

REPRIEVE

President's Welcome

Rachel Walsh

Thank you for your interest in a Reprieve Internship.

Reprieve started as a simple idea. After he visited New Orleans and saw the work being done by Clive Stafford Smith and others on behalf of poor, marginalised prisoners facing the death penalty, Nick Harrington came home appalled by the death penalty and determined to make a difference. He believed then, as we believe now, that one of the most practical investments we can make from Australia is 'people power'. Armed with that idea, Nick set up Reprieve Australia in 2001, and soon arranged for the first group of volunteers to travel to the US. The Reprieve Intern Program was born. Since then, Reprieve has invested significant time and resources in promoting and operating the program.



We are very proud of our Internship Program. Since 2001, Reprieve has sent well over 50 volunteers to work in capital defence offices across the United States. The hours of labour donated by our Interns equate to one person working full time for over 15 years. In offices in Louisiana, Texas, and many states beside, our Interns have volunteered their holidays or taken leave from their paid employment to research, file, photocopy, visit prisoners, investigate cases and talk to witnesses and families of clients. By all accounts a Reprieve Internship is challenging and exhausting. In a world where the state will kill its citizens in the name of 'justice', this is literally life-saving work.

But it's not just the lawyers and their clients who benefit. Despite the sacrifices, Reprieve Interns return feeling richly rewarded. The program offers the unique experience of working in a foreign country and learning about its legal system and society. Interns also learn the skills necessary to operate in a high-pressure work environment. And perhaps most importantly, there is the personal reward of helping those so desperately in need.

A Reprieve Internship is a life-changing experience. I know. I was a Reprieve Intern in 2002–03. Above all else, the Reprieve Internship gives you an opportunity to address the wrongs of capital punishment head-on, and a chance to make a difference in a very practical way.

I encourage you to read this pack and to ask yourself whether you are up to the task. A Reprieve Intern is a special kind of person. Are you up to the challenge?

Reprieve Internships About Reprieve

Reprieve Australia was established to provide effective legal representation and humanitarian assistance to impoverished people facing the death penalty, to produce and publish information about the use of the death penalty and to raise awareness generally about human rights.

Since its launch in May 2001, Reprieve has conducted Internship and volunteer programs abroad and at home, produced quarterly newsletters, supported events to raise awareness about the death penalty and worked with other organisations in the fight to abolish the death penalty.

Amnesty International, the International Commission of Jurists, the Castan Centre for Human Rights, and Liberty Victoria have endorsed Reprieve Australia and its goals. Its patron is the Hon Justice Michael Kirby AC CMG. It has sister organisations in the United States, the United Kingdom and the Netherlands.

For more information on Reprieve please visit www.reprieve.org.au.

To join our mailing list, please email executive.officer@reprieve.org.au.

Intern Profile

Natasha Stojanovich

Natasha is currently undertaking Articles with DLA Phillips Fox. Before starting with DLA full-time, Natasha worked as a part-time paralegal in the firm's State Government Team. Natasha volunteered to undertake a Reprieve Internship because she "was (and still am) passionate about ensuring access to justice for



impoverished defendants on death row." During her internship she spent time working in legal offices in Louisiana, Mississippi and Florida. The work she did during her Internship was varied, it included undertaking legal and historical research, interviewing clients and their family members, conducting juror interviews, file management, photocopying and prison visits. Natasha says that the program enabled her to contribute in a very practical way to some of society's most vulnerable members and inspired

her to pursue a career in legal practice; she says that "she can't recommend the program highly enough!"

Reprieve Internships About the Program

The Reprieve Intern Program places enthusiastic volunteers in capital defence offices in the United States, where they work either assisting with the representation of impoverished defendants facing execution, or on research and litigation directed towards systemic reform.

Interns are placed for a minimum of three months at law offices dedicated to capital defence work in the US, predominantly in the Deep South. The placements are completely self-funded — that is, the Intern must pay for all travel costs, accommodation and living expenses while undertaking their Internship. Please note that some universities may provide travel grants to their students for Reprieve Internships, see the section on Financials.

