Forty Years of the Probation Board for Northern Ireland

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Summary: The Probation Board for Northern Ireland (PBNI) was established in December 1982 following the implementation of the Probation Board Order (NI). The formation of the Board was set against a tumultuous period of political, social and economic upheaval. The year 1982 saw the continuation of serious violence and conflict, with 97 people killed over a 12-month period. The unemployment rate was 20 per cent and that year saw the closure of a number of factories, including the DeLorean Motor Company in South Belfast. There was also continued political instability as Secretary of State James Prior introduced his ill-fated 'rolling devolution' scheme.¹

Forty years on from the PBNI's inception, this article considers the development and transformation of probation services in Northern Ireland from the perspective of staff who worked in probation in 1982. Through a structured group interview with six staff and written contributions from other staff who worked in probation from the 1960s through to the 2000s, the article considers the change brought about by the Probation Board Order (NI) 1982 and the establishment of the Probation Board for Northern Ireland. It considers a number of key themes, including the development of professional social work training, the introduction of strategic priorities and management by objectives; the move from an organisation that dealt mainly with young people to an organisation working with adults; the impact of the Troubles on the organisation; the development of group work programmes, risk assessment, risk management and the public protection arrangements; and the role of the Board in working alongside local communities.

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¹ Secretary of State James Prior published his White Paper on 2 April 1982, proposing 'rolling devolution'. A 78-member Assembly would be elected using the 1973 model and would have an advisory and consultative role until a power-sharing agreement could be reached. Powers would then be devolved, one department at a time.

This article also considers what we might learn from staff experiences during this time as we develop probation services over the next four decades in Northern Ireland (NI).

Keywords: Probation Board for Northern Ireland (PBNI), Probation Board Order (NI) 1982, oral history, management by objectives, the Troubles, risk assessment, communities.

Background

The probation system in Northern Ireland was formally established on 1 January 1908 when the powers of the Probation of Offenders Act, 1907 became operational (Fulton and Parkhill, 2009). The courts were given a new alternative to a sentence - a probation order and power to appoint a Probation Officer to 'advise, assist and befriend' the probationer. Prior to the establishment of probation on a statutory basis, and in common with other jurisdictions, probation on the island of Ireland had first developed as a voluntary mission, with charitable organisations such as the Salvation Army, St Vincent de Paul and the Methodist Belfast Central Mission providing a service to the courts.² As Fulton and Parkhill (2009) document in their history of probation, which was published to mark the centenary of the 1907 Act, these original volunteers were motivated by a religious mission, and their efforts were largely targeted towards temperance. In this proto-probation period, volunteers mostly served large urban areas such as Belfast and Derry (Fulton and Webb, 2009). During subsequent years and as probation professionalised, its role developed, as did its reach within local communities (O'Mahony and Chapman, 2007).

In 1950, the Ministry of Home Affairs became responsible for the organisation, appointment of Probation Officers and funding of probation in each petty session area of the region. The Probation Act, 1950 also modernised the probation order and made available conditions regarding mental health and residence in a voluntary society home. This legislation also reinforced the role of the Probation Officer in providing reports to assist sentencing. The 1960s brought a probation presence into prisons with the first secondment of a Probation Officer into a male prison in 1967. The Community Service Order was introduced in Northern Ireland under the Treatment of Offenders (Northern Ireland) Order, 1976. It was modelled on similar legislation introduced in England and Wales in 1972, and it marked

² For instance, Healy and Kennefick (2017) and McNally (2007, 2009) have documented similar trends in the history of probation in the Republic of Ireland.

the expansion in the type of community sanction available to the courts (Carr, 2016). However, in probation's early years as a statutory service, the uptake for community sentences remained relatively low, and probation occupied a relatively low profile within the criminal justice system.

