

The Emergence of Probation Services in North-East Ireland

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Summary: This paper is the result of integration of two journeys into the past from the contrasting perspectives of the voluntary and statutory sectors. It looks at the emergence of the probation services in North Eastern Ireland and focuses on Belfast as the model. It examines the socio-economic and cultural factors that influenced the kind of probation service that appeared and shaped its early evolution. It traces the history of the voluntary societies that provided the first police court missionaries, and examines their motivations. It makes the case that, rather than being a foreign idea transplanted, the concept emerged in a garden with suitable soil and from plants that were already flourishing: the stunted growth of the early years had more to do with the gardeners and the weather. The authors use recent publications (Whitehead and Statham, 2006; Vanstone, 2007; McNally, 2007) as a base from which to pick out the distinctive features for the area now constituting Northern Ireland and how these influenced the evolution of the probation services here.

Keywords: Probation Act 1907, charitable institutions, industrialisation, church, prison.

Introduction

Belfast was conducive to the development of probation services because its size and importance brought statutory investment supplemented by strong philanthropic and charitable movements. Religious revival and temperance/abstinence movements became dominant forces during the second half of the nineteenth century and shaped the actions of the charitable and social drivers. The relative absence of class tension between the clergy and laity in the Catholic, Presbyterian and Methodist

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Churches contributed to those Churches – rather than the Church of Ireland, the ex-established church in Ireland – emerging as the key court missionary societies in the area, unlike South-East England.

Alternatives to sentencing had government support because of pressures on prisons and criticism of the harshness and inflexibility of sentences. Nevertheless this did not translate in the manner envisaged, and three factors assisted the slowing down or the obstruction of the take-up of the probation idea as a key alternative: (a) lack of central control of courts, in contrast to police and prisons; (b) the independence of the magistracy; (c) changes in the social standing of the missionaries in the first half of the twentieth century.

Perhaps most significantly, the 1907 Act, by giving authority to a service that had already evolved into place, didn't entail any new strategic thinking locally, and it would be another 30 years before such thinking was applied.

The year after the Probation of Offenders Act 1907 came into operation there was a foundation of accredited agents or missionaries of voluntary organisations in Belfast from which to select the first probation officers to supervise the new probation orders. From the evidence available, continuity was the outcome of the new legislative framework. The Act gave authority to the magistrates in each area to appoint persons as Probation Officers for a period of one year. This contract was renewable on a yearly basis. The magistrates used these powers to appoint Probation Officers already attached to the Presbyterian Temperance Committee (PTC) and Belfast Central Mission (BCM; Methodist). These were organisations with the most modern PR tool of the day – photography. Hence we are left with enduring images of two key personalities: W. H. Collins (PTC) and Elizabeth Curran (BCM). Collins was a Presbyterian church elder and worked firstly as a missionary for the Belfast City Mission. He was inspired and motivated by evangelicalism. He left the Mission when the Presbyterian General Assembly's Temperance Committee appointed him as its police court missionary on 1 August 1908. He maintained his probation and temperance work until his death in 1914, when he was replaced by James McAdam (BCM). Miss Curran seems to have maintained her dual roles of probation work and mission work with the BCM until 1919. Miss Curran and Mr McAdam continued to practise in the probation services until the 1940s.

Pre 1907 Probation Act context

Probation has often been viewed as the introduction of an English concept to the island of Ireland – one that had difficulty in adjusting to this setting. However, when one looks at the social and economic developments here in the north-eastern part of the island in the nineteenth century, probation services seem to have emerged seamlessly. This is particularly visible in Belfast, which was the fulcrum of change. By the end of the nineteenth century that citadel had been transformed from a market town to one of the most significant cities of the Empire.

The industrialisation that gathered pace during the nineteenth century was accompanied by a corresponding growth in the population. As Jones (1967) points out, the new mills acted as magnets to thousands forced off the land by famine and poverty. However, hopes of a better life would not be realised easily. The differing industries produced a hierarchy of workers and dependants. Shipbuilding and heavy engineering were more representative of the prosperity associated with Belfast by the end of the nineteenth century and involved better wages for the workers. The linen industry, on the other hand, provided meagre rewards for most of its workers and added a legacy of unhealthy conditions. This dimension reinforced the appalling and degrading poverty already visible in the city in the 1850s. A local physician, Henry M’Cormac, stated: ‘I have visited abodes in Belfast where there was no fire, nor utensil, nor food, nor bedding, a little sordid straw, now on bare boards, now on the damp floor ... open, untrapped sewers, with filthy stygian streams, emit during the hot months emanations the most sickening ...’