The work performed by Reprieve Interns has proved vital to the legal offices to which they are attached. Each of the offices supported is a non-profit organisation working in a notoriously under-funded field. Reprieve Interns can often be the only way in which these offices are able to meet the demands of their caseloads. The total number of hours worked by Reprieve Australia's Interns to date equates to over 12 and a half years of full time work provided to these offices at no cost to them.

In addition to the benefit to the host offices and their clients, Intern placements are a richly rewarding experience for the Interns themselves, offering the unique experience of working in a foreign country and providing humanitarian relief to those in need while learning about another legal system

Types of Work

On arrival at their placement, Reprieve Interns are given in-house training and more basic tasks designed to make them familiar with the host office and the requirements of the work. Thereafter, the work of Interns can be extremely varied depending upon the needs of the office at the particular time. Tasks range from spending days at a time at a photocopier, to ferrying clients' family members to death row to visit their loved one, to providing courtroom assistance in a capital trial. The abilities, skills and willingness of the Intern combined with the workload of the host office largely dictate which tasks Interns will perform.

As Reprieve places Interns at a number of offices, the nature of the work and the work practices will differ. However, some of the common tasks include:

- **File Management:** Some of the most useful work performed by an Intern is file management. Interns will often find themselves either organising or updating a file. This includes: organisation of a file (paginating, preparing annotated indexes etc); preparation of team documents (address lists, timelines, case status sheets etc); preparation of notebooks for use in court (witness statements, pleadings, exhibits); preparation of trial summaries involving lengthy transcripts; and, of course, large quantities of photocopying.
- **Investigation:** The investigation of a case at the guilt or penalty phase of a capital trial or in post-conviction proceedings will include a fact-finding exercise involving either direct interviews of potential witnesses or collection of documents. The bulk of investigative work for Interns involves work with documents. This takes the form of public record requests to local courthouses and other public offices, such as police departments and prosecutors' offices, as well as news media research. Interns may also be involved in the collection of private documents, using release forms or subpoenas.

Interns may also be involved in some witness interviews. These will be conducted with prosecution or defence witnesses (including both eyewitnesses and mitigation witnesses), surviving victims or their victim's families, defendants or jurors. In the case of a defendant, a gaol or prison visit will be required to conduct the interview; otherwise interviews are usually held at the residence of the interviewee. Detailed memos are expected to be prepared within 48 hours of the completion of interviews.

- **Research:** Drafting motions or appearing in court is the exclusive domain of the practicing US-qualified attorneys. However, an Intern may be requested to research a certain legal issue and draft a memorandum outlining the law on the issue. Other research may include research on issues of psychology or forensic science. Interns are also often asked to proofread or perhaps edit a legal document prior to it being filed with the appropriate court.

Reprieve Interns in the past have also engaged in research and litigation directed at systemic reform, rather than just individual cases.

Workloads

The average working week in these offices for staff is 50–70 hours and will often involve work during weekends. During times of high demand, such as trials, some Interns have chosen to work 7 days a week, upwards of 16 hours a day.

Timing of an Internship

Normally, Reprieve Internship last for between three and six months. Due to the requirements of the offices in which Interns are placed, each Intern must commit to a minimum of three months. We accept applicants at any time during the year, for departure at any time. However, most Interns tend to undertake their volunteer work over the Christmas holidays.

There is no deadline for applications for Internships, but we recommend that you apply at six months in advance of your proposed commencement date.

Reprieve Internships Requirements

Reprieve Interns must be unshakeably opposed to the death penalty. Maturity and self-sufficiency are critical given the demands of the work and the placement in a foreign country. Scant resources mean that supervision will often be minimal and so the ability to work independently is of paramount importance.

A Reprieve Intern is placed into a busy office with staff stretched to their limits in terms of what can be achieved in a day and it is important that the Intern's presence be a help rather than a hindrance. Interns must respect the host office environment, and be sensitive to the personal impact of death penalty work on the lawyers and investigators who do it every day for years on end. Interns should also be aware that they will rarely receive the praise or acknowledgement for their work that they deserve, simply because of the extreme time pressure their supervisors are forced to operate under.