In the late 1970s, the Report into Legislation and Services for Children and Young Persons (1979), more commonly referred to as the Black Report, made several recommendations regarding the future structure and governance of probation. Recognising the context of political conflict in Northern Ireland, and the fact that there was a crisis of legitimacy within the criminal justice system, the Black Report recommended that the governance of probation in Northern Ireland should be moved from the direct control of the Northern Ireland Office towards an arm's length body, whose board membership should comprise representatives of the community. Following from this recommendation and the enactment of legislation – Probation Board (Northern Ireland) Order, 1982 – the Probation Board for Northern Ireland (PBNI) was established (O'Mahony and Chapman, 2007; Carr, 2016).

It is worth underscoring that the Probation Board was established at the height of the political conflict in Northern Ireland and in the context in which the criminal justice system itself was a highly contested space. The introduction of internment without trial in 1971 and special juryless 'Diplock' courts had been the subject of intense criticism (Carlton, 1981). In 1981, ten prisoners had died following a hunger strike in the Maze/Long Kesh prison, leading to mass public protest in Northern Ireland and elsewhere (Beresford, 1987). There were longstanding concerns about the role of the Royal Ulster Constabulary and its ability to serve the population of Northern Ireland (Topping, 2015). Both police and prison officers were considered 'legitimate targets' by Republican paramilitaries; over the course of the conflict in Northern Ireland, 300 police officers and 29 prison officers were killed (McKittrick et al., 1999). It was in this context in 1982 that the PBNI was established.

A previous oral history of probation during the Troubles has documented how probation staff managed to navigate a position of 'neutrality' in the political conflict, to work within communities, including in areas that were out of bounds to other criminal justice agencies (Carr and Maruna, 2012). This is one of the themes that is raised in this article, alongside the developments in training, increased managerialism and a focus on risk, the development of programmes, work in communities, and probation's move away from working with young people, following the establishment of a specialist Youth Justice Agency, towards a focus on work with adults.

Methodology

This article draws on themes derived from a focus group interview conducted with six former probation staff whose career in the Probation Service spans a 40-year period (from the 1960s to the 2000s). The participants are all members of the Retired Association of Probation (RAP). The interview schedule was designed by two of the authors (Best and Owens), who are members of the Association. A questionnaire was formulated, asking members about their experiences of working in probation, how the organisation changed with the establishment of PBNI in 1982, and covering key themes. This was circulated to retired members, and written responses were received from four members. The focus group interview was transcribed and this, alongside the written responses, forms the data analysed for this article. The entire dataset was analysed by all the authors, and the most prominent themes were identified. These are presented in the following section.

Professional autonomy and social work training

In December 1982, the Board (PBNI) was established with a Chair, Deputy Chair and 10–18 other members appointed by the Secretary of State for a period of three years. Jim Grew, a businessman from Co. Armagh, became the first Board Chairman. Staff assumed the status of public servants rather than civil servants. The change in the governance arrangements of probation resulting from the establishment of the PBNI also led to wider changes in the practice of probation. Probation staff who were employed in the period prior to the establishment of the Board described working as semi-autonomous agents. As these respondents outlined, this sense of autonomy was double edged:

'One of the things about the 1970s that people talked about was around how much autonomy a member of staff had, which had both its positive and negative side. When you joined as a new member of staff, it was amazing how much you were left alone; supervision was very informal.' (Interviewee 1)

'We had no real standards or guidelines. Basically, you had to pick it up. I was in an office with one other member of staff, and I had to pick it up through him or through others I went to meetings with or through training. Every office was probably operating differently.' (Interviewee 2)

'There were no standards or guidelines and no clear overall ethos as to methods of working. As a result, it was very daunting for a new officer and it was a case of sink or swim – I nearly sank!' (Interviewee 1)

This sense of autonomy was also linked to the development in the qualification and training routes to become a Probation Officer. In the 1970s, a social work qualification route had been introduced to become a Probation Officer, and some of the respondents who undertook this training noted the differences between staff who had worked in social work prior to joining the PBNI and those who had come to probation from a variety of different career paths:

