



**Wales Centre for Public Policy**  
**Canolfan Polisi Cyhoeddus Cymru**

# **Building a Welsh probation service**

## **Part 2: Country comparison**

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# Summary

- The Welsh Government is advocating for the devolution of probation and youth justice. Following the 2024 UK General Election, the UK Labour Party committed to exploring the potential for devolving the probation service to Wales.
- WCPP was commissioned to examine options and pathways for devolution. In Part 1, we proposed three main pathways for devolution, focusing on short-to-medium term implementation.
- This report forms Part 2 and includes case studies from other nations in the UK and Europe. Understanding different models of probation systems in Europe could provide important insights and lessons for the formation of a devolved probation service.
- International experience suggests that devolution can bring changes to both practice and organisational culture in probation, potentially enabling a Welsh probation service to achieve the long-term vision set out by the Probation Development Group.
- Over the past decade, several European countries have made fundamental changes to how their probation services are organised and operated, including changes to HMPPS in England and Wales. Many of these changes were in response to financial pressures due to austerity.
- Devolution can create duplication across agencies and therefore increase operating costs. However, experience elsewhere suggests that some of this can be mitigated through joint procurement exercises. Compatible IT systems are also highlighted as important to prevent issues both across new borders and between devolved agencies.
- There are varying degrees of regional governance of probation systems in Europe. Scotland and Switzerland have decentralised systems but have recently sought to harmonise practices. Other countries, such as Finland, have a largely centralised structure with regional autonomy in commissioning local partners.
- Regardless of the model chosen for devolution, cooperation and collaboration with HMPPS and other government agencies is essential to ensure a smooth transition and prevent unintended consequences.

# Introduction

At present, the criminal justice system in Wales operates within a single England and Wales jurisdiction, with the UK government responsible for the administration of justice. The Welsh Government, following the recommendations of the Thomas Commission, is seeking the full devolution of justice to Wales (Commission on Justice in Wales, 2019; Welsh Government, 2022). In line with this, the Labour Party Commission on the UK's Future, chaired by Gordon Brown, recommended that youth justice and probation be devolved to Wales (Commission on the UK's Future, 2022).

In response to these recommendations, and following the conclusions of the Independent Commission on the Constitutional Future of Wales, the Welsh Government believes that there is a realistic prospect of the devolution of aspects of the justice system in the near future. They are, therefore, preparing for this possibility by adopting a phased approach, beginning with the devolution of probation and youth justice (Welsh Government, 2024).

The Wales Centre for Public Policy (WCPP) has been tasked with conducting research to support the work being carried out by the Welsh Government and their independent expert adviser, Dame Vera Baird KC (Welsh Government, 2024). This research is also intended to complement work carried out by the Probation Development Group (PDG) at the Welsh Centre for Crime and Social Justice, which has set out a vision for the future values, governance, and practice of a devolved probation service (Probation Development Group, 2023).

Our research considers four main questions with our primary focus being on the **delivery mechanisms and pathways** for devolution:

1. What potential benefits could arise from the devolution of probation to Wales?
2. What approaches and models to the delivery of probation could best realise the potential benefits of devolution?
3. To what extent would benefits be realisable without primary legislation?
4. What non-legislative considerations should be taken into account in devolving probation, and how could they be addressed?

To answer these questions, we have drawn on existing academic and grey literature and conducted interviews with relevant stakeholders including:

- Academics and researchers within and outside of the UK;
- Practitioners within the UK, including England and Wales; Scotland; and Northern Ireland; and

- Practitioners from elsewhere in Europe<sup>1</sup>.

Our report is divided into two parts. **Part 1** examines the potential benefits of devolution and the practical considerations which would need to be addressed alongside devolution (Price, Notman, and Tilley, 2024). It also presents different options for how probation could be devolved.

This report forms **Part 2**, setting out how different European countries and other neighbouring countries organise their probation services. Depending on the option chosen for devolving probation, the Welsh Government may have considerable flexibility in designing a Welsh probation service. Understanding the different models and structures of probation services in other countries could provide valuable lessons for setting up a devolved service in Wales.

We present a cross-country comparison of how different probation services are organised, followed by a discussion of the implications for Wales, based on the seven key practical considerations for devolution highlighted in Part 1. The cases of European countries presented here were chosen because of distinct features of their probation systems that make them useful insights for the Welsh Government and others with a keen interest in devolving the probation service to Wales.

As our research focuses on high-level strategic considerations, rather than considering the delivery of probation functions in detail, this report primarily addresses organisational structure, with less emphasis on day-to-day operations.

In this report, we draw on literature from the Confederation of European Probation (CEP) and its descriptions of probation systems in Europe. Since 2008, descriptions for each European country have been updated new developments, making this collection one of the most up-to-date available. The CEP is an international membership organisation, including organisations working in probation, academics, and other stakeholders. Some of its aims include:

- Advocating probation at an international level;
- Focussing on dissemination of probation policy, knowledge and expertise;
- Bringing together the knowledge base, research and practice to improve learning and outcomes;
- Building effective partnerships across the criminal justice sector in Europe; and,

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<sup>1</sup> Ethical approval for this project was obtained from the Cardiff Business School Research Ethics Committee at Cardiff University.

- Representing the probation sector to European institutions.

HMPPS is currently a member of the CEP and a newly established Welsh Probation Service could also join, with opportunities to learn from practice in other European nations and to build partnerships with other countries.

# Cross-comparison of European probation services

## Austria

Probation services in Austria are the responsibility of the federal government and have been delivered by the private not-for-profit organisation NEUSTART since 1994. A contract between the Ministry of Justice and NEUSTART sets out the responsibilities, functions, rights, duties, and competences of both partners (Koss and Grafl, 2013). While around 75% of the funding comes from the Federal Ministry of Justice, additional funding is sourced from other federal ministries, states, and municipalities (NEUSTART, 2023).

NEUSTART is organised in a matrix structure, with central departments responsible for organising and setting standards across the organisation, while regional agencies manage activities in their respective areas. There are also central departments handling specific functions such as finance, training and development, and human resources.

Staff working as probation officers are required to have a social work qualification from a senior technical college, and NEUSTART has developed a standardised recruitment procedure for hiring staff (Koss and Grafl, 2013). New employees participate in a three-week training programme and are assigned a mentor for practical guidance.

Additionally, there are around 1,000 volunteers who supervise around one-third of total probation cases, mostly less complex ones. These volunteers are considered to be fully responsible probation workers, are trained to professional standards, and are paid a lump sum of expenses per client they supervise (Hönig and Heemskerk, 2019).