These developing situations posed a challenge both to the State/civil authorities and to charitable and philanthropic organisations. We can track continuing efforts to codify, classify and differentiate in relation to those who should be the subject of attention and who should receive services. Distinctions begin to be made between the aged, the infirm, children and those who, due to force of circumstances, were worthy of support and others, characterised as idle and worthless, requiring a more punitive response. Whelan (1996) refers to the distinctions that were introduced by the Poor Law provision which insisted that ‘the worthy and unworthy poor had to be separated, with the unworthy – professional beggars and rogues – confined to houses of correction and vagabonds whipped back to their own parishes’. The emergence of houses of

correction and prisons gave expression to the efforts to differentiate between criminal and non-criminal propensities. The concern to separate and differentiate was underpinned by an enduring theme, namely the desire to define in terms of 'deserving and undeserving', which had an impact on a wide range of services including those relating to criminal justice.

A revised form of the 1834 Act had been introduced in Ireland. As McCracken (1967) summarises, 'the Poor Law Act of 1838 brought another public body into existence, the Board of Guardians and resulted in the building of the Belfast Workhouse in 1841'. The Belfast Charitable Society, founded in 1752, had established a poorhouse in 1774. Strain (1961) in his account of the charitable society states: 'The levy of a Poor Rate seriously affected the finances of the Charitable Society because the public felt that once the Government was providing for the very needy through the Guardians there was no longer any necessity for voluntary effort'. However, the reality was quite different, with the workhouse designed as an uninviting last resort.

Belfast had an enviable reputation for charitable responses by its more powerful citizens. This is memorialised through the folkloric figure of Mary Ann McCracken (1770–1866), sister of the 'executed' Henry Joy. She was an indefatigable social activist and founder of the Belfast Charitable Institute. However, she was more radical than the norm for nineteenth-century philanthropists. Charitable and philanthropic groups included businessmen, industrialists, and professionals. Nevertheless, we would suggest that the predominant motivation was religious. Many of the non-clerics were active and prominent lay members of the various churches.

Setting a trend that had some echoes for the probation idea itself, the religious revival started in the USA, with prominent parts played by Ulster Protestant immigrants, before being transported back to County Antrim. 'On Sunday 29th June 1859 between thirty-five thousand and forty thousand crowded into the Botanic Gardens, a private park on the south side of Belfast' (Bardon, 1992) as part of that revival movement. Short-term changes to lifestyle seem to have been translated into a longer term more generalised adherence to religious observance and abstinence from alcohol. However, unintended consequences such as a switch over by the more dependent to the drinking of ether and methylated spirits fitted in with patterns in countries with more restrictive licensing policies.

The Catholic Church was undergoing its own revitalisation and modernisation at this time. This soon manifested itself even in the industrial heartland of the north-east. In 1865 the newly consecrated Bishop of Down and Connor, Patrick Dorrian, organised a general mission in Belfast. Bardon notes the similarities in character between the Protestant and Catholic revivals and the absence of class tensions between the Presbyterian and Catholic clergy and their laity.

The State saw itself as having a duty to care for those who were viewed as dangerous. Such responsibility was narrowly defined. A response was the creation of institutions. The Belfast Work House and the Crumlin Road Gaol emerged around the end of the 1830s.

However, as the social context was more and more recognised, both State criminological and church religious responses were modified. In line with the rise of the social gospel in criminal affairs, there was more consideration of mitigating circumstances relating to social issues. Change became discernible in the responses to children and young people in trouble or considered to be in need of protection.

Nonetheless, this move away from the punitive still relied on an institutional form. Hence in 1858 the Reformatory Schools (Ireland) Act established such schools for 'the training and reformation of older boys who had committed offences against the law'. In 1868 the Industrial Schools (Ireland) Act established industrial schools 'for the rescue and care of younger boys who by reason of family circumstances or environment or company, were in danger of becoming delinquent'. In Belfast Malone Reformatory was established in 1860, followed by St Patrick's Boys Home in Belfast as one of the first industrial schools in Ireland. These institutions were established along religious lines, with young people being sent to schools 'under the exclusive Management of Persons of the same religious Persuasion as that professed by the Parents of Guardians'. This dichotomy was to remain in place for these kinds of institutions for another 130 years, and influenced the structure of provision of sanctions in the community for 100 years. The establishment of the schools was an acceptance by the State of responsibilities in respect of social issues, but as yet there was no State-sponsored initiative to take this forward within the community itself.

