

# “Advise, assist and befriend”: Client Perspectives on Probation from the 1980s to Present-day

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## INTRODUCTION

Notwithstanding its English origins, “advise, assist and befriend” has come to epitomise a uniquely Irish brand of penal welfarism which has put rehabilitation and the officer/client relationship at the centre of probation practice. “Advise, assist and befriend” was first introduced into the Irish probation lexicon under the Probation of Offenders Act 1907 which was enacted prior to Ireland’s independence from Britain. Section 4 of the Act provides that the probation officer must ensure that the person under supervision abides by the terms of their order and in doing so is required to “advise, assist and befriend” them. Discussion of its role in Irish probation is timely, given that it is fated to become a legal artefact with the enactment of the Criminal Justice (Community Sanctions) Bill.<sup>1</sup> The Bill modifies the phrase and in so doing, reconceptualises how an officer ought to relate to the person they are supervising in our current time and place. Once enacted, the Bill will erase “advise, assist and befriend” from the statute books, replacing it with the term “supervise, guide and assist”, with an additional emphasis on the officer building a positive relationship with the person under supervision, and supporting and monitoring compliance (Head 35 of the Act).

This article is based on findings from semi-structured oral history interviews with 25 male participants who experienced probation from the 1980s to the 2010s. The 25 clients (past and present) were recruited with the assistance of voluntary and community organisations, and through newspaper advertisements. The interviews form part of an ongoing and extensive *Histories of Probation* project which aims to provide a deeper understanding of the past as experienced by probation officers, managers and clients, and as documented in

archival records.<sup>2</sup> The project contributes to a wider literature that recognises the need for an historical appreciation of probation practice from the perspective of key stakeholders, with oral histories of probation emerging recently in both Northern Ireland<sup>3</sup> and Scotland.<sup>4</sup>

In addition, this article explores participant perspectives on probation practice philosophies from the 1980s onwards with a particular focus on how the “advise, assist and befriend” philosophy was experienced by those under supervision during a seminal period in the history of the Service. In particular, it considers how probation philosophies evolved over time and whether client perspectives accord with the official narratives of probation history across the decades.

## THE 1980s – A FOUNDATION IN FRIENDSHIP

This decade saw many challenges for Irish society, including high unemployment rates, drug addiction, social and economic deprivation, rising crime rates and prison overcrowding.<sup>5</sup> Politicians and policymakers focused their attention on finding pragmatic and cost-effective solutions to pressing criminal justice problems, with the result that there was little scope to advance the rehabilitation agenda. Indeed, accounts of the era note that penal discourses were beginning to question the ideals of penal welfarism and to frame rehabilitation as an “unaffordable luxury.”<sup>6</sup> The Probation Service also experienced difficulties during this time,

1. The original heads of the Criminal Justice (Community Sanctions) Bill were approved by the Government in 2014 but they are still being reviewed as part of a broader penal policy review by the Department of Justice. See Dáil Éireann, ‘Criminal Justice (Community Sanctions) Bill 2014 – General Scheme’.

2. This project was part-funded by the Fitzpatrick Family Foundation and the Department of Justice. Key publications include: Deirdre Healy and Louise Kennefick, ‘Hidden Voices: Practitioner Perspectives on the Early Histories of Probation in Ireland’, *Criminology and Criminal Justice* 19, no. 3 (2019): 346–63; Louise Kennefick, Deirdre Healy, and Niamh Wade, ‘“Helping, Hurting, Holding and Hands Off”: Preliminary Findings from an Oral History of Probation Client Experiences in Ireland’, *Irish Probation Journal* 19 (2022): 38–55; Louise Kennefick, Deirdre Healy, and Niamh Wade, ‘Understanding Probation Supervision in Ireland: What Can We Learn From An Historical Approach?’, *Probation Quarterly*, no. 22 (2022): 9–11.

3. Nicola Carr and Shadd Maruna, ‘Legitimacy through Neutrality: Probation and Conflict in Northern Ireland’, *The Howard Journal of Criminal Justice* 51, no. 5 (2012): 474–87.

