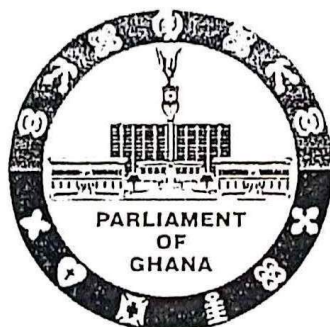


IN THE SECOND SESSION OF THE NINTH PARLIAMENT  
OF THE FOURTH REPUBLIC OF GHANA



REPORT OF THE COMMITTEE ON DEFENCE AND INTERIOR  
ON THE COMMUNITY SERVICE BILL, 2026

MAY, 2026

DEF/9/2/2/001

Page 1 of 15

**REPORT OF THE COMMITTEE ON DEFENCE AND INTERIOR**  
**ON THE COMMUNITY SERVICE BILL, 2026**

**1.0 INTRODUCTION**

- 1.1 The Community Service Bill, 2026 was presented to the House by the Minister for the Interior, Hon Alhaji Mohammed-Mubarak Muntaka, on Wednesday, 4<sup>th</sup> March, 2026, in accordance with article 106(1) of the 1992 Constitution of the Republic of Ghana.
- 1.2 Pursuant to article 106(4) of the 1992 Constitution and Order 247 of the Standing Orders of Parliament, the Bill was referred to the Committee on Defence and Interior for consideration and report.

**2.0 DELIBERATIONS**

- 2.1 The Committee met with the Hon. Minister for the Interior and Officials of the Ministry on Tuesday, 14<sup>th</sup> April and Wednesday, 15<sup>th</sup> April, 2026 to consider the Bill. In attendance at the meeting were Her Ladyship Afia Serwaa Asare Botwe, Justice of the Court of Appeal and Chairperson of the Technical Working Group on the Bill; members of the Technical Working Group; representatives from the Department of Social Welfare; representatives from the Perfector of Sentiments (POS), a non-profit organisation; as well as key officials of Departments and Agencies of the Ministry of the Interior. The Committee also was assisted in its deliberations by officials of the Office of the Attorney-General and Ministry of Justice.
- 2.2 The Committee expresses profound gratitude to the Hon. Minister and other stakeholders for attending upon it and providing assistance during its deliberations.

### **3.0 REFERENCE DOCUMENTS**

3.1 The Committee referred to and was guided by the following documents during its deliberations:

- i. The 1992 Constitution of the Republic of Ghana;
- ii. The Standing Orders of the Parliament of Ghana;
- iii. The Criminal and Other Offences (Procedure) Act, 1960 (Act 30);
- iv. The Interpretation Act, 2009 (Act 792); and
- v. The Community Service Bill, 2026.

### **4.0 BACKGROUND**

4.1 The administration of criminal justice in Ghana has, over the years, relied significantly on custodial sentences as a primary form of punishment for convicted persons. This approach has contributed to persistent overcrowding in prison facilities, placing considerable strain on the Ghana Prisons Service and imposing a growing financial burden on Government in respect of inmate maintenance, healthcare, feeding and infrastructure.

4.2 In response to these challenges, the Ministry of the Interior proposes to prioritise non-custodial sentencing within the broader criminal justice reforms. The objective is to provide appropriate alternatives to custodial sentences for minor and specified offences, thereby advancing rehabilitation, mitigating recidivism, and facilitating the effective reintegration of offenders into society.

4.3 Efforts towards the development of a structured non-custodial sentencing regime began in 2014. The Ministry, with support from the United Nations International Children's Emergency Fund (UNICEF), initiated the formulation of a non-custodial

policy framework. The policy was reviewed thoroughly, and it included incorporating guidance from the Office of the Attorney-General and Ministry of Justice, as well as feedback from Cabinet and other key stakeholders.

- 4.4 Subsequently, a Technical Working Group established by the Ministry, in collaboration with UNICEF, undertook the drafting of a legislative framework to operationalise the policy. A consultant engaged by Perfector of Sentiments (POS), a non-profit organisation with focus on prison reform and development, further refined the draft Bill. The Ministry, together with the Ghana Prisons Service and POS, also held several stakeholder consultations to solicit broader input and build consensus on the proposed legislation.
- 4.5 Following these consultations, the draft legislation was revised from "Non-Custodial Sentencing Bill," to the "Community Service Bill" to better reflect its core focus and objectives. The consultations also led to substantive improvements to provisions of the Bill.
- 4.6 The Bill, therefore, establishes a comprehensive legal and institutional framework for the implementation of community service as an alternative to custodial sentences for specified offences. It gives effect to the non-custodial sentencing provisions under the Criminal and Other Offences (Procedure) Act, 1960 (Act 30) and the Interpretation Act, 2009 (Act 792), thereby broadening the range of sentencing options open to the Judiciary. It will also strengthen the criminal justice system and improve the efficient management of correctional facilities in Ghana.

## **5.0 PURPOSE OF THE BILL**

5.1 The Bill seeks to establish a National Community Service Secretariat, include community service as an alternative to custodial sentencing for persons convicted of specified categories of offences, and provide for related matters.

## **6.0 SUMMARY OF PROVISIONS OF THE BILL**

The Bill contains a total of sixty-six (66) clauses.

Clauses 1 to 3 deal with the establishment, objects and functions of the National Community Service Secretariat;

Clauses 4 to 13 relate to the institutionalisation of a governance structure, which includes the establishment of a thirteen-member National Community Service Board to oversee the efficient and effective performance of the functions of the Secretariat;

Clauses 14 to 16 deal with the creation of a Regional Community Service Committee in each region to, among others, monitor the implementation of community service at the regional level;

Clauses 17 to 20 provide for the establishment of a District Community Service Committee in each district to, among others, promote the implementation of community service within respective communities;

Clauses 21 to 24 cover Administrative Provisions, including the appointment of a National Coordinator and staff of the National Community Service Secretariat;

Clauses 25 to 28 relate to Financial Provisions on funds of the Secretariat as well as standard requirements on accounts and other reports;

Clauses 29 to 35 deal with the creation of a Rehabilitation Fund aimed at providing financial resources for the rehabilitation of convicted persons;

Clauses 36 to 38 are provisions in respect of Probation Officers and Supervising Officers and their roles in, among others, identifying placements for convicted persons and reporting findings to the courts in prescribed forms;

Clauses 39 to 42 provide for community service as an alternative punishment in a conviction for a minor offence;

Clauses 43 to 49 deal with the prerequisites for making Community Service Orders as well as the nature and type of community service to be imposed on a convicted person;

Clauses 50 and 51 relate to the enforcement of a community service order and the obligations of a convicted person subject to a community service order;

Clauses 52 and 53 set out the consequences for the breach of a community service order;

Clauses 54 to 56 deal with a subsequent offence committed during a period of community service;

Clauses 57 to 59 relate to a review and revocation of a community service order;

Clause 60 deals with processes in respect of the discharge of a convicted person under a community service order; and

Clauses 61 to 66 cover miscellaneous provisions, including consequential amendments and transitional matters.

