

Professional Registration of Probation Practitioners in a Devolved Welsh Probation Service

Probation Journal

1–16

© The Author(s) 2025



Article reuse guidelines:

sagepub.com/journals-permissions

DOI: 10.1177/02645505251336647

journals.sagepub.com/home/prb**John Deering** 

University of Wales, UK

Martina Y. Feilzer 

Bangor University, UK

Ella Rabaiotti 

Swansea University, UK

Abstract

In this paper, we consider the newly implemented Probation Professional Register Policy Framework in the context of the intent of the Welsh Government (WG) to work towards the devolution of justice, including probation. Thus, we reflect on devolution and its potential implications, the specific forms of partnership working and development in Wales, probation organisational culture, and questions of probation's legitimacy. We suggest that to make the most of the professional register's potential for professionalisation of probation practice, it needs to be embedded in an organisational structure and culture that fully owns and promotes the ethics and values of partnership working, taking a rights-based approach in the support for those who cause harm to victims and communities, and evidence-based practice.

Keywords

Professional registration, Welsh devolution, partnership, organisational culture, legitimacy

Corresponding Author:

Martina Y Feilzer, School of Social Sciences, Bangor University, Neuadd Ogwen School of Social Sciences Bangor University, Bangor LL57 2DG, UK.

Email: m.feilzer@bangor.ac.uk

Introduction

In this paper we consider the newly implemented Probation Professional Register Policy Framework (Ministry of Justice (MoJ)/His Majesty's Prisons and Probation Service (HMPPS), 2024b) in the context of the intent of the Welsh Government (WG) to work towards the devolution of justice, including probation (WG, 2024a). Thus, we consider devolution and its potential implications, the specific forms of partnership working and development in Wales, probation organisational culture and questions of probation's legitimacy. The main argument here is that the professional register could have a different impact in Wales because of its different policy and probation partnership landscape. Additionally, devolution of probation and a reconsideration of the values of probation as an organisation could make the most of the potential of the professional register to re-legitimise probation practice and embed the focus on individual values and principles in a values-led, rights based and principled organisation following a public sector ethos. In other words, we suggest that the aims of a probation register will fail if organisational structures, principles, processes, and practices are not aligned with its overall aims and also with the expectations of probation staff.

Tidmarsh (2022) considers the meaning of professionalisation in probation and the conflicting interpretations of the term in policy, practice and academia. In a policy context, only recently did one element manifest itself through the publication of the Interim Policy Document 'Probation Professional Register' (MoJ/HMPPS, 2024a) in March 2024 and then the full Probation Professional Register Policy Framework (MoJ/HMPPS, 2024b) in September 2024. In Wales, the introduction of the professional register coincides not only with the ongoing effects of the reunification of probation which came into being in 2021 but also with a lively debate around the devolution of Welsh probation. An emphasis on partnership working at local levels, and the prospect of devolution offer us a unique opportunity to consider the interaction between an individualised professional register and a new organisational ethos. In isolation the professional register may just become another tool to *perform* probation and rehabilitation rather than a reflection of a value-based profession clearly aligned with its community purpose of supporting those who cause harm to victims and communities.

A devolved probation service in Wales?

After the Thomas Commission Report (2019) concluded that the current criminal justice system does not serve the interests of Wales, the WG began considering the possibility of the devolution of elements of the criminal justice system, including the creation of a Welsh Probation Service.¹ The Welsh Centre for Crime and Social Justice (WCCSJ), via its Wales Probation Development Group (WPDG) of which the authors are members, has contributed to this debate with a number of papers considering what a Welsh Probation Service might look like in terms of effective practice, governance, values and ethics, partnership working and public sector values (WCCSJ, 2023). We argued for a Welsh Probation Service that should be:

...centred on the relationship between the worker and the probationer, which takes a rights-based approach, using evidenced-based interventions, local resources and strong partnerships.

(WCCSJ, 2023: 2)

Professional registration must not only focus on individual practitioner behaviour but recognise that the organisation itself must also work within a particular ethical and value-based approach. We consider that this approach needs to be closely related to what might be called 'traditional' probation values. In brief, these are based on the belief of the importance and potential efficacy of the strong professional relationship between the practitioner and the supervisee. This regards the individual as capable of change and that the relationship can be a vehicle for supporting such change. Moreover, practice is most likely to be successful if it employs a rehabilitative and desistance-based approach that acknowledges that the focus of supervision needs to encompass both the personal and socio-economic needs of the supervisee (WCCSJ, 2023: 9). In this way, we argue that a Welsh Probation Service should see facilitating rehabilitation and desistance as fundamental to its purpose, whilst recognising the importance of protection of the public via risk assessment and management. Indeed, we would regard successful rehabilitation as making a significant contribution to public protection via reduced levels of re-offending.

