

ORIGINAL ARTICLE OPEN ACCESS

Courting Confidence in Probation: Unpacking Organisational Legitimacy Within the Criminal Justice System

Gwen Robinson¹  | Matthew Millings²  | Harry Annison³  | Lawrence Burke² | Nicola Carr⁴ ¹School of Law, University of Sheffield, Sheffield, UK | ²Liverpool John Moores University, Liverpool, UK | ³University of Southampton, Southampton, UK | ⁴Trinity College Dublin, Dublin, Ireland**Correspondence:** Gwen Robinson (g.j.robinson@sheffield.ac.uk)**Received:** 1 August 2025 | **Revised:** 20 November 2025 | **Accepted:** 3 February 2026**Keywords:** criminal courts | judiciary | legitimacy | probation | sentencers

ABSTRACT

In this article, we address the hitherto neglected question of how sentencers and other professional actors in the criminal courts think about the legitimacy of probation services. We deploy a framework from the organisational studies literature, which suggests three dimensions of legitimacy that organisations seek from their stakeholders: pragmatic, moral and cognitive. Drawing on empirical research conducted in England and Wales, we find a mixed picture, with the Probation Service experiencing a crisis of pragmatic legitimacy in the eyes of court actors but performing more strongly in respect of cognitive and moral legitimacy. We argue that the analysis presented in this article not only helps us to understand the opportunities and challenges for the probation service in building legitimacy vis-a-vis the courts but that it also serves as a case study that could inform future research on (inter-)organisational legitimacy in the criminal justice field.

1 | Introduction

The topic of legitimacy has come to be recognised by criminological scholars as of great theoretical and practical significance. In the context of criminal justice, the lion's share of attention has fallen on the police and prisons: in particular, the role of legitimacy perceptions in shaping the cooperation of citizens with the police and the compliance of prisoners with custodial regimes (e.g., see Tankebe and Liebling 2013; Bottoms and Tankebe 2012). In this article, we turn the spotlight in another direction. Our focus is the Probation Service and the courts and the hitherto neglected question of how sentencers and other professional actors in the criminal courts think about the legitimacy of probation services. Drawing on qualitative data collected as part of a 3-year longitudinal study of the unification of probation services, and deploying a conceptual framework derived from the work of scholars in the field of organisational studies, we

offer new insights into the nuanced dynamics of legitimacy perceptions *within* the criminal justice system. The analysis we present here not only helps us to understand the opportunities and challenges for the Probation Service in building legitimacy vis-a-vis the courts, but we suggest that it also serves as a case study that could inform future research on (inter-)organisational legitimacy in the criminal justice field.

The article begins with a brief overview of the long relationship between probation and the criminal courts and explains why the legitimacy perceptions of the courts in respect of probation are so important. We proceed to set out our conceptual framework, which, building on earlier work by one of us (Robinson 2021), centres on Suchman's (1995) tripartite model of organisational legitimacy, which has *pragmatic*, *moral* and *cognitive* dimensions. We then move on to describe the empirical research that underpins our analysis, which was part of a wider study of probation

This is an open access article under the terms of the [Creative Commons Attribution](https://creativecommons.org/licenses/by/4.0/) License, which permits use, distribution and reproduction in any medium, provided the original work is properly cited.

© 2026 The Author(s). *The Howard Journal of Crime and Justice* published by Howard League and John Wiley & Sons Ltd.

reform since 2021. The article proceeds to set out our findings, which are presented in two parts. In the first of these, we explore the contexts in which perceptions of probation's legitimacy are formed: namely, the interpersonal relationships that matter to actors in different roles, and their understandings of the wider structural aspects of probation delivery. In the second part of our findings, we consider the pragmatic, moral and cognitive dimensions of legitimacy perceptions among our sample and the complex picture this reveals. We summarise and unpack some of this complexity in our discussion and conclude with a focus on the challenges and opportunities that we think our research suggests for a Probation Service looking to enhance its legitimacy with this crucial audience within the criminal justice field.