## **7.0 FISCAL IMPACT ANALYSIS ON THE BILL**

- 7.1 In accordance with section 100 of the Public Financial Management Act, 2016 (Act 921), the Ministry of Finance in May, 2024 undertook a Fiscal Impact Analysis on the Community Service Bill, 2023 in response to a request by the Ministry of the Interior (copy of fiscal impact analysis report attached as Appendix A).
- 7.2 According to paragraph 4 of the report submitted by the Ministry of Finance, following the analysis and costing of various items required for the implementation of proposals in the Bill, the expenditure impact on the Government for the year the Bill would take effect is in the sum of Twenty-one Million, Five Hundred and Thirty Thousand, Thirty-five Ghana Cedis and Eighty pesewas (GH¢21,530,035.80).
- 7.3 The Ministry of Finance estimated an annual savings of Four Hundred and Ninety-three Thousand, Four Hundred and Seven Ghana Cedis (GH¢493,407.00) for ration in our prisons, if some offenders undertake community service instead of serving custodial sentences.
- 7.4 The Fiscal Impact Analysis report concluded with a recommendation for the passage of the Bill into law, given the fact that the Government would make some savings on operational and administrative expenses for prisons and prisoners through the effective implementation of the community service scheme.

## **8.0 OBSERVATIONS AND RECOMMENDATIONS**

### **8.1 General Support for the Bill**

The Committee commends the Ministry of the Interior and relevant stakeholders for the measures undertaken toward the introduction of community service as an alternative to custodial sentencing.

The Committee is optimistic that the integration of community service into the criminal justice system will contribute to the improvement of conditions within prisons and correctional centres. The structured departure from sentencing all persons convicted of minor offences to prison custody is a measure expected to reduce overcrowding in our penitentiaries.

Furthermore, the effective implementation of community service as a non-custodial sentencing option is anticipated to reduce public expenditure on incarceration and facilitate the rehabilitation and reintegration of offenders into society.

### **8.2 Funding and Financial Sustainability**

The Committee noted the absence of a clearly defined funding framework to support the implementation of the Bill once enacted. Clause 31 of the Bill provides for two sources of moneys for the Rehabilitation Fund, namely accruals from the provisions of services by convicted persons to third parties and any additional funds determined by the Minister with parliamentary approval.

The Committee is concerned that these sources may be inadequate to meet initial take-off costs and to sustain the programme in the long term. The estimated initial cost of

GH¢21,530,035.80 indicated in the fiscal impact analysis report would be difficult to realise through the proposed funding mechanisms alone. The Committee cautioned that experience from other jurisdictions, notably Uganda, shows that insufficient funding undermines the effectiveness of non-custodial sentencing regimes.

Effective community service programmes require sustained resources for supervision, administration, training, monitoring, and evaluation. The Committee, therefore, recommends that funding provisions be integrated into the national budget and aligned with justice sector priorities to make community service a viable and credible sentencing option.

Accordingly, the Committee proposes that the Rehabilitation Fund be financed through funds approved by Parliament, at least twenty-five per cent of revenue accruing to the National Community Service Secretariat, five per cent of allocations from the District Assemblies Common Fund, as well as donations, grants, and gifts.

### **8.3 Maximising Implementation Benefits**

The Committee acknowledges the central role of the National Community Service Secretariat and the Regional and District Community Service Committees proposed under the Bill in establishing the institutional framework for implementing, coordinating, and supervising community service orders.

To ensure efficiency, the Committee recommends leveraging existing judicial, social, and local governance structures where feasible. This approach will reduce expenditure on

administrative functions and help safeguard outcomes that remain focused on the purpose of sentencing.

#### **8.4 Gender-Sensitive Sentencing**

The Committee noted the lack of adequate provisions on gender-sensitive sentencing in the Bill to address the circumstances of female offenders. It observed that women offenders often face challenges related to caregiving responsibilities, histories of abuse, and gender-based trauma. Accordingly, adapting non-custodial sentences to the distinctive conditions of women would incorporate flexible scheduling for caregivers, trauma-informed rehabilitation programmes, and community service assignments aligned with their skills and responsibilities.

The inclusion of gender-sensitive community service orders for female offenders aligns with Article 27 of the 1992 Constitution, Ghana's obligations under the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), and the United Nations Bangkok Rules, 2010, which provide standards for non-custodial measures for women.

The Committee recommends that non-custodial sanctions for female offenders be structured to include childcare-compatible scheduling, flexible community service arrangements, skills-based assignments, and trauma-informed probation incorporating counselling support for survivors of abuse and trauma. Adoption of these gender-responsive measures is assessed to support compliance with sentencing obligations while enabling offenders to maintain caregiving responsibilities for dependants.

### **8.5 Inclusion of Traditional Authorities in Community Service Governance**

The Committee reaffirmed the institutional role of traditional authorities in Ghanaian communities, particularly in relation to customary justice administration and community cohesion. Traditional rulers exercise recognized customary authority at the local level and serve as a conduit between the formal justice system and indigenous dispute resolution mechanisms.

Accordingly, the Committee proposes that the membership of the Management Board and the Regional Community Service Committees, established under Clauses 5 and 14 respectively, include one representative each from the National House of Chiefs and the relevant Regional House of Chiefs.

The Committee holds that the inclusion of traditional authorities within the governance structure of the Scheme will confer requisite customary legitimacy and local credibility, thereby enhancing community acceptance and facilitating the effective reintegration of offenders through community service programmes.