Interns must have a respect for the social environment in which they are working. The Southern United States is a socially and politically conservative region. An Intern needs to bear this in mind, and not assume that their views are shared by the people they encounter in the course of their work.

It must be stressed that a great deal of the work that an Intern is expected to do will be simply to provide administrative assistance to attorneys working on active cases. As

Intern Profile

Benjamin Kiely



Ben is about to complete his Articles with Mallesons Stephen Jaques, and intends to join the firm's corporate litigation practice when admitted in April. He has also completed clerkships with Arnold Bloch Leibler and Allens Arthur Robinson, and worked as a paralegal at DLA Phillips Fox. During his three-month Internship in Texas in 2005/06, Ben was involved in researching and drafting pleadings for appeals, as well as helping to prepare the eighth edition of *Losch's Texas Capital Defender Manual*, a guide for court-appointed capital defence attorneys. He was Editor of the *Melbourne University Law Review* in 2006. Ben says that he uses the skills he developed during the Internship program "every day, but especially when I worked in litigation — the kind of high pressure, high stakes work that I did in Texas gave me a definite edge when I returned to work in corporate litigation; it was also responsible for igniting a passion for litigation."

a result, if you are not prepared to spend the majority of your time doing filing, photocopying and driving, then an Internship with Reprieve is not for you. The work performed by Reprieve Interns has proved vital to the legal offices to which they are attached. Reprieve Interns can often be the only way in which these offices are able to meet the demands of their caseloads.

In summary, a Reprieve Intern must:

- have an unshakable opposition to the death penalty in all circumstances;
- be capable of working independently or as part of a team;
- have initiative;
- have strong organisational skills;
- be sensitive to the delicate nature of the work;
- be willing to perform mundane administrative tasks as well as more interesting case work;
- be capable of conducting legal and/or factual research;
- have an understanding of the legal, political and social issues involved in the death penalty debate;
- make a commitment to participating for a minimum of three months in the Internship program;
- be capable of working an average of 50–70 hours a week;
- have strong computer skills;
- be a member of Reprieve Australia; and
- have sufficient funds for living expenses and accommodation for the length of the Internship.

Reprieve Internships also frequently involve a lot of travelling, mostly in rural areas, spending nights in motels. As such, it is preferred that Reprieve Interns be over 21 and have a valid drivers licence. However, if you do not satisfy either of these criteria, we will still consider your application.

Reprieve Internships

Benefits of an Internship

The work of a Reprieve Internship is difficult and emotionally draining, the hours are long and the offices are under-resourced. But it is a life changing experience and many young Australians have seized it as an once-in-a-lifetime opportunity to make a difference, to stand up for something they believe in and to save lives. The Internship can be a rollercoaster of emotions; some Interns have had the experience of seeing a client walk free during their Internship, while others have worked on a case up to the time of execution.

The program has real benefits for the participants. It offers the unique experience of working in a foreign country while supporting a humanitarian cause. The educational value of the program has been recognised by various universities which provide course credits to students for participating in the program and which have also provided financial assistance to Interns. It has also been recognised by employers — such as law firms — who recognise the many important skills which Interns develop during the course of their placement.

Intern Profile

Lucy Rees



Lucy worked at the Australian Government Solicitor for several years before joining the Office of the Commonwealth Director of Public Prosecutions in 2008. Before starting full-time work, Lucy spent three months working at the Multi-County Public Defender in Georgia on a Reprieve Internship. Lucy was inspired to apply after attending a seminar at Monash and hearing about the experiences of two recently returned Interns. Having

always been strongly opposed to the death penalty, the Internship appealed to her as an opportunity to make a material difference to the quality of the defence of people facing capital charges. She worked with defence attorneys and investigators preparing for capital trials and post-conviction appeals, interviewing witnesses, visiting clients in jail, and preparing submissions for various courts. Lucy says that working with attorneys and investigators so passionate and dedicated to their careers in the law was an amazing experience and motivated her to pursue a career in law when she finished her studies.