'When I joined, much was made of the fact that I was professionally qualified, having gained my social work qualification at University of Ulster. At this time – 1974 – there were not many Probation Officers who had a social work qualification, most being direct entrants who had previous experience in such careers as Army, Navy, or other jobs in caring or educational sector.' (Interviewee 4)

As respondents recounted it, this shift towards a particular training requirement for probation staff signified a move towards increased professionalisation of probation work. This also paralleled contemporaneous developments in social work training in England and Wales, and indeed some described undertaking training in England as well as in Northern Ireland:

'At this time, there was a big drive to "professionalise" the Service. The trainee scheme contributed to this, and Probation Officers were seconded to social work courses mostly in Northern Ireland or England.' (Interviewee 1)

Reflecting on the impact of the changed composition of the probation workforce over this period, respondents described a cultural shift as social work became the 'dominant culture':

'There were two staff members who had a social work qualification when I joined in 1968. Nobody else had it.' (Interviewee 5)

'By the end of the seventies, the social work ethos was the dominant culture in probation practice.' (Interviewee 2)

This professional identity was one of the contributors to the sense of autonomy that probation staff felt prior to the establishment of the PBNI, as this respondent observed:

'In the years before 1982, we were accountable to our professional qualification and the court rather than the civil service.' (Interviewee 5)

The advent of managerialism

The establishment of the PBNI in 1982 therefore came with a dual edge. It created a stronger institutional structure for the delivery of probation services, with the intention of strengthening links with local communities, but as staff who worked in this period reflected, it also represented the advance of managerialism in probation work, as the balance shifted from the autonomy of individual professional practice towards the delivery of strategic and organisational priorities:

'The big shift was the whole move to managerialism; but also, providing consistency in practice. The idea was that you would have some kind of agreement about what facilities a local probation team was going to produce within the area – what are we going to make available for people within the area to provide consistency?' (Interviewee 5)

That process was underpinned by the decision of the Board to devise an overall aim and a set of strategic objectives and to develop a corporate plan setting out the strategic direction for the organisation. By 1984, the Board had published its first five-year plan, with its first set of annual corporate objectives in the following areas – reoffending, courts, prisons, community development, professional practice, cost-effectiveness and human resource development. Each specific objective was reviewed and measured on an annual basis. This 'management by objectives' approach was facilitated by a change to the functional management structure. It was an enormous process of transition.

'In the early 1980s came the introduction of the overall aim of probation. Up to that point, it was seen that "advise, assist and befriend" was the aim as well as the objective, and then that all changed.' (Interviewee 1)

Some staff reflected on the framing of the aims of the new service, with a now explicit focus on preventing offending:

'It was the senior team who met with Jim Black [author of the *Black Report*] and determined that the aim of the Board was to help prevent reoffending. I think it was reasonably controversial at the time. I think the whole thing was well debated at the time. I mean, no one would disagree that we wanted to help prevent reoffending, but it was quite a controversial shift at the time.... We had a lot of discussion about whether it should be to prevent reoffending or help prevent reoffending.' (Interviewee 1)

Shift in focus - working with young people

At the point when management by objectives was introduced, there was also discussion about whether the PBNI should continue its work with young people.

'I remember the question was asked if we should stop working with juveniles or not and, if we did, who would stay and who would go. I remember people saying: "Well, I am not going to stay if we are not working with juveniles", and others saying, "Well, fair enough, I am quite happy to work with adults as well as juveniles".' (Interviewee 2)

To understand the significance of this debate, it is important to note that for many decades before 1982, probation work in Northern Ireland focused mainly on young people and children. This included 'intermediate treatment' projects, which were targeted towards young people considered to be at risk of offending:

'Intermediate treatment projects during the seventies involved not just work with children on probation but also children at risk in troubled communities. There was a lot of interagencies work with social services, police community relations, youth and community workers and the training schools. Probation Officers from all over the province worked together, particularly at weekend ventures. The medium of sport, particularly football, was in evidence. Later in the seventies, we made extensive use of outdoor pursuits venues, such as Runkerry in Co. Antrim, and PBNI had its own cottage on the north coast.' (Interviewee 2)

