

Currently, inappropriately sentenced offenders are either not given a placement or they may be placed. In the former case, the sentence may be neither completed nor enforced. In the latter, the community is placed at risk.

The John Howard Society of Kingston had similar concerns. Its brief noted that judges rarely request an assessment to determine whether it would be appropriate to sentence a particular offender to a community service order. The Society has had experiences with people who have long-term, severe drinking problems and who show up at their placements while intoxicated.

Another example of difficulties with such orders is their impact on mothers with limited incomes. The need for childcare arrangements in these cases may seriously limit a person's ability to participate in the program. Similarly, a person who works long hours at his or her job and has family responsibilities can also find such an order stressful and may resent it. Many people in this situation prefer to pay a fine. The Society argues that, in many cases, a fine is more appropriate than probation or imprisonment.

#### **v. Prison Alternative or Net Widening?**

In theory (and, in some cases, in law), community service orders are to be regarded as alternatives only to imprisonable offences. Therefore, no one is supposed to be sentenced to a community service order who otherwise would not have received a comparable prison sentence, had such orders not been available. However, sometimes community service appears to be used as an "add-on" to probation, thereby "widening the net".

Although in the past the John Howard Society of Kingston has supported community service orders as alternatives to incarceration, it now feels the original purpose of the programs has not been achieved:

It is our belief that judges have, for the most part, used Community Service Orders to expand the intensity of community sanctions. Generally, they do not use Community Service Orders as an alternative to incarceration. (Brief, p. 2)

In fact, it states, between 1977 and 1983 while the number of community service order hours has increased, prison populations have not declined.