### **8.6 Supervision of Community Service Orders**

The Committee recognises supervision as an essential element in the execution of community service orders, given that compliance with court orders is a prerequisite for achieving intended sentencing outcomes and mitigating recidivism.

Having regard to the sustained annual increase in the number of persons called to the Bar for professional legal practice, the

Committee supports the proposed reduction in the prosecutorial responsibilities of police officers. Reallocating police resources would enhance the availability of uniformed personnel for the supervision of offenders under the community service scheme. An expanded presence of uniformed officers in supervisory roles is assessed to strengthen compliance with community service orders, reduce the incidence of abscondment and non-performance of assigned duties, and maintain an appropriate balance between rehabilitative objectives and enforcement mechanisms.

The Committee further notes that the designation "Probation Officer" as used in the Bill may generate interpretive ambiguity, owing to its established association with the juvenile justice framework. Limiting supervisory responsibility exclusively to officers of the Department of Social Welfare was deemed operationally restrictive and impractical, particularly in districts with insufficient personnel capacity within the Department.

Accordingly, the Committee recommends substituting "Probation Officer" with "Community Service Officer." This substitution would permit the appointment of any qualified public officer possessing the requisite knowledge and expertise, thereby ensuring administrative flexibility and facilitating effective nationwide implementation of the scheme.

### **8.7 Management of Subsequent Offences**

The Committee observed that while the Bill provides mechanisms for addressing offences committed by an offender during the subsistence of a community service order, practical challenges may arise in coordinating proceedings across multiple

courts. The effective management of subsequent offences is essential to preserving the credibility of the scheme and maintaining the balance between rehabilitation and accountability.

In view of the foregoing, the Committee recommends the establishment of enhanced inter-court coordination mechanisms and the issuance of procedural guidelines to ensure consistency in the handling of subsequent offences. Such guidelines should address the determination of concurrent and consecutive orders, graduated sanctioning frameworks, explicit consequences for re-offending, timely documentation of breaches, and the integration of rehabilitation-oriented responses. The adoption of these measures is assessed to reduce recidivism and support the effective administration of subsequent offences committed during the period of a community service sentence.

### **8.8 Capacity Building and Public Sensitisation**

The Committee holds that the effective implementation of the Bill requires targeted capacity building for public officials and relevant stakeholders, coupled with systematic public sensitisation on the community service scheme. These interventions are necessary to ensure a uniform understanding of the objectives, procedures, and benefits of non-custodial sentencing among implementing actors and the general public.

The Committee endorses the conduct of structured training programmes for judicial officers, law enforcement personnel, and other relevant stakeholders, including community leaders and traditional authorities. The organisation of cross-sectoral

workshops would further strengthen inter-agency coordination and advance the statutory objectives of the scheme.

For the purpose of advancing public sensitisation, the Committee recommends partnership between relevant agencies and entities such as the National Commission for Civic Education, media organisations, civil society organisations, and other non-governmental bodies. Collaborative engagement through media campaigns, community fora, and outreach programmes would enhance public awareness and promote acceptance of the scheme.

---

## **9.0 PROPOSED AMENDMENTS**

9.1 The amendments proposed by the Committee for the consideration of the House are attached as Appendix B to this Report.

## **10.0 CONCLUSION**

10.1 The Committee observes that the continued reliance on custodial sentencing for minor offences has contributed to prison overcrowding, high rates of recidivism, constraints on restorative justice, and disproportionate impacts on vulnerable populations. The effective implementation of the community service framework provided for in the Bill would strengthen public confidence in the administration of justice, promote compliance with court orders, facilitate offender rehabilitation, and enhance the sustainability of sentencing policy.

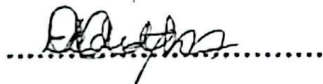
10.2 Upon review of the Community Service Bill, 2026, the Committee finds that the Bill constitutes a material step toward reforming Ghana's criminal justice system through the institutionalisation of structured non-custodial sentencing.

10.3 Accordingly, the Committee recommends to the House to adopt its Report and to pass the Bill into law, subject to the amendments approved during the Consideration Stage, pursuant to Article 106 of the 1992 Constitution.

Respectfully submitted.



HON JAMES AGALGA  
CHAIRMAN, COMMITTEE ON DEFENCE & INTERIOR



MS EDITH EDILYN ADJEI  
CLERK, COMMITTEE ON DEFENCE & INTERIOR

26<sup>th</sup> May, 2026



REPUBLIC OF GHANA

MINISTRY OF FINANCE

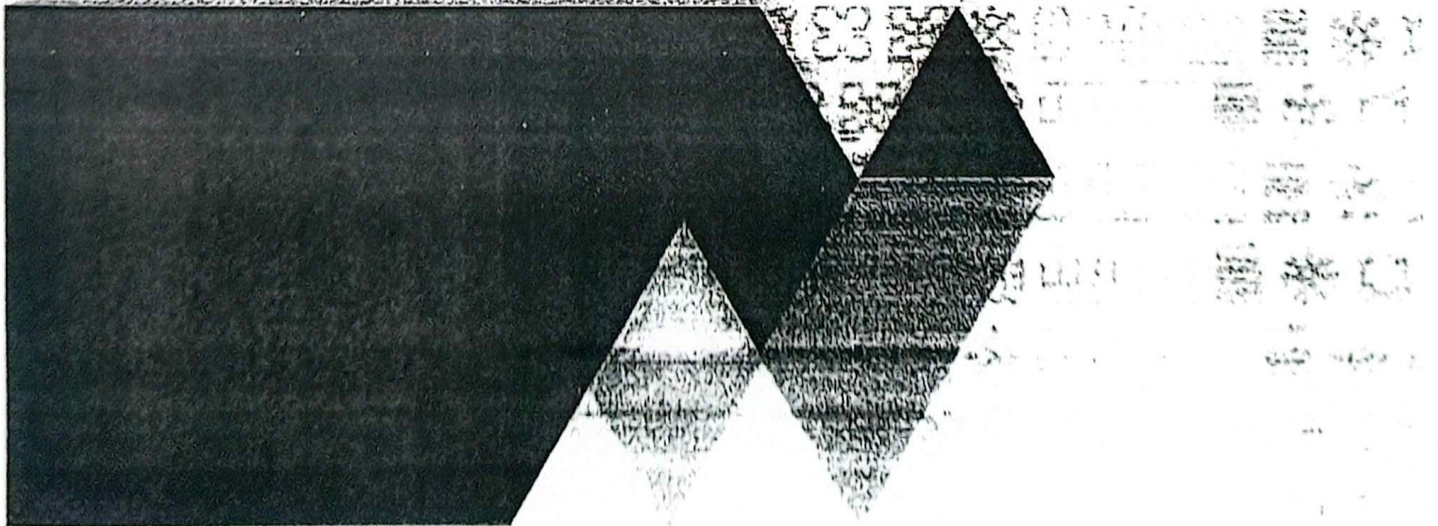
# FISCAL IMPACT ANALYSIS ON THE COMMUNITY SERVICE BILL, 2023