Bringing children and young people away at weekends to engage in outdoor pursuits was also timed to provide a respite during periods of heightened political tensions:

'I remember starting work in the Markets and two or three of the mothers coming to me and saying, "Would you take these ones away over 9 August [anniversary of internment when there was a history of street disorder]?" So, always around 9 August, you would have taken them somewhere or other because, just a few years before that, they were ending up in court, and the parents were up to their eyeballs in fines for the kids on disorderly behaviour charges and rioting and all the rest of it.' (Interviewee 6)

While the *Black Report* (1979) recommended that the PBNI should continue its work with young people, the direction of travel subsequently was more towards work with adults. This reflected trends in probation services elsewhere, a point noted by the former Chief Probation Officer, Bill Griffiths, in an interview for the *Making the Difference* oral history project:

It was the hot corrections topic in the UK and, indeed, internationally. Scotland had gone down the most extreme welfare route in Europe. England and Wales had come up with a compromise. (Fulton and Parkhill, 2009, p. 58)

Over time, the numbers of young people on the Probation Service caseload diminished, and further significant change was heralded by the establishment of the Youth Justice Agency as an outcome of the Criminal Justice Review, which followed as a consequence of the Good Friday Agreement (Haydon and McAllister, 2015). This establishment of the Youth Justice Agency meant that most under-18s involved in the criminal justice system came under the remit of this service, although provision remained for young people over the age of 16 years to be made subject to some community sentences, which required probation supervision; however, the numbers of young people in the latter category were very small. The legislation establishing the Youth Justice Agency also set out that a restorative justice model would be the primary model for dealing with young people in conflict with the law. And while restorative approaches have gained increasing traction in the adult system in recent years (McLaughlin, 2021), at the time of the establishment of the YJA, this marked something of a departure from the mainstay of work carried out by the PBNI.

Impact of the Troubles

There is no doubt that the context of political conflict in Northern Ireland impacted significantly upon the work of probation in the earliest days of the establishment of the PBNI. Indeed, the *Black Report* in 1979 highlighted the legitimacy issues facing the criminal justice system, particularly the police who were not seen as representative of the whole community, nor indeed independent. Staff gave an insight into some of the issues faced in the years preceding 1982. For example, the introduction of internment without trial in August 1971 brought significant challenges to probation. In response to the creation of institutions at Long Kesh and other places to hold internees, the PBNI sent in staff to provide a social welfare service:

'My first experience of service-users in probation was actually at Long Kesh with internees, and obviously that was quite different because they were not prisoners. They were internees. Every day was so busy. They would come in and they wanted contact with their families, and at that stage the NIO [Northern Ireland Office] would allow them to use the phone in the welfare office. So, we were sitting and, obviously, we heard the conversation, and that was different in the sense that there were lots of issues going on at home. There were lots of riots going on as well. I was there at the time of the fire in 1974 and I had to, to go over to the fence to take welfare requests and I remember I used to ask myself, "How did I end up here?" But it taught me an awful lot and my interests in a social work career were formed by that experience in Long Kesh.' (Interviewee 3)

Staff noted some of the challenges of this role:

'You were also distrusted by the prison staff as well because they saw you as on their [internees'] side, and so you were caught in the middle. There was a piece of work to do with both groups to say: "Look, this is a task that we are doing, and we will do it to the best of our ability".' (Interviewee 3)

Staff members reflected on how the community perception of probation changed as the civil conflict continued into the 1980s, with some of the worst violence perpetrated against civilians, the police service and the Army:

'Our neutrality seemed to have been accepted or understood.... To some extent, we were viewed as non-aligned; and we had to fight very hard to keep it that way. It felt like we consumed more mental energy in fighting for this than anything else. It took us ten years to reach an agreement that we would not be asked to do reports where the case was clearly under Diplock courts.' (Interviewee 5)

