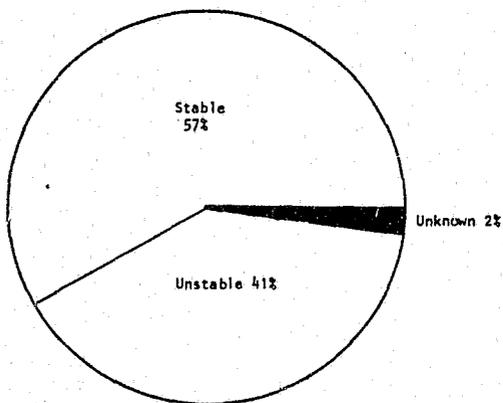
AGE	PERCENT	Mean = 21.26 years
16-17 years	27.6	Median = 19.28 years
18-20 years	37.4	Mode = 17 years
21-25 years	18.8	
26-30 years	8.8	
31-40 years	4.7	
41+ years	2.6	
	100.0	

FIGURE 18 Proportionate distribution, according to age, of individuals sentenced to work orders in Tasmania, 1974.
n = 340



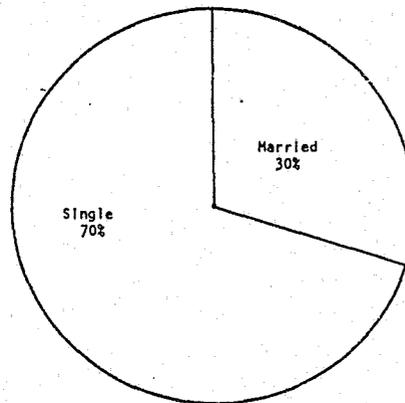
OCCUPATIONAL STATUS (Congalton Scale)	PERCENT
3	0.3
4	0.9
5	10.9
6	20.0
7	66.8
Unknown	1.2
	100.0

FIGURE 19 Proportionate distribution, according to occupational status on the Congalton Scale, for individuals sentenced to work orders in Tasmania, 1974.
n = 340



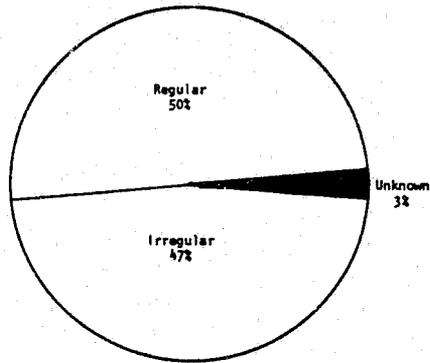
WORK RECORD	PERCENT
Stable	56.8
Unstable	40.9
Unknown	2.3
	100.0

FIGURE 20 Proportionate distribution, according to work record, of individuals sentenced to work orders in Tasmania, 1974.
n = 340



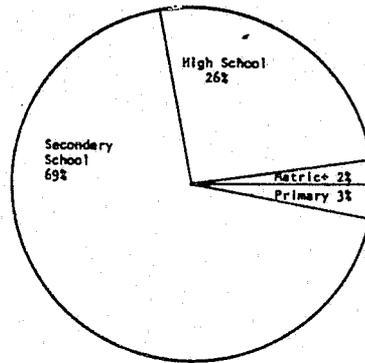
MARITAL STATUS	PERCENT
Single	70.4
Married	29.6
	100.0

FIGURE 21 Proportionate distribution, according to marital status, of individuals sentenced to work orders in Tasmania, 1974.
n = 340



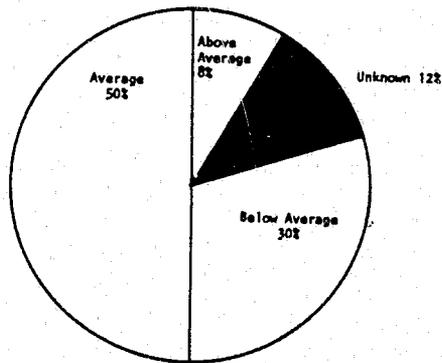
FAMILY RELATIONSHIPS	PERCENT
Regular	49.7
Irregular	47.1
Unknown	3.2
	<hr/> 100.0

FIGURE 22 Proportionate distribution, according to family relationships, of individuals sentenced to work orders in Tasmania, 1974.
n = 340



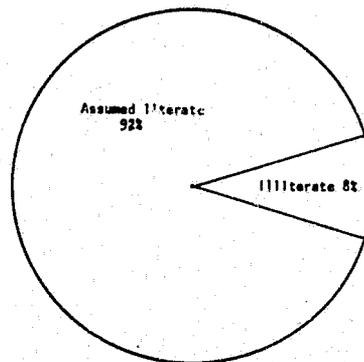
EDUCATION	PERCENT	
Primary	2.7	mean = 8.96 years at school
Secondary	69.2	median = 9.01 years at school
High	26.3	mode = 9 years at school
Matriculation	1.5	
Tertiary	0.3	
	<hr/> 100.0	

FIGURE 23 Proportionate distribution, according to educational level, of individuals sentenced to work orders in Tasmania, 1974.
n = 340



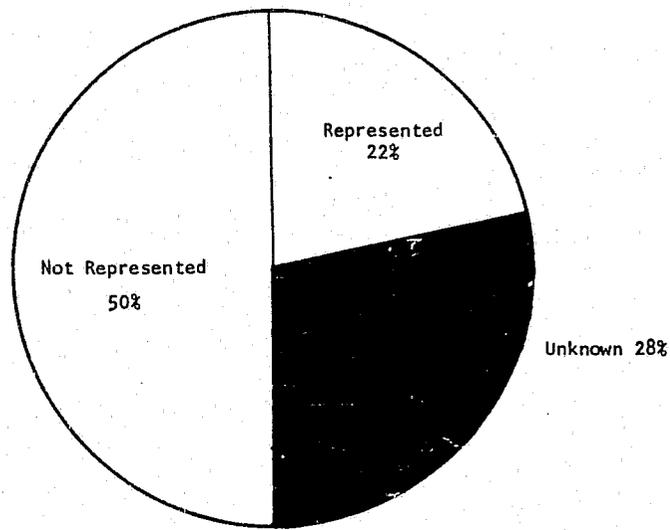
INTELLIGENCE	PERCENT
Above Average	7.9
Average	49.7
Below Average	30.6
Unknown	11.8
	<hr/> 100.0

FIGURE 24 Proportional distribution, according to estimated intelligence, of individuals sentenced to work orders in Tasmania, 1974.
n = 340



LITERARY	PERCENT
Assumed literate	91.5
Known illiterates	8.5
	<hr/> 100.0

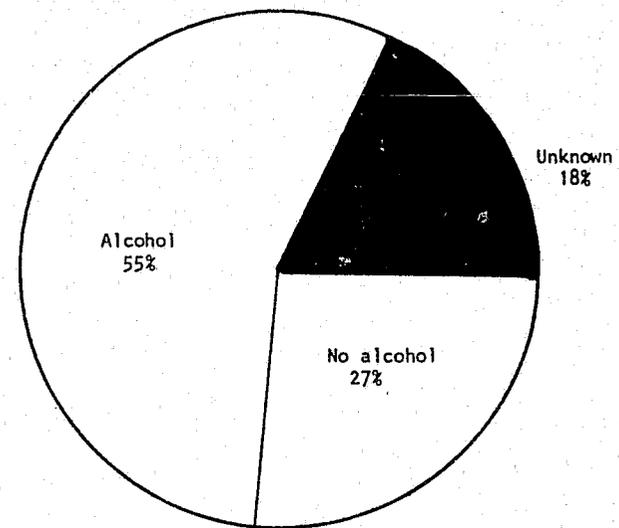
FIGURE 25 Proportionate distribution of known illiterates for individuals sentenced to work orders in Tasmania, 1974.
n = 340



REPRESENTED BY COUNSEL	PERCENT
Represented	21.8
Not Represented	49.7
Unknown	28.5
	<hr/>
	100.0

FIGURE 26 Proportionate distribution of court representation by Counsel for individuals sentenced to work orders in Tasmania, 1974.

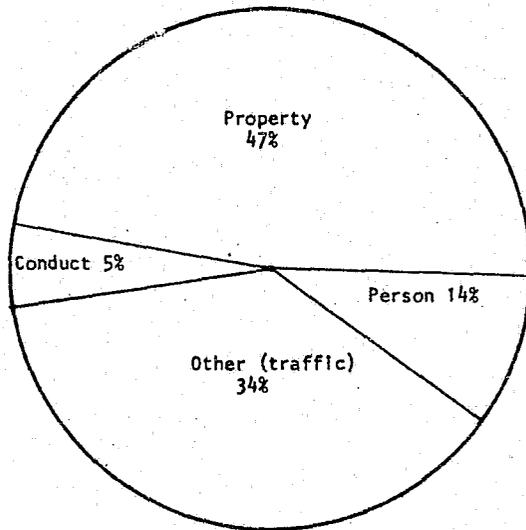
n = 340



ALCOHOL	PERCENT
Involved	55.3
Not involved	26.5
Unknown	18.2
	<hr/>
	100.0

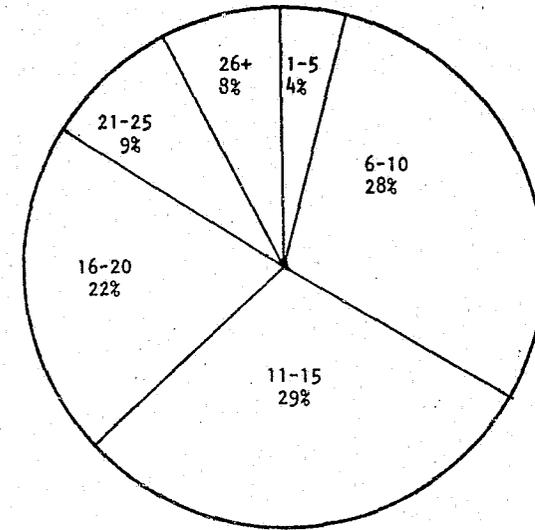
FIGURE 27 Proportionate distribution of alcohol involvement in the offence for individuals sentenced to work orders in Tasmania, 1974.

n = 340



TYPE OF OFFENCE	PERCENT
Person	14.4
Property	46.5
Conduct	5.0
Other (mainly traffic)	34.1
	<hr/> 100.0

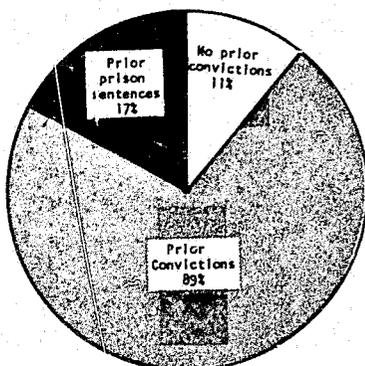
FIGURE 28 Proportionate distribution of primary offence for which individuals were sentenced to work orders in Tasmania, 1974.
n = 340



NUMBER OF WORK ORDERS	PERCENT
1-5	3.8
6-10	28.2
11-15	28.5
16-20	22.4
21-25	9.4
26+	7.6
	<hr/> 100.0

mean = 16.0
median = 14.7
mode = 10

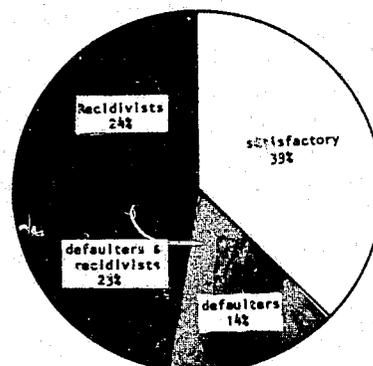
FIGURE 29 Proportionate distribution of number of work orders to which individuals were sentenced in Tasmania, 1974.
n = 340