Submitted

By

MINISTRY OF FINANCE

MA 1024



## 1. INTRODUCTION

To address the issue of overcrowding in prisons and control the general cost incurred by the government for caring for prisoners (feeding, medical cost), and to meet international best practices, the Ministry of the Interior has prepared the Community Service Bill, 2023 to be laid before parliament. The Bill seeks to use community service as an alternative sentence to custodial sentencing.

This Fiscal Impact Analysis is prepared in accordance with Section 100 of the Public Financial Management Act, 2016 (Act 921), which requires that any legislation to be laid before Parliament should be accompanied by a fiscal impact analysis.

## 2. METHODOLOGY

The fiscal impact analysis of the bill was done using both qualitative and quantitative approaches. In consultation with the Ministry of the Interior, the various items needed to setup the National Community Service Secretariat and the National Coordinator's Office were identified and costed (copy attached as Table 1).

In addition, the allowances of the proposed National Community Service Management Board and Committee members were determined using the approved board allowance by the Ministry of Finance (Table 2). The salary and other conditions of service of the National Coordinator were also determined using conditions of service of other Project Coordinators as approved by the Fair Wages and Salaries Commission. We, also, assumed that the bill will be implemented using existing structures and facilities of the Ministry of the Interior and the Local Government level (MMDAs).



REPUBLIC OF GHANA

### MINISTRY OF FINANCE

*Professional. Ethical. Efficient. Responsive - Transforming Ghana Beyond Aid*

Finance Group, Ministries-Accra ☑ Digital Address: GA - 144-2024 ☑ MB40 Accra - Ghana  
☎ +233 302-747-197 ✉ info@mofep.gov.gh 🌐 mofep.gov.gh 📱 @ministryoffinanceghana

© 2018. All rights reserved. No part of this publication may be stored in a retrieval system or transmitted in any or by any means, electronic, mechanical, photocopying, recording or otherwise without the prior written permission of the Ministry of Finance

### 3. REVENUE IMPACT

The Community Service Bill does not indicate any direct revenue generation sources to the government. However, implementation of the bill seeks to save government some revenue, which would have been used to pay for feeding and medical cost of prisoners, community services rendered by convicted individuals and other operational expenses.

A scenario analysis for Kation in our prisons indicates that the government would have saved an estimated amount of **GH¢493,407.00** for January–December, 2023, from community services.

### 4. EXPENDITURE IMPACT

Estimates following our analysis and costing of the various items needed to implement proposals in the bill, result in an additional expenditure of **GH¢21,530,035.80** to the government for the year the bill will take effect. If the bill is passed in 2024 and its implementation takes effect in the 4th quarter of 2024, the government's 2024 fiscal framework would be impacted by an additional expenditure of about **GH¢7,175,692.45 (0.001% of GDP)** comprising of:

- a) Wages & Salary and Allowances - GH¢2,547,580.00;
- b) Use of goods and services - GH¢3,586,367.00;
- c) Capital Expenditure – GH¢785,435.50; and
- d) Contingency (5% of a., b. & c.) - GH¢256,309.95.

### 5. NET FISCAL IMPACT

Since the Bill does not have any direct revenue generating sources, its implementation will impact government's fiscal by the full extent of the additional expenditure amount of **GH¢7,175,692.45** in 2024 to ensure effective and efficient execution of the Act by the



#### MINISTRY OF FINANCE

Professional. Efficient. Responsive - Transforming Ghana Beyond Aid  
Finance Envoy: Ministerial Address | Digital Address: GA - 144-2024 | MB40, Accra - Ghana  
Tel: +233 302-747-197 | Email: info@mofep.gov.gh | mofep.gov.gh | @ministryoffinanceghana

© 2018 All rights reserved. No part of this publication may be stored in a retrieval system or transmitted in any or by any means, electronic, mechanical, photocopying, recording or otherwise without the prior written permission of the Ministry of Finance

Ministry of the Interior and the Local Government. However, enactment of the bill in the medium term may offset current expenditure from the anticipated revenue savings from the reduced congestions in the prisons and rendering of community services by convicts.

## 5. CONCLUSION AND RECOMMENDATIONS

Based on the analysis of the Community Service Bill, it is observed that enactment of the bill will impose additional expenditure costs of GH¢7,175,692.45 (0.001% of GDP) on the government in 2024 (if implemented in the last quarter of 2024) and a total annual amount of GH¢21,530,035.80.

Since the Community Service Bill seeks to replace custodial sentencing with community services that have the potential to save government revenue on operational and administrative expenses for prisons and prisoners, we recommend that the Bill be passed. However, the Ministry of the Interior should take the necessary steps to ensure that the additional cost from the Bill is catered for during the Mid-Year Fiscal Policy Review of the 2024 Budget to ensure the needed budgetary allocations are made for effective implementation of the Bill.