NEUSTART has an internal department that reports directly to the CEO, with auditors hired with the consent of the Ministry of Justice (Koss and Grafl, 2013). Given the range of bodies with an interest in performance, data is stored centrally to respond to queries and develop performance reports. Longitudinal analysis indicates that recidivism rates improved between 2008 and 2018 for those on community sentences and other forms of probation support (Hofinger and Peschak, 2018). This improvement occurred despite cost-cutting pressures that led to organisational restructuring and 'optimising the services' due to austerity (Koss and Grafl, 2018: 9).



## Belgium

In 1996, as part of measures to improve efficiency, transparency, and public confidence, six agencies responsible for judicial social work services, including probation, victim support, prison psychosocial services, and restorative justice, were merged into locally based but federally controlled Houses of Justice (Bauwens and Devos, 2015). These Houses of Justice were responsible for probation services until 2014, after which they were devolved from the federal level to the linguistic communities (the Flemish, French, and German communities) as a result of political discussions during the formation of a governing coalition (Justice Trends, 2018). In addition to probation, the communities are responsible for suspended sentences, electronic tagging, counter-extremism, and other functions intended to make justice more accessible (Jeunejean, 2019).

However, certain criminal justice functions, including policing, courts, and sentencing, remain the responsibility of the federal Ministry of Justice. The Belgian case is therefore extremely relevant to Wales, as proposed models of devolution would, for the time being at least, see similar functions devolved to Wales and reserved to Westminster. The transfer of responsibility took place in late 2014, though there was limited public information on what successful implementation would look like in each region, or what was being done to prepare for devolution (Bauwens and Devos, 2015).

Since devolution, the communities have been able to take different methodological approaches. For example, Flanders focuses more on risk management, while Wallonia emphasises desistance and social work values (Parlement de la Communauté Française, 2023; Uzieblo, 2023). This was described as allowing more ‘methodological freedom’ and is important to consider in the context of implementing a long-term desistance-based vision for a Welsh probation service. The divergence is notable, given that one of the prominent concerns before devolution was that probation work would become more punitive, alongside fears about the loss of professional autonomy and increased fragmentation (Bauwens and Roose, 2017).

However, this flexibility is limited by the fact that sentencing powers and the requirements of the courts are set at the federal level. The probation service cannot control its inflows, meaning the system can quickly become overburdened (Devos, 2013). There is also no guarantee that increased caseloads from this overflow, the creation of new offences, or different approaches to sentencing would be matched by new funding. Thus, a devolved probation service may have autonomy over methodology but not execution.

Political stability was emphasised as an important factor in creating a devolved probation service, and significant efforts have been made to raise the profile of the probation service in Belgium, as their role is less clear than prisons or police, for example, to those outside the justice system (Justice Trends, 2018). There has also been an effort to engage the judiciary and increase collaboration, so that they are not left at ‘the end of the “penal chain”’ (Justice Trends, 2018). This metaphor reflects not only probation’s position as the final agency an offender interacts with in the criminal justice process, but also its perceived lack of importance compared to other criminal justice agencies. In Belgium impacts on the probation system are often not considered when making changes to policy at the federal level, meaning that it can become easily overburdened. Similar metaphors were used to describe the role of probation in other countries. Building strong relationships with other agencies and probation systems was therefore emphasised as a way to raise the profile of probation, despite being perceived as an unequal partner compared to other parts of the criminal justice system.

Interviewees also stated that building good formal governance relationships within agreed frameworks was helpful in managing this issue and developing interactions with reserved criminal justice institutions as well as devolved services. This was said to be especially important in the early stages of devolution, as existing relationships and networks become less important, while new, natural relationships have not yet been established. In addition to formal agreements on data sharing with other criminal justice agencies, there are also joint contracts with the other communities on electronic monitoring and software to ensure that offenders can be easily transferred across systems and to save costs.

As a result of the 1996 merger, all operational staff in the Houses of Justice officially became ‘justice assistants’ (Bauwens and Devos, 2015: 7). This includes a wide range of roles, such as social workers, mental health nurses, psychology assistants, and social scientists like criminologists and sociologists (Bauwens and Devos, 2015). Regardless of their specialism, new justice assistants complete an in-house training course covering the values, methodology, and ethics of the Houses of Justice as part of the onboarding process (Bauwens and Devos, 2015).

## Denmark

The Danish Prison and Probation Service (DPPS) is one of multiple departments under the Ministry of Justice and is headed by a Director General. In 1973, the probation service became part of the Department of Prisons, which then became the Department of Prison and Probation Service, making probation officers public sector

employees (Storgaard and Skov, 2017). Despite this long association between the prison and probation services, the then-Director General stated, ‘even in a system like the Danish one, where prisons and probation have been combined under a joint management and in a joint system... prejudices still exist between prison staff and probation staff... to some extent, there is still a “them and us” culture’ (Rentzmann, 2011: 4). The Department was organised by function, so although prisons and probation were governed together, the links between them were not strong. In 2011, the Danish Auditor General highlighted that the Department ‘needs to focus on the cooperation between the various types of institutions’ (Rigsrevisionen, 2011: 5). Links with local government, which delivers social services, were also highlighted as an area which needed strengthening.

Following a budget review, a comprehensive reorganisation of the DPPS began in 2012, including a restructuring from a functions-based structure, towards a geographically based structure (Storgaard and Skov, 2017). Rather than organising the department by function, four regional agencies were formed, overseeing both prisons and probation within their local areas. In 2024, these four regional agencies were then merged further into two correctional service agencies (Retsinformation, 2023).

Within the two correctional service agencies, there are eighteen institutions. Each institution comprises different combinations of prisons, probation offices, youth detention centres, and halfway houses (Storgaard and Skov, 2018). These institutions each have a senior leader and a head of each unit, resulting in a somewhat duplicative leadership structure. In most institutions, probation is outnumbered by prisons and other detention facilities, raising questions about whether the voice of the probation service can be effectively heard.

Almost all probation workers in Denmark are trained social workers (Storgaard and Skov, 2017). However, despite these qualifications, there are concerns that training does not adequately focus on supervision skills, given the increasing number of ways for offenders to serve their sentences (Rentzmann, 2011).

Finances are allocated to the Prison and Probation Service according to a multi-annual contract, which covers wages, service delivery, and other costs. Under the previous model with four regional agencies, the majority of the budget was distributed to the regions, with each region responsible for their own spending, and further distributing funding to the institutions, including for staffing costs (Storgaard and Skov, 2017). This allowed regions significant autonomy, though they had to comply with fixed targets based on the priorities and principles of the Department of Prisons and Probation as a whole (Storgaard and Skov, 2017). Until 2015, the Probation and Prison Service was accountable to the Minister for Justice but is now a department

within the Ministry of Justice. There are also annual surveys collecting the views of offenders in the probation system (Storgaard and Skov, 2017).