Prior Convictions	Percent
No convictions	10.6
Convictions	89.4
	<u>100.0</u>

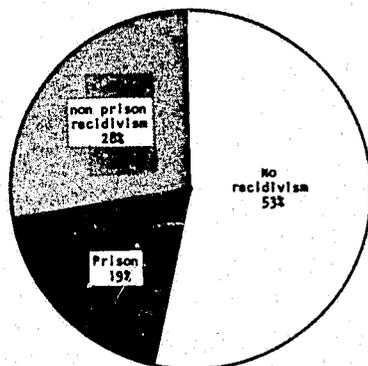
Prior Prison Sentences	Percent
No prior imprisonment	82.9
Prior imprisonment	17.1
	<u>100.0</u>

FIGURE 30 Proportionate distribution of prior convictions and prior prison sentences for individuals sentenced to work orders in Tasmania, 1974 n = 340



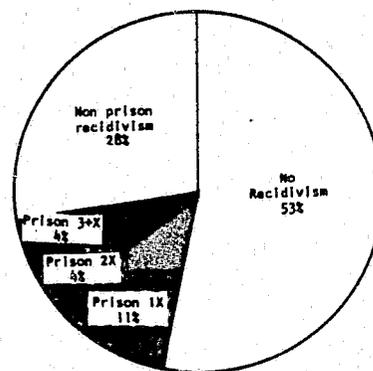
Performance	Percent
satisfactory	38.9
default	14.0
recidivism	24.0
default and recidivism	23.1
	<u>100.0</u>

FIGURE 31 Proportionate distribution of individuals sentenced to work orders in Tasmania, 1974, who defaulted on their work order and/or were convicted of further offences by the 30th June, 1975. n = 340



Recidivism/Prison	Percent
No recidivism	52.9
non prison recidivism	28.3
recidivism resulting in prison sentence	18.8
	<u>100.0</u>

FIGURE 32 Proportionate distribution of individuals sentenced to work orders in Tasmania, 1974, who were subsequently sentenced to imprisonment for further offences by the 30th June 1975 n = 340



Number of prison sentences	Percent
No recidivism	52.9
non prison recidivism	28.3
Prison 1X	10.6
Prison 2X	4.4
Prison 3X	2.6
Prison 4X	0.6
Prison 5X	0.3
Prison 6X	0.3
	<u>100.0</u>

FIGURE 33 Proportionate distribution of individuals sentenced to work orders in Tasmania, 1974, and the number of separate subsequent prison sentences imposed on them for further offences to the 30th June, 1975. n = 340

one in ten had no previous record; (Figure 30)
 less than 1 in 5 had been to prison before; (Figure 30)
 one-third completed their Work Orders satisfactorily; (Figure 31)
 nearly half were subsequently convicted for further
 offences; (Figure 31)
 less than 1 in 5 subsequently went to prison. (Figure 32)

On an average, 10-16 work order days were given for any one offence. A sentence of this length takes from 2½ to 4 months to complete.

Two criteria were used as the basis to determine the breakdown rate:

defaulting in attendance; and
 recidivism.

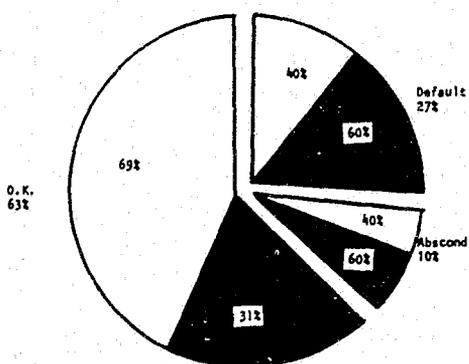
Defaulting:

Given this group of people, what are the characteristics of those who defaulted? The pie diagrams in Figures 34-41 show the relationship between defaulting and those variables which are significantly related to defaulting. χ^2 frequency tables are also given.

Two-thirds of the defaulters had an unstable work record. However, nearly half of those with unstable records did not default. (Figure 34) An unstable work record in itself should not preclude one from a Work Order, for half of them performed their work orders satisfactorily. However, of the defaulters, they are more likely to be the ones with an unstable work record.

Similarly, with irregular family relationships. Two-thirds of the defaults had irregular family backgrounds, but half of those with regular family backgrounds did not default (Figure 35).

Those represented by counsel were less likely to default, but

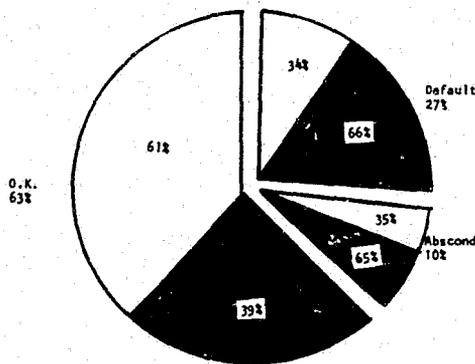


Key Work Record
 Stable
 Unstable

Work Order Performance	Work Record		
	Stable	Unstable	
Satisfactory	144	66	210
Defaulters	35	52	87
Absconders	14	21	35
	193	139	332

$\chi^2 = 25.59$; d.f. = 2; sig. = 0.0000

FIGURE 34 Proportional distribution showing the relationship between work order performance (satisfactory, defaulting or absconding) and work record (stable or unstable).

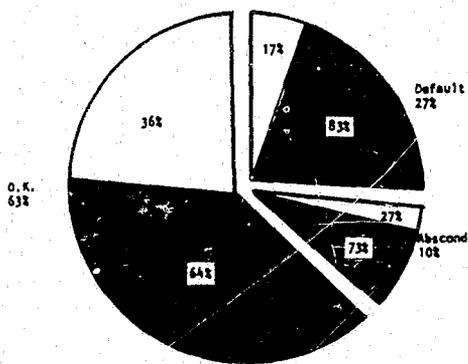


Key Family Relationship
 Regular
 Irregular

Work Order Performance	Family Relationships		
	Regular	Irregular	
Satisfactory	127	80	207
Defaulters	30	58	88
Absconders	12	22	34
	169	160	329

$\chi^2 = 22.29$; d.f. = 2; sig. = 0.0000

FIGURE 35 Proportional distribution showing the relationship between work order performance (satisfactory, defaulting or absconding) and Family relationships (regular or irregular).

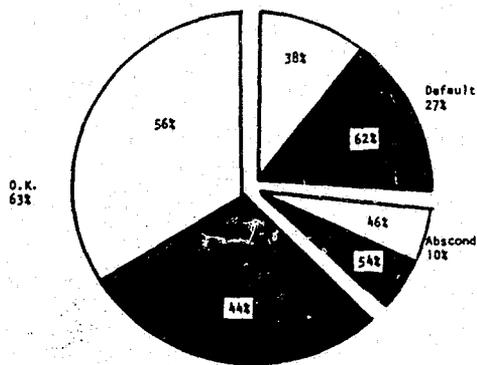


Key Represented by Counsel
 Represented
 Not Represented

Work Order Performance	Represented by Counsel		
	Yes	No	
Satisfactory	56	98	154
Defaulters	11	52	63
Absconders	7	19	25
	74	169	243

$\chi^2 = 7.71$; d.f. = 2; sig. = 0.0211

FIGURE 36 Proportional distribution showing the relationship between work order performance (satisfactory, defaulting or absconding) and representation by counsel.



Key Children's Court Record
 No children's court convictions
 Children's court convictions

Work Order Performance	Children's Court Record		
	No	Yes	
Satisfactory	119	95	214
Defaulters	35	56	91
Absconders	16	19	35
	170	170	340

$\chi^2 = 7.79$; d.f. = 2; sig. = 0.0203

FIGURE 37 Proportional distribution showing the relationship between work order performance (satisfactory, defaulting or absconding) and Children's Court record.

CONTINUED

1 OF 2

two-thirds of the number who were not represented by counsel also completed their work orders satisfactorily (Figure 36).

Compared to those who did not default, a greater proportion of those who did had Children's Court records but, once again, nearly half of those who performed satisfactorily also had Children's Court records (Figure 37).

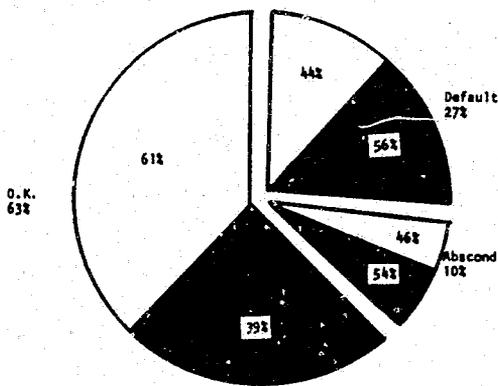
Apart from previous offences dealt with by the Children's Court, property offences were the only other types of prior offences significantly related to defaulting. This followed a similar, though less pronounced trend to the prior Children's Court convictions (Figure 38).

A significant proportion of the defaulters (1 in 4) had previously been to prison, but once again half of those who had been to prison performed their work orders satisfactorily (Figure 39).

Of all the variables, that which had the strongest relationship with defaulting was subsequent imprisonment. One-third of the defaulters eventually went to prison whilst only 1 in 10 of those who completed their work orders satisfactorily later went to prison (Figure 41).

This shows a close relationship between the two types of failures - defaulting and recidivism (Figure 40).

On the basis of these findings it would appear that the rate of defaulting on the work order scheme could be minimised if careful consideration was given to the work record and family relationships of the offender before he was sentenced to a work order. The persistent offender with a record of previous imprisonment could hardly be considered a good bet, but rather than isolate him from the community by further imprisonment it may be preferable to have him back in the community through a work order.



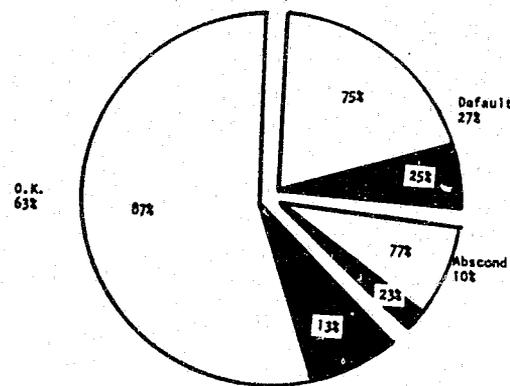
O.K.
63%

Key Previous Property Convictions
 □ No property convictions
 ■ Property convictions

Work Order Performance	Previous Property Convictions		
	No	Yes	
Satisfactory	131	83	214
Defaulters	40	51	91
Absconders	16	19	35
	185	153	340

$\chi^2 = 9.04$; d.f. = 2; sig. = 0.0109

FIGURE 38 Proportional distribution showing the relationship between work order performance (satisfactory, defaulting or absconding) and previous property convictions.



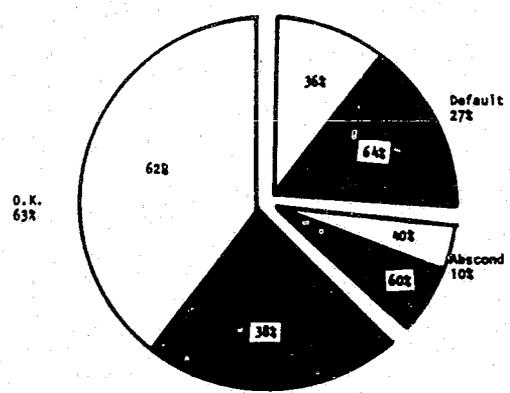
O.K.
63%

Key Previous Imprisonment
 □ No previous imprisonment
 ■ Previous imprisonment

Work Order Performance	Previous Imprisonment		
	No	Yes	
Satisfactory	187	27	214
Defaulters	68	23	91
Absconders	27	8	35
	282	58	340

$\chi^2 = 8.16$; d.f. = 2; sig. = 0.0169

FIGURE 39 Proportional distribution showing the relationship between work order performance (satisfactory, defaulting or absconding) and previous imprisonment.