Of course the whole process of seeking to effect social control and pursue reform and rehabilitation through some kind of confinement, be it in the form of a penitentiary or a refuge or a home, was nothing new. It was very much an integral part of the philanthropic endeavour. This

was certainly evident in relation to females – not least in the focus on the ‘fallen’ woman – whether they were prisoners/ex-prisoners, unmarried mothers or those who had succumbed to alcohol. Three penitentiaries were established in Belfast during the nineteenth century. The earliest was the Ulster Female Penitentiary. It was initially non-denominational but became associated with the Presbyterian Church. The Ulster Magdalene Asylum was established by the Church of Ireland and a Catholic refuge was set up at the Good Shepherd Convent, Ballynafeigh.

Whether the focus was on children in trouble or at risk or on ‘fallen’ women, a reforming goal was being pursued within an institutional setting. As Luddy (1995) summarises, ‘Refuges for the destitute and penitent asylums were offering institutional solutions to social problems, as were the reformatories and industrial schools established for delinquent children after mid-century’. If the institutional response can be considered partial and limited in relation to social problems, it also brings into sharp relief the limited role of the State in relation to these matters.

The nineteenth century was significant for a move towards centralisation of control in criminal justice matters emanating from the 1798 Rebellion and Act of Union and the subsequent agrarian unrest and agitation. A centralised Peace Preservation Force was set up and in 1836 combined with the County Constabulary into an Irish Constabulary. The prisons were reorganised. A central inspectorate was appointed to oversee the introduction of nationwide regulations. Individual prisons remained under the authority of local boards appointed by Grand Juries. With the ending of transportation in the period after the famine, its replacement convict system was placed under central control. This dual system was ended by the 1877 Act that placed all under the authority of the General Prisons Board for Ireland and Dublin Castle. Both these forces were shaped by thinking at Westminster but evolved with distinctive Irish flavours. On account of the political and agrarian unrest that dotted the century and the subsequent implications for management, both forces remained near the centre of British Government and Dublin Castle thinking. That probably tipped the policy towards central authority and universality. The same was not to be true for courts and sentencing in a community context.

The independence of the magistrates and judges was at times of major concern also to the British Government and the Dublin Castle administration, but harder to bring under control. Judges could direct

the outcome of sentences by changes such as the definition of penal servitude being increased from three to five years (Penal Servitude Act 1864). However, with regard to alternatives, influence on behaviour of magistrates was much less easy to wield. We will later illustrate this in relation to the introduction of alternatives to sentences later in the century. The ending of transportation and lengthening of sentences brought enormous pressure on to the prison system. There was a harshness and lack of flexibility. Thinking turned to an easing of these sanctions. Some of that pressure came from magistrates themselves, who were more vulnerable than Dublin Castle to local pressures.

During the nineteenth century initial non-custodial responses of the State found expression in the 1847 Juvenile Offenders Act, the Summary Jurisdiction over Children Act (Ireland) 1884 and the 1887 Probation of First Offenders Act which formalised the possibility of offenders entering into recognisances with the courts. What we find is a legal discourse very much in tune with the 'deserving' and 'undeserving' culture, with a 'second chance' being offered to the 'deserving'. Those deemed to be deserving were subject to the nineteenth-century version of the postcode lottery. The authors have garnered this from the existence of a Chief Secretary's circular of 1892 reminding magistrates of their powers under this legislation (Beresford, 1976): 'It would appear from Returns which have been furnished by Clerks of Petty Sessions that the provisions of the Act in question are much more frequently applied in some districts and by some benches of Magistrates than by others'.¹ We have not been able to discover whether this message had any significant impact on magistrates' decision-making, but it was a plea to magistrates in regard to non-custodial sentences that was to become familiar over the next three generations. It was not until 1996 that their power to control the use of such options became substantially corralled. We contend that the wording of the 1887 legislation and the follow-up selling had long-term consequences for the idea of probation that were different from those in England and Wales. It was the first setting-out of the ideas within the word 'probation'. The elements set out at that stage were 'age', 'antecedents', 'first offender', 'character of offence', 'discharge without punishment', 'on bail to come up for judgement when required'. Dublin Castle espoused hopes for 'general use of this enactment by Courts of

¹ Chief Secretary's Circular, 23 May 1892, re The Probation of First Offenders Act, 1887, Dublin Castle.