## Finland

Probation work in Finland began in the nineteenth century with the establishment of a Christian charitable organisation known as the Finnish Prison Association (Vesterbacka, 2014). It became subject to statutory duties in the 1930s and increasingly received funding from the government to exercise its duties until it became part of the Ministry of Justice in 2001 (Linderborg et al., 2020).

Since becoming an official government body, the prison and probation agencies have worked together to develop joint principles and values to guide both organisations (Vesterbacka, 2014). This strengthened the relationship between the organisations, and in 2010, the responsibilities of the prison and probation services were united into one office, the Criminal Sanctions Agency (Prison and Probation Service of Finland, 2023). Common goals and values were considered to be important for the success of this cooperation, and developing them before unification was an important intermediate step (Vesterbacka, 2014).

In addition to allowing better coordination and harmonisation between agencies, the joint administration freed resources by avoiding duplication at the administrative and managerial levels (Linderborg, Tolvanen and Andersson, 2020). A joint agency responsible for both prison and probation functions is common across Scandinavia, and is also present in Denmark, Norway, and Sweden (Ploeg and Sandlie, 2011).

The two branches of the system seek to integrate their work through shared activities and intensive collaboration. The unified service includes a centralised training institute for both prison and probation staff, as well as a national enforcement unit responsible for monitoring sentences in both prison and the community. While there are long-standing relationships with courts, prosecutors, and other government agencies, national quality and process standards for cooperation and networking were developed in 2014 (Linderborg, Tolvanen and Andersson, 2020).

In 2022, the Criminal Sanctions Agency was renamed the Prison and Probation Service of Finland. The joint service also moved from three regional bodies to a centralised Core Operations Department, overseeing eleven regional Prison and Probation Centres, each responsible for implementation and cooperation with local stakeholders (Prison and Probation Service of Finland, 2022). This change aligned the Centres with regional governments to support increased cooperation with

services at those levels, including social welfare and health care (Prison and Probation Service of Finland, 2022). One example of this change is a central government push towards joint service points, with probation co-located alongside other services such as social insurance, job centres, and a tax office (Prison and Probation Service of Finland, 2024).

Priorities and targets are set jointly by the Prison and Probation Service and the Ministry of Justice to reflect government priorities, with the agency also monitored by the National Audit Office as well as its own internal audit team (Linderborg, Tolvanen and Andersson, 2020). This includes a three-year plan, produced collaboratively, which involves agreement on the budget.

Like other probation services in Europe, there are currently pressures on the recruitment and retention of skilled staff (Confederation of European Probation, 2023; Rikosseuraamuslaitos, 2024). Probation officers most commonly hold a social work degree, and there is significant competition for workers between employers, especially at the junior level (Linderborg, Tolvanen and Andersson, 2020; Confederation of European Probation, 2023). This issue is exacerbated by the political priorities of the current Finnish Government, which favours more punitive justice policies (Confederation of European Probation, 2023). As a result, the probation service is having to innovate in its methods to cope with potential increases in staff caseloads.

## Luxembourg

The Luxembourg Probation Service is part of the Central Service for Social Assistance (SCAS), reporting to the General Public Prosecutor's Office. The SCAS covers a variety of justice social services, including personality reports, victim support, and the youth protection service. It forms part of the General Prosecution under the Ministry of Justice and is split into two departments: one focusing on offenders subject to pre-trial orders, in-prison support, and post-release supervision; and the other on those subject to community service (Bisenius et al., 2021).

Given its placement within the prosecutor's office, there is an emphasis on relationships with non-profit organisations to provide support and services including hostels, job centres, and substance abuse support. While these relationships with non-profit organisations are generally good, being part of the prosecutor's office means that the role of probation is otherwise not generally well understood, especially compared to prisons (Bisenius et al., 2021).

There is no external body governing the probation service beyond its reporting to the General Public Prosecutor's Office, although finances are audited by the Court of Auditors, an auxiliary body to parliament (Bisenius et al., 2021).

Luxembourg's small population means there are only 28 employees within the probation service, including 11 probation officers (equivalent to 16.7 full-time roles) (Ministère de la Justice du Luxembourg, 2024). The probation officers are split into two groups: one managing cases without prior detention, and the other focusing on those released from prison or still incarcerated (Bisenius et al., 2021). While there has been little academic research on Luxembourg's probation system, an internal audit in 2015 revealed a significant staff shortage across the SCAS departments (Bisenius et al., 2021).

A significant number of non-resident offenders are supported by the Luxembourg probation service, with 43% of detainees assisted in 2022 being foreign nationals, many living just across the border in France, Belgium, and Germany (Ministère de la Justice du Luxembourg, 2024). The Luxembourgish probation service supervises some offenders who work in Luxembourg but live across the border. While efforts have been made to strengthen collaboration with neighbouring probation services, these arrangements remain largely informal (Bisenius et al., 2021).

## Netherlands

The probation service in the Netherlands consists of three private organisations: Reclassering Nederland, the Addiction and Probation Service Mental Health Care and Substance Abuse Treatment (SVG), and the Salvation Army Youth Protection and Probation. These organisations are commissioned by the Ministry of Justice, which holds political responsibility, but the three services act independently of one another (de Kok, Tigges and van Kalmthout, 2020).

Reclassering Nederland is the largest of these organisations, receiving around 60% of the budget and handling 71% of all offenders in 2019 (de Kok, Tigges and van Kalmthout, 2020). It organises its operations over five regions, each comprised of multiple provinces, and was founded in 1994 following the merger of smaller, locally and religiously based probation organisations.

While other organisations merged to form Reclassering Nederland, the Salvation Army and SVG retained their separate identities, believing these identities were crucial for working effectively with their specific target groups (de Kok, Tigges and van Kalmthout, 2020). SVG focuses primarily on individuals with addiction or



requiring mental health support, handling around 20% of offenders in 2019 (de Kok, Tigges and van Kalmthout, 2020). The Salvation Army Youth Care and Probation Service works with more vulnerable members of society, particularly those who have experienced homelessness; around 10% of offenders are allocated to the Salvation Army.

Although these three organisations act independently, they are increasingly collaborating on shared concerns such as staff training, information management, research, and IT (Tweede Kamer der Staten-Generaal, 2014). Joint offices or ‘inflow points’ are located in each court district where offenders are allocated to one of the probation organisations. While each organisation, in theory, works with its target groups, this distinction is occurring less frequently in practice (de Kok, Tigges and van Kalmthout, 2020).