Reprieve Internships Financials

A Reprieve Internship is completely self-funded — that is, the Intern must pay for all travel costs, accommodation and living expenses while undertaking their Internship. Reprieve Australia is unfortunately unable to provide direct funding. However, there is a range of funding sources available, from places such as universities and service clubs (among many others), who you can approach for support. Past Interns have been very creative about how they have raised the funds to pay for their Internship, from sponsored athletic feats to taking on an extra job, to moving back in with the parents for six months to save on rent.

On average, it costs Interns between \$A6 000 and \$A8 000 to undertake a three month placement. This includes airmiles, accommodation and daily living expenses. Some have survived on less, but the more an Intern has the easier the stay and the longer they can stay. It is a requirement of the program that Interns take out travel insurance, including health insurance, which provides cover at the highest level, due to the high cost of private health treatment in the US.

Depending upon the location of the placement, finding accommodation may prove a challenge, particularly for short-term stays. Most host offices will provide accommodation for the first week to allow you an opportunity to find a place and settle in. Most capital defence offices and capital appeal offices are tight knit, self sufficient communities and within a very short time an Intern will feel at home. There is usually more than one Intern in each office at any point in time, from Australia or elsewhere, and Interns often choose to share accommodation and costs during their stay.

Intern Profile

Lucy Larkins



Lucy works at Arnold Bloch Leibler in its Banking and Finance practice. She became a Reprieve Intern in 2006 because she wanted the opportunity to oppose state licensed killing. The experience was so rewarding that she decided to return and, with permission from Arnold Bloch Leibler, spent 2007 working at the Louisiana Capital Assistance Center full-time in a client welfare role. Lucy's Internship exposed her to the daily injustices that occur in the Louisiana legal system, she says that capital

punishment is treated so casually in the pervading culture that there is a callous disregard for an accused's right to a fair trial. The work that Lucy undertook was extremely varied: "one day I'd be digging through old court records and the next I'd be driving across the state to visit a client in a remote rural prison."

Reprieve Internships How to Apply

An applicant must join Reprieve Australia before applying to be an Intern. The membership application form and fee can accompany the Internship application. Membership forms are included in this pack, and are also available from our website: www.reprieve.org.au.

There is no deadline for applications for Internships, but we recommend that you apply at least six months in advance of your proposed commencement date.

Written Application

To apply, you will need to send the following to contact@reprieve.org.au (please also cc the email to archive@reprieve.org.au):

- A completed Internship Application Form, a copy of which is available from the Internships page of our website, saved with the following filename: *name.application.doc* (so, if your name was Antonin Scalia, the form would need to be saved as *antoninscalia.application.doc*);
- A current curriculum vitae (*name.cv.doc*);
- A sample of professional or academic writing (*name.sample.doc*);
- A covering letter explaining your interest in undertaking the Internship (*name.letter.doc*);
- A recent digital photo (head and shoulders only) saved as a JPEG (*name.photo.jpg*);
- One academic reference (*name.academic.doc*) and one professional reference (*name.professional.doc*);
- A scanned copy of the photo page of your passport [*name.passport.pdf* or *name.passport.jpg*]; and
- A scanned copy of a national police check [*name.policecheck.pdf* or *name.policecheck.jpg*].

Interview

After receiving all the written information, Reprieve Australia will contact the applicant to arrange an interview. This may be by phone or in person. Applications will be judged on match of skills and ability of the applicant to the work to be performed in the US.

Outcome

Following the interview, Reprieve may request further documents or arrange a follow-up interview. Reprieve Australia will inform all applicants about whether they have been successful in obtaining a placement in the Program. Unfortunately, we are not able to offer everyone a placement.

Visas

Successful applicants will need a US visa to participate in the program. Participants in the Reprieve Internship Program are eligible to apply for a business visa as members of an organisation providing volunteer/charitable work. This is called a B1/B2 visa.

Obtaining a visa is the sole responsibility of the Intern. Acceptance into the Intern Program is required before you can attend any visa interview with the US Embassy. If you are accepted as an Intern, Reprieve will provide the supporting documentation required for the interview.

