



Office of Penitentiary Affairs
Probation and Detention Services

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Fact sheet concerning community work (CW)

1. Requirements

At a detainee's request, the following sentences can be served in the form of CW:

- a custodial sentence of no more than 6 months;
- the remainder of a sentence after taking account of time spent on remand of not more than 6 months;
- fines and monetary penalties (*However, CW will be precluded if the fine or monetary penalty has not been paid and custodial sentence has been passed instead. This preclusion is also applicable when such a substitute custodial sentence has to be served with other custodial sentences*).

CW is done for the benefit of social institutions, works in the public interest or people in need of help. Four hours of CW are tantamount to a day of a custodial sentence.

The requirements for detainees to be allowed to do community work are the following:

- the detainee's request;
- no risk of absconding;
- the expectation that the detainee will not commit any further offences;
- detainees' personal, familial or professional circumstances do not provide any reasons against it;
- the detention authority must be able to assume that detainees will be able to cope with the pressure of serving a CW sentence and will not abuse the trust placed in them;
- suitable community work is available and detainees are prepared to do the work allocated to them;
- the guarantee that detainees will fulfil the framework conditions of the detention authority and the community work employer (earlier sentences are taken into account);
- detainees' consent that their offences that led to the sentence may be made known to the community work employer;
- detainees are fit to work and in a position to do at least 8 hours of community work per week. Detainees bear the personal costs incurred through their doing community work themselves, notably the expenses for their journey to work and for food and drink.

2. Submission of the request / deadline

Offenders have to submit the request within 14 days after receipt of the order to present themselves for detention (or within three months after receipt of the demand for payment in the case of CW instead of fines and monetary penalties), the request form to be sent to:

Bewährungs- und Vollzugsdienste
Südbahnhofstrasse 14d
Postfach
3001 Bern

3. Further course of action

The detention authority examines the request and decides whether or not to grant CW. It organises the work schedule. If the detainee fails to comply with the conditions imposed by the detention authority and the community work employer, CW will be revoked and the detainee will have to serve a custodial sentence or pay the fine or monetary penalty.