In addition, Reclassering Nederland operates an international desk on behalf of the three organisations, supporting a central authority (part of the Public Prosecution Service) in determining whether an offender’s probation order can be transferred; the central authority oversees the transfer (de Kok, Tigges and van Kalmthout, 2020). The Dutch Central Authority has previously encountered difficulties in preparing and executing transfers, as many countries do not have a dedicated function for this. However, conferences with neighbouring and frequently requested countries have been organised to streamline these processes to run more efficiently (de Kok, Tigges and van Kalmthout, 2020).

All probation officers hold higher education qualifications, typically in social work, social legal services, or criminology, with probation officers requiring a bachelor’s degree (de Kok, Tigges and van Kalmthout, 2020). Newly qualified probation officers undergo a staged in-service training process.

Each year, the Minister of Justice sends a letter to the three probation organisations, inviting them to submit an annual plan and budget, while highlighting the Minister’s policy priorities for the probation service (de Kok, Tigges and van Kalmthout, 2020). The organisations each submit an application for funding, and add their own priorities to those set by the Minister, with the subsidy awarded at the end of the year. Previously, funding was based on the number of probation tasks completed, but a transition towards more qualitative funding methods is underway (de Kok, Tigges and van Kalmthout, 2020). Each organisation reports to the Minister of Justice through three quarterly reports outlining progress towards targets. Moreover, Reclassering Nederland has previously been awarded a care standard certification, a sector-specific certification indicating that an independent audit has taken place and that services meet relevant quality standards (de Kok, Tigges and van Kalmthout, 2020).

Working together with the police, prosecutors, social workers, youth workers, housing associations, and health partners, the probation service participates in Safety Forums (*Veiligheidshuis*) to develop coordinated approaches to tackling crime and anti-social behaviour (Van Dijk and De Waard, 2009). This collaboration has led to better knowledge sharing about offenders, increased trust and respect due to improved cooperation between justice and care agencies, and streamlined processes (Jochoms et al., 2012). However, the success of this multi-agency approach depends on good coordination between agencies and the ability to work within an environment of complex processes and procedures, with a diffusion of responsibility resulting from a lack of a central decision-making authority, and many partners making decisions based on the positions and beliefs of their organisation, rather than the collective (Jochoms et al., 2012).

Reclassering Nederland also collaborates with other agencies through ZSM (ASAP, or as soon as possible) procedures, introduced in 2011 to process common minor crimes quickly and efficiently (Salet and Terpstra, 2020). Public prosecutors can impose sanctions for low-level crimes without the intervention from a court, with other relevant organisations including the police, probation service, victim support, and child protection services providing advice at an early stage. Instead of following a traditional linear approach, information from multiple agencies (including pretrial information to determine guilt) is gathered simultaneously (Jacobs and van Kampen, 2014). In most cases, all of these institutions are gathered around one table in a police station, with pending cases deliberated on by all agencies involved (Jacobs and van Kampen, 2014). This system allows for direct, fast multi-agency cooperation, speeding up the justice process, though concerns have been raised about the right to a fair trial and trust in the justice system to deliver this without directly hearing from the victim or defendant. Almost one third of requests for advice from the probation service now come from requests within this system (Reclassering Nederland, n.d.).

## Northern Ireland

Powers relating to justice and policing were devolved to Northern Ireland in 2010 (Fulton and Carr, 2013). Probation services are delivered by the Probation Board for Northern Ireland (PBNi), a non-departmental government body that was previously sponsored by the UK Government's Northern Ireland Office and is now sponsored by the Northern Ireland Ministry of Justice. The PBNi receives funding from the Northern Ireland Executive budget and is accountable to the Minister of Justice for carrying out its remit, which is set by laws, judicial rulings, and statutory instruments (Fulton and Carr, 2013).



The PBNI is overseen by a Board composed of members from the community, originally established to reduce civil service influence and maintain legitimacy during the Troubles (Fulton and Carr, 2013). The Minister of Justice responds to PBNI-related matters in the Assembly. PBNI produces a three-year corporate plan and an annual business plan, which considers feedback from consultations, statutory partners, and community groups, as well as the vision set out in the Department of Justice's respective plans (PBNI, 2023). While this corporate structure allows for greater responsiveness to local needs and less political influence than the England and Wales model under HMPPS (Fulton and Carr, 2013), interviewees noted tensions between government priorities and the preferred direction outlined by the Board.

Inspections are carried out by another independent non-departmental body known as Criminal Justice Inspection Northern Ireland (CJI). It is unique in the UK and Ireland because its remit looks across all criminal justice agencies except the judiciary, meaning it can inspect PBNI as well as the police, prison service, prosecutors, youth justice, and the courts (CJI, n.d.).

As an arms-length body, funding for the delivery of probation services is not ringfenced and agencies must instead compete for funding with other sources of government spending. To encourage collaboration with the local community, part of the budget is allocated to be spent on projects with local communities. However, arms-length status means the budget allocation also includes costs unrelated to service delivery, such as buildings and staffing. Since overspending is not permitted, impacts on the cost of this expenditure directly impacts the funds available to spend on service delivery. Since the mid-2000s, austerity has led to significant cuts to the baseline probation budget, increasing reliance on temporary funding for additional initiatives (CJI, 2020). This has constrained both the staffing capacity of the PBNI and its ability to develop innovative practices.

Staff delivering core probation services are typically from a social work background, with a social work degree recognised as the qualification for probation officers and accredited by the Northern Ireland Social Care Council (Fulton and Carr, 2013). Like Scotland, the social work degree comprises of an integrated programme across a number of aspects, including mental health, children and families and criminal justice. Graduates must complete an assessed year in employment before achieving a fully recognised qualification (Fulton and Carr, 2013). However, as PBNI is a non-departmental body, its pay scales are not aligned with the civil service. Our interviewees highlighted recruitment and retention challenges, as generalist training means other social work areas can be more lucrative. Probation Support Officers are not required to have a formal social work qualification but must obtain a relevant NVQ within two years (Fulton and Carr, 2013). A 2020 inspection found staff morale

to be low due to high workloads, a shortage of qualified staff, and an organisational culture where staff did not feel valued or trusted by senior leaders (CJI, 2020).