REPUBLIC OF GHANA

### MINISTRY OF FINANCE

*Ministry of Finance, Planning and Economic Development*

*Finance Drive, Ministries Area* 📍 *Digital Address: GA-144-2024 SS MB40, Accra - Ghana*  
📞 +233 302-747-197 ✉️ [info@motep.gov.gh](mailto:info@motep.gov.gh) 🌐 [motep.gov.gh](http://motep.gov.gh) 📱 @ministryoffinanceghana

© 2015. All rights reserved. No part of this publication may be stored in a retrieval system or transmitted in any of or by any means, electronic, mechanical, photocopying, recording or otherwise without the prior written permission of the Ministry of Finance.

| POTENTIAL EXPENDITURE AREAS TO GOVERNMENT FOR PASSING AND IMPLEMENTING THE COMMUNITY SERVICE BILL                                   |  | ESTIMATED COST OF IMPLEMENTING THE COMMUNITY SERVICE BILL |
|-------------------------------------------------------------------------------------------------------------------------------------|--|-----------------------------------------------------------|
| EXPENDITURE AREA                                                                                                                    |  |                                                           |
| 1. Establishment of a National Community Service Secretariat (Section 1)                                                            |  | 1,076,544                                                 |
| Logistics                                                                                                                           |  |                                                           |
| IT Equipment                                                                                                                        |  | 110,454.00                                                |
| Office Furniture                                                                                                                    |  | 28,000.00                                                 |
| Other Office Equipment                                                                                                              |  | 10,090.00                                                 |
| Vehicle for Monitoring                                                                                                              |  | 928,000.00                                                |
| 2. Establishment of the National Coordinator's Office                                                                               |  | 93,198                                                    |
| Logistics                                                                                                                           |  |                                                           |
| IT Equipment                                                                                                                        |  | 26,818                                                    |
| Office Furniture                                                                                                                    |  | 48,000                                                    |
| Other Office Equipment                                                                                                              |  | 18,380                                                    |
| 3. Other Conditions of Service for the National Coordinator                                                                         |  | 2,027,584                                                 |
| Vehicle                                                                                                                             |  | 1,972,000                                                 |
| Accommodation (20% of base pay)                                                                                                     |  | 43,584.00                                                 |
| Transportation (Fuel)                                                                                                               |  | 12,000.00                                                 |
| 4. Sensitization                                                                                                                    |  | 401,550                                                   |
| Engagement with Presiding and Assembly men in the District Assemblies                                                               |  | 50,000                                                    |
| News Conference                                                                                                                     |  | 12,000                                                    |
| Capacity building of members of the Regional and District Planning/Social Services Coordinating Committees on the Community Service |  | 239,550                                                   |
| Printing and Distribution of flyers on community service                                                                            |  | 25,000                                                    |
| Engagement with CSOs on the community service                                                                                       |  | 25,000                                                    |
| Awareness creation on the community service in the communities                                                                      |  | 50,000.00                                                 |
| 5. Secretariat Support                                                                                                              |  | 36,725,600                                                |
| Organisation of National Community Service Management Board meetings                                                                |  | 222,000.00                                                |
| Organisation of Regional Community Service Committees meetings                                                                      |  | 985,600.00                                                |
| Organisation of District Community Service Committees meetings                                                                      |  | 5,508,000.00                                              |
| <b>TOTAL COST</b>                                                                                                                   |  | <b>10,334,476.00</b>                                      |
| <b>Adjusted for Q1-Q3 Cost for 2024</b>                                                                                             |  | <b>2,578,619.00</b>                                       |

| TABLE 2: ESTIMATED EXPENDITURE COST ON COMPENSATION/ALLOWANCE FOR COORDINATOR AND BOARD/COMMITTEE MEMBERS |                                             |                      |                |               |           |                    |
|-----------------------------------------------------------------------------------------------------------|---------------------------------------------|----------------------|----------------|---------------|-----------|--------------------|
| S/N                                                                                                       | CATEGORY                                    | OFFICE/HOLDER        | NO. OF MEMBERS | APPROVED RATE | FREQUENCY | ANNUAL TOTAL (GHS) |
| 1                                                                                                         | National Community Service Management Board | Chairman             | 1              | 2,100         | 4         | 8,400              |
|                                                                                                           |                                             | Board Member         | 11             | 1,800         | 4         | 79,200             |
| 2                                                                                                         | Regional Community Service Committee        | Chairman             | 1              | 700           | 4         | 44,800             |
|                                                                                                           |                                             | Committee Member     | 6              | 650           | 4         | 249,600            |
| 3                                                                                                         | District Community Service Committee        | Chairman             | 1              | 600           | 6         | 777,600            |
|                                                                                                           |                                             | Committee Member     | 8              | 550           | 6         | 5,702,400          |
| 4                                                                                                         | Salary of National Coordinator              | National Coordinator | 1              | 18,160        | 12        | 217,920            |
| 5                                                                                                         | Allowance for Supervising Officers          | Supervising Officer  | 132            | 200           | 36        | 3,110,400          |
| TOTAL                                                                                                     |                                             |                      |                |               |           | 10,190,320         |
| Adjusted for Q1-Q3 Allowance for 2024                                                                     |                                             |                      |                |               |           | 2,547,580          |

PROPOSED AMENDMENTS TO THE COMMUNITY SERVICE BILL, 2026 AT A COMMITTEE MEETING HELD FROM TUESDAY, 14<sup>TH</sup> APRIL, 2026 TO WEDNESDAY, 15<sup>TH</sup> APRIL, 2026

1. Clause 1 – Amendment proposed – Subclause (2), line 1, after “facilities” *delete* “and staff”

*Rationale: To avoid conflict or inconsistency with subclause (1) of clause 23.*

2. Clause 3 – Amendment proposed – Paragraph (a), after “service” *insert* “in accordance with this Act”

*Rationale: By virtue of the deletion in paragraph (e) of clause 3.*

3. Clause 3 – Amendment proposed – Paragraph (b), *delete* and *insert* the following: “coordinate and supervise the activities of Regional Community Service Committees;”

*Rationale: For purposes of clarity.*

4. Clause 3 – Amendment proposed – Paragraph (e), *delete*

*Rationale: The Bill is the legal embodiment of the policy itself, rather than a reference to a different policy.*

5. Clause 5 – Amendment proposed – Subclause (1), paragraph (f), subparagraph (v), line 1, after “Comptroller-General” *insert* “of the Immigration Service”.

*Rationale: For purposes of consistency with the other parts of the Bill.*

6. Clause 5 – Amendment proposed – Subclause (1), *insert* the following new paragraph after paragraph (g):

“(h) a representative of traditional authorities nominated by the National House of Chiefs.”

*Rationale: To provide the Management Board with the traditional authority and grassroots legitimacy necessary to facilitate the effective reintegration of offenders within local communities through community service.*

7. **Clause 5 – Amendment proposed** – Add the following new subclause after subclause (2):

"(3) The Minister shall, in making an appointment under this section have regard to gender balance."