Inextricably linked to the values underpinning probation is a commitment to the use of evidence-based practice. A broad range of evidence has built up in recent decades that argues that supervision can be effective if based upon well-trained practitioners employing certain skills and modes of intervention, all enabled by a good professional relationship. In this way, individual supervision is an intervention in its own right and far more than the reductive approach typified by 'offender management' (WCCSJ, 2023: 4) that has been promoted by government in recent decades. Typically, this might involve approaches including Core Correctional Practices (Dowden and Andrews, 2004), interviewing and supervisory skills (Raynor et al., 2014), Pro-Social Modelling (Trotter, 1993) and Motivational Interviewing (Miller and Rollnick, 2002). Moreover, such practice should incorporate principles of desistance, in brief: taking a forward-looking, positive approach in collaboration with supervisees, that aims to support their desistance and to (re) connect them to universalist services such as health, employment, housing etc.

The third element central to professionalism is the organisation itself, in terms of its stated aims, purposes, structures, and culture. In our view:

... the governance and structure of probation should support its key delivery functions, as well as reinforcing the importance of supervision of community sentences...
(WCCSJ, 2023: 6)

In this way, any new service must have clearly stated aims and goals that promote rehabilitation and desistance-based approaches alongside protection of the public.

The values and ethics of the service must be clearly stated, and professional supervision and management need to prioritise professional development, creativity and practitioner autonomy within the context of the organisation's aims and objectives. Management and professional supervision would therefore seek to support practice and be constructively critical, moving away from the 'top-down', authoritarian focus on systems and targets, measures of control and risk reduction of recent decades. Proper training, continuous professional development (CPD) and anti-oppressive reflective practice should be built into the systems of the organisation so that both the individual and the organisation can be held to account in terms of practising within the agreed ethical standards of any registration system.

The Probation Institute has produced a Code of Ethics (2020) which includes a range of values and ethical principles which we would support as central to our own arguments for a Professional Register in Wales: belief in the ability of people who have offended to change; belief in the inherent worth and dignity of the individual; *[a recognition of structural factors in offending and with that]* a commitment to social justice and social inclusion; belief in the worth of supervision in the community based on positive *[and meaningful]* relationships; consideration given to the rights and needs of victims; commitment to supporting strong partnerships; recognition of the importance of training *[and reflective practice]*; commitment to the development and dissemination of knowledge, through research, to inform probation policy and practice; commitment to acting with professional integrity (Probation Institute, 2020).²

In summary, what has been described as the 'probation ideal' can be the basis of a system of professionalisation and registration of a possible Welsh Probation Service:

We would define the probation ideal as a public sector task that aims to engage with those under its supervision in a humanistic and supportive manner with a view to encouraging behavioural change, whilst recognising structural and social disadvantage as important factors in offending that need to be addressed. (Deering and Feilzer, 2015: 2)

Professional registration for England and Wales

The MoJ/HMPPS (2024a, 2024b) documents 'Probation Professional Register Policy Framework' have formalised moves towards a Professional Register for probation in England and Wales. They outline the steps necessary to set up and maintain a professional register that includes a commitment to high standards and 'assure stakeholders' (2024a: 4). Registration will become mandatory for all staff in roles with an 'essential requirement' to have a Probation Officer Qualification in their job description or where Statutory Guidance identifies membership as required for particular roles. Staff in other roles who hold a professional qualification can also apply for membership voluntarily (MoJ/HMPPS, 2024a, 2024b). Given the significant shift in staffing in probation and the number of associated staff roles, it will be important to see how many staff sign up voluntarily and whether the professional register

will inadvertently create another separation among probation staff (Millings et al., 2023: 347). This is arguably already the case as the register does not cover probation services officers (MoJ/HMPPS, 2024b).

The professional registration frameworks outline a commitment to an 'open, learning culture' via CPD and opportunities for staff to improve skills and knowledge. They quote Tidmarsh (2022) in arguing that the service needs to become 're-professionalised' via knowledge, education, training and being underpinned by the evidence base for the service. This follows a period of probation practice which was closed off to research, where practitioners felt the restrictive effects of civil service rules and found it difficult to engage with evidence-based practice, critically reflect on probation practice, and to advocate for people on probation (Tidmarsh, 2022).

The framework (2024b: Annex A) does provide for some mandatory registration standards, namely, to support public protection and changing lives; act with honesty and professional integrity; promote and value each person as an individual; be responsible and accountable for my quality of practice and decision-making; establish and maintain professional relationships; maintain my continuing professional development. These standards are similar to those we might promote for a Welsh probation service, but a number of questions are raised by the individualisation of what we would consider should become *organisational* responsibilities for a Welsh Probation Service. We will return to this point below.