Transfers of offenders between Northern Ireland and other UK nations are relatively straightforward due to reciprocal legislation (Price, Notman, and Tilley, 2024). Between Northern Ireland and the Republic of Ireland, a single point of contact has existed since 2007 to handle referrals for those moving between the two jurisdictions, with pre-sentence reports being the main reason for these referrals (Fulton and Carr, 2013). Interviewees noted that this process works smoothly. In addition to this operational collaboration, there is strategic cooperation between PBNi and the Irish Probation Service. A subgroup known as the Public Protection Advisory Group has met since 2006 and was formed as part of the Intergovernmental Agreement on Cooperation on Criminal Justice Matters (Irish Department of Justice, 2022). The group is jointly chaired by the leaders of probation services in Ireland and Northern Ireland and provides a formal structure for engagement between the two services as well as for strengthening connections with other key stakeholders in both countries' justice systems (Donnellan and McCaughey, 2010). The group has addressed a range of topics such as increased cross-border cooperation, sharing best practices, and tackling cross-border offending (Donnellan and McCaughey, 2010).

## Republic of Ireland

The Irish Probation Service is part of the Department of Justice. Alongside supervising those released from prison and serving sentences in the community, it also works with young people (12-18 years) who offend, through its Young Persons Probation (YPP) teams, in collaboration with youth justice services (Irish Probation Service, 2023a).

The Probation Service operates as a national agency but has five community-based supervision regions, two prison regions with probation staff working in prisons, and teams for national specialist areas, including learning and development, restorative justice, and high-risk offenders. The Director of the Probation Service chairs the Executive Leadership Team, which includes four Deputy Directors (Court and Community, Prisoners and Reintegration, Effective Practice, and Corporate Affairs) (Irish Probation Service, 2023b).

Unlike in Northern Ireland, interviewees stated that the budget allocated to the Irish Probation Service is part of the Department of Justice budget meaning that funding for the Service covers staff and the delivery of services primarily. Funding for

services delivered through over 60 community-based organisations account for about one-third of the total budget (Irish Probation Service, 2023c).

As well as the role of community-based organisations, interviewees told us that good relationships with other criminal justice agencies, such as prisons, were essential to the functioning of the Irish probation service. They also highlighted the value of personal relationships with the judiciary, citing joint training and information sharing with the court service in the aftermath of COVID-19 as a means in which the Irish Probation Service has aimed to strengthen that relationship. The Service also operates an international desk to process requests for reports and transfers of supervision to other countries.

The Director of the Service is responsible for day-to-day management, but statutory responsibility rests with the Minister for Justice, who helps determine policy aims and approves the Service's performance objectives (Irish Probation Service, 2023b). In line with the code of practice, the Director also submits an annual report to the Minister outlining its performance against its Performance Delivery Agreement (Irish Probation Service, 2023d).

All probation officers in Ireland are social work qualified and employed as civil servants. The Irish Probation Service recently introduced a new Probation Assistant role to provide support in the work of the Service, which does not require a social work degree, as part of efforts to innovate in service delivery and overcome challenges in the recruitment of staff. In 2022, the Service launched a new online resource hub for staff, providing learning support and links to policies and information to aid their day-to-day interactions with offenders, along with a new practice framework (Irish Probation Service, 2023b).

## Scotland

Scotland has no single agency responsible for probation, which is instead delivered through the social work departments of its 32 local authorities, who provide statutory justice social work services (Grant, Buchan, and O'Donnell, 2020). Responsibilities for probation were transferred to Scottish local authorities as part of the Social Work (Scotland) Act 1968, which also disbanded the national probation service following the 1964 Kilbrandon Report (Coyle and Tombs, 2018).

In 2005, the Management of Offenders (Scotland) Act led to the creation of eight Community Justice Authorities (CJAs), aimed at reducing reoffending by 'promoting partnership and allocating funding between local government, criminal justice, and

other agencies' (Buchan and Morrison, 2020: 227). This was an attempt to balance the central government's perceived need for centralisation, (due to concerns over local authorities' ability to manage the service efficiently, with the belief that local authorities were crucial in maintaining a distinctively Scottish, social work-embedded ethos in service delivery, compared to the approach in England and Wales (Buchan and Morrison, 2020). Although their stated aim was to reduce reoffending, CJAs had no responsibility for service delivery, instead focusing on promoting cooperation between local authorities and distributing ring-fenced funding for justice social work (previously allocated to local authorities) (Morrison, 2015).

In 2011, an Audit Scotland report found 'variation in the range of services provided across the country' and that funding arrangements were complex and short-term (Audit Scotland, 2011: 36). It also noted that while devolution had brought significant reform, it also added complexity in managing the justice system as a whole due to the number of actors involved and their different accountabilities (Audit Scotland, 2011). Similar findings were highlighted by the Scottish Government's Commission on Women Offenders, which recommended 'that a new national service... is established to commission, provide and manage adult offender services in the community' (2012: 87).

The Public Bodies (Joint Working) (Scotland) Act 2014 established Health and Social Care Partnerships, requiring local authorities and health boards to collaborate in planning and delivering adult community health and social care services as part of an integrated model (Health and Social Care Scotland, n.d.). In this model, organisations can delegate responsibility for governance, planning, and resourcing to a joint body corporate known as an Integration Joint Board (IJB). Although it is not a statutory requirement to delegate responsibility for justice social work to the IJB, this has occurred in eighteen Scottish local authority areas (Ormston et al., 2024). Positive impacts of this model include close partnership between services, shared organisational values, and co-location of services. However, there were concerns that health issues dominate the culture and structure of these arrangements, and that justice social work 'can end up feeling forgotten and find it harder to make its voice heard' (Ormston et al., 2024: 33).

Community Justice Scotland (CJS) was formed following the passing of the Community Justice (Scotland) Act 2016. It is a national body corporate accountable to the Cabinet Secretary for Justice for policy delivery, compliance with statutory duties, and performance against objectives set by the Cabinet Secretary (Grant, Buchan, and O'Donnell, 2020). CJS provides national strategic leadership, promotes innovation, and supports learning and development, including offering the majority of training and development for justice social workers (Grant, Buchan, and O'Donnell, 2020). Despite the creation of Community Justice Scotland, our interviewees stated

that the delivery justice social work provision in Scotland remains disjointed and varies across local authorities, resembling a postcode lottery.

Alongside establishing CJS, the Community Justice (Scotland) Act introduced a new model for community justice in Scotland, creating Community Justice Partnerships. These partnerships include statutory partners including the police, health boards, IJBs, local authorities, the courts, prison service, and Procurator Fiscal, with a requirement to also engage with the local third sector to improve outcomes (Scottish Government, 2016). Despite the aim to encourage partnership working, there have been mixed views on the impacts of these partnerships, with some feeling that it helped increase the profile of justice social work, while others feel that roles and responsibilities are unclear, with much of the burden placed on justice social work teams for reporting outcomes and developing improvement plans (Ormston et al., 2024). Regional variation in the effectiveness of cooperation was also highlighted as a concern (Ormston et al., 2024).