Summary Jurisdiction in cases where such course would be justified by the character of the offence, the youth of the offender, or other circumstances'. Even though the restriction of first offence was removed in 1907 and 'the character of the offence' was only one of the considerations, these two elements seemed to become embedded in the DNA of the Probation Order, so to speak, for the next couple of generations. In 1964 77% of probationers were still first offenders and 86% were under 17 years. Only 4% were 21 years or over.²

It seems reasonable to assume that courts were more likely to make use of these alternatives to sentencing if they had a degree of reassurance that someone in the community was providing surveillance or support to those being adjudicated upon. One obvious sector was that of employers. They had already been known to influence the development of working out schemes and post-release licence for Irish prisons.³ The Churches in their outreach mode could undertake such roles.

In pursuance of the evangelistic and moral reform aims, reinforced by the religious revivals, misuse of alcohol was a prime target. The temperance movement developed during the nineteenth century. Father Mathew's crusade (see Connolly, 1999) had considerable impact within the Catholic community, and Protestant middle-class opinion was mobilised against the spirit trade. In the second half of the century the temperance cause once again gathered momentum, and total abstinence became the dominant feature within the Protestant churches (for a fuller discussion of the 'drink question' see Malcolm, 1986).

The Catholic Church was more divided on the issue but, taking inspiration from the Catholic total abstinence movements in England and America, Father James Cullen established the Pioneer Total Abstinence Association of the Sacred Heart. The abstentionist position continued to grow in strength into the early twentieth century, as reflected in the Catch-My-Pal movement founded by the Presbyterian minister, the Rev. R.J. Patterson. It established branches throughout the North of Ireland, and its strength and mobilising capacity was displayed when it was able to bring 20,000 people onto the streets of Belfast in 1911.⁴

² Public Record Office Northern Ireland (PRONI) HA series.

³ Report of the Commissioners' inquiry into working of the Penal Servitude Acts, 1878/9, in *Working Papers in European Criminology*, No. 3, 1982, Heatley, P. and Tomlinson, M., 'The Politics of Imprisonment in Ireland: Some Historical Notes'.

⁴ See 'Catch-My-Pal, Belfast Demonstration', *Belfast Evening Telegraph*, Saturday, 10 June 1911.

The temperance cause was promoted in a variety of ways: open-air meetings, temperance clubs, cafes and hotels, educational work, political lobbying and campaigning. Tertiary prevention was promoted through the establishment of inebriate homes, the development of rescue work and involvement within the courts.

The temperance perspective influenced how social conditions and social problems were understood, and hence the way the social gospel was espoused. In 1891, the Presbyterian General Assembly could confidently state that ‘Everyone can see that intemperance is at the root of most of our poverty, lunacy and crime’.⁵

However, there were forces that were able to present a wider social explanation and arrive at a more complex view of ‘cause and effect’. The rescue work and court work of the temperance movement is of particular interest to us, and it might be conceived as a form of specialisation in contrast to the more generally oriented missions. Nevertheless, there is nothing to suggest that the temperance associations and committees were confined to ‘temperance cases’ within the court setting.

No doubt a more comprehensive grasp of social conditions and problems and hence the complexities of ‘cause and effect’ would have encouraged co-operation and complementary work. However, any engagement with such problems within a community setting still relied on the efforts of the philanthropic movement. One can envisage the temperance agents and missionaries coming into contact with the ‘undeserving’ repeat offenders in the course of their work within the community, including their visits to the public houses. Within the court system too, temperance agents could informally connect with people via the administering of the pledge, and this could be combined with the use of recognisances. This was an important option that the police court missionaries were able to offer to magistrates before the passing of the 1907 Probation Act.

From the above range of outreach movements, we select six pioneering initiatives that are critical to the story. Firstly, there were the Prison Gate Missions for men and women (PGMW and PGMM), established in the 1870s. Accommodation workshop places and jobs were the core services offered. Miss McClean and Mr Harrison acted as agents visiting the prisons and attending the police courts. Second were the Belfast Midnight Mission Rescue and Maternity Homes (BMMRMH), whose

⁵ Minutes of the General Assembly of the Presbyterian Church, 1891, p. 157.

main aims seem to have been related to the prostitutes who frequented the public houses of Belfast. This organisation had a presence within the courts, but it is unclear whether it was there before the turn of the twentieth century.