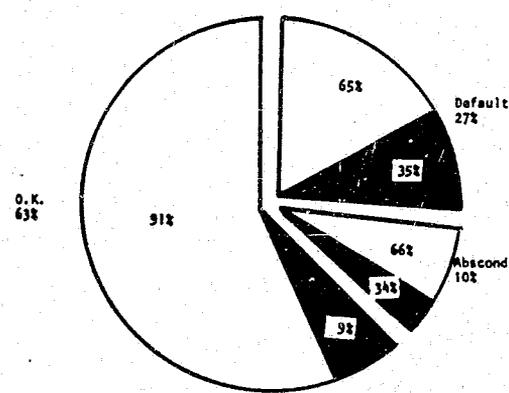
O.K.
63%

Key Recidivism
 □ No recidivism
 ■ Recidivism

Work Order Performance	Recidivism		
	No	Yes	
Satisfactory	133	81	214
Defaulters	33	58	91
Absconders	14	21	35
	180	160	340

$\chi^2 = 19.80$; d.f. = 2; sig. = 0.0001

FIGURE 40 Proportional distribution showing the relationship between work order performance (satisfactory, defaulting or absconding) and recidivism.



O.K.
63%

Key Subsequent Imprisonment
 □ No subsequent imprisonment
 ■ Subsequent imprisonment

Work Order Performance	Subsequent Imprisonment		
	No	Yes	
Satisfactory	194	20	214
Defaulters	59	32	91
Absconders	23	12	35
	276	64	340

$\chi^2 = 33.96$; d.f. = 2; sig. = 0.0000

FIGURE 41 Proportional distribution showing the relationship between work order performance (satisfactory, defaulting or absconding) and subsequent imprisonment.

Although previous imprisonment is significantly related to defaulting, of the small number involved (58 out of 340), the 50% of ex-prisoners who do not default vindicate their inclusion in the work order scheme on humanitarian grounds, as well as their prognosis for reintegration into the community.

Recidivism:

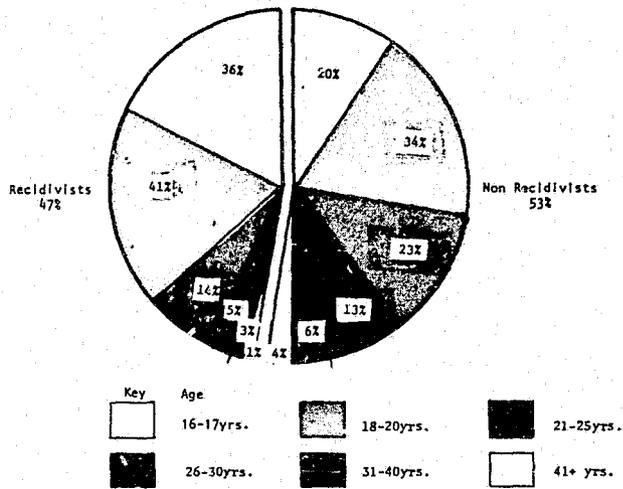
The pie diagrams in Figures 42-48 show the relationship between recidivism and statistically related variables. χ^2 frequency tables and levels of significance are also shown. Variables significantly related to recidivism were -

- age;
- work record;
- marital status;
- family relationship;
- intelligence;
- type of offence; and
- previous Children's Court record.

Criminal activity is typically the domain of young males so it is hardly surprising that in this study three-quarters of the recidivists fall into the 16-20 age group. Only a quarter of the recidivists cover the remaining 20-odd years from 21 to 41-plus years of age.

While the non-recidivists are evenly divided into those under and over 20 years of age, the recidivists are heavily weighted towards the under 20 year olds (Figure 42). Half the recidivists had an unstable work record compared to only one-third of the non-recidivists (Figure 43). Married men were less likely to recidivate than were single men (Figure 44).

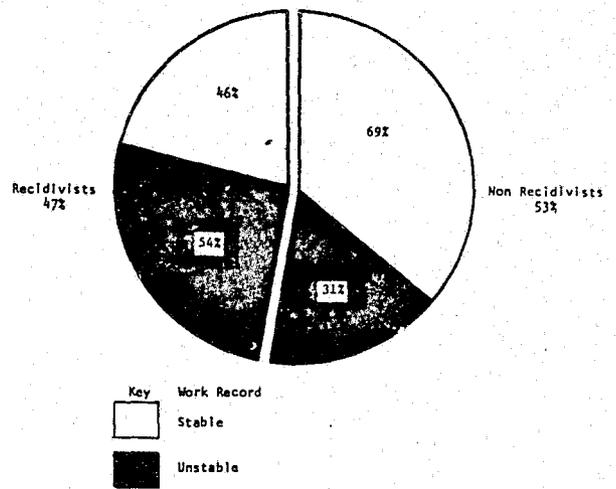
Those with a history of irregular family relationships were more likely to commit further offences than those with regular family



Recidivism	a g e						
	16-17yrs	18-20yrs.	21-25yrs.	26-30yrs.	31-40yrs.	41+yrs.	
No	36	61	41	23	12	7	180
Yes	58	66	23	7	4	2	160
	94	127	64	30	16	9	340

$\chi^2 = 24.63$; d.f. = 5; sig. = 0.0002

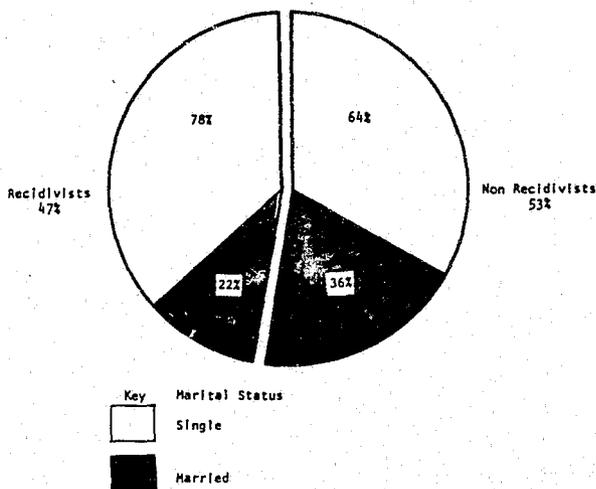
FIGURE 42 Proportional distribution showing relationship between recidivism and age.



Recidivism	Work Record		
	Stable	Unstable	
No	121	54	175
Yes	72	85	157
	193	139	332

$\chi^2 = 17.49$; d.f. = 1; sig. = 0.0000

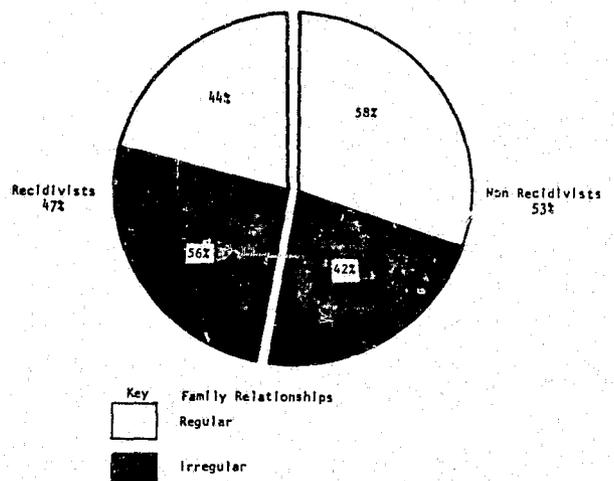
FIGURE 43 Proportional distribution showing the relationship between recidivism and work record (stable or unstable).



Recidivism	Marital Status		
	Single	Married	
No	114	65	179
Yes	124	35	158
	238	100	338

$\chi^2 = 7.59$; d.f. = 1; sig. = 0.0059

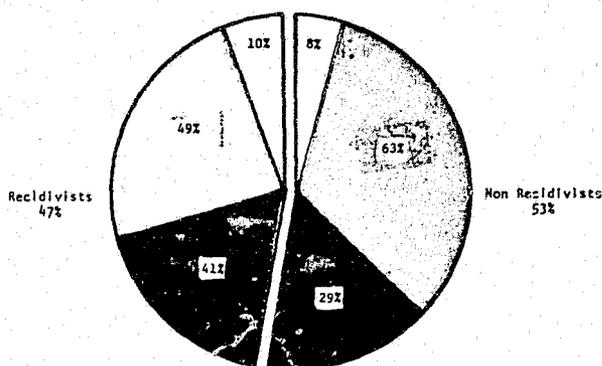
FIGURE 44 Proportional distribution showing the relationship between recidivism and marital status.



Recidivism	Family Relationships		
	Regular	Irregular	
No	100	73	173
Yes	69	87	156
	169	160	329

$\chi^2 = 5.52$; d.f. = 1; sig. = 0.0188

FIGURE 45 Proportional distribution showing the relationship between recidivism and family relationships (regular or irregular).

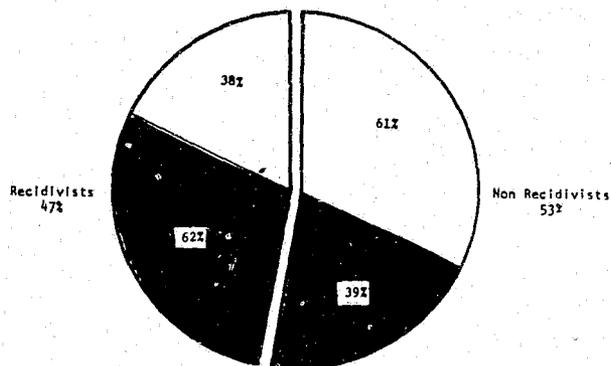


Key Intelligence
 Above average
 Average
 Below average

Recidivism	Intelligence			
	Above Average	Average	Below Average	
No	12	99	45	156
Yes	15	70	59	144
	27	169	104	300

$\chi^2 = 6.73$; d.f. = 2; sig. = 0.0346

FIGURE 46 Proportional distribution showing the relationship between recidivism and estimated intelligence (above average, average or below average).

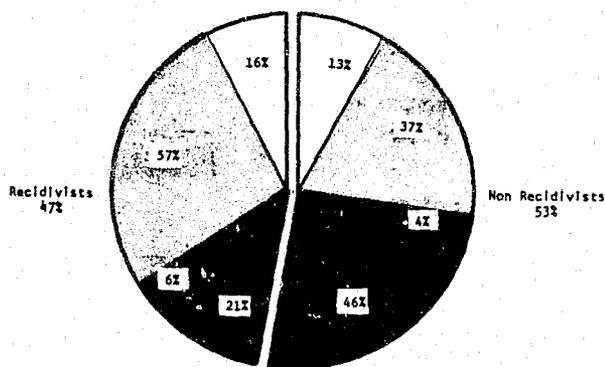


Key Children's Court Record
 No children's court convictions
 Children's court convictions

Recidivism	Children's Court Record		
	No	Yes	
No	109	71	180
Yes	61	99	160
	170	170	340

$\chi^2 = 16.16$; d.f. = 1; sig. = 0.0001

FIGURE 47 Proportional distribution showing the relationship between recidivism and previous children's court record.



Key Type of Offence
 Person
 Property
 Conduct
 Other (mainly traffic)

Recidivism	Type of Offence				
	Person	Property	Conduct	Other (mainly traffic)	
No	24	66	8	82	180
Yes	25	92	9	34	160
	49	158	17	116	340

$\chi^2 = 23.12$; d.f. = 3; sig. = 0.0000

FIGURE 48 Proportional distribution showing the relationship between recidivism and type of offence (person, property, conduct and other - mainly traffic).

backgrounds (Figure 45).

