

Older Probationers in Ireland

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Summary: This paper seeks to indirectly explore how older probationers experience probation in Ireland. Older probationers are largely overlooked by the current literature, both internationally and in Ireland, despite the increase in the number of older offenders generally. While there is some discourse on the incarcerated older offender, older probationers are not given the same attention. The research was conducted as part of a Master's study with the Probation Service in Ireland and involved a focus group of Probation Officers on their experience in working with older probationers. From this focus group it was concluded that issues unique to older offenders that have been identified in the prison literature are also present in the probation setting and have the potential to exacerbate the pains of probation.

Keywords: Older offenders, ageing, probation, pains of probation, supervision, rehabilitation, community.

Introduction

older people sentenced to community penalties remain largely invisible. Criminological discussion and debate in relation to probation policy and practice is currently dominated by a concern with young offenders and youth justice. (Codd and Bramhall, 2002: 27)

Interest in older offenders and their experiences of navigating the criminal justice system, in particular the prison system, has gained momentum in recent years due to an increase in the number of older offenders (Crawley and Sparks, 2006; Fazel *et al.*, 2004; Loeb *et al.*, 2007; Ornduff, 1996). The increase in the number of older prisoners can typically be attributed to three factors: an overall ageing society, the development of technologies

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enabling investigation and convictions in historic cases, and longer sentences resulting in an ageing prison population (Williams, 2013: 474; Walsh *et al.*, 2014: 137). Despite this attention in prisons, there has been a lack of study on older probationers in the community and published research remains scarce.

In Ireland, general and media interest in older offenders can be seen in the cases of Patrick O'Brien (*Irish Times*, 2015) and Margaretta D'Arcy (Siggins and Raleigh, 2014) along with some prison literature (Alvey, 2013). In both cases mentioned the age of the offender played an active role in the trajectory of the discourse concerning appropriate sentence and punishment. This paper does not venture into discussion of appropriate sentencing or punishment but considers the experience of those placed on probation.

Qualifying age

It is prudent at this point to define the term 'older offenders'. A definition can prove elusive, as any age can be perceived as an arbitrary cut-off point. As Shichor (1988: 164) eloquently states, 'age is not a uniform indicator of behavior [but rather is] merely a relative concept'.

A cut-off point is, nonetheless, required for effective research and analysis. In general, literature on older prison inmates cites 50 years or older as a measure, as this point is associated with a notable change in the circumstances of the inmate (Ornduff, 1996; Alvey, 2013). In probation, the age used appears more arbitrary in the limited literature. Fifty-five years old and older was utilised in research by Shichor and Kobrin (1978, cited in Shichor, 1998: 164). The Irish Probation Service records those aged over the age of 54 as the oldest age category in its population data (Probation Service, 2014: 55). As this research was conducted with the Probation Service, consistency dictates that this study use that age threshold, while acknowledging the caution and concerns outlined by Shichor (1988).

Older offenders

While the *proportion* of older offenders remains relatively consistent in Ireland, the *raw numbers* have increased (Forsyth and Gramling, cited in Ornduff, 1996: 182). The number and percentage of the overall population is small. This can be seen in Irish prisons, where, in July 2014,

348 offenders were aged over 50 years, corresponding to 10% of the prison population (Irish Penal Reform Trust, 2015). This was an increase from 199 prisoners aged over 50 in 2007 (Irish Prison Service Reports, 2007–2013).

The Probation Service (2011: 42; 2014: 55) reported 139 new referrals aged over 54 in 2011 (1.5% of 9347 new referrals) compared with 200 new referrals in 2014 (2.36% of 8482 new referrals). Unfortunately, no available statistics provide a more detailed insight into the demography of this group, though it is noted that the majority are male. For example, 85.8% of new referrals in 2013 over 54 years of age were male (Probation Service, 2013: 50).

Studies have been conducted in the community exploring the needs and experiences of older persons (TILDA, 2011).¹ The TILDA report included analysis on ageing, community engagement and personal values. Despite the extensive nature of the report, explicit consideration of older offenders in the community was not included in the study. Their needs and issues would be relevant in the TILDA study. This is an indication of how they are overlooked.