The workforce in Scotland is primarily made up of qualified social workers, with others who assist in delivery justice services typically holding other social care qualifications (Grant, Buchan, and O'Donnell, 2020). Social workers must register with the Scottish Social Services Council (SSSC) and follow its code of practice. There is also a code of practice for employers, which includes ensuring that 'people with appropriate attitudes and values... enter the workforce' (Scottish Social Services Council, 2024: 21). Social work degrees and postgraduate qualifications are general practice and aim to prepare graduates for work in a range of social work settings, and currently, no recognised post-qualifying course exists for those looking to specialise in justice social work (Grant, Buchan, and O'Donnell, 2020). Some local authorities have specialist heads of justice social work, but in others, leaders may be responsible for more than one specialism, or the head of justice social work may sit lower in the organisational hierarchy than those in charge of other services. Interviewees noted a small pool from which to recruit future leaders, with many moving to higher-paid roles in other social work areas. They also told us that better-resourced local authorities were able to frequently poach staff from less well-resourced neighbours.

Despite the significant reforms since Scotland regained legislative and executive control of its justice system in 1999, further proposed reforms to social services through a potential National Care Service could impact justice social work. It remains unclear as to whether and how justice social work might be affected, but these reforms could change how services are organised and delivered (Buchan, 2023). Professionals and stakeholders have expressed concerns about the lack of information on the potential inclusion of justice social work in a National Care

Service, as well as concerns about resourcing, partnership working, and a potential loss of the social work ethos (Ormston et al., 2024).

## Slovenia

Until the formation of the Slovenian Probation Service in 2018, there was no single entity responsible for probation in Slovenia. Instead, probation functions were carried out by various actors, including prosecutors, prisons, and social services (Novak, 2008). Social workers, for example, had to manage probation cases alongside their primary responsibilities relating to children and families, limiting their ability to engage effectively with probation work. This led to a breakdown in trust and a lack of confidence from the judiciary that non-custodial sentences could positively impact the criminal justice system.

In 2015, to comply with European Union directives and reduce the number of offenders serving short prison sentences, the Ministry of Justice recommended to the Slovenian Government that a full probation service be established (Justice Trends, 2019). A cross-governmental working group, including relevant ministries, criminal justice organisations, and academics, was formed to develop an action plan (Justice Trends, 2019). The Slovenian Probation Service was subsequently established through primary legislation.

To inform the content of the legislation, officials in Slovenia visited other European probation services, including those in Norway, Croatia, and the Netherlands, to understand various structures for organising a probation service and the advantages and disadvantages of each (Mrhar Prelić, 2022). The probation service was established as a new public body, part of the Ministry of Justice, which put it on equal footing with the prison service in the governmental hierarchy.

Many of the difficulties in the previous arrangements 'arose from role confusion and the lack of clear communication channels between the relevant bodies' (Mrhar Prelić, 2022: 59). The legislation clarified the aims and statutory duties of the probation service, outlining how it would cooperate with other services and what its responsibilities were, including increased engagement with the judiciary, standardisation of practice, increased professionalisation, and centralised collection and analysis of data (Mrhar Prelić, 2022). To build trust in the new probation service, officials held meetings with judicial staff across the country and distributed promotional materials to increase awareness among stakeholders (Mrhar Prelić, 2022).



The Slovenian Probation Service is comprised of one centralised body and five regional units. The central unit is responsible for the education and training of staff, evaluation and guidance, and facilitating cooperation with other authorities and services. Regional units are responsible for the day-to-day organisation and delivery of services, as well as establishing and maintaining a network of community organisations to provide work placements (Mrhar Prelić, 2022). Finance, human resources, and administrative support are provided by the Ministry of Justice.

At its inception in 2018, the average workload for a probation officer was 78.1 cases, rising to 94.9 cases in 2019 before dropping to 43.3 cases at the end of 2020 (Mrhar Prelić, 2022). Workload was one initial challenge for the newly established probation service, because while the new organisation had the necessary funding, it lacked permission to transfer enough staff from social services. As confidence in the new system grew, caseloads initially rose, but they declined as more probation workers were recruited. However, since the end of 2020, increasing staff turnover and an increase in additional tasks assigned to staff has led to caseloads increasing once again (Mrhar Prelić, 2022).

## Switzerland

Responsibility for most criminal justice matters in Switzerland is devolved to the cantons, including the organisation of their police forces, prisons, and probation services. There is no central probation authority in Switzerland. Each canton is, in theory, capable of managing probation in its own way. This means that there is no common base to assess quality and performance at a national level, and hindering cooperation between probation services (Urwyler, 2020).

In most cantons, the probation service remains a public agency and part of a Ministry of Justice, while one canton has integrated probation into its social services department (Fink and Bruni, 2013). Two cantons have privatised their probation services: one operates as a private foundation, and the other as a non-profit organisation (Confederation of European Probation, 2018). The main difference between the private and public probation services relates to the workforce, with those in public probation services classified as civil servants. Integrating probation into the same ministry as the police and other criminal justice functions allows for easier transfer of information about offenders (Fink and Bruni, 2013).

Budgets are set by cantonal parliaments, and probation services which remain the responsibility of the state are typically accountable to parliament. The privatised probation services are subsidised by the cantons based on performance and

objectives, and some cantons allow the collection of private funds (such as from charitable foundations) to support service delivery (Fink and Bruni, 2013).

Prisons are usually the responsibility of the cantonal ministries of justice, while courts, though also largely cantonal, are separate from the government. This means that relationships with other justice agencies are mainly managed at the local level.

Some cantons have further transferred the responsibility for supervising low-risk offenders to local social services. In Zurich, for example, low risk offenders are transferred to municipality social services while higher risk offenders are supervised directly by the Ministry of Justice at a cantonal level (Fink and Bruni, 2013). The regional organisation of probation means that in smaller cantons, probation staff may also have to undertake other responsibilities within the Ministry of Justice (Fink and Bruni, 2013).

If an offender does not reside in the canton where they were sentenced, the responsibility for supervision is typically transferred to the probation service where they reside (the mandated probation service), who are provided with as much information as possible on the requirements for supervision. At the end of the supervision period, the mandated service sends a report to the original sentencing canton, which then concludes the mandate (Urwyler, Gabaglio, and Rüfenacht, 2024).

To foster relationships between cantons and harmonise policy and practice, the cantons have also developed concordats across three different regions. Within these, there are specialist groups working on probation to develop consensus and collaboration across regions (Fink and Bruni, 2013). However, only one of these groups has developed standards for consistent monitoring of performance of different services (Urwyler, 2020).