One purpose of the professional register is to ensure that staff are qualified to 'assess and manage' risk posed by individuals on supervision (2024b: 4) which can be read as a reductive statement aligned to the concepts of offender management and completing more formulaic automated risk assessments. However, when more detail is revealed within the Registration Standards (2024b: Annex A) staff will also be required to understand the importance of professional relationships as key to successful supervision, which appears to move beyond risk assessment and management to encouraging and supporting rehabilitation and reintegration. Staff will need to display non-judgemental, unbiased and inclusive practice, valuing individuals and believing in their ability to change. Importantly, an awareness of the evidence and theoretical base for practice and the ability to relate such theories to practice is required, and this is to be promoted by reflective practice and 'regular conversations' with a line manager. Additionally, CPD is to be the responsibility of the individual and study must be relevant to practice and formally recorded.

The additional requirements of monitoring the professional register and offering regular and meaningful conversations with probation staff will lead to significant additional workloads on senior probation officers (SPOs) at a time of considerable strain when they are supervising an inexperienced, insufficiently trained, and overloaded probation staff group suffering from significant staffing gaps (HMI, 2024, 2025; Westaby et al., 2023). Embedding *Reflective Practice Supervision Sessions* in probation practice is ongoing in response to the HMI Thematic Inspection of the Role of Senior Probation Officers (HMPPS, 2025: 4 and 7) but highlights the need to align organisational capacity and practices with expectations on individual staff.

In this context, it is important to consider not only the intention of practitioners but also how their practice is experienced by those on supervision amidst the multitude of changes to probation structure and practice over the past decade and more. Brierley and Dennehy (2024) discuss the shaping of a rehabilitation industry which has commodified the notion of rehabilitation and turned it into a 'branding exercise' (Brierley and Dennehy, 2024: 3) designed to disguise supervisees' experiences of harms as a consequence of elements of current probation practice (Brierley and Dennehy, 2024: 6). We would argue that some of the 'industrialisation' of mass supervision has resulted from the widespread adoption of technological solutions to high workloads. The increased reliance on risk scores produced by OASys,³ the automated breach proceedings resulting from electronic monitoring and the objectification of subjectively produced knowledge, have contributed to a fundamentally changed probation practice (Phillips, 2017). Outcomes of this changed practice can be found in automated and high breach rates, lack of human interaction between probation staff and people on probation, alongside further offences and self-harm amongst people on probation which it is argued has become a 'hidden truth' of rehabilitation practice (Brierley and Dennehy, 2024: 6).

Thus, the adoption of certain organisational processes and systems are as important as individual commitments in shaping probation practices and how these are experienced. Any consideration of professionalism in probation requires returning people on probation to centre stage not through a focus of risk but based on the values of partnership in addressing a shared goal of improving individual lives. Arguably, only probation staff who are able to respond to the individuals they support, rather than considering the requirements of the risk assessment systems, or of monitoring processes, can fulfil the expectations of the professional register. The latest HMI Annual Report of Probation suggests that the experience of probation by people on probation is a reflection of inadequate probation practices delivered by probation delivery units across England and Wales due to current organisational deficiencies that individual practitioners cannot overcome in isolation (HMI, 2025).

In our view, any professional register, whilst clearly needing to lay out expectations on staff, should also be clear about the organisation's responsibilities in promoting these expectations. Whilst this is referenced in the framework at times, there could be more emphasis on rehabilitative and desistance-based practices as fundamental to the purposes of the probation service whilst encompassing risk assessment and management. There is also a lack of detail about underpinning evidence and how it might relate to practice in the policy framework of the register. More could be said about the evidence-base, particularly for desistance-based or trauma-informed approaches and the real, everyday impact this might have on practice.

In terms of considering CPD as a personal responsibility, there is no identification of any training programme that will enable CPD to take place both in terms of allowance in workloads and sourcing and financing of high-quality training, particularly around probation's wide evidence base, which has been growing in recent decades. The emphasis seems to be on the individual 'owning' their CPD and taking responsibility for it; more could be said about how the organisation will

promote and provide opportunities for learning, particularly given the ongoing problems identified in providing adequate training to an inexperienced staff base (HMI, 2025: 16).

Moreover, the role of staff supervision is under-developed, being described at one point as 'regular conversations' with a line manager to assist in the practitioner's own reflective learning' (2024b: 10). Whilst HMPPS have recently committed to setting up Reflective Practice Supervision Sessions (HMPPS, 2025), SPOs were described as 'almost always overwhelmed by wide spans of responsibility, which was affecting their ability to oversee the quality of work within their teams' in the latest Inspection report (HMI, 2025: 13) suggesting significant organisational limitation on individual practitioners' ability to comply with this aspect of the register. This is a significant problem given the discussion which follows below in relation to probation as 'a post-traumatic organisation' due to decades of disruption as well as the impact of the emotional labour involved with working with marginalised and excluded people whose adverse life experiences can affect probation professionals directly through vicarious trauma (Lee, 2017). Staff wellbeing is an organisational responsibility where the nature of the work may be causing stressors on individual mental health. This has been recognised in policing but has been neglected in probation over recent years and may explain some of the difficulties of retaining probation staff (Lee, 2017: 379).