2 | Probation, the Courts and Legitimacy

Since its inception in the late 19th century, probation work in England and Wales has included the provision of services to the criminal courts, centred on offering information about defendants between conviction and sentence to inform the courts' decisions and assessing suitability for non-custodial options (Vanstone 2004). Indeed, for decades, probation officers regarded themselves as 'servants of the court' (Worrall and Hoy 2005), and the judiciary have rightly been acknowledged as the 'commissioners' of probation work, without whom the service would be redundant (Morgan 2003). Probation and the criminal courts thus have a long history of working together to deliver justice, and the courts are a professional arena in which perceptions of probation's legitimacy are extremely important. As McCulloch and McNeill (2007) have observed, sentencers are 'the pre-eminent judges of the value of [probation] services' (231, emphasis in original). When probation services are held in high esteem by judicial actors, we might expect the latter to be more inclined to heed advice from the former and to seriously consider community-based alternatives to imprisonment in appropriate cases.

Questions about the legitimacy of probation in the court arena have never been more acute than in the last decade, during which the service has been subject to two major reform programmes. Implemented in 2014, the *Transforming Rehabilitation* reforms (Ministry of Justice 2013) enabled the contracting out of a significant proportion of probation work and instituted a two-tier probation system comprising a public National Probation Service (NPS) and 21 privately owned Community Rehabilitation Companies (CRCs). Concerns about sentencers' confidence in probation services were at the forefront of critical debate about the impact of the *Transforming Rehabilitation* reforms during the 7 years in which they remained in place. The bifurcation of probation services saw responsibility for the provision of court services (including the provision of pre-sentence reports [PSRs]) fall to the NPS, whilst responsibility for supervising the majority of community orders fell to the CRCs. The latter did not have the right to an audience in court and thus were unable to explain the details of their provision or their failure to effectively enforce community orders in relevant cases (HMIP 2018; Woolford and Salami 2019). In 2019, a report published by a criminal justice thinktank suggested that a 24% decline in the use of community sentences in the last decade had almost certainly been exacerbated by an erosion of sentencers' understanding of and confidence in probation since the implementation of the *Transforming Rehabilitation*

reforms (Centre for Justice Innovation 2019; see also National Audit Office 2019). The report also noted a 33% decline in the production of PSRs in the previous 6 years, and whilst the impact of the 2015 Leveson Review on reducing demand for PSRs was acknowledged,² it was nonetheless suggested that some of this decline could be part of 'a worrying sense' that sentencers' trust in probation services was 'fraying' (Centre for Justice Innovation 2019, iii; Leveson 2015).

Concerns about judicial confidence featured explicitly in the Government's consultation on the future of probation services, which was entitled *Strengthening Probation, Building Confidence* (Ministry of Justice 2018, 2019) and these concerns clearly played a role in the decision to reverse the ill-fated *Transforming Rehabilitation* reforms. The subsequent blueprint for a reunified, public sector Probation Service, which came into being in June 2021, included both a commitment to deliver improved sentencer confidence and the announcement of specific performance measures related to that (HMPPS 2021a, 47). In conjunction with this, HMPPS published a *Judicial Engagement Charter*, designed to 'refresh and improve arrangements that support good communication with the Judiciary, with a view to increasing understanding and confidence in probation delivery' (HMPPS 2021b, 1.2). The Charter included commitments on the part of HMPPS to convene quarterly national meetings of an HMPPS Judicial Forum, to be chaired by the Chief Probation Officer; the 'timely and transparent' provision of local performance information to the judiciary; and the production of a quarterly *Sentencer Newsletter* in each of the twelve probation regions that make up the reconstituted service.

Probation services were unified in June 2021, and since then, there has been a year-on-year increase in judicial satisfaction nationally, as measured by the annual judicial survey.³ Against a target of 70% (as a proportion of survey participants expressing satisfaction with probation services in a 12-month period), there has been an overall increase from 59.4% in 2021–2022 to 71.2% in 2023–2024 (Ministry of Justice 2024a). Meanwhile, official statistics show a 10% increase in demand for PSRs between 2022 and 2023 but a continuing decline in the use of Community Orders, both numerically and as a proportion of all sentences passed (Ministry of Justice 2024b). These different measures are all *potentially* relevant to an understanding of judicial confidence in probation, but they create a confusing and somewhat contradictory picture and tell us nothing about the factors that may be influencing judicial views and/or behaviour. Our aim in this paper is to explore these factors in more depth, and we do this with the help of a conceptual framework that we set out in the next section.

