



Research Paper

The Impact Of The Community Service Order Program Towards The Young Offenders' Behavioural Change

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Abstract

This study explored the impact of community service order programs towards young offenders' behavioural change. This qualitative study used a semi-structured interview protocol to collect narrative data from six young offenders. The young offenders involved in this study were selected based on their behavioral change after carrying out several series of community service order programme. Data collected was analyzed using a thematic approach. Results revealed that there were three main themes emerged namely awareness of the freedom, refraining from committing crimes and being grateful. Overall, community service sentences were found to have a positive impact on changing the behavior of young offenders. The experience of following the sentence has made young offenders aware of their guilt, at the same time they expressed the need to value a free life. This proves that humanitarian punishments are more beneficial and provide an alternative to existing prison sentences.

Keywords: behaviour, crimes, young offenders, community service

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I. Introduction

Community Service Order Programme is one of the rehabilitation programmes that aims at behavioural changes of offenders using a community-service approach (Maruna 2001). The past study revealed that young offenders who have gone through the Community Service Order Programme have a positive impact on prisoners' attitudes (Walters 2014). Rehabilitation institutions play significant roles to intervene offenders. Petersilia (2003) states that the experience of having intervention is sometime is viewed to be punishment. In certain situation, rehab in detention for prisons have a negative impact on physical, mental and emotional aspects of prisoners. It may be due to the lack of monitoring in rehab centres. Lebel (2012) explained that long periods of incarceration will have an impact on relationships between inmates and family members as these groups need to be separated from significant individuals in their lives for a certain period of time.

Detention in prisons and moral rehabilitation programmes further may complicate the process of social integration as prisoners have to deal with socio-cultural negative labeling (Folk et al. 2016). Due to this situation, rehabilitation process has evolved into humanity-based concept instead of punishment orientation. Therefore, a Community Service Order Programme has been adapted in the legal system in many countries. The Community Service Order Programme aims at rehabilitating offenders by creating positive relationships between prisoners and community members, reducing the risk of social isolation as well as, and facilitating the process of social integration (Caudy et al. 2015). In Europe, offenders between the ages of 16 and 20 are required to serve 240 hours of community service (Caldwell & Rybroek, 2013). Since 1990 to 1998 a total of 13,100 young offenders had served a community service sentence in Ireland (Chan & Lo, 2016).

Community Service Order Programme

There are various terminologies used for community service order programme worldwide. According to the Malaysian Law, Section 293 (1) (e) (i), Criminal Procedure Code Act 593 (Amendment 1999) states that young offenders are ordered to undergo a Community Service Order not exceeding 240 aggregate hours at a time and place determined by Court. The Community Service Order programme is to prevent young offenders from repeating criminal offenses in the future by returning young offenders to the bosom of society through the

Community Service Order program. In Malaysia, community service orders are carried out on weekends (Saturday and Sunday) from 8.00am/9.00am until 2.00pm/3.00pm. In addition, this order can only be done for six hours a day (as stated in the Umbreit formula) and must be completed within a period of five to six months or 10 to 12 months (according to the number of aggregate hours set by the Magistrate (Department of Social Welfare 2011). Young offenders involved in community service programme will not be given any payment or reward after doing charity work while the place and time to carry out the order is determined by the court and supervised by civil servants.

The Community Service Order in the United Kingdom in 1970, suggested that the sentence of the Community Service Order should meet a few special conditions. Based on the positive feedback received from the prison department, starting from 1973 the Great Britain government has ordered that the sentence of community service order be implemented throughout the United Kingdom as an alternative sentence for adult offenders who have been convicted for the first time (Scottish Prisons Commission 2008). The Criminal Justice Act was introduced in England and Wales in 1991 posits that adult offenders are required to serve 40 to 100 hours of community service. This command is renamed to Community Punishment Order in 2001. In Scotland, Law Reform was introduced in 1995. The Scottish Government stipulated that young offenders between the ages of 16 and 20 should serve a CPO sentence of 80 to 300 hours (Scottish Government 2008). In addition, in 2005 the United Kingdom government introducing the National Standards for Community Service Order which aims to punish offenders by doing charitable works without be rewarded and increase discipline within the offender (Social Work Services Group 1993).

Aim of the Study

This study explored young offenders experience after they went through the community service order programmes and how it affects their behavioural changes.

II. Research Methodology

This study used a case study design to explore the experiences of offenders who went through rehabilitation programs and why behavioral changes occur to them. "Case studies should not be limited to a single source of evidence but most case studies rely on multiple sources" (Yin, 2003: 93). A semi-structured interview was used as an interview protocol that focuses on the offenders experience in the community service order programmes and how it affects the offenders' behavioural changes. This case study was carried out in Perak , a northern state in Malaysia. The Community Service Centres in this state are located in 12 districts. A number of 16 young offenders from these centres were involved in the interview sessions. All the offenders interviewed in this study were involved in several types of criminal behavior. Based on the officers' observations, they showed behavioural changes and seemed to have positive impact on the community service. Narrative data collected was transcribed and analysed using thematic approach.