4. Fergus McNeill, ‘Supervision in Historical Context: Learning the Lessons of (Oral) History’, in *Offender Supervision: New Directions in Theory, Research and Practice*, ed. Fergus McNeill, Peter Raynor, and Chris Trotter (Cullompton: Willan Publishing, 2010), 492–508.

5. Deirdre Healy, ‘The Evolution of Probation Supervision in the Republic of Ireland: Continuity, Challenge and Change’, in *Community Punishment: European Perspectives*, ed. Gwen Robinson and Fergus McNeill (Abingdon: Routledge, 2015), 136–55.

6. Mary Rogan, ‘Rehabilitation, Research and Reform: Prison Policy in Ireland’, *Irish Probation Journal* 9, no. 1 (2012): 6–32.

including increasing caseloads, budgetary cuts and recruitment constraints at a time when additional responsibilities were introduced, in particular, the management and supervision of community service orders under the Criminal Justice (Community Service) Act 1983.

Given this backdrop, it is perhaps surprising that a strong commitment to the penal welfarist ideal was evident in client narratives, though some participant accounts also signalled the presence of other factors, like punitiveness and labelling, in their recollections of supervision. Many participants described probation meetings as focused on “talking” and had a clear sense of the therapeutic aims of this approach, which accords with the features of penal welfarism. One described a therapeutic experience when his officer asked a question that changed everything – “what happened to you?” He said his officer was the first authority figure to listen to and believe him – the focus was not just on paperwork. Others, however, had a sense that meetings were designed to enhance client accountability, an aim less evident in official narratives of the time. For instance, when speaking to his probation officer, another participant realised he had to tell the truth as he would otherwise be caught out in lies as the probation officer kept asking the same questions over and over.

Commensurate with penal welfarism, many reported receiving practical help from their officers in the form of arranging entry to treatment programmes addressing areas such as anger management, mentorship, and educational and post-release support. However, one account highlights how the supervisory relationship sometimes impacted how help was perceived by clients, and suggests support was sparse during this period. The participant recalled how young he was during his first supervision order, and how fearful he felt dealing with what he framed as a “strict” and “rigid” supervisory arrangement. There was a sense that what was on offer in terms of help was limited. His experience highlights how offers of help were not always straightforward, nor presented with progressive aims in mind, in that one officer gave him an ultimatum to attend alcohol treatment or be committed to a psychiatric

institution. The following quote reflects his bewilderment at this proposal:

*I can remember another probation officer he got me into, it was called Stanhope Street at the time [...] It was for violent alcoholics and I was only about 18/19 [...] and like you know I was down as an alcoholic but I wasn't an alcoholic [...] they just saw 'alcohol' and that was it like. So like they got me into that place. I had to do a six-week programme or else I had to a three-month stint in Grangegorman [...] Grangegorman is a mental institution. [...] It was like why would you be sending me to Grangegorman? There's no need. You're sending me to Stanhope Street for a violent offence, why would you be sending me to Grangegorman? [...] and even to this day I still tell that story that I was actually offered Grangegorman like [...] which they all think was what, are you sure you heard him right? I said I'm fucking sure I heard him right because I asked, I double checked.*

Additionally, our findings show that the officers did not always have the requisite expertise to assist. For instance, another participant felt upset when he told his officer he was having nightmares (the first time he told a professional about this) but the officer lacked the skills to help.

Friendship remained a central feature of probation supervision for many during the 1980s and was characterised by a sense of an officer going above and beyond their remit to help a client. For instance, one participant recounted the strength of the bond with his officer in striking terms. This officer helped him to get a job and stayed in touch with him afterwards:

*They tried to do their best for you. [...] Now the one that stood by me, [NAME], she stood by me through thick and thin, through everything and I was even asked to go to her retirement party, that's how well I got on with her because I done her house up and minded her husband, he was a principal in the school and he didn't judge me.*

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Our findings add an additional layer to the notion of friendship in probation supervision during this timeframe as many participants recognised that effective probation work required active participation on their part. For example, another participant reflected on how people have to be willing to change for probation to work:

*And I think you know people have to be really willing to change. [...] for somebody to make some or have some kind of impact on you and if you're not willing to change be sympathetic to the fact that that is where you're at.*



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Finally, while most experiences were positive, the majority also described at least one experience of being labelled or misrecognised.