*Rationale: To provide for compliance with the Affirmative Action (Gender Equity) Act, 2024 (Act 1121) and ensure gender sensitivity.*

8. **Clause 14 – Amendment proposed** – Subclause (2), paragraphs (a) to (i), delete and insert the following:

- (a) a supervising Justice of the High Court responsible for the region or a representative of the supervising Justice of the High Court responsible for the region, as the chairperson;
- (b) the Regional Commander of Prisons or a representative of the Regional Commander of Prisons not below the rank of a Superintendent of Prisons nominated by the Regional Commander of Prisons as the vice-chairperson;
- (c) the Regional Commander of Police or a representative of the Regional Commander of Police not below the rank of a Superintendent of Police nominated by the Regional Commander of Police;
- (d) the Head of the Regional Office of the Office of the Attorney-General and Ministry of Justice or a representative of the Head of the Regional Office of the Office of the Attorney-General and Ministry of Justice not below the rank of a Senior State Attorney nominated by the Head of the Regional Office of the Office of the Attorney-General and Ministry of Justice;
- (e) the Regional Director of Social Welfare;
- (f) the Regional Commander of the Immigration Service or a representative of the Regional Commander of the Immigration Service not below the rank of a Superintendent of Immigration nominated by the Regional Commander of the Immigration Service;

- (g) the Regional Commander of the Ghana National Fire Service or a representative of the Regional Commander of the Ghana National Fire Service not below the rank of an Assistant Chief Fire Officer II nominated by the Regional Commander of the Ghana National Fire Service;
- (h) the Head of the Regional office of the Legal Aid Commission or a representative of the Head of the Regional office of the Legal Aid Commission not below the rank of a Senior Legal Aid Officer nominated by the Head of the Regional office of the Legal Aid Commission
- (i) the Regional Director of the Commission on Human Rights and Administrative Justice; and
- (j) a representative of traditional authorities nominated by the Regional House of Chiefs.”.

*Rationale: To reflect the order of arrangement in clause 5.*

9. **Clause 14 – Amendment proposed** – Subclause (3), *delete* and *insert* the following:  
“The Regional Commander of Prisons shall nominate a prisons officer not below the rank of a Chief Superintendent of Prisons as the regional coordinator of the Secretariat.”.

*Rationale: Practically, the management of convicts is by the Prisons Service.*

10. **Clause 16 – Amendment proposed** – Paragraph (b), *delete* and *insert* the following:  
“coordinate and supervise the activities of District Community Service Committees in the region;”

*Rationale: For purposes of consistency with paragraph (b) of clause 3.*

11. **Clause 17 – Amendment proposed** – Subclause (2), *delete* and *insert* the following:

“(2) A District Community Service Committee established under subsection (1) consists of

- (a) a Judge or Magistrate nominated by the Chief Justice, as the chairperson;

- (b) a representative of the Regional Commander of Prisons not below the rank of a Deputy Superintendent of Prisons, nominated by the Regional Commander of Prisons, as the vice chairperson;
- (c) the District Commander of Police;
- (d) a representative of the Office of the Attorney-General and Ministry of Justice not below the rank of a State Attorney nominated by the Head of the Regional Office of the Office of the Attorney-General and Ministry of Justice;
- (e) a representative of the Department of Social Welfare not below the rank of a Senior Social Development Officer, nominated by the Regional Director of Social Welfare;
- (f) the District Commander of the Immigration Service;
- (g) the District Commander of the Ghana National Fire Service;
- (h) a representative of the Legal Aid Commission not below the rank of a Legal Aid Officer, nominated by the Head of the Regional Office of the Legal Aid Commission;
- (i) the chairperson of the Social Services Sub-Committee of the District Assembly;
- (j) a representative of a civil society organisation nominated by the Head of Social Welfare and Community Development at the District; and
- (k) a representative of the traditional authority concerned nominated by the Regional House of Chiefs."

*Rationale: For purposes of consistency with paragraph (b) of subclause 2 of clause 14.*

**12. Clause 17 – Amendment proposed – Subclause (3), delete and insert**

“(3) The Regional Commander of Prisons shall nominate a prisons officer not below the rank of a Deputy Superintendent of Prisons as the District Coordinator of the Secretariat.”

**13. Clause 17 – Amendment proposed – Subclause (4), delete and insert**

“(4) The Regional Minister shall, in consultation with the relevant District Chief Executive, appoint the members of the District Community Service Community.”

*Rationale: The Regional Minister is the appointing authority.*

**14. Clause 18 – Amendment proposed – Subclause (3), line 2, after “Regional” delete “Coordinator” and insert “Minister”**

*Rationale: It is most appropriate by virtue of the amendment in subclause (4) of clause 17.*

**15. Clause 18 – Amendment proposed – Subclause (5), line 1, after “Regional” delete “Coordinator” and insert “Minister”**

*Rationale: It is most appropriate by virtue of the amendment in subclause (4) of clause 17.*

**16. Clause 18 – Amendment proposed – Subclause (7), closing phrase, line 1, after “Regional” delete “Coordinator” and insert “Minister”**

Also, in line 2, after “Regional” delete “Coordinator” and insert “Minister”

*Rationale: It is most appropriate by virtue of the amendment in subclause (4) of clause 17.*

**17. Clause 19-Amendment proposed-paragraph (f), line 1, delete “probation” and insert “community service”.**

**18. Clause 20 – Amendment proposed** – Subclause (4), line 2, after "Committee" *delete* "shall include the chairperson" and *insert* "is five members"

*Rationale: To have the exact number present for a meeting to start.*

**19. Clause 21 – Amendment proposed** – Subclause (3), line 2, after "of" *insert* "high moral character and"

*Rationale: To adopt the language of the 1992 Constitution.*

Also, in line 3, after "work" *delete* "and" and *insert* "or"

*Rationale: To make it disjunctive.*

**20. New clauses after clause 22 – Amendment proposed** – Insert the following new clauses after clause 22:

**"Deputy National Coordinator**

**23.** (1) The President may, in accordance with article 195 of the Constitution, appoint a Deputy National Coordinator.

(2) The Deputy National Coordinator shall hold office on the terms and conditions specified in the letter of appointment.

(3) The Deputy National Coordinator is responsible to the National Coordinator in the performance of the functions of the Deputy National Coordinator.

