

Community Service in Northern Ireland

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Summary: As 2007 is the twenty-fifth anniversary of the Probation Board for Northern Ireland being given the legislative responsibility for community service, this article reflects on important aspects of community service practice and developments in Northern Ireland over the period. It also considers the challenge in reshaping and modernising community service in Northern Ireland to be both aware of the need for public protection and successful in assisting offenders to reduce reoffending, increase their employability and enhance their social inclusion.

Keywords: Community service, reparation, reconviction, social inclusion, employment-related skills.

Introduction

Community service orders (CSOs) were introduced in Northern Ireland on 1 April 1979 as part of the Treatment of Offenders (Northern Ireland) Order 1976. During the early years community service (CS) operated as a new community sentence within the responsibility of the then Probation and After Care Service. In 1982 the Probation Board for Northern Ireland (PBNI) was established and assumed the legal responsibility to 'secure that arrangements are made for persons to perform work under Community Service Orders' under the Probation Board (Northern Ireland) Order 1982 Act, Section 4(i)b. More recently the legislative authority has been written into Article 13 of the Criminal Justice Order (NI) 1996 where, in the case of a person aged 16 years or over who is convicted of an offence punishable by imprisonment, the court may make a CSO requiring him or her to perform unpaid work

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with the offender's consent of not less than 40 hours and not more than 240 hours.

The purpose of a CSO is to prevent further offending by integrating the offender into the community through (PBNI 2006, Section 9):

- Successful completion of positive, constructive unpaid work.
- Keeping disciplined requirements.
- Reparation to the community by undertaking socially beneficial work.

Historical perspective

Over its 25-year history the CS scheme in Northern Ireland has gone through a number of structural changes. Initially a centralised structure organised and supervised CSOs throughout Northern Ireland. This central administration was intended to support uniformity in the development of practice, however practice tended to vary the further from the centre (Belfast) it was delivered. This structure also created an artificial separateness from mainstream probation practice delivered by local field teams.

A comprehensive review of CS was undertaken in the late 1980s. The prevailing view was that CS should be more closely aligned and integrated with field team services. This consequently led to the decentralisation of CS operations although its administration remained incorporated into central headquarter departments.

The 1980s and 1990s were difficult times in Northern Ireland but it is worth noting that despite the civil unrest CS was supported by voluntary and community sectors in both urban and rural settings and successfully delivered across the sectarian divide. The period posed challenges and difficulties for CS staff, who were often at the front end of service delivery, representing a criminal justice system that was under attack.

The Northern Ireland Social Services Inspectorate undertook the first independent inspection of CS practice in 1997. The inspectors challenged the lack of consistent practice and emphasised the need for more standardised service delivery. One outcome of this inspection was the drafting and implementation of PBNI minimum practice standards and the introduction of a monitoring system to improve and maintain quality control. A further consequence of the inspection was a reduction in the number of placements provided by voluntary and community

organisations that supervised only one CS worker (offender) and an increase in the number of worksites supervised by CS supervisors working with groups of CS workers on specified projects. This resulted in both negative and positive outcomes in that there was a reduction in the number of voluntary and community sector placements but an increase in the control and direct supervision of CS workers. A further inspection in 2002 focused on enforcement and indicated that there had been significant improvements in attendance and monitoring (NI Social Services Inspectorate 2003).

The success of CS in Northern Ireland as a sentencing option has been evidenced by research comparing adult reconviction rates in the two-year period following sentence in 2002 (Ruddy and McMullan 2007). As Table 1 shows, CS is as effective as other community sentences and significantly more effective than custody in terms of reconviction rates in Northern Ireland.

Table 1. Adult reconviction rates in the two-year period following sentencing in 2002

<i>Sentence</i>	<i>Reconviction rate (%)</i>
Community service orders	34.7
Probation orders	36.4
Custody probation orders	35.8
Discharge from custodial sentence	50.6

Source: Ruddy and McMullan, 2007

Formulating a new strategy

In 2006 the PBNI agreed a new CS strategy, which addresses the managing and resourcing of the scheme and is directed towards social inclusion. Planning for the future of CS in Northern Ireland involved extensive consultations with beneficiaries, offenders and staff. The feedback was very positive, but had to be balanced with sentence expectations and the need for public protection.

As part of this planning process it was useful to reflect on 25 years of CS practice in Northern Ireland (in the region of 1.5 million hours of work completed) in order to identify the fundamental elements of the scheme that resulted in positive outcomes for both the community and the offenders. These include:

- Meaningful work.
- Matching offender interests/aptitudes to work deployment.
- Close links between the offender and the beneficiary.
- Clear understanding by the CS workers of the services provided by the voluntary/community organisation.
- Good instruction and consistent supervision.

Recent changes in CS in England and Wales present a further opportunity to review CS. Although there are clear variations in CS schemes between the different jurisdictions, there were also legislative and operational similarities up until 2001 when the first of three significant developments was introduced in England and Wales.

1. Community punishment orders

The Criminal Justice and Court Services Act 2000 (Article 200) changed the title of community service to community punishment (CP). This change stimulated the age-old debate of punishment/retribution versus restorative processes/reparation in terms of potential outcomes for offenders, victims and the wider community. The change in title supported the ideological stance of being ‘tough on crime’, however it could be argued that CPOs are identical to CSOs in all but name.