For example, the participant quoted earlier in this section recalled how he was labelled on file as an alcoholic, but he did not see himself that way. There was also some evidence of a punitive approach emerging at this time, though accounts varied. Some participants regarded probation as something to be taken seriously and believed that there would be consequences for non-compliance (e.g. missing appointments). However, others felt that being on probation had little impact on their lives as it was not particularly restrictive; attending appointments was all that was required, and they did not feel there was a threat of prison for non-compliance.

## THE 1990s – A GROWTH IN PUNITIVENESS

The 1990s in Ireland were marked by waning political support for the penal welfarist ideal. Drug addiction and drug-related crime continued unabated, contributing to a shift in socio-political attitudes towards those who offend. The tolerant attitude evident in previous decades was superseded by a view of such individuals as dangerous, unpredictable and unamenable to rehabilitation.<sup>7</sup> As a result, proponents of the rehabilitative ideology were perceived as “soft on crime,”<sup>8</sup> and penal welfarist sentiment was suppressed in penal discourse.

The Probation Service was chronically under resourced during this time, having missed out on any boon from the record economic growth and prosperity witnessed during the mid-1990s, particularly when compared with the Prison Service, to the point where there were questions about its ability to deliver services effectively.<sup>9</sup> Notwithstanding such challenges, official narratives suggest that rehabilitation was not replaced by punitiveness in the Service but instead co-existed.<sup>10</sup> Probation officers appeared to remain focused on addressing the welfare needs of clients, and some innovations

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7. Louise Brangan, ‘Pastoral Penalty in 1970s Ireland: Addressing the Pains of Imprisonment’, *Theoretical Criminology* 25, no. 1 (2021): 44–65.

8. Rogan, ‘Rehabilitation, Research, and Reform’.

9. Patrick O’Dea, ‘The Probation and Welfare Service: Its Role in Criminal Justice’, in *Criminal Justice in Ireland*, ed. Paul O’Mahony (Dublin: Institute of Public Administration, 2002), 635–656.

10. Rogan, ‘Rehabilitation, Research, and Reform’; Healy, ‘The Evolution of Probation Supervision in the Republic of Ireland: Continuity, Challenge and Change.’

continued during this period, including addiction treatments, hostel accommodation and a treatment programme for those convicted of sexual offences. The community and voluntary sector also retained a prominent role.<sup>11</sup>

Probationer accounts from our study indicate that penal welfarism persisted over and above what was expressed in official narratives, through the enduring themes of advise, assist and befriend. Accounts reveal how probation work was done with what clients perceived as an awareness of social contexts and an understanding of the impact of background and peer group on criminality. Some also pointed to a trust in and even admiration for the skills of their officers. One participant described how some interactions with his officer were difficult and upsetting, though he describes how his officer never made him feel vulnerable on leaving those meetings. There was a depth to the exchanges where he had a clear sense about the purpose of the meeting, and the direction they were heading in together. The significance of this approach for the participant is evident from this quote:

*[...] I think I suppose for me she was trying to bring me on a journey where she knew I could go and to support me on that journey I think because I came forward looking for support and help rather than avoiding I think she kind of said okay this is a guy who does want to do something and she put that effort in for me and that was important to me you know.*

Arranging treatment and counselling to address criminogenic needs was perceived as a central focus for their officers by many, and most were appreciative of the help. For example, one participant remembered his officer putting in effort to secure treatment over and above what he felt would have been expected of her. And a simpler gesture, like his officer dropping him home after a meeting if he needed a lift, meant the world to another. Sometimes assistance took on a more creative or unusual form. When supervision ended for one participant, his officer asked him to stay in touch by writing letters

about how his life was going. He said that he could now appreciate how this activity gave him awareness about his behaviour at the time.

