

## Community Service at the Crossroads in Ireland

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**Summary:** Community service as a penal option for criminal offending is at a crossroads in Ireland. Though available as a sanction in court since 1983 as a direct alternative to a custodial sentence, under-utilisation and economic prioritisation have, in recent times, prompted government policy to promote community service as a cost-effective penalty and as a measure to alleviate a burgeoning prison population. New legislation and the development of a prisoner resettlement programme incorporating unpaid community work signal an anticipated significant increase and a broadening of the participant base. However, several problematic issues exist. Its penal philosophy is obscure, its aims are variable according to different stakeholder audiences, and the absence of clarity in effectiveness poses definition and measurement dilemmas. This paper seeks to locate community service as a penal sanction in its current context in Ireland, to identify influencing factors and to ask key questions to determine the way forward.

**Keywords:** Community service, Ireland, courts, sentencing, criminal justice, penal policy, penal culture, imprisonment, alternatives, community sanctions.

### Introduction

The work penalty has found a place between the two extreme poles of (rehabilitative) probation and (retributive and deterrent) imprisonment. This intermediate position undermines its substitutive character. (Beyens, 2010, p. 9)

Community service as a sanction for criminal offending has been available to the Courts in Ireland since 1983, the first Community Service Order (CSO) having being made in 1985. A CSO requires the performance of between 40 and 240 hours' unpaid work in the

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