The below-average intelligence group were more likely to recidivate (Figure 46).

Those with a Children's Court record were more likely to commit further offences (Figure 47).

Those convicted of property offences, and to a minor extent person and conduct offences, were more likely to recidivate than those placed on work orders for traffic offences (Figure 48).

However, the figures for traffic offences are not very reliable. Traffic records are kept separately from criminal records unless the offences resulted in a court appearance. Most traffic violations are dealt with "on the spot". There is, however, a lower overall rate of recidivism among those convicted in court for traffic offenders (1 in 4 recidivate) than among all other types of offenders. All the others have recidivism rates of over 50%.

Work Orders versus Short-term Imprisonment:

Work Orders were introduced as an optional alternative which could be offered by the Bench instead of a short-term of imprisonment. The question now arises, how do the two groups compare, particularly with regard to recidivism?

To test for this, all males sentenced to Work Orders in 1974 were compared with those sentenced to three months' imprisonment or less in 1974. The time allowed for recidivism was up to 30th June 1975, a minimum period of six months or a maximum period of 18 months - depending on the time they came under observation in this study.

Similarities and Differences between the two groups:

Similarities:

The proportion of offenders from each region in both the Prison and Work Order groups followed a similar trend, where 58% of the prison group came from the Hobart region 54% of the work order group also came from Hobart, and so on (Figure 49). There were also no significant differences between the two groups for the month in which the offender was sentenced (Figure 50); occupational status (Figure 52); marital status (Figure 53); and the proportion of individuals who had a criminal record (Figure 58).

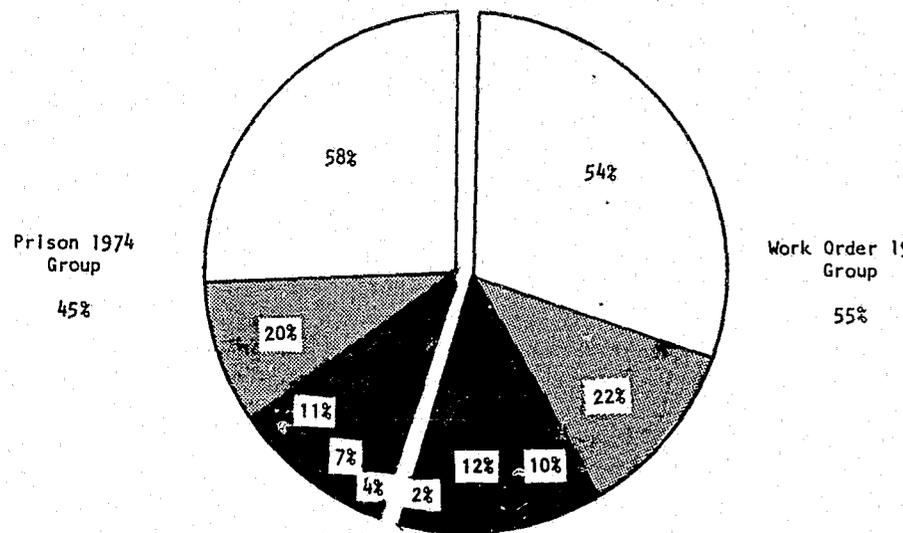
Differences:

Differences in the ages of the two groups were statistically significant in that the prison group was older (Figure 51).

The level of education also differed. The prison group had left school at an earlier stage than the work order group (Figure 54). However, the two factors of age and education would be related in that the school leaving age has tended to increase over the years.

There were significant differences between the two groups in the types of offences committed. The work order group had a higher proportion of property offenders while the prison group had a much greater proportion of conduct offenders (Figure 55).

The differences in sentences for the property offenders are generally due to the previous record rather than any inherent types of property offences. Here it must be remembered that it is the short-term prison group and its alternative, the Work Order group, which are under observation. This precludes the more serious types of offenders, such as bank robbers, rapists, murderers etc. who would receive lengthy terms of



Key Region

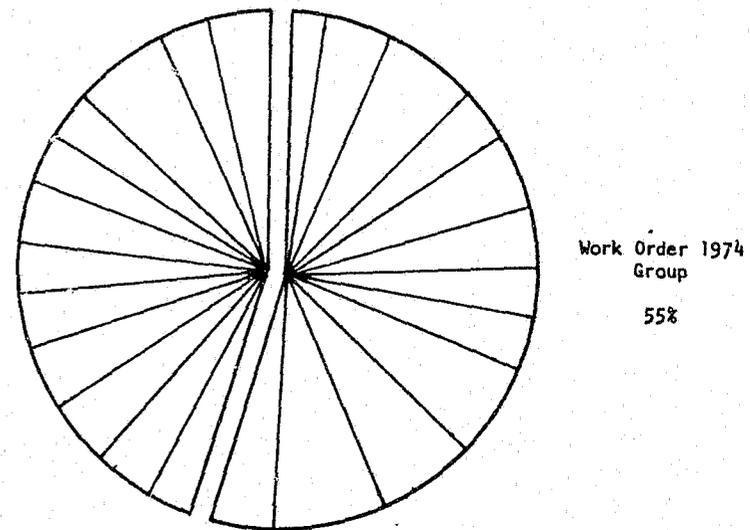
 Hobart	 Launceston	 Devonport
 Burnie	 West Coast	

REGION

	Hobart	Launceston	Devonport	Burnie	West Coast	
Workorder	183	74	34	43	6	340
Prison	159	55	29	20	12	275
	342	129	63	63	18	615

$\chi^2 = 8.50$; $df = 4$; $sig. = 0.0748$ NOT SIGNIFICANT

FIGURE 49 Proportionate regional distribution for individuals sentenced to work orders and short term imprisonment, 1974.

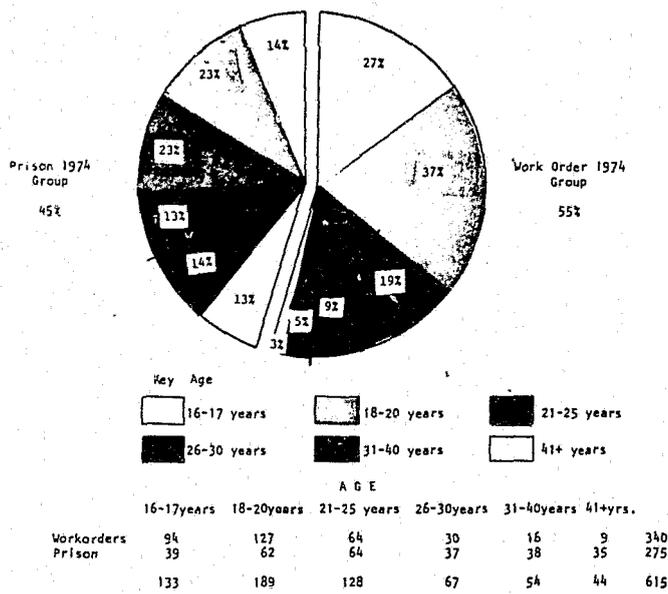


MONTH

	Jan.	Feb.	Mar.	Apr.	May	June	Jul.	Aug.	Sept.	Oct.	Nov.	Dec.
Workorder	12	23	34	21	28	29	30	26	33	35	42	27
Prison	27	18	24	21	19	23	19	18	25	32	30	19
	39	41	58	42	47	52	49	44	58	67	72	46

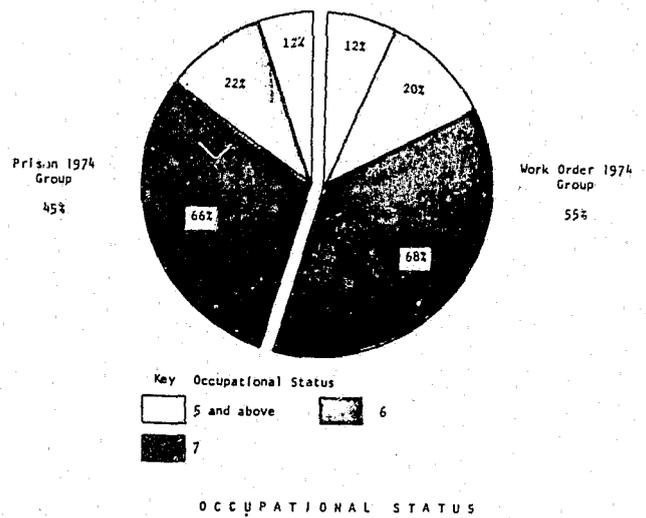
$\chi^2 = 12.34$; $df = 11$; $sig. = 0.3387$ NOT SIGNIFICANT

FIGURE 50 Proportionate monthly distribution for individuals sentenced to work orders and short term imprisonment, 1974.



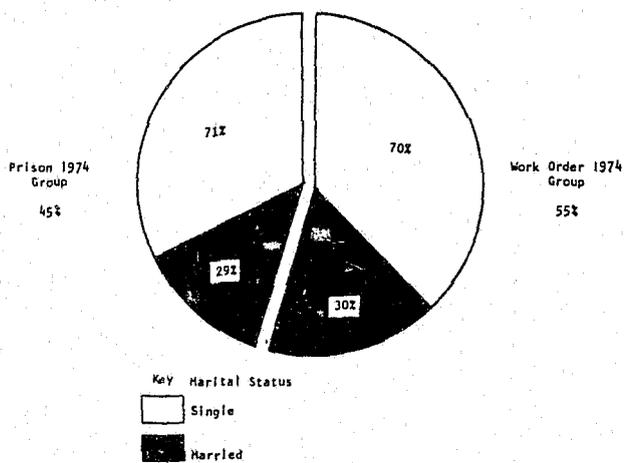
$\chi^2 = 64.00$; d.f. = 5; sig. = 0.0000

FIGURE 51 Proportional distribution showing the relationship between individuals sentenced to work orders and short term imprisonment (1974) and age.



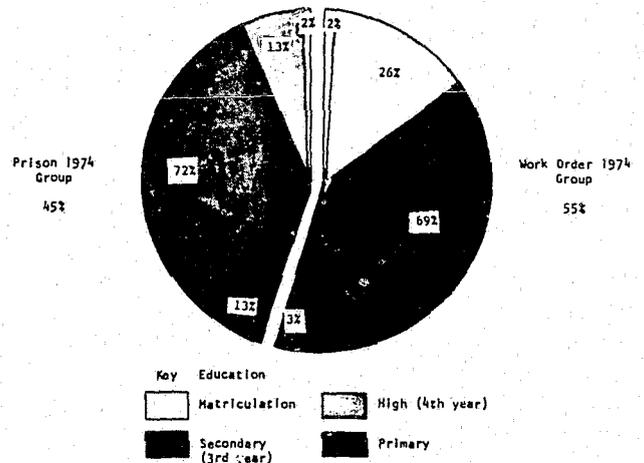
$\chi^2 = 0.24$; d.f. = 3; sig. = 0.9703 NOT SIGNIFICANT

FIGURE 52 Proportional distribution showing the relationship between individuals sentenced to work orders and short term imprisonment (1974) and occupational status according to the Congalton Scale.



$\chi^2 = 0.02$; d.f. = 1; sig. = 0.8861 NOT SIGNIFICANT

FIGURE 53 Proportional distribution showing the relationship between individuals sentenced to work orders and short term imprisonment (1974) and marital status.



$\chi^2 = 33.94$; d.f. = 3; sig. = 0.0000

FIGURE 54 Proportional distribution showing the relationship between individuals sentenced to work orders and short term imprisonment (1974) and level of education.

imprisonment. However, the differences between the two conduct groups (25% of the prison group and 5% of the work order group) are related to the type of conduct offences. If the offence was a court violation, such as failure to pay fines or maintenance, or contempt of court, a prison sentence was invariably handed down. The old alcoholics were also sentenced to prison rather than placed on a work order.

