



## **Briefing note from the Wales Probation Development Group**

### **Context**

Up to 2014, every Probation Service Trust in England and Wales was rated either “excellent” or “good” by the independent Inspector of Probation and was considered world-leading. In 2014 the disastrous Transforming Rehabilitation project saw the part privatisation of Probation, with local quasi-independent Trusts abolished. In 2020 Probation was returned to the public sector but annexed to the Prison Service in one national HMPPS: His Majesty’s Prison and Probation Service. Since 2015 almost every inspection has rated each probation delivery unit as either “inadequate” or “requires improvement”. This downward trajectory has run in parallel with the prison service reaching a tipping point.

The UK government manifesto included a review of the governance of probation in Wales and England, but to date this has not been actioned. Welsh Government is committed to seeking the devolution of Probation and Youth Justice.

### **Our work**

Convened under the auspices of the Wales Centre for Crime and Social Justice (WCCSJ), the independent Wales Probation Development Group (WPDG) -academics and probation professionals- advocates a modern Welsh Probation Service whose fundamental values and principles, policy and practice are fully integrated with Welsh Government public services’ ethos.

The devolution of Probation to Wales is recommended by the Commission for Justice in Wales and accepted by the Welsh Government (WG), the Independent Commission on the Constitutional Future of Wales and the Commission on the UK’s Future - the “Gordon Brown Review”.

The WPDG does not hold any view as to the merits of devolution of Probation per se. However, this political ambition presents an opportunity for Wales to offer a vision of a 21st century probation service which addresses the failings in the current system and revisits aspects of practice, management, governance and partnership working previously which were deemed so successful.

In our 2024 publication [‘Towards a devolved Probation Service in Wales’](#), we agreed with many authoritative commentators, including HM Chief Inspector of Probation, that the latest probation model is clearly not working, evidenced by repeat offending, serious prison overcrowding and the lack of retention of experienced staff. Instead, we set out evidence and ways of developing an effective probation service in Wales. In reaching the proposals in this paper, WPDG has welcomed collaboration with Napo, the Professional Association and Trade Union for Probation and Family Courts staff.

We offer an outline Devolved Model for Probation in Wales which can provide a strategic framework for policymakers preparing for devolving probation to Wales. Our two governments are working towards a “Memorandum of Understanding” which would see modest steps taken in the delegation of some aspects of probation work to local areas. We would argue that any negotiations must not hamper further progress to the service model we have offered, future proofing the Welsh Probation Service.

### **A Devolved Model for Probation in Wales**

A devolved standalone probation service which is not part of either the civil or prison services can:

- Re-professionalise an underperforming, essential Criminal Justice (CJ) service.
- Contribute to and implement WG social policy and CJ objectives.
- Impact the prisons crisis and adult reoffending rates through evidence-based working.
- Emphasise locally managed, commissioned and delivered services which work in partnership at the Probation Delivery Unit (PDU) level.
- Re-emphasise rehabilitation, desistance and the importance of relationships as guiding professional objectives for probation staff.
- Re-establish close relationships with local Courts, families and communities.
- Ensure the voices of victims of crimes are heard at every opportunity with an emphasis on expanding Restorative Justice services and problem-solving Courts.
- Foster the engagement of local voluntary sector organisations in providing practical rehabilitative services.

### **Four key strategic objectives to support the Devolved Model for Probation**

#### **1. Probation in Wales is evidence based - We know ‘What Works’!**

Universities in Wales have a renowned track record in a) evaluating innovative community programmes and b) researching evidence of community orders which reduce the frequency, volume and types of adult re-offending. Welsh Universities are capable of evaluating all aspects of a model of probation for Wales. Universities can also deliver a bespoke Wales Probation Qualification with inputs from major stakeholders including Magistrates.

Implementation, enforcement and practice would be underpinned by a unique and separate (from prisons) set of values and principles balancing rehabilitation with enforcement and surveillance – [as outlined in our publication](#).