Apart from research on the older person in society, most literature concerning older offenders focuses on those in prison. While this group are not homogeneous, it is generally accepted that older inmates experience prison differently from their younger counterparts. Prisons, in both physical layout and general operation, are usually designed for a younger inmate. This can result in disadvantage and hardship for older inmates (Ornduff, 1996: 183; Williams, 2013: 487). Two particular issues that appear to disproportionately affect older inmates are healthcare and social isolation (Alvey, 2013; Loeb *et al.*, 2007; Ornduff, 1996).

A prominent theme in recent literature is the use of compassionate early release programmes for older inmates as a mechanism to manage overcrowding in prisons (Rothman *et al.*, 2000; Steiner, 2003; Wahidin, 2006). Older prisoners are more often released early. Despite enthusiasm for alternatives to imprisonment, there has been little examination of the impact on older offenders subject to these alternatives, including probation. This is a serious gap in knowledge since older probationer numbers are rising and current probation strategies are dominated by a focus on youth and juvenile crime (Codd and Bramhall, 2002: 32).

² See also <http://www.cardi.ie/publications>

Although probation is a sanction, it is intended to be rehabilitative and focuses on community-based reintegration. Ward and Salmon (2009) note that 'rehabilitation work with offenders occurs within a context of punishment and response to crime which constrains and penetrates the practice arena'. This can be directly applied to probation. Probation in Ireland seeks to be a 'humane approach to helping offenders to change' (Probation Service, 2015). The Probation Service has overall aims based on 'community building, public protection and crime prevention' (Healy and O'Donnell, 2005: 57). Given the nature of the Probation Service's mandate, it is important that older probationers are not overlooked, and that their needs are addressed. Otherwise there is a risk that older probationers could become 'de-prioritised and disempowered, rendered invisible and excluded' (Codd and Bramhall, 2002: 33).

Methodology

This research was completed in the Probation Service as part of a Master's dissertation with the additional aim of encouraging discourse on the subject. Ethics applications to University College Dublin and the Probation Service were approved. The author engaged with a Probation Service manager to facilitate the research.

Due to time constraints it was not possible to conduct interviews with older probationers themselves. Conducting a focus group was determined to be the most effective method of discussing issues, given that older probationers are a small proportion of the overall probation caseload. The author conducted a focus group with five Probation Officers based in a relatively rural part of Ireland on their own experiences with older probationers. While the group is a small sample of Probation Officers and may not be representative of the wider population, they do provide an in-depth view of the issues facing the older probationers with whom they worked.

The focus group was used to investigate if there was any correlation among issues encountered by Probation Officers. The author used a list of prepared questions to ensure the conversation remained on topic while allowing the conversation to progress naturally.

The author ensured that the participants were fully informed of their rights regarding agreement to participate or not in the study. Participants were provided with information sheets and completed consent forms prior

to the group meeting. The focus group comprised male and female officers. Participants have been assigned pseudonyms to ensure anonymity.

Findings and discussion

The findings indicate that probation supervision can be a mixed experience for the older probationer, with both positive and negative elements. The main findings of the focus group are considered under four headings: the prevalence of older probationers, working with older probationers, how older probationers experience the pains of probation, and recommendations of participants on interacting with older probationers.

The prevalence of older probationers

All participants had experience with older probationers. All of the participants agreed that older offenders make up a small proportion of their overall caseload, with approximately three ongoing cases each at any time, although older probationers did tend to be 'on supervision for longer periods of time' (Probation Officer E). The number of older probationers (for participants in the sample) has not fluctuated greatly in recent years, which is at odds with the literature and national data, where the raw number of such cases is increasing (Probation Service 2011, 2014). This may be unique to this team in this region, or it may be that the incidence and distribution is unevenly spread. The group explained that they were most likely to encounter older probationers who were male and had been convicted of theft, sex offences or drink-driving offences.

Almost all Probation Officers considered 'older' as a person of a pension age or retirement age (typically mid-to-late sixties). This is roughly 10 years older than the literature findings on prisons. This could result in a limited perceived population of older probationers (assuming that 54 and older is the correct age marker to use), and their particular needs being less than properly addressed during probation supervision.