This point about the neutral positioning of the PBNI in a time of intense political conflict has been noted in previous research (O'Mahony and Chapman, 2007; Carr and Maruna, 2012). Carr and Maruna's (2012) oral history with probation staff who worked during the Troubles noted the extent to which staff had to navigate this terrain, and the central role of the National Probation Officers' Association (NAPO) in supporting a stance that meant that probation staff did not undertake 'offence-focused' work with people who objected to being categorised as offenders. This position of neutrality allowed for the PBNI to continue to engage in work in communities that were considered 'no-go areas' (Carr and Maruna, 2012) for other criminal justice agencies.

Community development

The acceptance of Probation by local communities enabled the organisation to develop partnerships and links in many local areas. The Probation Order (1982) set out that one of the main functions of the Board was to enter arrangements with voluntary organisations to provide services to assist in the supervision of offenders. The community and voluntary sector within Northern Ireland has traditionally played a strong role, with organisations such as NIACRO (which celebrated its fiftieth anniversary in 2021) (Fulton et al., 2021) working closely with probation services. Following its establishment in 1982, PBNI funded a wide range of voluntary and community-sector organisations to provide a range of services, with almost 15 per cent of its budget dedicated to this area (Fulton et al., 2021).³

Staff members recollected the impact of the introduction of the budget:

'When the board came into being, you were encouraged to go out and form relationships with the other statutory, voluntary and community

³ Some of the other large organisations which received funding from PBNI included: Extern, Save the Children Fund, Ulster Quaker Service, NI Victims Support and Belfast Rape Crisis, as well as a range of smaller projects (Fulton *et al.*, 2021, p. 30).

groups in your area, and then the community development money came, and you were actually able to say – "If we give you this money, you can provide this service for the benefit of people in the community". It was a massive change.' (Interviewee 4)

'I know from 1982 onwards you got the budget (for community development). I worked in Brownlow in Craigavon. It was a new city and people were coming from Belfast, Omagh and Derry to be rehoused there. All the different agencies were very much integrated together and you would have community development meetings with youth, social services and police to deal with any of the issues that were going on there.' (Interviewee 2)

The sense of partnership working is described further:

'Other agencies were keen to work with us as well. I remember being in a group jointly with a detached youth worker and one of the first community officers appointed by social services, and then the police with their liaison issues.' (Interviewee 5)

The introduction of the Community Service Order in the late 1970s. following the passage of the Treatment of Offenders (Northern Ireland) Order, 1976, also had a significant impact on probation's involvement and visibility within local communities.

'I was involved in community service from 1986 to 1990. The biggest development of community service was the expansion of the interest groups and getting placements. The more imagination you had and the more contacts you had in the community, the more successful community service was, as you could try to partner the individual with whatever resources were available.' (Interviewee 4)

'Community service was a bit of a shop window for us. It was really good PR for probation, and the community and individuals really appreciated it.' (Interviewee 1)

The development of community service throughout the 1980s has continued into current times. Community service continues to be one of the most effective

community sentences imposed by the courts. The foundations of that success can be clearly traced back to the 1980s and the work carried out by staff in partnership with local voluntary and community organisations. In one of the latest inspections of community service carried out by the Criminal Justice Inspectorate, it was observed that the work undertaken as part of the PBNI's community service scheme was positive, socially useful and of benefit to the community (Criminal Justice Inspectorate Review of Community Service, 2013).

Programme development

Another major development which contributed greatly to changes in probation practice in the 1970s and 1980s was the advent of the so-called 'What Works' movement. Informed by research largely emanating from North America, this led to the formulation of effective practice prescriptions informed by the Risk-Need-Responsivity (RNR) model of individual rehabilitation. This, in turn, saw an increased focus on risk assessment, cognitive behavioural approaches, and accredited programmes as the means to reduce reoffending and to protect the public (Carr, 2016). Prior to the introduction of 'What Works', probation practice primarily adopted an individualised and casework approach, with family and community work as well as activity-based projects for juveniles.