Localism, especially in commissioning, is paramount to build community relationships and support desistance from crime. Multiple learning opportunities exist for a model of probation to be influenced by academics and practitioners in Youth Justice.

**Research confirms the importance of highly professional probation workers and “the centrality of a good professional relationship to potential success in probation and that in**

**the absence of such a relationship, most if not all potential positive impacts of other interventions would not be realised” (Deering & Raynor, 2024, in Borja et al.)**

## **2. Probation in Wales will be Court based, desistance focussed and serving its communities.**

Long-term changes, through increased WG legal powers, are needed to realise this objective:

**The re-establishment of the role of Probation Officer as an "Officer of the Court"** is necessary to provide continual duty officer coverage in all sentencing Courts and providing sentencers with regular information on compliance, progress and successes. Court reports would no longer be formulaic based on algorithms but on a more holistic assessment based on wider professional and community inputs with risks and causation issues informing any recommendations. Probation staff would seek feedback from Magistrates and Judges on the quality of reports and the impact of community orders. Regular meetings with Court Clerks to manage probation business in Courts will be negotiated.

### **The re-introduction of the Probation Order as the framework for all community sentences.**

Current HMPPS preoccupation with risk, monitoring and surveillance would be balanced with a greater emphasis on effecting relationships which encourage and foster desistance from offending. Breach and Recall proceedings should be viewed as a last resort. Probation staff will routinely collaborate with partners to ensure effective pre-Court diversion, Bail information, Restorative Justice and Victims services.

## **3. Probation governance in Wales will be predicated on Localism**

Key features for implementation:

- A Wales Probation Board to be the employer of all probation staff with JP, Councillor and independent membership, accountable to WG. The Board should publish annual plans and performance reports.
- The Welsh Government will determine broad CJ priorities, agree a performance framework and strategies for Probation with targets for the reduction in use of prison sentences.
- Management, performance and commissioning responsibilities will be devolved to Probation Delivery Units (PDU) aligned with Police and/or Health Boards as appropriate.
- The roles and job descriptions of front-line probation officers will be re-designed, signalling a move away from offices and computers, returning emphasis to one-to-one supervision, Courts, engagement with families and communities.
- The leadership role, and relative autonomy, of local PDU leaders to work with partners to deal with local issues through innovation, engagement and commissioning is critical.
- Magistrates and Judges will be invited to engage at Board and local levels in case conferences and commissioning meetings.
- Local authority, health, housing, employment and voluntary sector organisations will be key members of local commissioning boards.

#### 4. Probation will work with its partners to reduce the Prison Population in Wales.

Historically, a major professional objective has been to reduce the use of prison sentences for adults, an issue now dominating the headlines due to the current chronic overcrowding. Key actions required include:

- Foster a dialogue with Welsh Judges and Magistrates at national and local levels intended to familiarise sentencers with the aims and content of recommendations in “alternative to custody” reports, community sentences and enforcement proceedings.
- Agree a probation Court Duty minimum standard and enforcement protocol. Revise probation customs and practice re Recall/Breach.
- Update pre-Court diversion and Bail Information Services.
- Embrace new technology within the Probation Order and post custody frameworks as a positive adjunct to any supervision plan though only consequent on probation officer recommendations in Court and pre-release reports.

#### In Conclusion: Towards A Separate Identity for Probation in Wales

- WG should communicate this outline model of a Welsh probation service to Courts thus building on Thomas Commission recommendations and WCPP reports.
- Adopting this practical model as a benchmark for consultation will allow WG to apply a focussed and accelerated approach to a wider communication strategy and consultation programme.
- Model options to be explored and evaluated as necessary in order to ensure ownership by stakeholders, CJ partners and the wider public.
- The availability of this model provides opportunities to explore and influence MOU negotiations with the UK Government and HMPPS – noting that Wales is not Manchester, so the “Manchester Model” must not be cut and pasted.

#### Wales Probation Development Group, October 2025

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References and relevant publications:

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