Thus, we suggest that a Welsh Probation Service could have a registration system that whilst similar in broad terms with that proposed by MoJ/HMPPS, needs to describe in detail, the aims and purposes and responsibilities of the organisation and how these are related to an ethical and values-based approach to be promoted as a way of working by the organisation itself.

Considering the probation professional register in the context of partnership working and partnership development in Wales

Relationships are a key component of probation work, not just between practitioners and people on probation, but other professional agencies and the communities they serve (Probation Institute, 2024). Multi-agency partnerships not only support the development of relationships but give probation officers a platform to demonstrate their professionalism and there is a particular need for probation staff to assert their professional identity underpinned by clearly expressed and practiced values (Probation Institute, 2024), as well as establishing their expert role in supporting rehabilitation and desistance in contrast to other providers. This is likely to continue to be important in a complex plural network of agencies working within the broader community safety arena. Therefore, the professionalisation of probation needs to be considered in the context of a broader professionalisation and partnership agenda in Wales.

The probation professional register sets out two broad expectations in respect of working in partnerships. Firstly, probation staff are expected to commit to a level of professional standards that provides confidence and assurance to stakeholders and

partnerships and secondly, it sets expectations around the interactions of probation staff with partners (MoJ/HMPPS, 2024b). Taking the first point, it has been argued that building confidence with partners and stakeholders, in particular with sentencers, is a key concern for probation leaders and a particular challenge in dealing with multiple partners, such as local authorities, and across regional footprints (Robinson et al., 2023). The MoJ's Transforming Rehabilitation (TR) policy, and challenges with Community Rehabilitation Companies, affected confidence of probation partners, particularly the courts, which needed to be addressed as part of reunification. A few years on from probation reunification, it has become clear that this process has not been sufficient to address the 'legacies of change' (Tidmarsh, 2023) and professionalisation therefore has become a key goal to help externally re-legitimise probation following a period of significant policy failures (Robinson, 2021).

It has been argued that there is a particular history of partnership working in relation to justice in Wales based on the growth of a distinctive Welsh criminal and social justice policy agenda, known as 'dragonisation' (Evans et al., 2022). Moreover, Jones and Wyn Jones (2022) suggest partnerships in Wales are 'extensive', with the justice sector becoming dependent on joint working to bridge the divide between devolved and reserved powers, commonly referred to as the 'jagged edge'. In combination with a different social policy direction focused on the Wellbeing of Future Generations legislation⁴ and a rights-based approach to social policy and service provision, the dragonisation of justice is said to be especially evident in the delivery of youth justice services but extends to other areas of justice. Recent advances of professional development within partnerships in Wales can be seen within trauma-informed practice in youth justice (Brierley-Sollis, 2023), the Youth Justice and Female Offender Blueprints, as well as the wider Adverse Childhood Experiences Hub (Academi Wales, 2024; Welsh Government 2022), Violence Against Women, Domestic Abuse and Sexual Violence 'VAWDASV' training framework (Welsh Government, 2023a), and policy in relation to modern slavery (Welsh Government, 2023b). Whilst many of these partnerships have afforded CPD opportunities in trauma-informed working, which can support probation professionalisation, there are gaps in criminal justice training and development due to impact of policy changes and austerity, notably in community safety partnerships (Rabaiotti and Harrison, 2023). This has led to initiatives such as the introduction of the 'Wales Safer Communities Network', and training needs assessments, to improve practices within community safety including for probation (see Wales Safer Communities Network, 2024; Rabaiotti and Harrison, 2023). Similar professional training gaps and responses have been observed within Integrated Offender Management (IOM) in Wales (Maguire et al., 2024) and youth justice through the 'Hwb Doeth' partnership between Welsh universities and youth offending teams (Hampson et al., 2025).

In addition to training and development across a criminal justice sector, the framework for the professional register states that staff will 'understand the importance of partnership working' and collaboration 'to support public protection and changing lives' (MoJ/HMPPS, 2024b). In this context, the framework makes specific

references to expectations within relationships with partners and the aim of collaborating and sharing information to achieve 'shared goals'. However, barriers remain, where agencies are unsure what they are allowed to share or what other agencies will do with that information (Waring et al., 2022) and whilst schemes such as IOM have assisted to break down such barriers it remains a significant hurdle (Maguire et al., 2024: 30–32; Powell et al., 2024: 43–48). This is important as poor information sharing continues to be identified as a contributing factor within Serious Further Offences, including within formal partnerships such as MAPPA (HMIP, 2024).

There is significant movement of staff between different public and third sector organisations in Wales and the professional registration frameworks suggests that probation staff registration would be 'inactive' when an individual leaves probation employment and can be reactivated on return (MoJ/HMPPS, 2024a, 2024b). However, the framework lacks clarity around staff secondments which can be common across the public sector and civil service. Presumably during secondments, staff whose substantive role is in probation would remain on the register which may present practical difficulties to manage adherence to such standards. There are different expectations for probation officers working within Youth Offending Teams and significant variations in practice exist between youth and adult services (Price, 2020).