**Functions of the Deputy National Coordinator**

**24.** The Deputy National Coordinator shall

(a) assist the National Coordinator in the performance of the functions of the National Coordinator; and

(b) perform any other function that the National Coordinator may assign."

*Rationale: To provide for the office of Deputy National Coordinator.*

**21. Clause 25 – Amendment proposed** – *Delete* and *insert* the following:

**"Funds of the Secretariat**

**25. The funds of the Secretariat include**

- (a) moneys approved by Parliament;
- (b) subject to paragraph (b) section 31 of this Act, moneys accruing to the Secretariat in the performance of the functions of the Secretariat; and
- (c) donations, grants and gifts."

*Rationale: For purposes of clarity.*

**22. Clause 31 – Amendment proposed – Delete and insert the following:**

**"Sources of moneys for the Fund**

**31. The sources of moneys for the Fund include**

- (a) moneys approved by Parliament;
- (b) at least twenty-five per cent of moneys accruing to the Secretariat in the performance of the functions of the Secretariat;
- (c) five per cent of the share of the District Assemblies Common Fund for each District Assembly subject to the formula approved by Parliament in accordance with article 252 of the Constitution
- (d) donations, grants and gifts."

*Rationale: For purposes of certainty.*

**23. Clause 35 – Amendment proposed – Delete "objects" and insert "object"**

*Rationale: To correct a grammatical error.*

**24. Sectional note before clause 36-Amendment proposed-delete "Probation" and insert "Community Service"**

**25. Clause 36 – Amendment proposed – Delete and insert the following:**

**"Community service officer"**

36. (1) A Court shall, in consultation with the District Community Service Committee, designate a person in the public services as a community service officer for the efficient and effective performance of functions of the Secretariat at the districts.

(2) A person qualifies to be designated as a community service officer if the person has the requisite knowledge and expertise in social work or the criminal justice system."

*Rationale: To allow for the appointment of any qualified public service official with requisite expertise, rather than limiting the role of community service officer strictly to probation officers from the Department of Social Welfare.*

**26. Clause 37 – Amendment proposed – Headnote, delete "probation officer" and insert "community service officer"**

*Rationale: To reflect a broader recruitment pool that includes various qualified public service professionals rather than limiting the role to probation officers of the Department of Social Welfare.*

**27. Clause 37 – Amendment proposed – Subclause (1), opening phrase, after "person", delete "appointed or"**

*Rationale: By virtue of the amendment in clause 36 where "designate" was used.*

Also, in the same opening phrase, delete "probation" and insert "community service"

*Rationale: Consequential amendment.*

**28. Clause 37 – Amendment proposed – Subclause (1), paragraph (j), line 1, before "sensitise" insert "in collaboration with relevant agencies,"**

*Rationale: To lessen the work load on one person.*

**29. Clause 37 – Amendment proposed – Subclause (1), paragraph (k), line 2, delete "probation" and insert "community service"**

*Rationale: Consequential amendment.*

30. **Clause 37 – Amendment proposed – Subclause (2), opening phrase, line 1, delete "probation" and insert "community service"**

*Rationale: Consequential amendment.*

31. **Clause 38 – Amendment proposed – Subclause (1), line 3, delete "probation" and insert "community service"**

*Rationale: Consequential amendment.*

32. **Clause 38 – Amendment proposed – Subclause (2), paragraph (c), line 2, delete "probation" and insert "community service"**

*Rationale: Consequential amendment.*

33. **Clause 38 – Amendment proposed – Subclause (3), paragraph (b), line 1, delete "probation" and insert "community service"**

*Rationale: Consequential amendment.*

34. **Clause 39 – Amendment proposed – Delete and insert the following:**

**"Community service as an alternative punishment**

39. Where a court convicts an accused person for the commission of a misdemeanour or any other offence specified in section 40, the court may, in passing sentence, grant the option of the performance of community service by the convicted person as an alternative punishment."

*Rationale: For purposes of clarity.*

35. **Clause 40 – Amendment proposed – Subclause (2), opening phrase, line 1, delete "Despite" and insert "For the purposes of"**

*Rationale: For purposes of clarity.*

**36. Clause 40 – Amendment proposed – Subclause (2), add the following new paragraph after paragraph (a):**

**"(b) a term of imprisonment only;"**

*Rationale: To add another category of punishment for a misdemeanour.*

**37. Clause 43 – Amendment proposed – Subclause (1), line 3, delete "probation" and insert "community service"**

*Rationale: Consequential amendment.*

**38. Clause 43 – Amendment proposed – Subclause (2), line 1, delete "probation" and insert "community service"**

*Rationale: Consequential amendment.*

**39. Clause 44 – Amendment proposed – Subclause (1), paragraph (d), after "person" delete "is a habitual convicted person" and insert "has a previous conviction"**

*Rationale: To align with the language of the Criminal and Other Offences (Procedure) Act, 1960 (Act 30).*

**40. Clause 44 – Amendment proposed – insert the following new subclauses after subclause (2)**

**"(3) A court shall, in making a community service order in respect of a female convicted person, have regard to**

- (a) the responsibilities of the female convicted person as a primary caregiver of a child under eighteen years;**
- (b) the status of the female convicted person as a nursing mother; and**
- (c) any risk to the safety or dignity of the female convicted person at the placement proposed.**

(4) A court shall not make a community service order that would require a nursing mother to be separated from an infant under eighteen months without an adequate childcare plan."

*Rationale: Article 17 (non-discrimination) of the 1992 Constitution, Article 27 of the 1992 Constitution (women's rights) and Ghana's CEDAW obligations all require gender-responsive provisions. UN Bangkok Rules 2010 (Rules 57-58, 64) specifically addresses non-custodial measures for women. South Africa's Child Justice Act and New Zealand's Sentencing Act include primary caregiver provisions.*

41. **Clause 44 – Amendment proposed** – Subclause (4), paragraph (a), subparagraph (ii), delete "probation" and insert "community service"

*Rationale: Consequential amendment.*

42. **Clause 45 – Amendment proposed**-Subclause (1), line 3, after "order" insert "as set out in the First Schedule"

43. **Clause 46 – Amendment proposed** – Subclause (1), line 1, delete "probation" and insert "community service"

*Rationale: Consequential amendment.*

44. **Clause 48 – Amendment proposed** – Delete and insert the following:

**"Suspended sentence in default of community service**

48. Where a convicted person, in respect of whom a court has made a community service order, is unable, for good cause, to comply with the order the court shall suspend the community service for a period that the court determines."