Working with older probationers

The Probation Officers suggested that older offenders were easier to work with than younger offenders, with overall compliance being highlighted as a particular positive factor. Older probationers were praised as often more mannerly and polite than younger probationers. Probation Officer A stated that older probationers were generally 'positive in their attitudes and ...

nice to deal with ... if they miss an appointment, they'll call and apologise'. Probation Officer E explained that younger probationers often do not have the same respect for authority as older probationers.

Regarding particular skills used by Probation Officers in their dealing with older probationers, the group placed importance on attributes such as 'being patient and taking your time', 'having to go at their pace', and being more aware of welfare issues such as how to apply for medical cards and rent allowance. Probation Officer C explained that 'there is more hand-holding than with a younger offender'. Probation Officer E stated that patience was important because the probationer can often be isolated and have to learn new roles and self-management/catering skills, especially if they come from a background of 'traditional roles' and families.

How older probationers experience the pains of probation

To determine what the needs of older probationers are, the framework based on the 'pains of probation' developed by Durnescu (2011) was used. These pains or frustrations, coupled with the themes identified in the prison literature (healthcare and social isolation), provide a foundation to explore how older offenders experience probation.

According to Durnescu (2011), there are eight 'pains' or 'deprivations' of probation: the deprivation of autonomy, the pain of reorganising daily routines and travel plans, the pain or burden of travel, the pain of financial costs associated with probation supervision, the deprivation of private family life, the pain of stigmatisation, the pain of a forced return to the offence, and the pain of living life under tremendous threat (for more information on these, see Durnescu, 2011). These pains can be considered as obstacles to the overall rehabilitative aim of probation.

In the focus group it became apparent that the main issues identified as disproportionately affecting older inmates in the wider prison literature (healthcare and social isolation) also disproportionately affect older probationers and exacerbate the pains of probation, resulting in a unique and often more difficult experience of probation supervision. It is clear that in the case of the older probationer, the 'pains of probation should be carefully considered to enhance the rehabilitative potential of probation' (Durnescu, 2011: 543).

Autonomy

Regarding the pains of probation, the first pain or deprivation is that of autonomy. Autonomy is affected quite simply by having to attend

appointments regularly. This pain affects most, if not all, probationers regardless of their age. The impact on autonomy was considered to be a significant burden, with some probationers for example complaining that attendance at appointments affected their employment (Durnescu, 2011: 534). The deprivation of autonomy caused by probation is felt differently by older probationers. As older probationers may not be returning to or seeking employment, their autonomy is not as adversely affected as younger probationers'. Rather, their adverse health and mobility conditions, as identified the prison studies (Ornduff, 1996; Alvey, 2013; Wahidin, 2006), do affect their ability to attend appointments.

The burden of travel

Linked to limits on autonomy there is a burden of travel, whereby the probationer can incur financial costs. Some offenders, especially those in isolated locations, incur significant costs in travelling to appointments (Durnescu, 2011: 536). In the case of pensioners or disabled individuals, this may be minimised through entitlement to a travel pass (Department of Social Protection, 2015). Older offenders who have not yet reached the qualifying age, or not completed the necessary applications, are incurring expense and they may have to expend their social benefits or limited income for this purpose. This cost 'acts like a second unwritten punishment—a financial penalty' (Durnescu, 2011: 541). Probation Officer A in this study stated that, quite simply, 'it costs money to be on probation'.

An aggravating pain is that public transport is limited in rural areas. In the focus group the issue of public transport arose frequently due to travel and financial costs and the exacerbation of the isolation felt by older probationers. Probation Officer C explained that, in one case, a client 'couldn't find work due to their age and that they can't drive'. It was also mentioned that the poor transport network 'creates obstacles to becoming sociable which also leads to further problems' (Probation Officer B). Older probationers with health issues, particularly mobility related, can find travel and time management more difficult than younger probationers. This pain is exacerbated if the probationer has no one to assist with travel arrangements.

Healthcare

Although not a pain identified by Durnescu (2011), healthcare was identified in the course of this study as one that exacerbates other pains.