2. Enhanced community punishment

Enhanced community punishment (ECP) was intended to increase the effectiveness of the CP scheme using ‘What Works’ principles. The ECP is designed to teach the following through the practice and experience of CP work:

- Pro-social attitudes and behaviours – through modelling and enforcement.
- Problem-solving skills – through problem solving in a work context.
- Employment-related skills – through guided learning in a work context.

The thinking behind ECP had much to commend it in terms of developing work discipline and skills, and resulted in some significant outcomes:

- Good standards of work.
- Beneficiaries being happy with the results.

- Most areas exceeded the national target for order completions.
- CS supervisors received training.
- Practical links were formed with Crime and Disorder Reduction Partnerships.
- CS supervisors spent significant amounts of productive time with both offenders and the public.
- Managers at all levels had opportunities to sell the service (HM Inspectorate of Probation 2006).

The positive outcomes from the introduction of ECP influenced part of the review process and recommendations for CS development in Northern Ireland. However, there were also problems with ECP, which included:

- Wide variations in the quality of casework management.
- Not all work projects were seen to promote positive benefits for the offender.
- The programme was resource intensive.

ECP was effectively ended as a comprehensive national scheme with the introduction of ‘unpaid work’.

3. Unpaid work

The Criminal Justice Act 2003, which came into effect on 4 April 2005, introduced the community order which states that the court can impose any one or more of twelve requirements, one of which is called unpaid work (‘community service’) (Sections 177 and 199). The unpaid work requirement is where the offender works up to 300 hours on community projects under close supervision. In effect the offender is repaying his or her debt to society; but at the same time the scheme helps the offender to develop new skills. Charities, community organisations and local authorities can provide workplaces and benefit from the offender’s contribution. Unpaid work can be a singular sentence or it can be combined with one or more other requirements reflecting the criminogenic needs of the offender.

Similar sentencing requirements can be given by the courts in Northern Ireland through the use of combination orders (PBNI 2006, Section 10). A combination order combines CS with probation supervision, which can include additional requirements to address specific needs.

The way forward

The vision for CS in Northern Ireland, as outlined in the PBNI Community Service Review, is to create a dynamic scheme that is transparent and inclusive and that maintains the confidence of the courts and the wider community by evidencing an offender's reparation for the harm done, through voluntary work. This review outlines a plan to modernise the present CS scheme in the following ways:

- To highlight the reparative nature of the work to the wider community.
- To demonstrate equal opportunity with particular reference to female offenders who have been under-represented.
- To undertake work for the agreed benefit of victim groups.
- To increase the employability of offenders participating in the scheme through skills developments including literacy and numeracy.
- To extend and develop positive partnerships with the voluntary and community sectors who are willing to contribute to skills development.
- To increase the visibility of the scheme through a proactive publicity strategy.
- To show CS as a positive experience, which contributes to social inclusion.

The challenge of the modernisation plan is to develop the CS scheme in a way that contributes to the social inclusion of offenders within the community and that also benefits the community. In order for this to happen, CS needs to maximise opportunities for learning. Opportunities need to be built into the delivery of the order and not viewed as an add-on to the existing scheme. Increasing employability is a significant contribution towards social inclusion and research shows that one of the most successful methods of reducing or stopping offending is to place offenders in employment (Social Exclusion Unit 2002). Other developments planned are:

- To produce pro-social attitudes and behaviours in offenders by enabling CS staff to develop a pro-social approach to their work.
- The introduction of new work projects where trained CS staff teach 'problem solving at work' to enable offenders to learn new skills.
- The delivery of employment-related skills within the CS work context.

Some examples of work projects that provide new opportunities are:

- The refurbishment of the SS *Nomadic*, a former support ship to the *Titanic*, offers a range of restorative work and is a highly visible and prestigious project.
- Environmental work for the Forestry Commission enables offenders to learn horticultural skills in Castlewellan Forest Park, which in turn benefits the public.
- ASSISI, an animal sanctuary, provides an opening for offenders to work with animals.

Potentially the most significant development on the horizon is the review of the sentencing framework (Hanson 2006), which proposes the introduction of supervised activity orders (community service) as an alternative to imprisonment for fine defaulters. This proposal will probably present logistical difficulties but it is an exciting opportunity to expand the PBNI's work, extend partnerships with the community and voluntary sectors, benefit the community and avoid unnecessary imprisonment.

Conclusion

Research has shown that CS in Northern Ireland is more successful at reducing reconviction rates than periods of imprisonment. It remains an important sentencing option for the courts and provides opportunities for both direct and indirect reparation. Overall feedback from offenders, PBNI staff and beneficiaries reflects very many positive views about the CS scheme. Statistically, CS has maintained its percentage share of community sentences over the years, but the PBNI does not plan to take this situation for granted and has formulated a modernisation plan to increase effectiveness in terms of completion of hours and reduction of reoffending. The plan will develop offenders' skills and increase their social inclusion. CS work will also demonstrate good practice to the public and promote its benefits for the wider community.

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