In the work order group conduct offences tended to be of a more antisocial nature associated with youth, such as fighting, disorderly conduct, swearing, creating a nuisance, and so on (Figure 55).

The length of sentence is also different between the two groups, but it is difficult to compare a work order sentence with a prison sentence. In the former, the offender lives his normal daily life but works one day per week on community-aid projects. A prison sentence involves a complete disruption of the offender's daily life and complete loss of liberty.

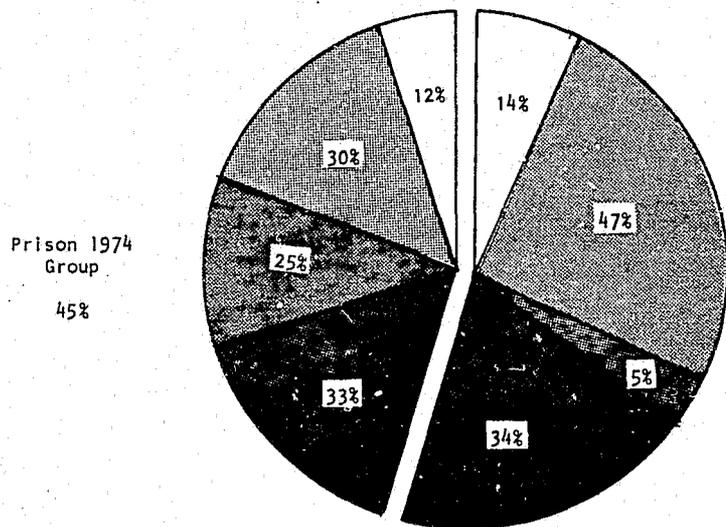
The prison group had a much lower defaulting rate than the Work Order group, and this is to be expected: it is very difficult not to be there when in prison, while non-attendance on a Work Order project is relatively simple (Figure 57).

Criminal History:

The type of previous criminal history plays a large part as to whether a Work Order is offered or not, as shown in Figures 61-65.

A Children's Court record is not significantly related nor is a Court Traffic record.

Previous crimes against the person, property and conduct offences are, however, related to the type of sentence given, as is previous imprisonment (Figure 59).

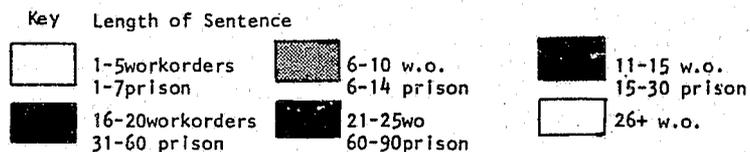
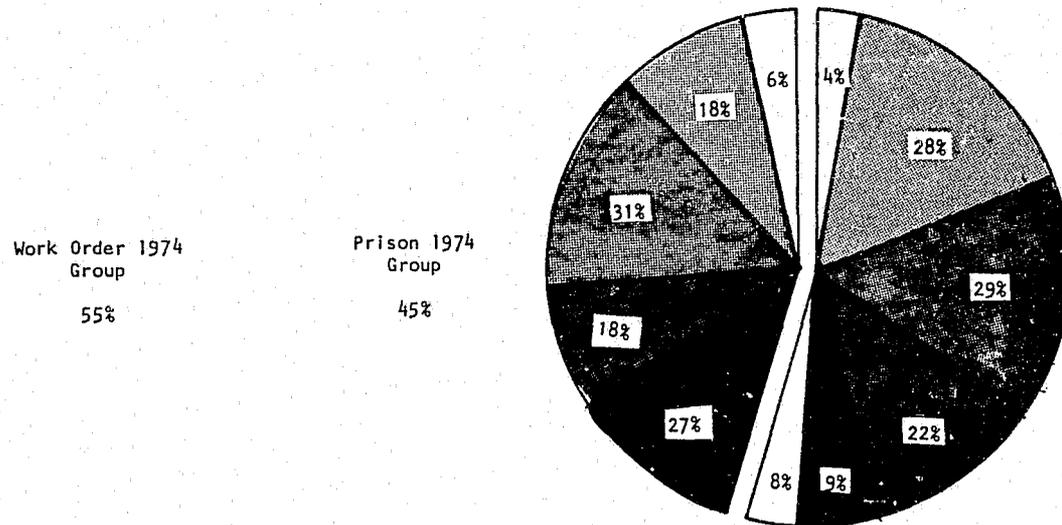


OFFENCE

	Person	Property	Conduct	Other	
Workorder	49	158	17	116	340
Prison	34	83	69	89	275
	83	241	86	205	615

$\chi^2 = 54.79$; d.f. = 3; sig. = 0.0000

FIGURE 55 Proportional distribution showing the relationship between individuals sentenced to work orders and short term imprisonment (1974) and type of primary offence for which the sentence was given.

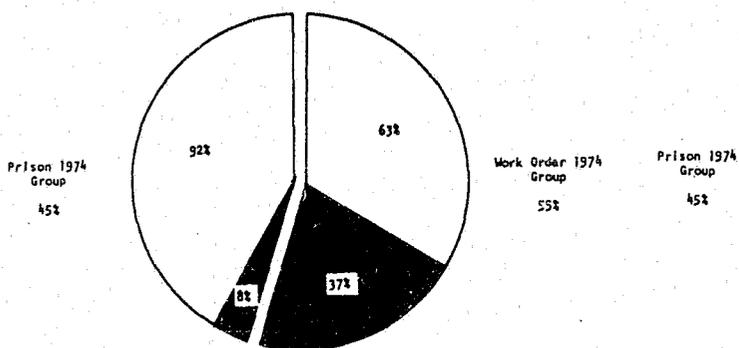


LENGTH OF SENTENCE

	1-5wo	6-10wo	11-15wo	16-20wo	21-25wo	26+wo	
	1-7pris.	8-14pris.	15-30pris.	31-60pris.	60-90pris.		
Workorders	13	96	97	76	32	26	340
Prison	17	49	86	48	75	0	275
	30	145	183	124	107	26	615

$\chi^2 = 59.83$; d.f. = 5; sig. = 0.0000

FIGURE 56 Proportional distribution showing the relationship between individuals sentenced to work orders and short term imprisonment (1974) and length of sentence.

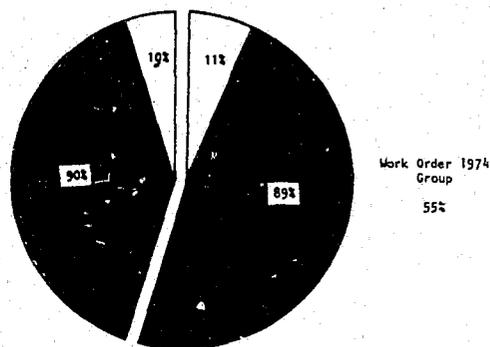


Key Default
 No
 Yes

	DEFAULT		
	No	Yes	
Workorders	214	126	340
Prison	252	23	275
	466	149	615

$\chi^2 = 66.64$; d.f. = 1; sig. = 0.0000

FIGURE 57 Proportional distribution showing the relationship between individuals sentenced to work orders and short term imprisonment (1974) and defaulting while completing their sentence.

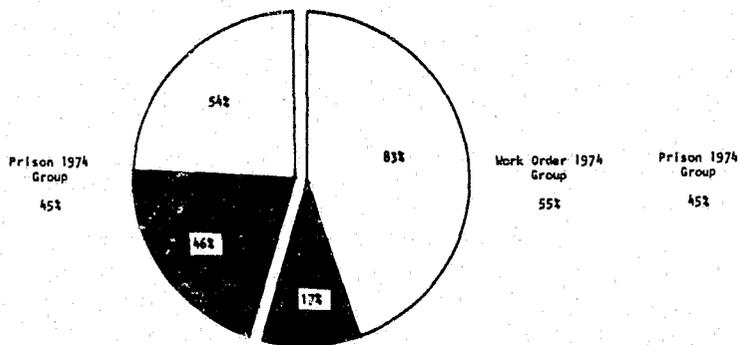


Key Record
 No Record
 Previous Record

	RECORD		
	No Record	Previous Record	
Workorders	36	304	340
Prison	29	246	275
	65	550	615

$\chi^2 = 0.01$; d.f. = 1; sig. = 0.0987 NOT SIGNIFICANT

FIGURE 58 Proportional distribution showing the relationship between individuals sentenced to work orders and short term imprisonment (1974) and previous court record.

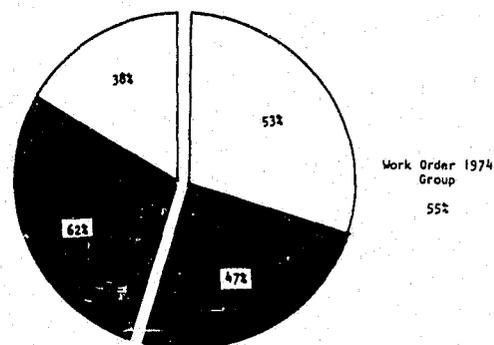


Key Previous Imprisonment
 No previous imprisonment
 Previous imprisonment

	PREVIOUS IMPRISONMENT		
	No	Yes	
Workorder	282	58	340
Prison	149	126	275
	431	184	615

$\chi^2 = 58.61$; d.f. = 1; sig. = 0.0000

FIGURE 59 Proportional distribution showing the relationship between individuals sentenced to work orders and short term imprisonment (1974) and previous imprisonment prison sentences.



Key Recidivism
 Nonrecidivists
 Recidivists

	RECIDIVISM		
	Non recidivists	Recidivists	
Workorders	180	160	340
Prison	105	170	275
	285	330	615

$\chi^2 = 12.73$; d.f. = 1; sig. = 0.0004

FIGURE 60 Proportional distribution showing the relationship between individuals sentenced to work orders and short term imprisonment (1974) and recidivism.

Nearly half of the prison group had previously been to prison, while less than 1 in 5 of the Work Order group had previously been to prison. However, not only is the proportion of individuals in each group who had or did not have a record important, but particularly the *number* of previous offences shows up the differences. Table 8 shows a t test of the number of offences for the prison and Work Order groups. While the Work Order group has an average of 4 previous convictions, the prison group average nearly 7 previous convictions. Similarly with previous imprisonment, the Work Order group averages 0.5 while the prison group had an average of 2 previous terms of imprisonment.

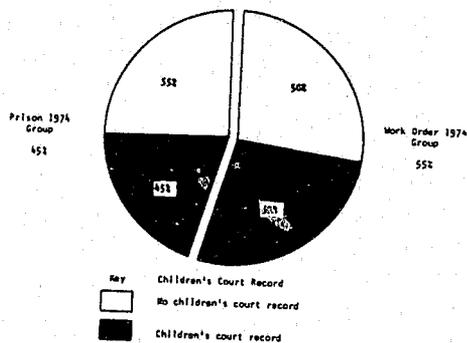
Recidivism:

The proportion of individuals in the two groups who recidivate is nearly two-thirds of the prison group and half of the Work Order group, as shown in Figure 60, so on this point the Work Order group is in front.

The proportion of individuals involved in subsequent property and conduct offences (Figure 67 and Figure 68 respectively) are significantly different between the two groups.

Subsequent crimes against the person and other (traffic) are not significantly different. When the number of subsequent convictions are considered, however, only the conduct category is statistically significant. The prison group average three times as many conduct offences (0.9) as the Work Order group (0.3) (Table 9). However, the total number of offences is also significantly different between the two groups - the prison group averaging 1.7 offences each, nearly double that of the Work Order group at 0.9 each.