There are no unified requirements to become a probation officer in Switzerland. Although most probation officers are trained social workers, a lack of specific focus on probation within university education means that on-the-job training is common for new employees (Fink and Bruni, 2013). In a minority of cantons, staff are assisted by volunteers who can assist probationers to find work or housing, address debts, or stabilise social relationships (Fink and Bruni, 2013)



# Reflections for Wales

In Part 1 of our report on building a Welsh probation service, we highlight seven practical considerations that need to be addressed as part of any proposed model for devolution (Price, Notman and Tilley, 2024). This section offers reflections on these key considerations in light of the case studies presented above.

Some models of probation across Europe have included delivery of probation services by non-governmental organisations, although largely not-for-profit. If any of these models were to be implemented in Wales, lessons would need to be learned from the efforts to part-privatise the probation service during the now-reversed Transforming Rehabilitation process.

## Workforce

The Probation Development Group (PDG) outlines the devolution of probation as an opportunity to professionalise the workforce and restore a social work ethos (Borja et al., 2023). A social work degree remains the most common entry route to becoming a probation officer in most European countries, with the typical qualification covering various aspects of social work, including probation. However, some countries also have broader entry criteria, including criminology, law, and psychology, with specific training and mentoring provided upon recruitment.

Recruitment and retention of staff remain challenges in many European countries, particularly due to competition from other areas of social work that offer higher pay or more attractive progression routes. The low profile of probation in many countries is also a barrier to recruitment, and establishing direct links with higher education institutions, such as in Finland, has not adequately addressed this issue. The recruitment of future leaders was identified as a particular issue in Scotland, with training offered in Northern Ireland for those looking to advance to a leadership role.

Workforce concerns were also highlighted during the establishment of the probation service in Slovenia, relating to the number of staff who were able to be transferred to the new service from the outset. In Wales, it is likely that most, if not all, frontline staff currently working in Wales would be transferred to a devolved service, though there may be a need to recruit some staff in administrative roles at the outset. Reducing the workload of probation officers is likely to be an immediate concern for a new devolved service, and the Slovenian example demonstrates how workforce pressures can worsen in the short term. If the workforce is not expanded as judicial

confidence in a new probation service grows and more non-custodial sentences are used, caseloads and workloads will increase, exacerbating retention issues. It will be essential to consider how to train and recruit new staff to reduce workforce pressures in the immediate period, maintain lower caseloads in the medium term, and focus on longer-term goals like increased professionalisation. Moreover, the need to expand the workforce in the short term will require both increased funding and a solution to current issues regarding recruitment.

Any devolved model would need to consider creative ways to reduce caseloads, given the current lack of Welsh Government control over prison populations. Volunteer programmes, such as those in Austria and some regions of Switzerland (as well as elsewhere in Europe), could offer one solution, with volunteering already forming part of the justice system in England and Wales through magistrates.

## Regional governance

Probation services across Europe use a wide variety of regional governance structures. The appropriate level of regional governance in Wales will likely be based on the unique needs of the Welsh service and its users, as well as the existing geographies and regional structures within Wales.

Many probation services in Europe, including those in the Republic of Ireland and Slovenia, operate a unitary probation service delivered at a regional level. This allows for centralised control over key shared matters such as training and development, strategic planning and vision, data collection and oversight, and the maintenance of relationships with other national-level actors. Operationally, regional units are then given the responsibility of managing and delivering day-to-day operations while maintaining relationships with locally delivered services and community-based partners, which are essential for responding to local needs.

In contrast, Scotland and Switzerland exemplify a more fragmented probation system, with separate agencies at the local level. In Switzerland, cantons can decide how to structure their probation services, with some choosing to operate in-house while others choose an arms-length or private model. In Scotland, where probation is delivered by individual local authorities, there have been multiple attempts at increased centralisation to enhance efficiency and consistency in service delivery. Existing literature highlights the ongoing tensions between central and local government in the provision of probation services. In both systems, regional groups were developed to reduce fragmentation and improve cooperation, although these were later scrapped in Scotland. Despite the creation of a nominal central body in Scotland, services remain disjointed and variable.

The optimal approach for undertaking a similar model in Wales may depend on how both devolved public services and community-based groups already interact with one another in existing structures. For example, substance misuse and mental health services are delivered through local health boards, while social services are delivered by local authorities. Structures such as public services boards and regional partnership boards already exist in Wales to facilitate joint service delivery and collaboration, and a devolved probation service could regularly engage with these structures. The Scottish case highlights an example of this through Health and Social Care partnerships, though experiences of the efficacy of this have been mixed. In comparison, partnership working in the Netherlands between criminal justice agencies, health, and social services has been more successful, demonstrating how mutual trust and shared practices can be developed. Both experiences underscore the need for shared decision-making tools to hold partnering agencies accountable for their responsibilities. Aligning with existing regional structures in Wales could encourage partnership working with devolved public services and leverage local provision, as highlighted in Part 1 (Price, Notman, and Tilley, 2024).

## Control and oversight

In models of executive or legislative devolution, responsibility for the control and oversight of the probation system would also transfer to Wales. Examples from Denmark and Scotland highlight the influence of auditors general on raising issues with the function of the probation service and instigating future reforms. It is reasonable to assume that regardless of how a future probation service is regionally organised, Audit Wales would have some oversight, as highlighted in Part 1 of our report (Price, Notman, and Tilley, 2024).

The Criminal Justice Inspectorate in Northern Ireland also demonstrates how an inspectorate could be established to cover multiple facets of criminal justice if these are devolved to Wales. This could potentially reduce costs by avoiding the need to set up multiple different organisations and offer a holistic approach to the unique features of a Welsh criminal justice system. However, it seems unlikely that a similarly extensive set of criminal justice functions would be devolved to Wales alongside probation, making it less feasible to achieve such economies of scale, which may result in a short-to-medium term increase in expenditure.

Where the probation service forms part of the civil service in Europe, funding and accountability mechanisms often take the form of quarterly or annual reports delivered to a cabinet minister with responsibility for the probation service (and

typically also other justice functions). There are varying levels of co-production and input from the probation service in agreeing objectives.

## Funding

Various structures exist for funding probation services across Europe. In Scotland, where probation is delivered by local authority social services, funding is ringfenced and allocated directly to local authorities. In contrast, many unitary structures are funded by a grant from a government department, usually the Ministry of Justice or its equivalent. In Northern Ireland, where the PBNi is not considered part of the civil service, the funding allocation also covers costs such as buildings, rather than primarily focusing on staff and service delivery. This also means the probation service in Northern Ireland must compete with other services for budget increases and cannot overspend.