The framework also refers to non-directly employed staff. Police officers, for example within IOM teams have their own professional standards frameworks. However, there is reference to the expectation of meeting high standards of professional and personal conduct as set out within the seven probation standards. It is reasonable to suggest that these cannot all apply to partner agencies and their staff working within probation. Given the movement of staff between different organisations in Wales and the suggestion of a more interdependent criminal justice sector compensating for the jagged edge of devolved and non-devolved services (Jones and Wyn Jones, 2022: 13, 67, 84), these potential tensions between professional standards gain importance.

In Wales, there have been attempts to introduce a 'one Welsh public service' approach (Academi Wales, 2024), most notably seen within the Wellbeing of Future Generations (Wales) Act 2015 and the Sustainable Development principles – the five ways of working (long-term, integration, involvement, prevention and collaboration). These principles would need to extend to a Welsh probation service and whilst the current constitutional settlement adds to the complexity of partnership working across different justice, public and other partnership services, it also offers an opportunity to align professional standards and organisational expectations.

Partly evolving from the embedded and place based nature of Welsh partnerships at the heart of local communities, some local areas have developed community hubs that co-locate probation with other partner agencies, connecting probation staff with the local community and allowing a rebuilding of confidence by all partners and importantly, people on probation, victims of crime and the wider community. An example of this approach is the Grand Avenues project in Cardiff, based in a community hub connecting probation and community organisations in one place

to offer comprehensive support to people on probation (Telescope 2022). Co-location of IOM probation staff with police and other services, etc. is part of a process of building a culture of working together locally to address the impact of crime and supporting all those affected by it including people on probation, victims, and the wider community. Giving greater thought to professionalism within probation beyond probation officers; probation services officers and unpaid work supervisors play a key role in community brokering and engagement, as well as local delivery unit heads within statutory and voluntary partnerships and these are important elements that need to become embedded in organisational and individual practice and can be facilitated by forming part of any Professional Registration system.

Role of organisational culture in shaping professional practice

Much has been made of the multiple structural changes in probation over the past decade or so and the concerns about the impact of these changes and the integration of probation into the civil service on probation culture has been widely expressed by probation practitioners, professional bodies, government inspectors, and academics alike (Deering and Feilzer, 2017; Tidmarsh, 2022; Robinson, 2022; Robinson et al., 2023). As mentioned above, an exodus of experienced staff, high workloads, low morale, loss of trust in probation by key partners such as sentencers, an erosion of pay and working conditions, a feminisation of the service, and limited one-to-one work with people on probation have characterised descriptions of probation over recent years (Tidmarsh, 2022; Robinson, 2022). Alongside this high breach rates on community sentences and license conditions, a reduction in the use of community sentences, and limited support have affected those who traditionally relied on probation to support them. As a result of a range of pressures, over the past 20 years or so, probation has become more focused on risk management and breach procedures, reducing the role of probation officers to offender managers, a trend reinforced by the enhanced use of technology in managing the effects of mass supervision (McNeill 2023). Among the many detrimental impacts of the TR changes, the integration of probation into HMPPS and the civil service has led to a further restriction on the public voice of probation, the ability to criticise Government and HMPPS policy and processes, and the willingness and ability to participate in external research.

These elements of a 'rehabilitation industry' have perhaps created an organisational culture which can cause harm to probation practitioners but also, importantly, people on probation, and where rehabilitation practices are not experienced as supportive and enabling but oppressive and punitive (Brierley and Dennehy, 2024: 4; McNeill 2023: 209). This highlights a tension in conceptions of rehabilitation as 'doing to' as opposed to a process of promoting desistance and 'working with' people on probation. Probation practitioners who have lost autonomy and have experienced a period of a lack of agency are less likely to reflect on the impact of their current and actual (not imagined) practice which may reinforce experiences or marginalisation, exclusion and disempowerment of people on probation.

This is not entirely a process brought on by TR but more the result of the last two decades or so of government policy. We have argued before that probation had been ‘hollowed out structurally, professionally and normatively’ (Deering and Feilzer 2019: 2) in a lengthy process leading up to the devastation of TR. Just how fundamentally probation culture is broken given Collett’s (2013) assessment of an eroded organisation over ten years ago is difficult to assess at this point. Nonetheless, if probation as a service is to regain a position where it deserves the trust of probation staff, probation partners, people on probation, and the community including victims of crime, significant work in (re-)building professional culture remains.