The sanctions given for further offences shows that there is no difference between the two groups for receiving fines or probation

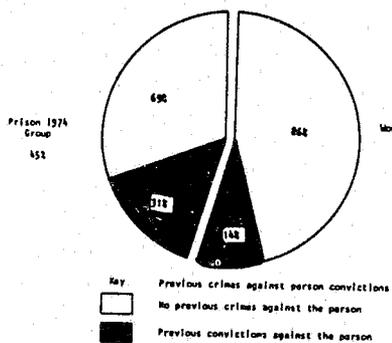


CHILDREN'S COURT RECORD

	No	Yes	
Workorders	170	170	340
Prison	152	123	275
	322	293	615

$\chi^2 = 1.50$; d.f. = 1; sig. = 0.2223 NOT SIGNIFICANT

FIGURE 61 Proportional distribution showing the relationship between individuals sentenced to work orders and short term imprisonment (1974) and children's court record.

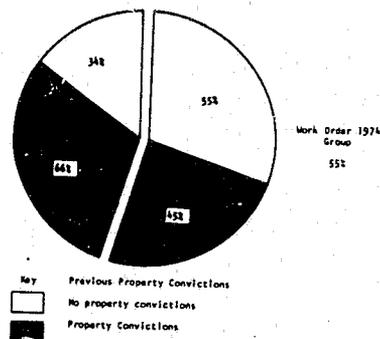


PREVIOUS CRIMES AGAINST THE PERSON CONVICTIONS

	No	Yes	
Workorder	292	48	340
Prison	189	86	275
	481	134	615

$\chi^2 = 25.26$; d.f. = 1; sig. = 0.0000

FIGURE 62 Proportional distribution showing the relationship between individuals sentenced to work orders and short term imprisonment (1974) and previous convictions for crimes against the person.

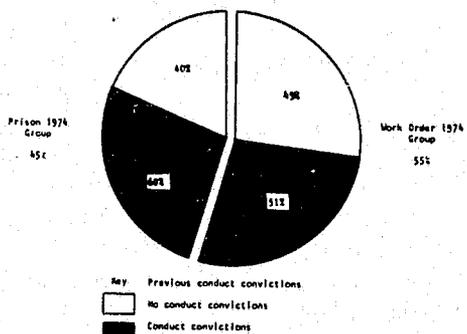


PREVIOUS PROPERTY CONVICTIONS

	No	Yes	
Work Orders	187	153	340
Prison	53	182	275
	240	335	615

$\chi^2 = 26.64$; d.f. = 1; sig. = 0.0000

FIGURE 63 Proportional distribution showing the relationship between individuals sentenced to work orders and short term imprisonment (1974) and previous convictions for crimes against property.

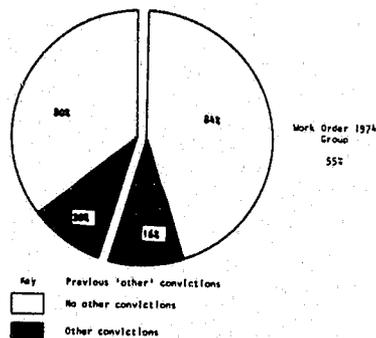


PREVIOUS CONDUCT CONVICTIONS

	No	Yes	
Workorder	167	173	340
Prison	111	164	275
	278	337	615

$\chi^2 = 4.26$; d.f. = 1; sig. = 0.0369

FIGURE 64 Proportional distribution showing the relationship between individuals sentenced to work orders and short term imprisonment (1974) and previous convictions for conduct offenses.

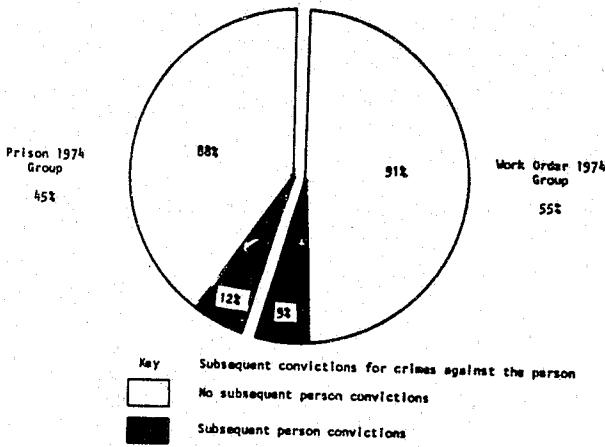


PREVIOUS 'OTHER' CONVICTIONS

	No	Yes	
Workorders	284	56	340
Prison	220	55	275
	504	109	615

$\chi^2 = 1.50$; d.f. = 1; sig. = 0.2212 NOT SIGNIFICANT

FIGURE 65 Proportional distribution showing the relationship between individuals sentenced to work orders and short term imprisonment (1974) and previous other convictions.

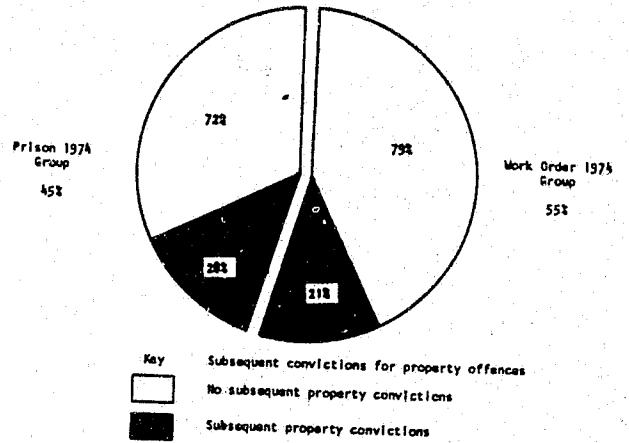


SUBSEQUENT CONVICTIONS FOR CRIMES AGAINST THE PERSON

	No	Yes	Total
Workorder	310	30	340
Prison	242	33	275
	552	63	615

$\chi^2 = 1.34$; d.f. = 1; sig. = 0.2469 NOT SIGNIFICANT

FIGURE 66 Proportional distribution showing the relationship between individuals sentenced to work orders and short term imprisonment (1974) and subsequent convictions for crimes against the person.

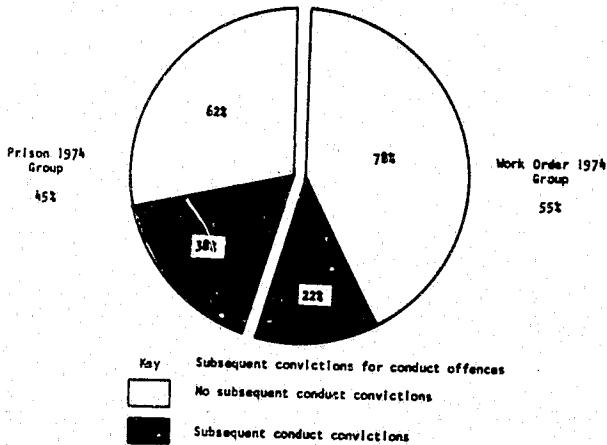


SUBSEQUENT CONVICTIONS FOR PROPERTY OFFENCES

	No	Yes	Total
Workorder	268	72	340
Prison	197	78	275
	465	150	615

$\chi^2 = 3.88$; d.f. = 1; sig. = 0.0489

FIGURE 67 Proportional distribution showing the relationship between individuals sentenced to work orders and short term imprisonment (1974) and subsequent convictions for property offences.

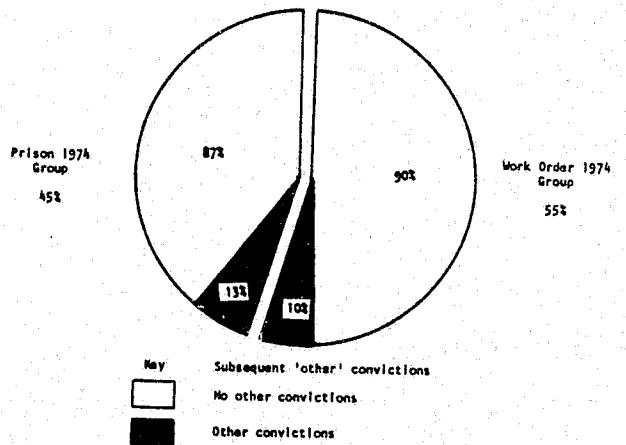


SUBSEQUENT CONVICTIONS FOR CONDUCT OFFENCES

	No	Yes	Total
Workorder	265	75	340
Prison	171	104	275
	436	179	615

$\chi^2 = 17.54$; d.f. = 1; sig. = 0.0000

FIGURE 68 Proportional distribution showing the relationship between individuals sentenced to work orders and short term imprisonment (1974) and subsequent convictions for conduct offences.



SUBSEQUENT "OTHER" CONVICTIONS

	No	Yes	Total
Workorder	306	34	340
Prison	238	37	275
	544	71	615

$\chi^2 = 1.45$; d.f. = 1; sig. = 0.2278 NOT SIGNIFICANT

FIGURE 69 Proportional distribution showing the relationship between individuals sentenced to work orders and short term imprisonment (1974) and subsequent other convictions.

TABLE 8

In 1974 340 individuals were sentenced to Work Orders and 275 individuals were sentenced to prison terms of three months or less in Tasmania. Their prior records and prior prison sentences are as follows:

Type of Offence		Number of Convictions	Mean	t.	d.f.	P.
Children's Court	Work Order	478	1.4059	0.66	613	.510 N.S.
	Prison	357	1.2982			
Person	Work Order	75	.2206	-4.97	613	.000
	Prison	162	.5891			
Property	Work Order	307	.9029	-8.64	613	.000
	Prison	669	2.4327			
Conduct	Work Order	441	1.2971	-3.65	613	.000
	Prison	542	1.9709			
Other	Work Order	116	.3412	-1.17	613	.244 N.S.
	Prison	122	.4436			
TOTAL	Work Order	1417	4.1676	-7.03	613	.000
	Prison	1852	6.7345			
Prior Imprisonment	Work Order	156	.4588	-8.55	613	.000
	Prison	302	2.0145			

(Figures 70 and 71). More Work Orders are imposed on the Work Order group while the prison group receive more prison sentences (Figures 72-73).

Nearly two-thirds of the prison group went back to prison within the period under study, while only one-fifth of the Work Order group subsequently went to prison.

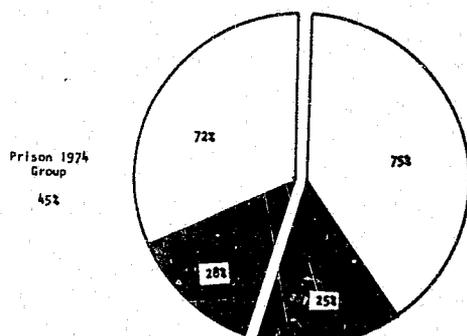
The number of sentences imposed is also significantly different. The prison group averaged 0.9, three times that of the Work Order group at 0.3.

On all of these counts the Work Order group compares favourably with the prison group; that is, fewer Work Order people commit further offences compared to those who had been to prison. They also re-commit fewer offences and the offences are less likely to attract a term of imprisonment.

Those of the Work Order group who do go to prison go less frequently than the prison group. This would imply that with recidivism as a criterion Work Orders are more effective than short-term imprisonment. This is borne out by the figures shown for the two groups studied. However the two groups are not really comparable for they differ on some important variables - particularly their previous criminal record.

The findings so far point to the obvious. We have two groups of which one is more criminally inclined than the other. It is hardly surprising that this group should produce the highest rate of recidivism during the period of observation.

The basic question still remains: Is there a difference in the recidivism rates for matched work order and short-term imprisonment groups?

