

COMMUNITY SERVICE

WHAT IS COMMUNITY SERVICE?

Community service is a noncustodial punishment by which, after conviction, the court, with the consent of the offender, makes an order (Community Service Order) for the offender to serve the community rather than undergo imprisonment. Offenders are required to perform hours of unpaid work at Public Institutions for the benefit of the community, in accordance with Community Service Act (2000). Such work may include cleaning, technical work, construction, improving public places, tree planting, brick making, professional work like teaching, carpentry, etc.

Objectives of community service

- Rehabilitate offenders within their communities
- Decongest prisons
- Reduce rate of re-offending (Recidivism)
- Reduce government expenditure on offenders in prison
- Promote family and social cohesion through reconciliation of offenders, victims and the community
- Enhance the protection of offenders' human rights
- Increase involvement of the public in administration of justice
- Offender payback to the community



Who benefits from Community Service?

Community/ Victim

- Promotes reconciliation between offenders and the victim
- The Offender provides free labor to the community
- Encourages community involvement in the administration of justice

Offender

- Helps offender to remain together with their families as they serve the sentence
- Rehabilitates offenders through providing counselling and working skills
- Through social re-integration, offenders are supported to become law abiding and acquire ethically acceptable behavior so that they keep away from criminal tendencies.
- Fosters a sense of social responsibility.

Government

- Contributes towards decongestion of prisons
- Saves Government expenditure by reducing costs on prisoners
- It increases public confidence in the administration of justice

Who is eligible for Community Service?

- A person who has committed an offence for which the court would have otherwise passed a sentence of not more than two years in prison
- Have a fixed place of abode
- Non-habitual offender
- Express remorse for crime committed
- Willingness to serve a community service order

Are there specific offences for community service?

There are no specific offences for community service. The Community Service Act 2000 provides that Community service is appropriate for any offence that carries an imprisonment of not more than 2 years. The discretion to issue a community service order in a given offence remains with the Judicial Officers.

Where is a Community Service Order performed?

A Community Service order is performed at a Public Institution that benefits the whole Community. Such an Institution is referred to as a Placement Institution. The day-to-day supervision of the offender while serving the order is vested in the head of the Placement Institution.

For how long is a Community service order served?

A Community service order is issued in terms of hours for a period not exceeding 6 months. Offenders are required to perform work for a maximum of 8 hours per day, 40 hours per week, 160



hours per month and 960 hours in total. An offender may be ordered to work for less hours than the maximum.

What happens when someone does not do the work as ordered by court?

If someone does not do the work as ordered by court, the supervisor is required to make a report to court. Court will issue a warrant of arrest and depending on circumstances, the Community service Order may be cancelled and an alternative sentence given.

How are Community Service Orders Managed?

The day-to-day supervision of an offender is done by the head of a placement Institution who is responsible for assigning work as per the order and ensuring the work is performed satisfactorily. The offender must sign in at the beginning of the day's work and sign out after the prescribed hours of work. The supervisor must certify the day's work performed before endorsement of the work record sheet. A Community Service Officer follows up the placement Institution on a regular basis to ensure compliance. Local leaders and the community are encouraged to monitor the offender and the work performed.

How are offenders assisted to become better Citizens?

Offenders are followed up both during and after sentence to ensure they are effectively reintegrated in the community. This is done through visits at Placement Institutions, home visits, reconciliatory meetings, peer support, family support, continuous counselling and referral, where applicable.

COMMUNITY SERVICE PROCESS FOR ISSUING A COMMUNITY SERVICE ORDER BY COURT

Stage	Action
In community	<ul style="list-style-type: none"> An offence is committed in the community
Police	<ul style="list-style-type: none"> A complaint is registered at Police, investigated and an arrest made. During investigations a Police Officer (CID) fills PF 103 which details the back ground and track record of the offender
Office of the Director Public Prosecution (ODPP)	<ul style="list-style-type: none"> Sanctions the file and ensure a pre-sentence report is filled, if missing
Court	<ul style="list-style-type: none"> The offender is presented to courts of law. If he/she pleads guilty or found guilty after trial, a community service order may be issued. In case of lack of a pre-sentence report on file, the trial Magistrate/Judge may call upon a Community Service Officer or any designated person of authority to provide a social inquiry report to court.
Placement Institution	<ul style="list-style-type: none"> The offender performs community service/unpaid work while residing in his/her home within the community. The work performed should be beneficial to the community. Work that help offenders acquire skills is emphasized so that they gain life skills and employable skills. The District Community service Committee Members, Heads of Institutions and the general Public monitor implementation of the community service order.
Social Reintegration/ Rehabilitation	<ul style="list-style-type: none"> Throughout the above stages, offenders are provided with psychosocial support. They are followed up both at placement institutions and home, provided counselling, reconciliation is facilitated and referrals made in case of need.

Who are the key stakeholders in Implementation of Community Service?

The Key Stakeholders in implementation of Community Service Orders include Ministry of Internal Affairs, the National Community Service Committee, District Community Service Committees, Judicial Officers, Prosecution, Police, Prisons, Placement Supervisors, Local Leaders, Offenders, Victims and the Community.

The Directorate of Community Service (National Secretariat) listens to the community

The Directorate of Community Service wants to know how community service orders are performing in your community. If you know of any area in your community that can benefit from community service, we would be pleased to hear from you. All suggestions are taken seriously and followed up.

FOR MORE INFORMATION, CONTACT US ON:

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MINISTRY OF INTERNAL AFFAIRS

COMMUNITY SERVICE



Giving Chances, Making changes



DIRECTORATE OF COMMUNITY SERVICE



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