While not caused by probation, it can affect the process of probation supervision. Regarding health issues, the focus group experienced problems with clients' health, which impacted on supervision. Probation Officer E highlighted that health issues can impact on an older probationer's suitability for community service, simply by their not being physically able to participate in certain programmes. Health appointments appeared to pose logistical difficulties. It was mentioned throughout the conversation that home visits were conducted, which can alleviate travel burdens associated with poor mobility. Probation Officer A spoke of having to see a client who was housebound. While this was a very positive and compassionate approach by the Service, the probationer risked a negative effect on their social integration by not being able to leave their home and engage more widely with people. In certain cases there may be a link between poor health management and social isolation, with one often exacerbating the other.

These findings are consistent with international research. Shichor (1988: 169) when interviewing Probation Officers regarding their experience of older offenders found that 'bad health conditions often become a difficulty in the supervision of elderly probationers due to health problems'. Shichor (1988: 173) concluded that 'health conditions, at times, make it difficult to make their probation appointments'. In the case of older probationers, health management can exacerbate the pain of autonomy.

Private family life and stigmatisation

The deprivation and pain of privacy and private family life is often most evident at the initial stages of probation, as the array of questions posed to the probationer can result in the probationer feeling their entire lives are under scrutiny (Durnescu, 2011: 535). This can be linked with the pain of stigmatisation as probation supervision, particularly long-term, is 'practically impossible to conceal' from family members and the wider community (Durnescu, 2011: 537). Such supervision can potentially discourage family reunion (Durnescu, 2011: 540). This can negatively impact on the chances of overall rehabilitation, as support from familial sources can 'create bonds that increase the costs of law violations and increase the motivation to avoid illegal activities' (Davis *et al.*, 2012: 452). Older probationers, particularly those who have served longer periods in prison, are more likely to have lost these ties and so desistance and rehabilitation are affected, as without people to support and reward

positive behaviour, the motivation for committing crime may not diminish (Davis *et al.*, 2012: 452).

Social isolation

Linked with private family life and the risk of stigmatisation, social isolation was a major factor identified for older probationers. It was repeated that while younger probationers have peer groups or familial supports, older probationers can be 'isolated by their family and may have to set up somewhere new' (Probation Officer D).

Regarding the lack of structure posed by unemployment or retirement, there did not appear to be any alternative structure on offer. Lack of employment exacerbates social isolation, and prevents a positive peer network associated with employment for older offenders (Davis *et al.*, 2012: 451). The lack of employment adds to the pain of financial hardship and can impede successful rehabilitation (Durnescu, 2011: 539). Davis *et al.* (2012: 451) explain that employment not only minimises criminal opportunities, but also 'may increase associations with law abiding peers, leave less time for associations with deviant peers, and increase bonds to conventional society'. As a result, there is a higher risk of social isolation in the case of older probationers.

Forced return to the offence

As part of supervision, probationers are expected to discuss and examine their offence and offending behaviour. This can often cause upset, although it has been positively linked with desistance (Durnescu, 2011: 537). While it may not appear at first glance that this pain would have a significant variation in relation to the age of the offender, this author noted that the focus on 'life review' by Crawley and Sparks (2006: 77–78) can be linked with this particular pain of probation.

Probation supervision does encourage a life review in that the probationer must talk about the offence to properly engage. The life review involves an overall assessment of one's life. Crawley and Sparks (2006: 77–78) describe how a positive evaluation of our lives can help in the process of dealing with mortality, while a negative evaluation can cause regret and despair, particularly when one has insufficient time to address wrongs. Crawley and Sparks (2006: 77–78) explain that:

this recognition that time is running out makes the ... experience ... of elderly men distinctly different from that of prisoners not yet in middle

age. The latter has sufficient years left to try to re-make (and re-write) his life when he is released; the former knows he does not.

This perceived time limit can result in a higher burden or pressure for older probationers to 'right their wrongs'. Linked with this is how the older probationers felt about their infractions and how they cope with returning to the offence. Shichor (1988: 171) explains that:

Elderly offenders usually claimed to be innocent, but resigned to the situation in which they found themselves, and they reported regularly.