Some described their relationship with their officers as more like a friendship than a formal arrangement, in that there was a sense of familiarity and reciprocity. For instance, one participant recalled that interacting with his officer was like talking to a sister. Another felt that his officer actually cared about him through the ways that he listened to him, gave him time, and assisted him, over and above his relationship with his own family, even. Finally, one particular account stands out for the warmth it evokes in its description of the client/officer relationship. This participant talks about the trust in and admiration for the work his officer did:

*I felt that somebody was actually listening to me, that I could talk about stuff that was very important for me that I never spoke about before and I could speak and you know not fear it going anywhere else you know and with [NAME], the probation, I've worked with her I've had that especially with [NAME] I've had that you know, every aspect of my life was opened with [NAME] you know. I remember saying one day, I said there was only two people in the world who know me, my wife and [NAME].*

However, experiences of punitive attitudes became more pronounced in this era. Punitivism, understood broadly as a lack of commitment to welfarism,<sup>12</sup> was evident to a greater degree in the 1990s than in any other decade, supporting the official narrative of the time. For instance, some participants from this cohort reported an aggressive attitude in their officers. One account describes an officer asking intrusive questions and 'ordering' him to be on time. This participant also reported that on being five minutes late for a meeting he was threatened with a breach. Participants tended to respond to this supervision style with frustration, leading to resistance and lack of engagement with the officer. At a more cellular level, some clients were sensitive about how the way in which they were treated and

11. Katharina Swirak, 'Unmasking the "criminal Justice Voluntary Sector" in the Republic of Ireland: Towards a Research Agenda', *Irish Probation Journal* 15, no. 1 (2018): 24–46.

12. David Garland, *The Culture of Control: Crime and Social Order in Contemporary Society* (Oxford: Oxford University Press, 2001).



A more passive punitive attitude emerged from accounts that describe their interaction with officers as “purely bureaucratic” or as if the officer was simply “going through the motions,” without providing assistance beyond ensuring compliance.

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spoken to reflected how their officer perceived them. One participant reported frustration about frequently being kept waiting for appointments, while another felt that his officer looked down on him. A more passive punitive attitude emerged from accounts that describe their interaction with officers as “purely bureaucratic” or as if the officer was simply “going through the motions,” without providing assistance beyond ensuring compliance.

## THE 2000s – EMERGING PROFESSIONALISM

By the 2000s, the Celtic Tiger was well underway with criminal justice expenditure increasing, though largely in relation to criminal justice infrastructure rather than rehabilitation services. The consolidation of the Probation Service from 2006, in addition to the recession from about 2007 onwards, form the backdrop of a shift towards managerialism in official narratives of the time and might indicate a reduced commitment to rehabilitative goals. However, official accounts continued to point to the prominence of the penal welfare narrative in probation discourse. By this point, most officers were trained social workers who used social casework techniques in addition to employing clinical judgement. Further, many of the rehabilitation programmes funded by the Service focused on welfarist needs, such as employment, education and substance abuse, rather than criminal cognitions or “criminogenic risk factors.”

Themes of advice, assistance and encouragement remained prominent in client perceptions of supervision from this era. For instance, one participant said his officer advocated for him and put out feelers regarding opportunities to save him time

and disappointment at being turned down. However, less evident is the deep and authentic sense of friendship underlying the supervisory relationship that was prominent in previous decades. That said, a collaborative approach was still perceived by clients. For example, one participant, along with other life sentence prisoners, requested a groupwork programme which officers helped to introduce. His previous officer also worked collaboratively with him on his release plan. He said that even arguments are respectful – he felt heard and was allowed choices. Another also recalled that if he was running late, he could call his officer to let her know and she wouldn’t threaten him with court, which contrasts with some more authoritarian accounts from the previous decade.

At the same time, client accounts from this cohort tended to reflect a more formal approach to supervision, which demonstrates a shift away from the friendship ideal towards a more collaborative, but ultimately more bounded, professional relationship. This experience is encapsulated in the following quote from one participant:

*[...] every three year and I had a kind of situation where I got one lady who was there a while and then she went on maternity leave so then I got someone else who’d also been there a while but then he took over from her and then he left... then I got another one who I’d been with a while and we’d done a lot of work together and everything seemed to be going good and then he, my report was due for the Parole Board and he left six weeks before but I was saying, the parole was like in four weeks he wasn’t going for six so I said we’d worked together for years so I was like you can still do the report and he was like ah no we’re going to hand over and I was thinking not very fair I have to work with someone else.*



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Some continued to report a sense of being misrecognised or labelled by their officer. One participant said his first officer looked down on him and judged him straight away, while another said troublemakers were often sidelined by probation.