Importantly in the context of our discussion here, introducing a professional register into this organisational environment with an emphasis on responsibilisation of the individual member of staff comes with some significant risks. Probation as part of HMPPS has reduced autonomy and discretion and has recently been described as a ‘post-traumatic’ organisation (Robinson, 2022: 265). As Robinson (2022) set out the latest structural change of reunification has not resolved the pressures on probation and cannot be considered a return to something we have known before but rather it is creating a new organisation with a new culture. In Wales, discussions of devolution and the aforementioned sense of a dragonised justice sector create further complications in considering the culture of probation.

Thus, it is essential that a professional register is accompanied by work that builds an organisational culture that supports individual members of staff to be able to fulfil the expectations of the register as well as enables them to carry out their work as professionals who are trusted to use discretion and professional expertise to make decisions. In this context, there are signs that the Framework recognises the need to rebuild some professional agency and autonomy; for example, it sets out that those registered need to ‘Ensure that the outcomes of digital assessment tools inform my practice’ (MoJ/HMPPS, 2024b: 12). The emphasis here is on ‘*inform*’ which leaves room for professional interpretation, discretion, and judgement. Giving probation staff the confidence and skills to use this discretion in a positive and well-considered manner is the responsibility of probation as an organisation. We will explain how a Welsh probation service can offer such support in our concluding section.

Importance of self-legitimacy in probation professionals

It has been argued that the legitimacy of probation services has suffered significant damage over a prolonged period of time and that this applies to all subcategories of legitimacy – external, internal and self-legitimacy (Tidmarsh, 2021; Deering and Feilzer, 2017). This applies to the sense of probation’s external legitimacy as felt by community members, staff in other criminal justice agencies and partners, as well as internal legitimacy of those subject to probation practices, namely people on probation. In some sense, the professional register aims to rebuild that sense of external and internal legitimacy by asserting probation staff skills, value base, and autonomy coupled with accountability. One important factor in this discussion

is the role of the professional register in (re-)gaining a sense of self-legitimacy for probation professionals – a sense to which probation staff see their own work as legitimate, see themselves as part of an ‘honourable profession’ (Mawby and Worrall, 2013: 2; Worrall, 2016).

How then could the professional register help probation practitioners regain a sense of self-legitimacy? The registration framework set out its purpose as:

The purpose of the register is to recognise the competence and commitment of probation qualified staff to high standards of professionalism and provide assurance to HMPPS, government and our stakeholders and partners that those individuals authorised to assess and manage the risk of people on probation have the right qualifications, knowledge and skills to do so. (MoJ/HMPP, 2024b: 4)

It makes explicit to probation staff and those working with probation that those who work in probation have honourable intentions and should feel pride in their profession.

Professional registration supports the development of a strong and professional Probation Service and workforce to *provide high quality support and outcomes* for those who require probation support. Being part of the register means you can demonstrate with *confidence and pride* that you have the skills and knowledge to practise safely and effectively. (Our emphases, MoJ/HMPP, 2024b: 4)

So, it is not enough for probation staff to join the service with certain values and beliefs, these values need to be recognised in the professional register and beyond that, need to be supported and facilitated by the organisation and nurtured throughout probation careers. Probation staff need to feel that their own values and sense of purpose are shared by their organisation, and reinforced by the systems, processes, and practices used in the organisation. Ideally, this will then be reflected back to them as values and practices that are recognised and *experienced* as such by partners and stakeholders, people on probation, and victims and communities. Thus, in our view the three elements of legitimacy are inextricably linked and need to be built up at the same time and the professional register could have a place in that process of rebuilding.

Conclusion

We have argued elsewhere (Borja et al., 2023) that any further changes to probation in the context of devolution of justice in Wales should be driven by the ambition to improve on the current status quo and return probation to a place that is closer to the communities and the people it is meant to support. In reference to Robinson’s (2021, 2022) discussion of the rehabilitation of probation, there is an element of restoration to our argument combined with improvements – building back better – of a coherent value base and a reconnection to and reengagement with probation’s partners and stakeholders.

Our argument is based upon the idea of a devolved Probation Service in Wales. Fundamental to such a service is a Professional Registration system that whilst echoing and reflecting much of the current proposals for professional registration in England and Wales goes beyond that in terms of: a greater articulation of what probation should and could be in terms of its aims, values and practices; that these relate to the organisation itself, not only individual practitioners; and that it reflects the essential inclusion of a full commitment to partnership working that supports rehabilitative and desistance-based approaches to supervision. Furthermore, to realise these broader aims for a Register, elements such as proper training, continuous professional development and anti-oppressive reflective practice, which take account of partnership commitments in Wales (such as the Anti-racist Wales Action Plan – see Welsh Government, 2024b) should be built into the systems of the organisation so that both the individual and the organisation can be held to account within the agreed ethical standards.

The creation of a Professional Register for probation is well overdue. Whilst the newly created Professional Register for England and Wales has several positives, we have also identified ways in which we feel a devolved Welsh Probation Service could develop an enhanced Professional Register by stressing the importance of the ethics and values that should underpin the aims and purposes of probation as a service and that these must be owned and promoted by the organisation itself, rather than it being limited to a tool that holds individual practitioners to account.

