

sentenced is only part of the intent of this program. Offenders are required to be responsible not merely for themselves but also for the effect of their behaviour on others. This form of sentence, therefore, represents not only a change in method of punishment but also a change of goals:

[Community service fosters] an *awareness of the needs of others*, an awareness "that the members of society are interdependent" ... in short, ... [the object is] to change the offender's basic moral attitudes toward his [or her] society.⁷ (our emphasis)

This goal represents a desire not merely to repair damage done but to express the principle of justice in social relations.

The Community Service Order is *a means of providing restitution to society* for the harm caused by the offender. ...

This form of penalty, a very useful alternative to the traditional methods of sentencing, *emphasizes the offender's responsibility to society* in a direct way.⁸ (our emphasis)

These goals are entirely consistent with the sentencing goal proposed by the Committee.

e. Issues of Concern

i. Legislative Authority for Community Service Orders in Various Jurisdictions

The sentence of community service was adopted in Canada during the late 1970s after its legislated introduction in England, although no specific legislative provision for it exists here. It has been regarded as an appropriate disposition for offenders convicted of a wide range of less serious offences, and is ordered, generally on consent (as in other Commonwealth countries), pursuant to section 663(2)(h) of the *Criminal Code* as a condition of probation. The use of the condition must, of necessity, be based on practical considerations relative to the ability of the offender to perform the work and the community to provide the avenues of enterprise.

Community service was introduced by legislation in Georgia in 1982. It was intended to "pointedly impress upon the probationer the collective concern of society over his [or her] criminal activity," and to promote a "work-ethic approach to punishment".⁹ The responsibilities of the community agency, the community service officer, the offender and the