## THE 2010s – EMBEDDING PROFESSIONALISM

In more recent years, an overt punitive narrative has become markedly less evident in Irish criminal justice rhetoric more generally, and in probation policy and practice materials in particular. However, there remain echoes of it with references to risk and responsabilisation,<sup>13</sup> which are perhaps better characterised as the “new rehabilitation” narrative. This approach tends to emphasise accountability, personal responsibility and the prioritisation of victims’ needs,<sup>14</sup> reflecting the influence of neoliberal ideals and strategies. Conversely, notable developments in the last decade also include the emergence of a strong desistance narrative, with probation policy signalling the need for rehabilitation to include engagement with families, communities, civil society and the state itself in order to support

people on their pathway from crime.<sup>15</sup> A growing commitment to restorative justice strategies is also evident.<sup>16</sup>

Penal welfarist ideals continued to surface from client accounts in recent years, reinforcing its place in the official narratives, though the formal tone that emerged in the previous decade has also become more entrenched. Help was characterised in a more structural sense, rather than a relational one, as demonstrated by this quote from one participant:

*The most helpful for me personally was just keeping out of trouble, having a structure, having a plan so Monday-Friday between 2-4 I'd have to be here so that was definitely most helpful because it was good structure, it was a good opportunity to see how, I hate to say normal, but how normal working people was living and how much more calmer and better it was than the life that I was living previous to that. So that would have been the most helpful, just as a bit of an eye opener. [...] And it wasn't too overwhelming, like 2 hours isn't a lot just to come in and see what they had to offer.*

13. Deirdre Healy, 'The Evolution of Probation Supervision in the Republic of Ireland: Continuity, Challenge and Change.'

14. The Probation Service, 'Annual Report 2012' (Dublin: The Probation Service, 2012).

15. Ioan Durnescu, Margaret Griffin, and John Scott, 'Developing an Irish Offender Supervision Framework: A Whole System Approach.', *Irish Probation Journal* 17 (2020): 24–42.

16. Ian Marder, 'Restorative Justice as the New Default in Irish Criminal Justice', *Irish Probation Journal* 16 (2019): 60–82.

While a more professional approach proved effective for some, others found formality off-putting. For instance, one participant found that meeting his officer sitting behind a desk was intimidating and something he was not used to. In a more extreme example, one participant's account reflects the negative impact of an authoritarian approach. The effect of labelling on his relationship with his mother is particularly striking:

*Just really the old woman [PO], that's it. She was negative, you know what I mean. She was labelling me. Like my ma was with me and all so she was making my ma fight with me and all. Where me ma wouldn't really be like that. So she was making people act different around her. So that was negative. She changed. She changed me ma's perspective to who her son is. Said like 'He's out robbing cars, you don't have control over him, this that and the other,' you know what I mean. I don't have family so there was no point fighting for family all them years.*

Finally, clients from the last decade used the word "stress" much more frequently than any previous decade. For instance, one participant found being on probation quite stressful as he picked up another charge, was afraid to tell his officer, and feared going back to prison as his life had stabilised.

## CONCLUSION

This article has sought to provide a more nuanced picture of penal welfarism in probation practice in Ireland by uncovering the shifting narratives that have characterised the last four decades, from the perspective of probation clients. The experience of receiving advice, assistance and friendship from officers resonated strongly with those who experienced supervision in the 1980s, notwithstanding the challenges facing the country and the Probation Service at the time. Although the 1990s witnessed increasingly punitive attitudes towards those who offend, participants continued to describe probation work as focused on advising, assisting and befriending. However, participant accounts of the 2000s and 2010s support official narratives of probation history by highlighting the entrenchment of a more professionalised approach to supervision. Yet, participants from these cohorts still reported experiencing meaningful connections with their supervisors. Our findings suggest that recent probation history has brought with it greater levels of professionalism as well as clarity around the boundaries of the supervisory relationship. Perhaps inevitably, however, this progress has been achieved at the cost of a more fallible but altogether more heartfelt friendship.



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