Declaration of conflicting interests


The authors declared no potential conflicts of interest with respect to the research, authorship, and/or publication of this article.


Funding

The authors received no financial support for the research, authorship, and/or publication of this article.

ORCID iDs

John Deering  <https://orcid.org/0000-0002-1051-7519>

Martina Y. Feilzer  <https://orcid.org/0000-0003-2107-4992>

Ella Rabaiotti  <https://orcid.org/0000-0002-4179-499X>

Notes

1. The Thomas Commission (2019) followed the Silk Commission (2014) which came to similar conclusions supporting the devolution of justice functions including youth justice, probation and policing. In 2024, the Independent Commission on the Constitutional Future of Wales offered further support to the WG's work towards devolution of justice.

2. Our additions in italics brackets.
3. A black box risk assessment tool in use in probation since the early 2000s (Hamilton 2023).
4. Wellbeing of Future Generations (Wales) Act 2015.

References

- Academi Wales (2024) *One Welsh Public Service*. Cardiff: Welsh Government Wales. Available at: <https://academiwales.gov.wales/one-welsh-public-service/>
- Borja S, Deering J and Feilzer M (2023) *Towards a Devolved Probation Service in Wales: A Collection of Papers by the Probation Development Group*. Towards a devolved Probation Service in Wales (wccsj.ac.uk).
- Brierley-Sollis T (2023) Trauma-informed practice in the Welsh Youth Justice Service. In: Livingston W, Redcliffe J and Aziz AQ (eds) *Social Work in Wales*. Bristol, UK: Policy Press, 155–166.
- Brierley A and Dennehy M (2024) The rehabilitation industry: Lived experience and performance. *Probation Journal*. Online First.
- Collett S (2013) Riots, revolution and rehabilitation: The future of probation. *The Howard Journal of Criminal Justice* 52: 163–189.
- Deering J and Feilzer M (2015) *Is Transforming Rehabilitation the End of the Probation Ideal?* Bristol: Policy Press.
- Deering J and Feilzer MY (2017) Questions of legitimacy in probation practice after transforming rehabilitation. *Howard Journal of Criminal Justice* 56(2): 158–175.
- Deering J and Feilzer MY (2019) Hollowing out Probation? Developing an understanding of how it came to TR and its aftermath. *Special Issue: Transforming Rehabilitation, Probation Journal*.
- Dowden C and Andrews D (2004) The importance of staff practice in delivering effective correctional treatment: a meta-analytic review of core correctional practice. *International Journal of Offender Therapy and Comparative Criminology* 48(2): 203–214.
- Evans J, Jones R and Musgrove N (2022) Dragonisation' revisited: A progressive criminal justice policy in Wales? *Criminology & Criminal Justice* 22(4): 636–653.
- Hamilton M (2023) A 'black box' AI system has been influencing criminal justice decisions for over two decades – it's time to open it up – Policing Insight. Available: <https://policinginsight.com/feature/analysis/a-black-box-ai-system-has-been-influencing-criminal-justice-decisions-for-over-two-decades-its-time-to-open-it-up/>
- Hampson K, Price J and Creaney S (2025) The Dyfed Powys Hwb Doeth partnership. In Price J and Creaney S (eds) *Knowledge and Skills Partnerships in Youth Justice* (1st ed.). Routledge, 86–96.
- HM Inspectorate of Probation (HMIP) (2024) Annual report 2024: Serious further offences. Available at: <https://www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2024/11/SFO-Annual-report-23-24.pdf>
- HM Inspectorate of Probation (HMIP) (2025) Annual Report 2024: Inspection of probation services. Annual report 2024: inspection of probation services – HM Inspectorate of Probation.