III. Findings and Discussion

Results from this study revealed that there are five themes emerged as follows:

Awareness

Based on the findings of the study, there are seven forms of repentance such as appreciating a freedom, realizing young age before old age, increasing love and devotion to family, obedience and piety to God, work as an act of worship, patience part of faith and awareness of praying and remembering die. The following describes the results of interviews, document analysis and reflective notes.

Respondents touched on valuing a freedom outside of prison as opposed to inside prison. In general, appreciating a freedom definitely requires positive behavior change especially trainees including family and community. If the trainee does not make the best behavior change, the trainee will not enjoy the meaning of a freedom. Trainees also engender positive behavior change and value a freedom as discussed. Through the findings of the study and interviews R1 found.

"Life in prison is very different than outside prison. Although I have never been incarcerated or attended a day session in prison but I can feel and imagine living a tall brick wall without looking at nature, without parents and family. I think I was very fortunate to be sentenced by the Community Service Order but not imprisoned even though I was convicted of a criminal offense of negligence during the acquisition of a motorcycle with a valid registration number. The chance of Community Service Order punishment is only once in my life and coincidentally I am 20 years old now. I can still go on with daily life like, living with mom, dad, siblings and continue the loving relationship between us. Besides, able to eat his mother's food and continue to work with his father, that is, monitor his father's workers to build the house. I can still receive a monthly salary from my father even though I am in the Community Service Order period. So I really appreciate a freedom to live outside of prison as it is now. Thanks be to God "

(R1 b.141-156)

In addition, a trainee from the Community Service Centre 5, also gave an opinion during the interview. The trainee expressed his gratitude for not being imprisoned, even though the trainee was convicted of recklessly riding a motorcycle and endangering himself until he was sentenced by the Community Service Order. If the Community Service Order law is not implemented in this country, the trainee will definitely be sentenced to prison. The trainee was also labeled as a former prisoner after being released from prison sentence. The following are some of the findings of the R2 interview.

"I am especially grateful to the Malaysian government for successfully creating a special Community Service Order for respondents like me. The Community Service Order gave me the opportunity to correct past mistakes and gave me a new spirit to change to noble morals. With the implementation of the Community Service Order, I escaped prison. I gave birth to a gratitude that I could not have valued to God. The Community Service Order that I went through, I was not labeled as a prisoner or a former prisoner. I can continue to eat my mother's food and live with my mother and father. The Community Service Order has given awareness, increased awareness and reshaped my spirituality which can be manifested in my behavior. For example, helping the father work the paddy fields and helping to manage the paddy harvesting machinery and supervising the father's workers. Therefore, behavior change as I mentioned earlier is to value a freedom outside of prison. Appreciating a freedom cannot be achieved if I am imprisoned, in fact I am labeled as a prisoner and a former prisoner "

(R2 b. 224-234)

R3 also expressed his gratitude of living in freedom. The following is an excerpt from R3's interview, which evoked a sense of appreciation for a freedom.

"I am very grateful that I was not imprisoned. I was involved in criminal behavior until I was convicted but I am grateful to be sentenced by the Community Service Order. This gratitude of mine I cannot describe but only I can give birth to verbally and emotionally. Thanks again to God because I can still continue to live with my family and have the opportunity to enjoy the food cooked by my mother. This facility that I have achieved cannot be felt in prison and this is what is said as appreciating a freedom "

(R3 b. 279-286))

Every event that happens in a person's life sometimes has a positive or negative effect. Respondents also experienced the situation and according to R3.

"The black and bitter events in my life have had a profound effect. For example, I used to be quick to get wind of it but now I can think long and hard and control my anger. Thanks be to GOD because GOD has granted such a change to me. I want to make my mother and father happy "

(R3 b. 291-296)

A respondent from the Community Service Centre 3, described the value of freedom during the festival months. According to R4.

"I explained the meaning of valuing a freedom, the first example, I waited for the breaking of fast during the month of Ramadan with my mother, father and siblings at home. That is the moment that I and all Muslims around the world are looking forward to because in addition to fasting, I can enjoy the food prepared by my mother with my family. Perform tarawih prayers with the family at the mosque and enjoy morning food in a drowsy state. The second example, while celebrating Eid and performing the Eid prayers with the family and forgiving, especially with mother, father and siblings. The third example, visiting a relative's house in the village while enjoying a feast. I like to celebrate in the village because celebrating in the village is very lively.

(R4 pp. 437-452)

R5, on the other hand, from the Community Service Centre 2, described the value of freedom during the atmosphere of celebrating Eid festival such as sacrificing animals and celebrating the wedding of close relatives. According to R5.