This could be considered indicative of refusal to engage with the life review, or address the offence, as it is more difficult given the limited time available to 'correct' it. Higgins and Severson (2009: 796) explain that with age comes reflection and purpose. Those who are incarcerated may be acutely aware of this: returning to the community usually entails a host of challenges that can relate to personal identity and meaning (Higgins and Severson 2009: 796). Thus, this pain may be felt more acutely by older probationers, particularly if they are in poor health. Their refusal to engage may be exacerbated by social isolation, given that there may be few people to encourage conversation on their behaviour.

Probation Officer C stated that 'some [older probationers] find it difficult to go into the offence'. Probation Officers D and A agreed, with D stating that 'they're not used to talking' and A stating that they 'can find it difficult to talk to other people'. Probation Officer C explained that one-to-one conversation could be challenging and outlined that home visits were difficult because older probationers did not want to talk about the offence. C stated that 'because of age, older people just found it awkward talking about the offence'. Probation Officer A stated that there was a lot of denial, while D stated that there was a shame associated with the offence. Probation Officer A further stated that sometimes older men are not comfortable talking about offences, particularly sex offences, with female Probation Officers: 'shame is much more prominent for older offenders and their families. It's very destructive.' Probation Officer A also discussed a scenario where they had to attend a programme because the client was not engaging with the discussion required. Indicative of social isolation, Probation Officer C mentioned that 'home visits were difficult as they were glad of the company but didn't want to talk about the offence. Because of their age, they found it awkward.'

Across the group there was agreement that older probationers do experience the pain of returning to the offence more than younger probationers. Probation Officer C repeatedly cited age as a causative factor in this.

Living life under tremendous threat

The pain of living life under tremendous threat is normally considered to constitute a fear of being imprisoned. This is because there are conditions and obligations that, if the probationer does not adhere to them, can result in imprisonment (Durnescu, 2011: 538). However, this author would add that this could also include fear of societal repercussion. This is relevant because probation supervision often restricts a probationer to a certain area, from which they are not allowed to move themselves without permission. Crawley and Sparks (2006: 74–75) noted that for older sex offenders, prior to release there was a concern of being assaulted upon release and that their personal safety would be at risk. Older offenders may experience this risk more acutely if they have health issues and are socially isolated. Combined, these would make probationers much more vulnerable than their younger counterparts. There was a common fear among older prison inmates that they would not be allowed to resettle (see Crawley and Sparks, 2006: 74–75). Probation, with its corresponding deprivation of autonomy, removes the option of relocation away from threats, or at a minimum makes it more difficult.

Improvements mooted by Probation Officers

Focus group participants were asked what improvements could be made regarding work with older probationers. The consensus was that it was ‘important to link them with society’ (Probation Officer A), though there was more work involved in doing so (Probation Officer C). Probation Officer B explained that they are ‘isolated, hidden from view and should be encouraged and linked to provide them with support. Supports from the locality would be better.’ Probation Officer E explained that ‘they are the same as any other age group in that if their needs are not met, then their mental health can be badly affected’. The group agreed that further research was needed into the experiences of older probationers as it would ‘help to get their views’ on probation.

Summary of findings

Older probationers experience probation in a different manner to younger offenders. They are different in that they may be easier to supervise but

pose challenges in requiring more help to rehabilitate and reintegrate. The pains of probation are experienced differently due to particular issues relating to health and social isolation, and this can impact on successful rehabilitation. Lastly, it can be concluded that additional research is both desired and needed to further explore the experiences of older probationers.

Recommendations arising from the study

There are areas that can be improved in probation practice that may minimise the pains of probation for older offenders and support successful engagement and rehabilitation. Along with research, development of an age-oriented strategy would be highly beneficial. Healy and O'Donnell (2005: 61) highlight that 'in order to advance best [probation] practice in Ireland, it is important to develop a strong research base from which to generate ideas and debate'. It would be to the benefit of both older probationers and the Service that further research, and implementation of a strategy on working with older probationers, occurs.