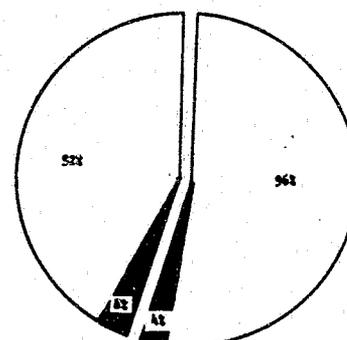


Key Subsequent Fine
 [White] NO
 [Black] YES

	SUBSEQUENT FINE		
	No	Yes	
Workorder	254	86	340
Prison	198	77	275
	452	163	615

$\chi^2 = 0.44$; d.f. = 1; sig. = 0.5067 NOT SIGNIFICANT

FIGURE 70 Proportional distribution showing the relationship between individuals sentenced to work orders and short term imprisonment (1974) and subsequent fines.

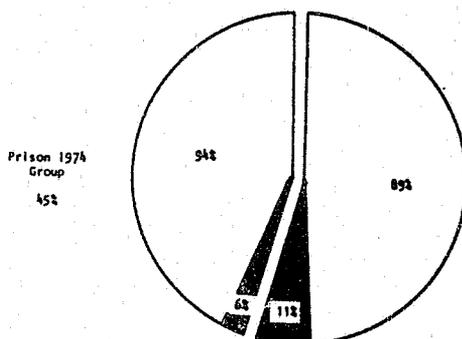


Key SUBSEQUENT PROBATION
 [White] NO
 [Black] YES

	SUBSEQUENT PROBATION		
	No	Yes	
Workorder	327	13	340
Prison	254	21	275
	581	34	615

$\chi^2 = 3.53$; d.f. = 1; sig. = 0.0602 NOT SIGNIFICANT

FIGURE 71 Proportional distribution showing the relationship between individuals sentenced to work orders and short term imprisonment (1974) and subsequent probation orders.

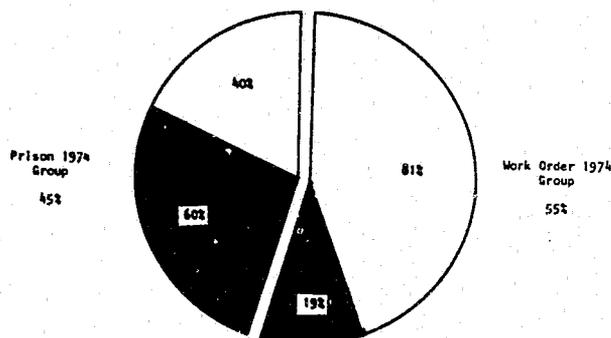


Key Subsequent work orders
 [White] NO
 [Black] YES

	SUBSEQUENT WORK ORDERS		
	No	Yes	
Workorder	304	36	340
Prison	259	16	275
	563	52	615

$\chi^2 = 3.07$; d.f. = 1; sig. = 0.0490

FIGURE 72 Proportional distribution showing the relationship between individuals sentenced to work orders and short term imprisonment (1974) and subsequent work order sentences.



Key Subsequent Imprisonment
 [White] NO
 [Black] YES

	Subsequent Imprisonment		
	No	Yes	
Workorder	276	64	340
Prison	165	110	275
	441	174	615

$\chi^2 = 32.57$; d.f. = 1; sig. = 0.0000

FIGURE 73 Proportional distribution showing the relationship between individuals sentenced to work orders and short term imprisonment (1974) and subsequent imprisonment for further offences.

TABLE 9

In 1974 340 individuals were sentenced to Work Orders and 275 individuals were sentenced to prison terms of three months or less in Tasmania. From the time of their initial conviction to the 30th June 1975 (a maximum period of 18 months) the following types and numbers of convictions were recorded against them, which resulted in the following terms of imprisonment.

Type of Offence		Number of Convictions	Mean	t.	d.f.	P	
Person	Work Order	33	.0971	-1.21	613	.227	N.S.
	Prison	36	.1309				
Property	Work Order	127	.3706	-1.70	613	.090	N.S.
	Prison	139	.5055				
Conduct	Work Order	107	.3147	-5.82	613	.000	
	Prison	261	.9491				
Other	Work Order	42	.1235	-1.17	613	.244	N.S.
	Prison	45	.1636				
TOTAL	Work Order	309	.9059	-5.23	613	.000	
	Prison	481	1.7491				
Subsequent Imprisonment	Work Order	112	.3294	-5.89	613	.000	
	Prison	247	.8982				

That is, do prisons deter or inhibit further criminal activity more than work orders, or are our prisons really breeding grounds for further crime?

To test this, the following rationale and method were used.

Work Orders were introduced as an optional alternative to a prison sentence in 1972. This means that the short-term imprisonment group of 1971 consisted of two sorts of cases:

those who would have gone to prison; and
those who would have been offered the alternative of a work order had work orders been available.

By separating out these two groups it would be possible to compare the recidivism rates between the group who actually received work orders in 1974 with the group who would have received work orders had they been available in 1971 but who actually received a term of imprisonment. In this way it would be possible to compare the effects of imprisonment with the effects of work orders. However, the problem was further compounded by the belief that not all those sentenced to work orders would have gone to prison. It was believed that some would have received fines or probation instead of imprisonment.

This belief is borne out by Figure 74 which shows a graph, based on Table 10, of the proportion of cases brought before the court which resulted in a prison sentence for the years as marked.

The difference between the actual proportion imprisoned and the prediction curve from 1971 on shows the drop in the number of court cases which resulted in a prison sentence. However, when the prison and work order numbers are combined, the proportion exceeds that of the expected number of cases which would have resulted in a prison sentence.

This meant that the 1974 work order group consisted of a group who

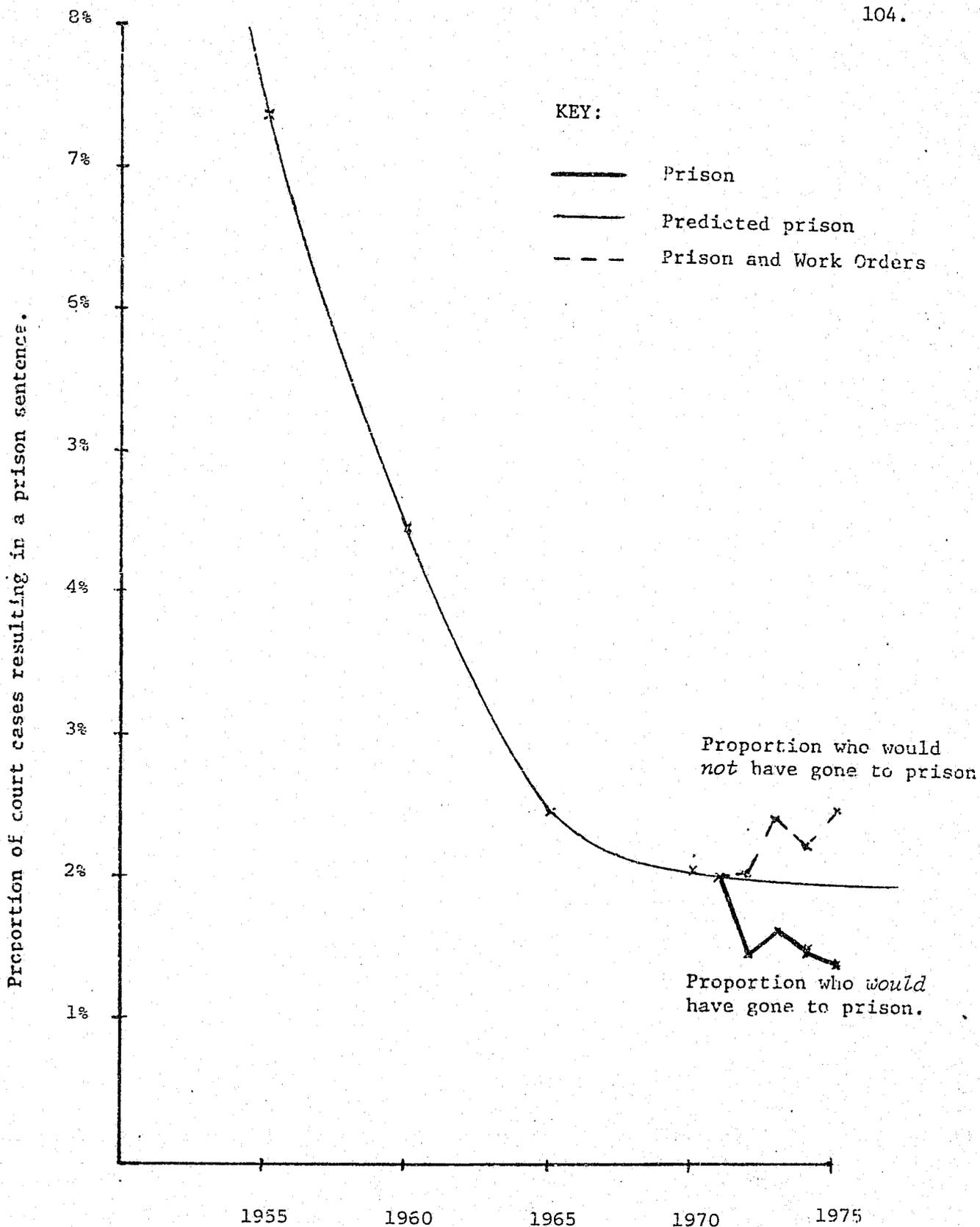


FIGURE 74.

The proportion of court cases resulting in a prison sentence from 1955 to 1975. The graph is extended to show the estimated number who would have gone to prison without the introduction of the Work Order Scheme, and the number who received Work Orders but would not have gone to prison.

TABLE 10.

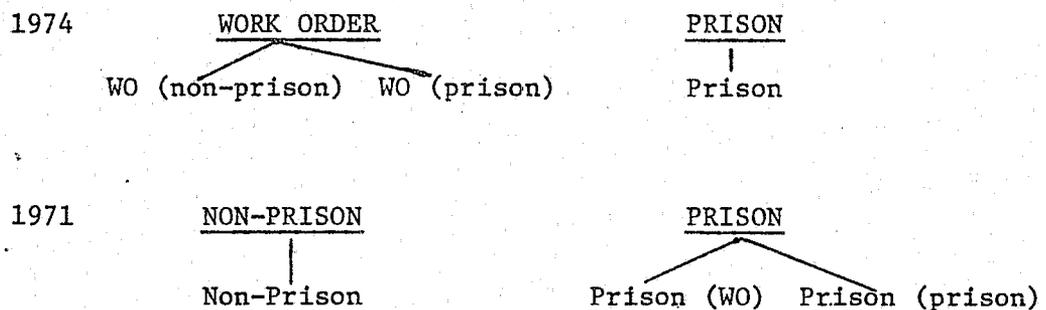
Number of cases brought before the Magistrates Courts, the number of prisoners received by the Prison, and the proportion of court cases resulting in a prison sentence for the various years as marked.

Year	1955	1960	1965	1970	1971	1972	1973	1974	1975
Cases before the Court	18,804	23,062	37,905	34,470	39,335	45,224	41,364	44,504	47,558
Prisoners Received	1,397	1,030	962	726	804	668	685	621	672
Proportion	7.4%	4.5%	2.5%	2.1%	2.04%	1.5%	1.7%	1.4%	1.4%
Prison plus Work Orders						927	1,123	991	1,196
Proportion						2.1%	2.5%	2.2%	2.5%

would have gone to prison and a group who would not have gone to prison had work orders not been available. In order to solve these problems, and make valid comparisons, four groups of subjects were used -

- All those given work orders in 1974 (WO74)
- All those given short-term prison sentences in 1974 (PR74)
- All those given short-term prison sentences in 1971 (PR71)
- A small random sample of those given non-prison sentences in 1971 (NP71)

A statistical procedure known as Discriminate Analysis was used to "refine" these four groups into the following six groups:



The previous criminal records for these groups could then be compared to see that they were properly matched. If they were properly matched, the recidivism rates between the constructed WO71 and refined WO74 groups could be compared to see if there was any difference in the recidivism rates between those who would have received work orders but actually received imprisonment - Prison (WO) - and those who had actually received work orders but would have gone to prison - WO (Prison). However, problems with the computer prevented this analysis from working and another, less satisfactory, method was tried.