"I describe the value of freedom through the first situation, which is when celebrating Eidan prayers, listened to the sermon after the prayers, and apologized to their parents, family and relatives. The second situation, which

is to help the mosque to perform the sacrificial ritual which is performed only once a year. Activities involved such as, laying down sacrificial animals, preaching, slaughtering, butchering, cutting, weighing meat and distributing the meat to those who are entitled to receive it. The third situation, the wedding of the nearest siblings. This is the situation that is exciting before, during and after the wedding ceremony because you can gather and make friends with relatives. The atmosphere that brings back sweet memories as I described above is outside the prison but not felt inside the prison. That is the picture of the meaning of appreciating a freedom "

(R5 pp. 206-222)

A respondent from the Community Service Centre 4, imagined that a person can't appreciate a freedom because of being a prisoner and living in a prison. According to R4.

"I can imagine as a prisoner living in a prison. Every day living with other inmates who have a variety of manners and behaviors. The situation made the Prison Officers act decisively and always in strict control. Every day a prisoner counts the days, when he can be released. This is what makes me look forward to the last day to be released. Meanwhile, mothers and fathers certainly do not feel calm and shed tears during their son's time in prison. The atmosphere of the prison as I describe this is not like the beauty and freedom outside of prison. That is what I describe as a freedom to live outside of prison "

(R4 b. 471-481)

The current findings are parallel with the past study in the Ireland where it was found that the average number of Community Service hours equivalent to one month of imprisonment differed by offence type (O'hara& Rogan 2015).

Avoiding Crime

Based on the interviews, the trainees suggested a one -day session in prison should be implemented as one of the activities of the repentance program. The trainees also suggested the number of session days per day be increased based on the trainees 'views. According to R1.

"A day session in prison needs to be more serious because it can increase my self -awareness and that of other trainees. A day session in prison is not enough and I would like to suggest increasing the number of day sessions a day in prison from one day to one week because life in prison is far different from life outside of prison. With that difference, I can prevent myself from committing any crime "

(R1 b. 210-217)

According to R4, from Community Service Centre 3 Office, touched on the seriousness and duration of the one-day session in prison through the following interviews.

"I feel that the presence of the respondents in prison can raise awareness and increase my awareness as well as other Community Service Order trainees. Once again, I am very fortunate to be sentenced by the Community Service Order instead of being sentenced to prison. I would like to suggest a period of one day in jail be added to a week only then is it relevant. That period was a bitter experience living with prisoners in prison. I would like to suggest that every trainee is required to attend a session in prison whether a trainee is sentenced to a long or short term by the Community Service Order. With these suggestions and implementation, it can increase awareness and trainees will think twice before committing any crime "

(R4 pp. 424-436)

R2 during an interview held at the Community Service Centre 5, suggested that the number of session days be increased per day in prison. According to R2.

"I feel that a day in prison is not appropriate and does not promise full repentance and feelings because the current session is too short. Therefore, I suggest that the period of one day be amended to ten days before it is worthwhile and should be implemented seriously. Only then will it be effective and make my heart, soul, feelings and those of other trainees aware "

(R2 b. 201-205)

According to R3, the Community Service Centre 4 also proposed to increase the number of session days in prison.

"There are no other proposals so far. However, a one -day session in prison needs to be serious in order to restore awareness and repentance to every trainee involved. I would like to suggest that the period of one day in prison be increased to a week or more before it can increase the sense of remorse and remorse "

(R3 b. 462-467)

Grateful

The factor of distance from the place of residence to the place of Community Service Order influences the trainees to experience various problems that must be understood and addressed. These problems if not curbed cause the commitment and involvement of coaches to be disrupted. According to R3 from the Community Service Centre 4.

"I underwent PKM at Rumah Seri Kenangan, District 4. The travel distance from where I live is about 80 kilometers round trip. Had to involve high costs because it involves money for fuel, food and drink. I beg to move to a place closer to home so that it is easier to go through the Community Service Order. I feel grateful that my application was approved "

(R3 b. 199-205)

In total, out of 6 respondents, only one respondent (Eman, the Community Service Centre 4) experienced the problem of long distance travel that is from the place of residence to the location where the Community Service Order took place. However, he was grateful for being approved to change the location of the Community Service Order from the Community Service Centre 4 to the Community Service Centre (K) 4.

IV. Conclusion

Overall, it proves that the community service program has an impact on behavioural changes. The implications of the conversion program taking place are of a change in behavior, thinking and spirituality. Various suggestions of trainees regarding the duration of a one -day session in prison. All trainees suggested the number of session days in prison be increased from one day to several days. This is because they view the one -day session in the prison as too short compared to the two to seven days period during which the trainees were remanded. To realize the proposal, it will definitely involve additional management costs such as transportation that involves petrol to take the trainees back and forth as well as eating and drinking. Therefore, the authorities should review the one -day session in the prison even as an additional program. Finally, the session in prison is part of the effort to shape the personality in repelling any negative influences and further strengthen the understanding of the respondents from the spiritual aspect.

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