



FANGELSISMÁLASTOFNUN RÍKISINS

Community service instead of a substitute sentence

What is community service?

Community service consists of a temporary unpaid job in the interest of society such as a charity or social-activity job of varying types, which takes the place of expiating a substitute sentence of a fine in prison. The job is performed outside of a charged individual's working time and thus he can work or study while participating in community service and therefore be an active member of society. The State Prison Administration can decide that a portion of the unpaid community service may consist of interview therapy; however, this may never exceed one fifth of the community service.

Who can request community service?

If the Collection Agency of Fines and Litigation Costs (IMST), located in Blönduós, has decided that an individual may expiate a substitute sentence of a fine, it is permissible, if public interests do not run counter to it, to complete a substitute sentence with unpaid community service when a fine is ISK 60,000 or higher, at least for 40 hours and at most 480 hours.

If a charged individual has received five or more fines for comparable offences, the substitute sentence will not be, as a general rule, completed with community service.

If the terms defined above are satisfied, an individual charged with a fine may apply for community service on the enclosed form. The terms on which community service may be considered are that an applicant does not have a case in processing by police, a prosecution, or courts of law in which the applicant is charged with an indictable act. Furthermore, it is stipulated that an applicant may not be serving a prison sentence or in preventative custody.

Where and when should community service be applied for?

Applications shall be turned into the Collection Agency of Fines and Litigation Costs of Blönduós (IMST) **no later than seven days after an applicant has received a notification of possible expiation of a substitute sentence** in accordance with a decision from the IMST. The Collection Agency of Fines and Litigation Costs forwards the State Prison Administration a request for a decision on community service along with documentation of the case and its dictum. Expiation of a substitute sentence is postponed until a decision is final on the handling of the application.

How is eligibility for community service determined?

The State Prison Administration reviews the criminal history of an applicant and summons him to an interview in order to examine his personal circumstances. Subsequently an evaluation takes place on the basis of the examination as to whether an applicant is considered likely to be able to carry out community service unsupervised along with which jobs are suitable. The State Prison Administration informs an applicant and the Collection Agency of Fines and Litigation Costs by phone or in a letter whether a request for community service has been accepted.

If an applicant fails to attend his interview, he may expect that his application for community service will be denied.

How is preparation for community service carried out?

If an application for community service is accepted, then the individual charged with a fine is presented with community service identification on which the number of hours of community service, and where and for how long the community service shall take place are written. Moreover, the terms by which the individual charged with a fine must abide are shown which are mainly that he does not commit an offence, consumes neither alcohol nor narcotics, works at the appointed time and informs of sickness or other reasons, without any delay, that cause him to be unable to attend work. At the same time, the consequences of breaching the terms are shown. The charged individual agrees to the above-defined with his signature. An employee of the State Prison Administration can accompany the individual to the workplace for the first time and monitor his progress afterwards by, among other things, visits to the workplace and interviews with the supervisor; however, the supervisor is responsible for instructing a community service worker and with monitoring his efforts. The State Prison Administration has made a contract with the Security Center for manned security for community service. The role of supervisory bodies is to visit workplaces and be in contact with community service workers and the supervisors at those places.

Completion of a substitute sentence with community service commences when a charged individual accepts in writing the terms of community service.

What kinds of jobs are performed?

Mainly jobs available are charity related and jobs involved with community issues at organisations and public institutions. A job can consist of e.g. cleaning, help with operations, maintenance, care-giving and light office work. The selection of a job depends on which jobs are available on a case by case basis and what the applicant is considered to be suited for in the opinion of the State Prison Administration.

When is the job performed?

The job is either performed during normal working hours or during evenings and on weekends. Community service is divided at a minimum over 2 months, but at maximum over 14 months and depends on the number of days in prison.

What happens if the contract is not honoured?

If a charged individual in community service breaches the terms by which he has been bound, e.g. by not fulfilling his work obligations, by insobriety or if he is charged with having committed an indictable act, then that can result in him having to expiate the remainder of the sentence/sentences in prison. These decisions are presented to the relevant party in writing.

Other information

It is possible to find more information on the terms and organisation of community service at the Collection Agency of Fines and Litigation Costs in Blönduós, phone 455-2620, website: <http://sektir.is/uraedi.php> and at the State Prison Administration on Borgartún 7, 105 Reykjavík, phone 520-5000, website: <http://www.fangelsi.is/samfelagsthjonusta/>