- HM Prison & Probation Service (HMPPS) (2025) 12-month action plan update 15 Jan 2025. Available at: Senior_Probation_Officer_role_and_Management_oversight_inspection_-_Action_Plan_-_12_Month_update_-_January_2025.pdf
- Jones R and Jones RW (2022) *The Welsh Criminal Justice System: On the Jagged Edge*. Cardiff: University of Wales Press.
- Lee R (2017) The impact of engaging with clients' trauma stories: personal and organisational strategies to manage probation practitioners' risk of developing vicarious traumatisation. *Probation Journal* 64(4): 372–387.
- Maguire M, Jackson J, Williams K, et al. (2024) IOM in Wales after the refresh: Practitioner views of integrated offender management. WCCSJ. University of South Wales. Available at: <https://wccsj.ac.uk/en/publications/publications-2024>.
- Mawby RC and Worrall A (2013) *Doing Probation Work: Identify in a Criminal Justice Occupation*. Abingdon: Routledge.
- Mcneill F (2023) Mass supervision, misrecognition and the 'Malopticon'. *Punishment and Society* 21: 207–230.
- Miller W and Rollnick S (2002) *Motivational Interviewing: Preparing People for Change* (2nd ed). London: Guilford Press.
- Millings M, Burke L, Annison H, et al. (2023) A necessary but painful journey: Experiences of unification in a probation service region. *Probation Journal* 70: 331–349.
- Ministry of Justice/His Majesty's Prison and Probation Service (2024a) *Probation Professional Register. Issued 28/3/24*. Interim Guidance Document. London: MoJ/HMPPS.
- Ministry of Justice/His Majesty's Prison and Probation Service (2024b) *Probation Professional Register. Issued 30/9/24*. Interim Guidance Document. London: MoJ/HMPPS.
- Phillips J (2017) Probation practice in the Information Age. *Probation Journal* 64(3): 209–225.
- Powell, et al. (2024). Integrated offender management. Process evaluation report. MoJ Analytical Series 2024. Integrated Offender Management - Process Evaluation Report.
- Price J (2020) The experience of young people transitioning between youth offending services to probation services. *Probation Journal* 67(3): 246–263.
- Probation Institute (2020) Code of Ethics. Available at: www.probation-institute.org/code-of-ethics (accessed 23 September 2024).
- Probation Institute (2024) Professionalism and Probation. Probation Institute Position Paper 1/24, September 2024.
- Rabaiotti E and Harrison M (2023) Is partnership working? Complexities and barriers in the development of community safety practice in Wales. *Crime Prev Community Saf* 25: 318–337.
- Raynor P, Ugwudike P and Vanstone M (2014) The impact of skills in probation work: A reconviction study. *Criminology and Criminal Justice* 14(2): 235–249.
- Robinson G (2021) Rehabilitating probation: Strategies for re-legitimation after policy failure. *The Howard Journal of Crime and Justice* 60: 151–166.
- Robinson G (2022) Can rehabilitation be rehabilitated? *Howard Journal of Crime and Justice* 62(2): 264–276.
- Robinson G, Annison H, Burke L, et al. (2023) Whose confidence? Regional leaders' perspectives on building confidence in a reconfigured probation service. *Criminology and Criminal Justice*. Online First.

- Telescope (2022) Case Study: Grand Avenues. Available: Our work - Grand Avenues – Telescope - Connecting Frontline and Policy.
- Thomas Report (2019) Commission on justice in Wales. Available at: <https://www.gov.wales/commission-justice-wales-report> (accessed 23 September 2024).
- Tidmarsh M (2021) Professional legitimacy, identity, and practice: towards a sociology of professionalism in probation. *British Journal of Criminology* 62(1): 165–183.
- Tidmarsh M (2022) *Professionalism in Probation: HMIP Academic Insights*. London: HMIP.
- Tidmarsh M (2023) Legacies of change: Probation staff experiences of the unification of services in England and Wales. *British Journal of Criminology* 64: 468–486.
- Trotter C (1993) *The Supervision of Offenders – What Works? A Study Undertaken in Community Based Corrections, Victoria*. Melbourne: Social Work Department, Monash University and Victoria Department of Justice.
- Wales Safer Communities Network (2024) Introduction to the network. Available at: <https://safercommunities.wales/introduction-to-the-network/>
- Waring S, Taylor E, Giles S, et al. (2022) Dare to share: Improving information sharing and risk assessment in multiteam systems managing offender probation. *Frontiers in Psychology* 13: 869673–869673.
- WCCSJ (2023) *Towards a devolved probation service in Wales*. A collection of papers by the Probation Development Group. WCCSJ. University of South Wales. Available at: www.wccsj.ac.uk (accessed 8 August 2024).
- Welsh Government (2023a) National Training Framework on violence against women, domestic abuse and sexual violence | GOV.WALES. Available at: <https://www.gov.wales/national-training-framework-violence-against-women-domestic-abuse-and-sexual-violence>
- Welsh Government (2023b) Modern Slavery: training [HTML] | GOV.WALES. Available at: <https://www.gov.wales/modern-slavery-training-html>
- Welsh Government (2024a) Written statement: Publication of the ‘preparing for the devolution of policing in Wales’ report. Available at: <https://www.gov.wales/written-statement-publication-preparing-devolution-policing-wales-report>
- Welsh Government (2024b) Anti-racist Wales Action Plan: 2024 update. Available at: <https://www.gov.wales/anti-racist-wales-action-plan-2024-update-html>
- Westaby C, Phillips J, Ainslie S, et al. (2023) Pushed from above and pushed from below’: Emotional labour and dual identities amongst senior probation officers in England and Wales. *European Journal of Probation* 15(1): 40–59.
- Worrall A (2016) Probation in the genes? Personal reflections on the fortunes and misfortunes of an honourable profession. In: Vanstone M and Priestley P (eds) *Probation and Politics: Academic Reflections from Former Practitioners*. London: Palgrave Macmillan, 349–365.