

SPECIAL ISSUE

Comparing penal practices: the example of community service in Belgium, the Netherlands, Scotland and Spain

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INTRODUCTION

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The idea for this first special issue of the European Journal on Probation on community service took shape almost a year ago at the second meeting of the European Society of Criminology (ESC) Working Group on Community Sanctions in Glasgow. Listening to each others' stories about this sanction in our respective jurisdictions, we were struck by some intriguing and recognizable similarities. An important objective of the ESC working group on community sanctions is to uncover the histories, rationales, policies, practices and research findings on community sanctions in different European countries. Looking at the literature on community sanctions there is an overwhelming dominance of the Anglo-Saxon literature. In a European context, the evolution of community service and other community penalties in general in England and Wales is very well documented (e.g. Bottoms, Gelsthorpe & Rex , 2001; Bottoms, Rex & Robinson, 2004; Raynor & Vanstone, 2002; Rex, Gelsthorpe, Roberts and Jordan, 2003;Worrall & Hoy, 2005 to name some). The developments that are described in these books have inspired and shaped the ideas and discourses of many scholars on community penalties in non-English speaking European countries. However, apart from Albrecht & Schädler's (1986) and Tak & Van Kalmthout's (1992) publications, (comparative) literature in English on the developments on community service in countries other than the UK is rather scarce and fragmented.

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It is therefore a great opportunity to get a forum in the European Journal of Probation to focus on some countries that are less covered in the English language literature. An important starting point of this special issue was a concern to document the historical developments and current practices in four countries that are less exhaustively described in the international literature. To facilitate the comparative analysis that we report in the final paper in this collection, we began by developing a common framework within which the development and operation of community service in each country could be described. This included the legal framework, aims, terminology, implementation, execution and management, operational statistics on the use of the sentence and offender characteristics, completion rates and effectiveness.

The four countries upon which we focus respond to very different legal and penological traditions, in geographical/cultural terms they belong to northern, central and southern Europe, and, as regards to community sanctions, some have a long community sanction history and others a shorter one. We were therefore eager to find out where the differences and the parallels could be found. We hoped that our national articles, explaining the historical, local, cultural, legal and social background of the practices of community service could enhance an in depth comparison of the use of community service between these countries today.

While we are able to identify important cross-national differences in the operation of community service that can be understood in relation to its historical development and wider penal practices in each jurisdiction, of greater importance, perhaps, are the common issues and developments that emerge: net widening, a trend towards increasing punishment (as evidenced by a more direct emphasis on retribution, calls for heightened visibility and demands for 'tougher' work), a shift from supervision/rehabilitation towards offender management and the selective use of community service with particular groups.

The comparative article was inspired in part by Albrecht & Schädler's (1986) comparative analysis of community service in Europe. It has, in turn, inspired us to look afresh and reflect upon community service in our own jurisdictions and consider how we might take the comparative dimension of the project forward. We have already begun to identify important theoretical and empirical questions that we can pursue both individually and collectively in the countries in which we are based. However, if we are to draw broader conclusions about the 'universalising tendencies' associated with community service in Europe (and beyond) its development and operation in a wider range of jurisdictions – including England and Wales where it has recently lost its status as an autonomous sanction – will need to be explored.

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