Probation services across Europe have been impacted by austerity measures in recent years, affecting workload and workforce morale in several countries, as well as the funding available for commissioning community-based organisations to deliver programmes and initiatives. In Finland, the desire to reduce costs and increase efficiency by eliminating duplication in managerial and administrative roles led to a comprehensive reorganisation of the probation service. Similar desires for less duplication have been emphasised (but not acted upon) in both Scotland and the Netherlands. In Belgium, interviewees raised concerns about the inherent risk of duplication created by devolution and its impacts on government spending. However, good relationships with other devolved probation services can help reduce some costs through joint procurement contracts on shared interests, with electronic monitoring equipment and IT systems highlighted as areas for potential savings. Therefore, planning for devolution must thoroughly consider how to mitigate duplication and its effects on expenditure.

## Interaction with reserved powers

In many European countries without devolution of the probation service, formal arrangements outline how the probation service will collaborate with other criminal justice agencies, often in legislation or statutory guidance. This appears to have been effective in the Netherlands and Slovenia. Reforms to the probation system in Denmark over the last decade also aimed to encourage more local collaboration between prisons and the probation system, as the relationship had previously not been particularly effective. By establishing clear roles, responsibilities, and methods

for cooperation, along with protocols for information sharing and shared discussion forums, criminal justice agencies were able to work together more effectively.

Interviewees in Belgium highlighted that while sentencing, prisons, and the courts remain the responsibility of the federal government, probation is devolved, making it a particularly relevant case for Wales. Although a desistance-based approach could be followed, the probation service served mostly to execute the decisions of the courts with little influence on them. As in other countries, including Slovenia, building the judiciary's confidence in a new probation system relied heavily on personal relationships. Interviewees in Ireland also emphasised the importance of relationships with the judiciary and highlighted the significance of information sharing and training in building trust. In Scotland, interviewees stressed the difficulties in coordinating IT systems between probation services and the courts, highlighting the importance of coordination both between devolved services and between devolved and reserved services.

## Cross-border issues

Experiences from both Scotland and Northern Ireland suggest that transferring offenders wishing to move between UK countries while they are subject to a probation order is relatively straightforward due to reciprocal legislation. Between England and Wales, this process is likely to be especially straightforward as current legislation on probation as a form of sentence exists on an England and Wales basis and is likely to do so for the foreseeable future. There is cooperation between the Irish and Northern Irish probation services, largely focused on sharing relevant information for pre-sentence reports, but also on having a single well-defined protocol for offenders who wish to move between countries.

If probation is devolved to Wales, the primary challenge may arise from offenders sentenced in England being incarcerated in Wales, and vice versa, particularly concerning protocols for release. This situation is unique among the cases presented. The Luxembourg probation service continues to supervise offenders who are sentenced in Luxembourg and live in a neighbouring country, if they also work in Luxembourg. For those living near the border, transfers may not always be necessary, allowing offenders to be supervised within the relevant jurisdiction. However, this could become more complicated when certain devolved services, such as social services or mental health services, are involved. Therefore, while it may be feasible for a Welsh probation service to supervise offenders living just across the English border and vice versa, it reinforces the need to consider formal cooperation agreements and the need to consider these less common cases at the outset.

## Long-term vision

The desire to devolve probation in Wales is partly based on the desire to change its fundamental principles and practices away from offender management and towards a desistance-based approach. Experiences from both Northern Ireland and Belgium suggest that devolution can provide the opportunity to diverge from existing practices and change the organisational culture of probation, though it also carries real and substantial risks. The establishment of the Probation Board for Northern Ireland aimed to enhance community acceptance of the probation system outside of government, while in Belgium, devolution, driven by a political imperative to transfer power to separate Flemish, French, and German-speaking communities, allowed each community the opportunity to develop its own approach. In Wales, the PDG outlines a vision that focuses on integrating traditional social work values with the social justice principles inherent in the broader Welsh public sector (Deering et al., 2023). The extent to which this vision is achievable will depend on which devolution option is selected, although all three options outlined in Part 1 allow for some progress toward this.

Insights from countries where there is a common body responsible for both prisons and probation suggest that the probation service can become subsumed by prisons due to cultural differences and the generally higher public awareness of prisons, leading to increased political attention. The Finnish case highlights a more successful attempt at unification; however, in Denmark, probation remains largely secondary to prisons, despite being part of a unified agency for an extended period. Certain forms of devolution could move away from the joint HMPPS model, allowing a distinct probation culture and identity to develop. If this or other efforts succeed in establishing a distinctive public image of probation, this could help improve public perceptions, enhance confidence from sentencers, and potentially address recruitment and retention issues.

The success of any long-term vision will depend on establishing a clear and distinct identity for the probation service in Wales, separate from the body from which it emerges. Any devolved probation service will also need to establish a positive culture that engages the trust of sentencers, communities, and staff, builds relationships with criminal justice partners, and develops constructive working arrangements with devolved services.

# Conclusion

This report summarises the organisational structure and distinctive features of probation services across Europe and discusses potential implications for the structure of a future devolved Welsh probation service.

Devolution could present an opportunity for Wales to fundamentally change the design and operation of its probation system, making it more responsive to local needs. International experience suggests that devolution is one way to achieve this, although cooperation is needed across different agencies. There are a variety of ways in which probation services are structured in Europe, each a result of the histories, cultures, and other characteristics of the countries in which they operate. A Welsh probation system must be designed to best represent the distinctive geography of Wales and the values of Welsh public services while effectively serving the needs of a various devolved and non-devolved public services and stakeholders.

Experiences from other European countries where probation has been devolved suggests that devolution provides an opportunity to establish new methods and values related to local stakeholders and communities. Given the financial austerity of the past decade, funding has been a challenge in many countries, leading several to reorganise their probation systems to reduce overheads and increase efficiency. Devolution carries the risk of increased duplication, which has implications for government spending, as highlighted by the devolution of probation in contexts like Belgium and other policy areas in the UK, such as social security in Scotland. Minimising duplication where possible could help reduce costs, although potential future costs will need to be factored into discussions about regional governance. Short-term workforce costs, due to increasing caseloads as confidence in a new probation system increases, will also need to be considered; as will any additional funding to resolve current workload pressures.

Regardless of the model chosen for a devolved probation system, interviewees emphasised the importance of international cooperation and collaboration. Wales has the opportunity to learn from the experiences and best practices of other probation systems in Europe and beyond, including those that have recently been devolved. The Confederation of European Probation promotes pan-European cooperation and mutual learning, and membership could enable Wales to benefit from these resources.



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