Conditions of a Reprieve Internship

All Interns must agree to abide by the conditions of the Reprieve Internship Program, including:

- Committing to an Internship for a minimum of three months;
- Being able to finance yourself throughout the placement;
- Complying fully with the terms of the US Visa;
- Obtaining travel insurance at the highest level available for the US;
- Signing and abiding by confidentiality agreements regarding the work performed during the Internship; and
- Completing pre-departure training with Reprieve
- Abiding by the Reprieve volunteer media policy in respect of any public statements concerning the program or your work;
- Agreeing to follow the lawful directions of the Reprieve Internship Co-ordinators in the course of your work;
- Writing a report on your experience at the conclusion of your Internship;
- That you acknowledge and agree that your relationship with Reprieve shall be solely and exclusively that of a volunteer and not an employee. You may not bind, obligate or represent Reprieve without any prior written consent. You acknowledge that you are not eligible for, and shall not participate in, any employee pension, health or fringe benefit plan which is or may be provided by Reprieve.
- That you acknowledge that Reprieve assumes no responsibility for any injury, accident, illness loss of personal property, debts or other contingencies which may befall you or your dependents directly or indirectly, during the course of or as a result of her volunteer work for Reprieve. You waive all claims that you may have against Reprieve arising out of your work as a volunteer. In particular you accept and recognise that Reprieve has no control and little advanced knowledge of any risks that you may face, and you accept that you shall be responsible for the assessment of such risks and the appropriate measures to be taken to reduce or remove them.

Reprieve Internships Other Opportunities

Membership

One easy way to support the work of Reprieve Australia is to become a member. For only \$20 a year for the unwaged, and \$40 for the waged, you can provide direct financial assistance to the fight against capital punishment. Members receive our regular email update as well as invitations to all Reprieve events.

For further information, please see our website: www.reprieve.org.au, or the enclosed membership form.

Local Volunteers

Reprieve Australia is staffed almost entirely by volunteers. There are two major groups of volunteers:

- our Interns, who are sent to directly assist those facing the death penalty; and
- local volunteers, who work on discrete issues or campaigns or help administer Reprieve Australia.

For those who are unable to undertake an international placement, there are accordingly many other opportunities to join the life-saving work of Reprieve right here in Australia.

Our local volunteer program allows members in Australia to help in the fight against the death penalty.

Local volunteers can join a pool of people working on projects including:

- a Pen Pal program to provide human contact and support to prisoners on death row;
- a legal research program to allow appropriately qualified volunteers perform legal research tasks on behalf of indigent defendants in actual capital cases in the US;
- a broader research program aimed at developing a database of information about the death penalty and how it is applied in countries around the world;
- assisting in the management and content of our website;
- assisting in the production and content of our quarterly newsletter; and
- assisting in the running of Reprieve Australia itself.

If you're interested in becoming a local volunteer, please email us at volunteer@reprieve.org.au.

Reprieve Internships Further Information

For further information about Reprieve Australia or the Internship program, please go to www.reprieve.org.au, or email contact@reprieve.org.au.

Intern Profile

Rachel Walsh



Rachel is a Partner at DLA Phillips Fox where she advises public sector clients on good decision making. She has assisted public and private sector clients in defending or challenging administrative decisions. Rachel also assists public and private sector clients in risk management and crisis response. For three months in 2002–03, Rachel took a leave of absence from the partnership of DLA Phillips Fox

to complete a Reprieve Internship in Texas, representing defendants facing the death penalty. During that time, Rachel was involved in extensive factual and forensic investigation and analysis, and helped on all manner of projects: assisting in administering the office, preparing court documents, searching court files, taking witness statements, meeting clients in jail (and in one memorable case, going to collect a client who was being released from jail, thanks to her office's efforts). Rachel says that she couldn't but help for the Internship to be a life-changing experience; it opened her eyes to a lot of criminal justice and social justice issues from which she had largely been previously insulated. Rachel also states that "unexpectedly, [the Internship] also enhanced my professional life, by adding a new set of skills that I continue to use to this day. I was lucky to have the support of my partners in taking time out to do the Internship, but I'm proof that it's never too late to go!"