*Rationale: To allow the court to pause a community service order when an offender has a legitimate reason for non-compliance, thereby preventing unfair penalization of the convict.*

45. Clause 49 – Amendment proposed – Subclause (1), line 1, *delete* "probation" and *insert* "community service"

*Rationale: Consequential amendment.*

46. Clause 50 – Amendment proposed – Subclause (4), line 1, *delete* "probation" and *insert* "community service"

*Rationale: Consequential amendment.*

Also, in line 3, *delete* "probation" and *insert* "community service"

*Rationale: Consequential amendment.*

47. Clause 50 – Amendment proposed – Subclause (5), line 1, *delete* "probation" and *insert* "community service"

*Rationale: Consequential amendment.*

48. Clause 50 – Amendment proposed – Subclause (6), line 3, *delete* "probation" and *insert* "community service"

*Rationale: Consequential amendment.*

49. Clause 51 – Amendment proposed – Paragraph (c), line 2, *delete* "probation" and *insert* "community service"

*Rationale: Consequential amendment.*

50. Clause 52 – Amendment proposed – Subclause (1), line 5, *delete* "probation" and *insert* "community service"

*Rationale: Consequential amendment.*

51. Clause 55 – Amendment proposed – Subclause (3), line 1, *delete* "probation" and *insert* "community service"

*Rationale: Consequential amendment.*

- 52. Clause 56 – Amendment proposed – Subclause (1), lines 4 & 5, after "shall" delete "in the case of that court being a lower court,"**

*Rationale: They are both courts of equal standing or rank to hear the same case.*

- 53. Clause 57 – Amendment proposed – Subclause (2), line 2, delete "probation" and insert "community service"**

*Rationale: Consequential amendment.*

- 54. Clause 57 – Amendment proposed – Subclause (3), line 3, delete "probation" and insert "community service"**

*Rationale: Consequential amendment.*

- 55. Clause 57 – Amendment proposed – Subclause (4), line 1, delete "probation" and insert "community service"**

*Rationale: Consequential amendment.*

- 56. Clause 57 – Amendment proposed – Subclause (5), line 1, delete "probation" and insert "community service"**

*Rationale: Consequential amendment.*

*Also, in line 4, delete "probation" and insert "community service"*

*Rationale: Consequential amendment.*

- 57. Clause 57 – Amendment proposed – Subclause (6), line 2, delete "probation" and insert "community service"**

*Rationale: Consequential amendment.*

58. Clause 57 – Amendment proposed – Subclause (8), lines 1 and 3, *delete* "probation" and *insert* "community service"

*Rationale: Consequential amendment.*

59. Clause 58 – Amendment proposed – Subclause (1), paragraph (c), line 1, *delete* "probation" and *insert* "community service"

*Rationale: Consequential amendment.*

60. Clause 59 – Amendment proposed – Subclause (1), line 2, *delete* "probation" and *insert* "community service"

*Rationale: Consequential amendment.*

61. Clause 60 – Amendment proposed – Subclause (1), line 1, *delete* "probation" and *insert* "community service"

*Rationale: Consequential amendment.*

62. Clause 60 – Amendment proposed – Subclause (3), line 3, *delete* "probation" and *insert* "community service"

*Rationale: Consequential amendment.*

63. Clause 60 – Amendment proposed – Subclause (4), *add* the following new paragraph after paragraph (b):

"(c) may make any other order that the Judge considers necessary for the rehabilitation of the convicted person."

*Rationale: To provide for any other intervention that may be needed.*

64. Clause 61 – Amendment proposed – *Delete* and *insert* the following:

## **"Guidelines**

61. (1) The Minister may, on the recommendation of the Secretariat, issue guidelines for the administration of community service.

(2) Without limiting subsection (1), the guidelines shall provide for

- (a) the designation, engagement and operations of community service officers and supervising officers;
- (b) the application for review and variation of community service orders;
- (c) the categories of convicted persons to be considered for community service; and
- (d) the computation of hours of community service."

65. **Clause 63 – Amendment proposed** – After interpretation for "community service", *insert* the following definition for "community service officer":

"community service officer" means a person appointed under section 36;".

66. **Clause 63 – Amendment proposed**, interpretation for "minor offence" delete "minor offence" and insert "misdemeanor"

67. **Clause 63 – Amendment proposed** – After interpretation for "placement institution", *insert* the following definition for "present" in relation to a committee:

"present" in relation to a committee includes virtual attendance;".

68. **Clause 63 – Amendment proposed** – Interpretation for "probation officer", *delete*

69. Insert a First Schedule before the "Schedule" as follows:

**"FIRST SCHEDULE**

*(section 45 (1))*

**COMMUNITY SERVICE ORDER**

REPUBLIC OF GHANA

IN THE..... COURT

.....AD.....20.....

Republic v.....

Case No. \_\_\_\_\_

Full Name of offender.....ID No.....  
Address.....

Name of Placement Institution.....  
Address.....  
.....

Whereas you .....have been convicted of the offence  
of.....contrary to section..... of .....

And whereas the court has explained to you the terms of an intended order for community service  
which you have agreed to undertake in place of a sentence of imprisonment

You are hereby ordered during a period of..... days/months/year to undertake  
.....hours of community work under the supervision of a supervising officer.

You will be supervised by .....of .....  
(placement institution).....

This means that if during the next..... days/ months/ years you fail to obey any of the provisions  
of this order, you will be brought before this court and may be sentenced to imprisonment for the  
offence.

The following are the conditions which you are ordered to obey:

- (i) You will present yourself for work as instructed in Form 8

- (ii) You will cooperate with the supervisor by following the instructions set by court
- (iii) In the event of any difficulty resulting from a charge in your circumstances, the supervising officer will inform the community service officer and the court for appropriate action.

Given under my hand this .....day of .....20.....

Signed .....

• Judge/Magistrate

NB. The institution is not required to provide food and transport for the offender. Its cooperation in that regard is nonetheless encouraged where it is possible.”.

70. In the Schedule, insert “Second” before “Schedule”.