The Methodist Church's BCM, established in 1889, appointed male and female mission staff. The Mission Sisters or deaconesses, with their purple uniforms, became a familiar sight on the streets of the city and in the courts. The 1903⁶ Annual Report recounts a scenario involving a phone call from police court requesting that someone go down to the courts to give evidence. A young boy whose parents were drunkards had run away from home and had been charged with vagrancy. The police had asked whether anyone was taking an interest in him, and he mentioned the mission. The story continues: 'The member of staff who knows him best hastens to the court and the magistrate is very glad to receive whatever testimony or advice may be tendered on behalf of the culprit'; the representative of the mission is quoted as saying that 'particular attention will be paid to him'. Eric Gallagher (1989), in his history of the BCM, states: 'By 1908 the deaconesses, officially referred to as the Sisters of the Mission had established a reputation for caring that brought them into the field of probation work. Increasingly the city magistrates were glad to hand over Probation of Offenders Act cases to them.' In 1911 two colleagues at the mission, Miss Elliot and Mr James Dixon, are also reported as acting as Probation Officers.

A parallel Presbyterian movement, the Belfast City Mission, was established a little later but is of equal significance in our story. It reached out to the masses through its social programme dividing Belfast into districts with a male agent or missionary assigned to each.

Another dimension to the Belfast story was added by the spread of the Salvation Army. William Booth, its founder, was an eloquent exponent of social inclusion: 'We who call ourselves by the name of Christ are not worthy to profess to be his disciples until we have set an open door before the least and worst of these who are now apparently imprisoned for life in a horrible dungeon of misery and despair' (Booth, 1890).

The growing Catholic population of Belfast referred to above had developed its own support services. The most comprehensive of these was the St Vincent de Paul Society (SVDP), which became established in Belfast in 1850 via the conference connected to St Mary's Parish, Chapel

⁶ Fourteenth Annual Report, BCM, 1903.

Lane. A network of conferences followed in the other parishes developing around the city. These responses were supplemented by the outreach work of religious orders – Sisters of Mercy and Sisters of Charities. We have been unable to find specific evidence of early court work by these Catholic organisations, but Prisons Board Reports of the early twentieth century affirm their role in work with prisoners. Taking account of the contemporary position of their Protestant counterparts and the important role that John P. Farrell played as probation officer and SVDP agent for Catholic Discharged Prisoners in the inter-war period, it seems reasonable to envisage crossover work in courts as well. Unfortunately their records for that period were destroyed during a sectarian attack on their headquarters in 1921.

These organisations were in a position to consolidate their roles when the new legal framework for supervision and supervisor was set in place in the 1907 Act: ‘A recognizance ordered to be entered into under this Act shall, if the court so orders, contain a condition that the offender be under the supervision of such person as may be named in the order during the period specified in the order and such other conditions for securing such supervision as may be specified in the order’.⁷

Since the Act did not signal fresh government investment in community resources, it was important that the new Probation Officers had access to their own network of support services for the offenders they were dealing with. This statutory/voluntary partnership within one post helps to explain why the title of ‘police court missionary’ survived for so many years in popular usage.

In the absence of information about probation officers being linked to any non-denominational based organisations we have to presume that the preoccupations, motivations and objectives of the persons involved were in line with those of the churches.

1914–1920

Further legislation in 1914 reinforced the possibilities for alliances between the courts and the voluntary organisations by granting ‘recognition’ to societies with objectives relating to ‘the care and control of persons under the age of twenty-one whilst on probation under the Probation of Offenders Act, 1907’. Courts could appoint a person

⁷ Probation of Offenders Act, 1907, Section 2(1) p. 69.

provided by the recognized society to act as Probation Officer with this age range and could reimburse expenses incurred by such a society. Although the Act also extended the powers of the court to make additional conditions in probation orders generally, the sections covering children and young adults may have reinforced the tendency to associate probation with youth.