In the meantime staff training and education regarding the particular needs of older offenders is important, particularly in defining the age group identified as older offenders and their needs. As this study reveals, Probation Officers often consider the qualifying age to be significantly different than research literature suggests. It is essential to clarify who the older probationer is so as to identify the particular needs of this population and establish the appropriate actions and interventions to address those needs.

Along with this, it is important that Probation Officers are sensitive to the pains of probation, and aware of how they impact on older probationers. The higher risk of social isolation and the difficulties in dealing with the offence should be prioritised as these pose significant barriers to engagement and successful rehabilitation. A better understanding of these risks would lead to a better relationship between probationer and Probation Officer, which is 'an essential prerequisite for any effective attempt to change behaviour' (Durnescu, 2011: 542–543).

The importance of this positive officer–probationer relationship is outlined by Liebrich (1994: 45), who explained that 'the influence probation officers might exert is clearly related to the quality of the relationship they have with the offender'. This relationship could be improved by understanding the specific needs and experiences of older probationers. This would aid in the understanding of empowering the offender and minimising the associated pains.

Addressing the pains of probation

As the Probation Service is motivated by rehabilitative goals during the course of reintegrating offenders, it is important to investigate how the pains can be minimised, as they can impede rehabilitation. While it may be possible to address each pain of probation individually, it would be prudent to develop an overall practice strategy to minimise the pains and maximise benefits more generally.

For successful rehabilitation and reintegration to be achieved, the Probation Service should aim to address the four forms of rehabilitation described by McNeill (2012): psychological, legal or judicial, moral and social; if these are not met, it means that desistance and rehabilitation are not likely to occur. These are interdependent and describe the end-goals of probation supervision.

In working towards McNeill's four forms of rehabilitation, the Probation Service should consider using the Good Lives Model (GLM) (Ward, 2002) with older probationers. GLM seeks to 'better safeguard the human rights of the offender' and could also improve the relationship between the probation staff and offender (Durnescu, 2011: 542). GLM 'promotes a more respectful and collaborative style of interaction between the probation staff and the convicted person' (Durnescu, 2011: 542). Applying GLM practices would assist achievement of the four forms of rehabilitation (McNeill, 2012). This study found, in general, a positive working relationship between supervisor and probationer: GLM could provide a consistent and effective probation practice model with older offenders, building on positive relationships and engagement.

Managing healthcare concerns and targeting social isolation

Given that the Probation Service has strong links with development programmes in local communities where offenders live, it is arguably in a good position to engage with other services to address healthcare concerns and social integration.

In terms of health management, often a concern for probationers, education in healthcare and self-management would be beneficial for older probationers. Improved management of health issues would also aid probation supervision by reducing missed appointments and minimising associated costs. Education concerning ageing would be useful as it would allow older probationers to develop body awareness knowledge, skills and

practices (Loeb *et al.*, 2007: 327). Probation Officers could link probationers with the appropriate healthcare services if they are not already linked, and ensure an opportunity to register with a local GP (Prison Reform Trust, n.d.: 13).

Probation Officers are not healthcare experts, but it would be useful for them to be familiar with age-related issues and ailments or illnesses that older probationers may be suffering from, and may disclose or display. This may aid the relationship between the supervisor and probationer by improving understanding and enable a compassionate management of expectations in supervision.

When asked what services would be offered to older probationers in coping with isolation, Probation Officer C explained that it depended on the need of the probationer but that they would be inclined to link a probationer to mainstream community development programmes with a focus on older people. The Men's Shed organisation was mentioned as a useful social contact group.² Probation Officer C explained that it is a good organisation 'as it doesn't allow younger men ... Older offenders find it more difficult to engage with services especially with younger offenders.' In Men's Sheds, men are meeting others in their own age group. There are other organisations associated with farming and local development. An unnamed programme mentioned in the focus group worked with isolated farmers and offered practical assistance with things such as making a will and counselling. There was an overall uncertainty in the focus group regarding which programmes are available for older probationers. This may be attributed to the smaller number of older probationers in the Probation Officers' caseload. As there do not appear to be many active programmes that ensure the social integration of older offenders, apart from the Men's Sheds initiative, it would be worth investigating other programmes as well as ways to promote participation in existing programmes.