Retired members reflected on some of the opportunities generated by new ideas around effective practice, including the potential to learn from and share experiences with colleagues from other countries:

'This was an exciting and stimulating time to be working for the Probation Board with many new ideas and shared experiences being generated for effective practice with offenders not only within Ireland but further afield in UK and Europe. PBNI were not only gaining from but also contributing to and at the forefront of effective practice exchanges through, for example, the annual What Works and CEP conferences.' (Interviewee 1)

In the early 1990s, PBNI set up a dedicated day centre in South Belfast to provide group work programmes for individuals convicted of sexual offences. This was during a period when the serious problem of child sexual abuse was emerging as a major public health and criminal justice issue. Considerable care and attention were given to the location of the centre, having regard to public safety and ensuring the public support of a wide range of agencies and disciplines, including those working with victims of sexual abuse. The

staff group working within the Day Centre was a multi-agency and a multi-disciplinary team, combining child protection and criminal justice staff, social work and psychology. By the mid-1990s, programmes to address domestic violence were also introduced and delivered from the Centre.

For some years, the above group work programmes were based on a model that included offending behaviour interventions and a wider therapeutic and social-skills programme. Service-users spent a significant part of the week at the Centre. As a result of an increase in referrals, the programme gradually became focused on group-work offending-behaviour interventions. By the early 2000s, the 'What Works' agenda was more established in the field of sexual offending and domestic abuse. PBNI staff were trained to deliver the nationally accredited group work programmes both in custodial and community settings.

Multi-agency working in the field of sexual abuse and domestic violence directly influenced the development of risk-assessment and risk-management protocols and procedures and the eventual establishment of the Public Protection Arrangements Northern Ireland. PBNI staff played a leading role in developing risk-assessment protocols, training its own staff and working with the PSNI and social services trusts to ensure that the arrangements were firmly established. However, as this respondent reflected:

'The journey from "advise, assist, befriend" the probationer in the early history of probation to its public protection role in the recent history is not without its complexities.' (Interviewee 1)

Conclusion

As the Probation Board for Northern Ireland marks its fortieth year, it is timely to consider what we can learn from staff experience from 1982 that might assist us in developing probation services over the next four decades. The development in 1982 of a criminal justice organisation in Northern Ireland, which aimed to deliver probation services by actively engaging with the communities, was radical. Staff in this period worked enthusiastically to deliver services within communities and in partnership with voluntary and community organisations. It is an aim that has remained at the core of probation practice in Northern Ireland. For example, decades on from 1982, PBNI actively requested to be involved in new community partnership arrangements established in 2012, in recognition of its desire to continue to work alongside local communities. There have, of course, been challenges to

continuing to work actively with communities. The years of austerity, particularly from 2015 to 2018, saw the reduction of the PBNI's estate by one-third, and this included the closure of local offices in local communities. The impact of the COVID-19 pandemic since 2020 has also been evident in the delivery of services in local areas. There is, however, a renewed commitment that the PBNI will work more closely with local communities to deliver services in partnership. Chief Executive Amanda Stewart stated in an interview in 2022 that members of the Probation Board are advocates for the organisation within the local community and that there is a need for Probation to reconnect with communities in the aftermath of the pandemic (AgendaNi, 2022). As staff work to reconnect with communities, it is an apt time to reflect on the original aim of the *Black Report*, which was to ensure that the service enjoys the full confidence of the community.

As PBNI begins the development of a new Corporate Plan for 2023–26, it is also important to consider how management by objectives impacts upon staff, and to ensure that all staff groups have an opportunity to provide feedback and to be consulted on new strategic priorities for PBNI. Finally, as PBNI continues to operate against the backdrop of a dynamic political environment, with periods of political instability, it is key that the PBNI retains its ability to work within all communities, and that it retains its independence as a body at arm's length from Government, in order to continue to change lives effectively, for safer communities.

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