The impact of the Criminal Justice Administration Act 1914 is obvious when we look outside Belfast in the period of the First World War. In Londonderry we find that the magistrates have appointed three Probation Officers from key voluntary societies within the area – Sister Mary Joseph from the Sisters of Mercy Convent, Miss Jennie Birch from the Salvation Army and Mr James Wedlock from the NSPCC. Although payment was made per case per quarter, Sister Mary Joseph claimed only expenses incurred. It is ironic to find in the records that in the month before the 1916 Easter Rising an official in Dublin Castle is engaged in correspondence with the Clerk of Petty Sessions in Derry about probation officers not filling in their expense claims properly. These appointments do show the alignment that is made by the officers' attachment to societies and the nature of the cases that they supervised. Sister Mary dedicated herself to probationers from the Catholic community, Miss Birch to the Protestant and Mr Wedlock to young persons of any denomination under the age of 16 years. Overall the number of cases seems to have been 19.

Unfortunately we have been unable to uncover how many petty sessions districts had probation appointments or the number of probation orders made in these years prior to the radical change of governmental structures brought about by the Government of Ireland Act 1920. Based on the evidence existing and on the state of provision in the 1920s, it is reasonable to believe that it was firmly established in the two county boroughs of Belfast and Londonderry, very patchy in County Antrim and non-existent elsewhere. It was a predominantly denominationally based service relying heavily or exclusively on the voluntary societies.

This preponderance of society-based staff produced a narrowness of focus in respect of knowledge and theory about the offending population. The new theories in regard to the mind that were emerging in Europe received less focus than those on the soul.

There was a tension in this, as the Government also wished to see the development of a statutory service that would be under the authority of

the magistrates as well as being accountable to them and the Clerk of Petty Sessions. Many of the voluntary societies considered that the responsibility would be better carried out if assigned to them.

There is reassurance in the presence of Catholic-linked staff in Belfast and Derry that the probation idea, which has more often been associated with post-Reformation and Benthamite thinking (Bentham, 1789), was viewed as compatible with Catholic ideas of fairness and social justice. This augured well for the future in the new devolved administrative region of Northern Ireland, which came about without the consent of the Catholic minority.

Probation in the new Northern Ireland 1921–1939

Responsibility for criminal justice matters including probation services passed from Dublin Castle to the new Northern Ireland Administration in Belfast in 1921. The establishment of the new order was not uncontested. This resulted in Dawson Bates, Minister of Home Affairs, becoming preoccupied by security and consolidation of Unionist hegemony. That dimension was reinforced by the inter-war economic downturn and protracted depression that was to last for 20 years. Moreover the financial settlements between Westminster and Belfast were stringent. The administration was conducted in a part-time and passive manner. Despite this economic backdrop, crime rates remained very stable during this period (Brewer *et al.*, 1997). Before partition Belfast had accounted for two-thirds of the crime in the North, and this urban domination continued. Authority to appoint Probation Officers still lay with local magistrates. What evidence is available to the authors suggests maintenance of transferred levels (1921) of probation service as being their priority.

The Westminster Parliament could have extended the legislative updates in respect of probation to Northern Ireland but allowed the Ministry of Home Affairs sole jurisdiction. In an acknowledgement of progress in Britain in 1928, that local ministry introduced a new set of Probation Rules authorised by the Lords Justices, William Moore and James Andrews. Minimum standards for contact were set down: ‘for the first month of probation meet the probationer (unless the court otherwise direct) at least once per week’.

The aftermath was one of decline in the use of the order in respect of young persons. In 1929 Robert Crawford MP sought an explanation

from Dawson Bates, the Minister of Home Affairs: 'I am entirely with the Right Honourable Member in the view that every chance should be given to young persons before they are sent to jail. We have a great many Magistrates who take a contrary view in relation to Probation Officers' (Hansard NI, in Morrison, 1973). To improve matters the Minister stated that he had been able to increase the remuneration of probation officers on two occasions and had also circularised the magistrates pointing out that if they used the Act and appointed probation officers this would assist offenders. He was not however prepared to change the method of appointment. It remained with the magistrates.

The decline in the use of probation continued during the next five years. We have found evidence of the media highlighting the absence of Probation Officers on the retirement of Sister Mary Joseph in Londonderry in 1935. The *Belfast Telegraph* reported the frustration that an RUC Inspector expressed while prosecuting some young boys in court: 'it was a strange thing that they could get Probation Officers in Belfast and get none in Derry'.⁸ The Clerk of Petty Sessions pointed out a lack of candidates that could be accounted for by the lack of a salary. (Remuneration was on a cases per quarter basis. Only seven new orders were made outside Belfast in that year.) Later the same year a Mr Leslie Menmuir was appointed probation officer of the Petty Sessions districts of Derry, Dungiven, Donemanagh, Eglinton, Claudy and Limavady. In defence of the appointment of only an officer from the Protestant community it was pointed out that 'apart from Belfast the same probation officer looks after probationers of all denominations in his district or districts'.⁹ However, by the following year a second officer, Mr Patrick Nash had been appointed to cover the Roman Catholic community.