The PR71 group consisted of two sub groups:

a group who would have gone to prison anyway; and

a potential work order group who actually went to prison.

The first method consisted of separating out or "refining" the groups for a "pure" analysis of recidivism rates between prison and work order groups. As the separation did not succeed, the second method combined the work order and prison groups together. By combining the PR74 and the WO74 groups, a group matching PR71 for previous record may be formed, as PR71 consisted of a prison group plus a potential work order group. If these two groups were similar on their previous record they could be compared for recidivism. If there were differences in their recidivism rates these differences could be attributed to the different treatments they had received, work orders and imprisonment for one group and imprisonment only for the other group. However, as the group containing those given work orders were contaminated by some who had been given a term of imprisonment, any differences would also be contaminated and could not be expected to be very great.

A series of t tests for previous criminal record were run on the groups as described above.

Table 11 shows the results of t tests conducted on the WO/PR74 and PR71 groups for previous record. The categories of Children's Court, conduct, and previous imprisonment are statistically different, while person, property, and total record are similar. Due to the introduction of on-the-spot traffic infringement notices in 1971 and the unreliability of traffic infringement records the category of "other" was dropped from this analysis.

Comparing these two groups for recidivism, over the same period of time, up to the 30th June the following year, shows a significant

TABLE 11.

t test on prior court record for all males sentenced to work orders and short terms of imprisonment in 1974 with all males sentenced to short terms of imprisonment in 1971.

Type of offence.	Group	Number of cases	Mean No. of Convictions	t	df	P	
Children's Court	WO/PR74	615	1.3577	3.16	933	.002	
	PR71	320	.9500				
Person	WO/PR74	615	.3854	1.15	933	.252	N.S.
	PR71	320	.4594				
Property	WO/PR74	615	1.5870	.85	933	.396	N.S.
	PR71	320	1.7219				
Conduct	WO/PR74	615	1.5984	2.41	933	.016	
	PR71	320	2.0000				
TOTAL	WO/PR74	615	4.9285	.65	933	.514	N.S.
	PR71	320	5.1313				
Prior Imprisonment	WO/PR74	615	1.1545	2.37	933	.018	
	PR71	320	1.5531				

difference in two areas: the subsequent imprisonment rate and the overall recidivism rate (Table 12).

The PR71 group had a higher rate of subsequent imprisonment than the WO/PR74 group. However, no inferences can be drawn from this as the PR71 group also had a higher previous imprisonment rate. The overall recidivism rate between the two groups is statistically significant, with the WO/PR74 group having a lower rate of recidivism than the PR71 group. Although no great confidence can be placed on these results due to the rather "loose" statistical design, one can with some confidence claim that the work order group does not have a higher recidivism rate than a comparable prison group. In fact, the tendency is towards a lower recidivism rate in the work order group. However, any claim stronger than this cannot be supported by the statistical method which was used.

TABLE 12.

t test on recidivism for all males sentenced to work orders and short terms of imprisonment in 1974 with all males sentenced to short terms of imprisonment in 1971. Time allowed for recidivism was to the 30th June the following year.

Type of offence	Group	Number of cases	Mean No. of Convictions	t	df	P	
Person	WO/PR74	615	.1122	1.72	933	.087	N.S.
	PR71	320	.1563				
Property	WO/PR74	615	.4309	1.07	933	.284	N.S.
	PR71	320	.5031				
Conduct	WO/PR74	615	.5984	1.73	933	.085	N.S.
	PR71	320	.7719				
TOTAL	WO/PR74	615	1.1415	2.10	933	.036	
	PR71	320	1.4313				
Subsequent Imprisonment	WO/PR74	615	.5837	2.02	933	.044	
	PR71	320	.7625				

P A R T IV

CONCLUDING REMARKS

CONCLUDING REMARKS

As the preceding sections have shown, the Work Order Scheme has been a useful and successful innovation in the Tasmanian Criminal Justice System.

The operational analysis has shown that the Work Order Scheme is operating quite well with an average attendance rate of 63.3% and an AWOL rate of 12.3%. The overall rates for absconding (7%); custody (10%); and breaching (3%) are reasonable for a scheme of this nature.

The analysis of regional differences has shown that some regions have a considerably higher breakdown rate than others. This rate could be decreased by more imaginative selection of projects and a better matching of work order employees with projects and supervisors. An analysis of the types of projects has shown that the individual assistance projects, where an offender works on a one-to-one basis for a pensioner, is the most successful type of project.

The recidivism analysis has shown that 47% of those placed on work orders were found guilty of at least one subsequent offence, and that 19% of the work order group were subsequently sentenced to a term of imprisonment. This compares favourably with those sentenced to a short term of imprisonment, who had a recidivism rate of 62% and a subsequent imprisonment rate of 40%. However, the two groups could not really be compared as the prison group had a more extensive criminal record.

The comparison between the work order and short-term imprisonment groups of 1974 with the short-term imprisonment group of 1971 has shown a lower overall recidivism rate for the former group over a similar

period.

As a rather "loose" statistical method was used in this analysis it would be safer to conclude that the work order group does not commit more subsequent offences than a comparable prison group.

The viability of the work order scheme can be better justified on grounds other than recidivism. There are two further advantages of the work order scheme:

the work done in the community; and
the cost of operating the scheme.

Apart from the anecdotal evidence given in the operational analysis, over 75 man years of work have been done in the community by work order employees since the scheme's introduction in 1972. As the supervisor at a geriatric unit pointed out, "without the work order scheme this unit would have to employ two full-time gardeners at a cost in excess of \$10,000 per year to do the same amount of work. This is money which we pensioners just do not have, so the grounds around here would be a veritable jungle without the work order chaps".

A comparison of the operating costs of the work order scheme with the cost of imprisonment shows that work orders cost \$4.69 per man per week compared to \$117.11 per man per week for imprisonment. This is a saving to the State of \$112.42 per man per week, or \$1,175,013.80 per annum on last year's figures. An argument against this type of comparison is that the higher prison costs are due to high overheads which remain the same regardless of the number of prisoners. Comparing the provisions and medicines costs of the prison with the cost of operating the work order scheme without including overheads, the figures are 41 cents per man per week for work orders and \$6.58 per man per week

for imprisonment, a saving of \$6.17 per man per week, or \$64,488.84 per annum. Regardless of how it is calculated, the cost of placing an offender on a work order is much cheaper than the cost of imprisonment.

It has not been possible to accurately analyse additional cost-benefit factors. However, it is clear that they exist and can be a powerful argument in favour of non-custodial schemes, which are at the same time of benefit to a community. Examples are -

- retention of family units;
- maintenance of employment;
- dependents not on social security benefit;
- less damage to self-esteem;
- reduced exposure to undesirable elements;
- contribution to the community;
- increased sense of personal achievement.

There is another factor to be considered which is confined to Tasmania but could have relevance to future developments in other areas. During 1971 it was apparent that with the State's main prison at Risdon Vale reaching capacity, a new prison was required and plans were in hand to erect a second prison near Launceston. The estimate of construction costs at the time was 2.5 million dollars. The proposed prison was never constructed, due solely to the introduction of the Work Order Scheme - thus creating a saving of at least \$2,500,000 in capital expenditure without taking into consideration associated operational factors.

At the end of March 1976 almost 150,000 hours of work had been recorded and at the meanest level of accounting this represents \$450,000 worth of labour provided free to a range of worthy welfare organizations and individuals.

It is necessary to focus attention on an aspect of the sentencers' decisions which creates extreme tension in the offender and frequently

results in a disturbed and sometimes aggressive employee. The Act does not attempt to equate the number of days in a Work Order with a period of imprisonment and, indeed, it is probably better that this is so. A problem arises, however, when the offender is merely offered a work order as an alternative to a prison sentence with no attempt made to quantify either. The offender is faced with a situation wherein he is required to accept one of two options without any real concept of what faces him.

Several people, including lawyers, have suggested that some form of remission system should be introduced into the legislation. As the Act now stands, a formal application must be made under Section 13 to have an order discharged, and there is no provision for discharge on the grounds of good conduct. On the other hand, it is held that as work orders are an alternative to imprisonment and days of work cannot be equitably compared with total incarceration, all the days ordered must be served. There are several instances of large number of days being imposed (between 60 and 90, which takes up to 2½ years to complete taking into account holidays and other absence with permission) on offenders who would probably have settled for a prison sentence of relatively short duration had the terms been known to them. In such instances there would be merit in remissions for regular attendance and good behaviour.

Regular visits to all districts by senior staff from Head Office have been welcomed by supervisors, probation officers, and employees alike. It seems to be a case of "showing the flag" in an informal way, but the interest generated is a definite boost to morale in the system as a whole, for both the employee and the supervisor.

It is thought more time should be spent and consideration given,

particularly in the Launceston and Devonport districts, to the selection of projects. This comment applies especially to the individual assistance projects.

When dealing with employees who are out of work there is a tendency to send them to projects on more than one day per week. The effect of intermittent punishment is thus lost and the practice cannot be recommended unless under special circumstances.

From most points of view the scheme is successful. As an economic measure it would be extremely difficult to surpass and as an intervention technique and socialising influence the scheme has a great deal to commend it. However, it could be improved in a number of areas and the provision of part-time roving supervisors in all districts would remove a burden from the existing stipendiary officers. Some of these officers are giving devoted service and working excessively long hours, particularly at weekends, and their dedication would be hard to equal. A relatively small establishment of work order staff would meet the needs of the scheme and could be -

1. State Co-Ordinator;
2. Regional supervisors;
3. Part-time paid roving supervisors;
4. Clerical and typing support group

The cost of such an establishment would be insignificant when equated with the savings to be made, and particularly so if a work order scheme can be applied in a developing region - thus at least considerably reducing the need for expensive alternatives.

Experience indicates that some of the best results have been achieved with employees who are also under probation, but to add large

numbers of employees to the caseload of an already heavily committed probation officer is to risk breakdown.

One-third of offenders placed on Work Orders were sentenced as a result of offences against the traffic code. A useful purpose would be served for both the offender and the community by helping him to learn and understand the traffic code. This would particularly apply to illiterate and subliterate offenders.

In conclusion the Work Order Scheme is a successful, unique, innovative and viable alternative to imprisonment, with numerous benefits for both the offender and the community. The scheme can be unreservedly recommended for adoption in other Australian states and Territories.

RECOMMENDATIONS

1. The offender be given a proper choice of alternatives by the Bench stating clearly what the alternative sentences are - e.g., 15 Work Order days (requiring 3½ months to complete) or 14 days' imprisonment.
2. All persons placed on Work Orders also be placed on Probation for at least the period required to complete the Work Order.
3. A proportion of the Work Order days, say no more than 50%, may, at the Administrator's discretion, be worked at educational tasks - particularly those related to learning the Traffic Code, and improving literacy.
4. Remissions on Work Orders be introduced and administered by the Departmental Head or the Chief Probation Officer for the State.
5. Regular bi-annual visits be made by the State Administrator to all Work Order projects, supervisors, and pensioner-supervisors, throughout the State to maintain morale in the Scheme.
6. More time and effort be given in the Devonport and Launceston regions for the selection and development of projects, particularly the individual assistance projects.
7. More roving supervisors be appointed in all districts as the need arises.
8. Employees to spend no more than one day each week on Work Orders. Approval for variation must be sought from the State Administrator.

END