An interesting and positive issue that emerged during the study was that, despite there being no set protocol where employment is not pursued by the probationer, probation supervision can reduce the risk of social isolation for older offenders. Probation may alleviate the risk by identifying those at risk of isolation and work to link the probationer with services and the wider community. Probation Officer B explained their experience with an older offender who was 'lonely, unmarried and in trouble for most

³ <http://menssheds.ie/about-us/>

of their life ... They actually enjoyed community service because without it they were bereft of community contact.' With access to healthcare and other services being more difficult outside of prison, probation may, despite its pains, have a role in reducing the risk of social isolation by facilitating social contact and referrals for older probationers, aiding their social rehabilitation.

Research

Probation Officers in this study were enthusiastic for further research into the needs and experiences of older probationers. That research could inform and guide the development of an older probationer strategy that the Probation Service could implement, as it does with strategies for female and juvenile offenders: 'an awareness of older offenders is an essential element of any probation strategy aiming at implementing anti-discriminatory practice' (Codd and Bramhall, 2002: 32). Probation Officer C believed more attention should be paid to older offenders and that there is an advocacy role: 'As an older offender, you may need people to advocate for you.'

It has been noted in England and Wales that the lack of research on older probationers has resulted in it being 'impossible to say whether current programmes ... are effective for older offenders' (Codd and Bramhall, 2002: 33). As there is similarly little research in Ireland, this conclusion could also be applied to Ireland.

Alvey (2013: 213) says that research is required and that there should be longitudinal studies which include semi-structured interviews conducted with 'older prisoners, prison officers, medical prison staff and probation/social work staff'. Research, particularly longitudinal research, should be conducted into the long-term experience of older probationers.

Building on Alvey's (2013) call for an interdisciplinary research plan, the Probation Service should develop strategies through 'action research'. Action research was described by Walsh *et al.* (2014: 147) as 'an approach to developing a new assessment tool and care planning process for the health and social care of older prisoners'.

Action research combines education, practice and research, and involves multiple parties working in conjunction to 'innovate, develop and manage changes in practice' (Walsh *et al.*, 2014: 139). It is iterative in nature and requires transparency to operate effectively, along with requiring the collection of information from the parties involved

'throughout the development phases in order for each cycle to inform the next' (Walsh *et al.*, 2014: 140). It was developed by Meyer (2010, cited in Walsh, 2014: 139), and is defined as 'an approach to research ... underpinned by cycles of planning, acting, observing, reflecting and re-planning'.

Action research should be used by the Probation Service to develop age-specific responses, to better understand the particular needs of older probationers and guide practice generally. It could also encourage older offenders to play an active role in both the process and the outcomes of the research. An action research project in this instance could be a 'method of simultaneously developing practice and collecting data' (Walsh *et al.*, 2014: 139).

Conclusion

It is evident that older probationers are a distinct group. This group not only, as the literature indicates, experience prison in a unique manner, but also experience probation supervision and its associated pains in a unique manner, with some pains being exacerbated due to health concerns, and rehabilitation being challenged by a high risk of social isolation and a reluctance to engage with discussion on the offence. Given the findings in this study, 'further attention needs to be paid to ... the pains of probation [as these can] play an instrumental role in desistance processes or act as counterproductive forces' (Durnescu, 2011: 543). As with Durnescu's (2011: 543) study, this study has limitations, so it would be beneficial to conduct further larger scale research.

If the above recommendations are implemented, the pains of probation for older offenders may be minimised and engagement in rehabilitation encouraged. None of the necessary changes will occur without advocacy driving them.

Advocacy is especially needed for older [offenders] because they are subpopulations of elders who are seriously underserved, engender little public sympathy, and have few natural allies regardless of whether they are residing inside or outside of the walls of prison. (Loeb *et al.*, 2007: 328)

The Probation Service should 'begin to pave the way for a greater awareness of the needs and experiences of older offenders in all aspects of

criminal justice' (Codd and Bramhall, 2002: 33). The author believes that the drive to do so already exists in the Probation Service.

An older person may not have that many years left, so it is more critical to help in the last few years of their life. (Probation Officer B)

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