Pressure for change had accumulated sufficiently for the Minister to follow the English example and establish a committee to inquire into the welfare and protection of young people and the treatment of young offenders. It became known as the Lynn Committee after its Chairman (Sir Robert Lynn).¹⁰ It was the most significant consideration of the position of probation in this area in the 30 years of its existence. In England and Wales regular reviews had reinforced the concept of

⁸ *Belfast Telegraph*, 22 January 1935.

⁹ PRONI HA/9/2/416.

¹⁰ Lynn Committee Report 1938 Cmnd 187.

probation being used at any stage of an offender's career. In Northern Ireland no such regular reviews had taken place. Only 4% of orders in 1935 (11) were made on persons aged 21 years or over.¹¹ This was at a time when the average daily prison population was 319. The guise of a scrutiny of the treatment of young people again showed the association of probation with a younger age group. However, the probation proponents of the time would have been content with any vehicle that directed its headlights on the neglected roadway. While the committee deliberated the Minister was not prepared to make significant changes, but in recognition of the immediate issues of lack of Probation Officers he was prepared in 1936 to amend the Probation Rules so as to pass the authority for the appointments to his Ministry – but still only on the recommendation of the local magistrates.

It was 1938 before the Lynn Committee published its report. It endorsed the concept and called for a major modernisation of the probation service. There were recommendations that courts be required to consider a probation order for all persons under 21 years and only after preliminary investigation had been carried out. 'N Ireland should be divided into a number of probation areas and the appointment of one or more officers in each area should be compulsory. As far as possible probation areas should be arranged so as to provide for full-time salaried appointments. The probation service should be organized on a wholly public basis and appointments should be strictly non-denominational; but there is ample scope for the co-operation of missionary and other societies in the providing homes and hostels, in supplying voluntary workers and assistance to probationers.'

The report came down decisively on the side of statutory public service Probation Officers rather than staff from voluntary/missionary societies. This was a decade in which a court official could still introduce the Probation Officer as the police court missionary (Chapman, 2009). Three of the five probation officers active at the beginning of 1939 in Belfast originated from Church-based societies: Sarah Elizabeth Curran (Belfast Central Mission), James McAdam (Presbyterian Temperance Society), and John P. Farrell (St Vincent de Paul). These pioneering officers achieved a prominence and status that does not appear to have been sustained.

¹¹ PRONI HA series.

Mr Farrell was still employed by SVDP on a half-time basis to carry out its discharged prisoners' aid work. It was not until the following year that he became a full-time Probation Officer in a development in which the Ministry took account of the increase of crime and the consequential almost doubling of caseloads. The other two officers for the Belfast area were Mary Fallon and Jane Bell. (These two female officers were also policewomen; Cameron, 1993.) In addition to the two officers in Derry mentioned above, Robert Hewitt covered Ballymena, Archibald Stronge Portglenone and John Leonard the districts of the Lower Bann Valley.

The echoes of marching storm troopers precluded the Government having to take decisions on the implementation of the Lynn Report. That would have to await the cessation of hostilities. At least there was a blueprint for a new structure and increasing activity on the ground.

Conclusion

Thus the foundations of the Probation Service were laid in Belfast in the second half of the nineteenth century. New social and religious organisations alongside government institutions were established in response to the rapid growth of Belfast and the failure of former structures to cope. While initially this may have manifested in a desire to support the deserving, it soon led to an inclusive agenda that encompassed the offender among the 'undeserving'.

By 1907 probation services were in vogue in the courts. Rather than creating the services the enabling Acts of 1907 and 1914 endorsed the authority of the police court missionaries involved and provided Government funding for the services provided by their societies.

The new Northern Ireland administration from 1921 struggled to widen the reach and scope of the service beyond Belfast and young people. It was not until the Report of the Lynn Committee that the principles, structure and training ideas were laid out to develop probation services as a planned government strategy within the local arena of criminal justice.

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