3 | Conceptual Framework

In political discourse relating to criminal justice, it has become increasingly common to encounter the notion of 'confidence' as a central problem (Robinson et al. 2026). Most often, this is presented as a problem of public (or victim) confidence (especially concerning the police); but as we have seen in the previous section, recent concerns about judicial confidence in the Probation Service suggest a wider range of actors and groups whose confidence matters to the constituent parts of the criminal justice system (Robinson et al. 2026). In academic discourse, these problems of 'confidence' are framed as issues of *external*

legitimacy—that is, the perceptions of external audiences and stakeholders in respect of the institution in focus. The extant criminological scholarship on this topic has tended to draw upon literature and concepts from the disciplines of psychology and/or political science (e.g., see Bottoms and Tankebe 2012), but in our research, we have looked to the field of organisational studies, where there is a wealth of literature on *organisational legitimacy*, which, we think, has been under-utilised in the criminal justice field. Although it derives largely from commercial contexts, scholarship on organisational legitimacy has had much to say about the strategies that organisations typically use to build, maintain and/or repair their legitimacy in the eyes of their external constituents. We have previously found this body of work to be very useful in offering tools to think about the legitimacy challenges faced by criminal justice organisations—probation services in particular—as they have navigated large-scale change (e.g., see Robinson 2021).

In this article, we draw principally on the influential work of Mark Suchman. Suchman (1995) draws a distinction between three types or dimensions of legitimacy that organisations seek. The first of these is *pragmatic legitimacy*, which rests on the self-interested or instrumental evaluations of an organisation's policies or behaviour on the part of its key audiences or constituents: In other words, it flows from judgements about whether a given activity benefits the evaluator. *Moral legitimacy* differs in that it rests on judgements about whether that activity is 'the right thing to do' or in accordance with the value systems of its constituents regarding the practical consequences of the organisation's behaviour or activities for them. Moral legitimacy, Suchman suggests, may derive from positive evaluations of four possible aspects of an organisation: its outputs/consequences ('consequential legitimacy'); its techniques/procedures ('procedural legitimacy'); its categories/structures ('structural legitimacy') or its leaders/representatives ('personal legitimacy'). A further aspect within Suchman's model—'dispositional legitimacy'—refers to the perceived 'personality' of the organisation (e.g., whether it is regarded as being honest, trustworthy, decent or wise). In Suchman's model, this aspect is presented as an element of *pragmatic legitimacy*, outlined above; but he suggests that dispositional considerations can also enter into assessments of an organization's *moral legitimacy* (1995, 579). Finally, *cognitive legitimacy* arises when an organisation achieves a 'taken-for-grantedness' that insulates it from significant scrutiny or critique.

A central tenet in Suchman's work—and in the broader literature on legitimacy—is that the management of legitimacy 'rests heavily on communication' (Suchman 1995, 586). This communicative aspect of legitimacy has also been emphasised in Bottoms and Tankebe's (2012) 'dialogic approach', which was developed in relation to criminal justice but principally concerns the relationship between power-holders and citizens (e.g., in policing and prison contexts). At the heart of their analysis is the idea that legitimacy involves a claim on the part of the power-holder and a response on the part of those over whom power is exercised. In this body of work, then, legitimacy is understood not as an objective reality but as a social construction: It is conferred (or not) by 'stakeholders who observe organizations (and other legitimacy subjects) and make legitimacy evaluations, whether consciously or not, by comparing [them] to particular criteria or standards' (Deephouse et al. 2017, 36).

Connecting his tripartite model with the active role organisations can play in the management of their legitimacy, Suchman argues that 'as one moves from the pragmatic to the moral to the cognitive, legitimacy becomes more elusive to obtain and more difficult to manipulate' (1995, 585). However, it is important to bear in mind that Suchman's work, and that which features in the organisational studies literature, typically concerns corporate entities, with clearly defined customers and situated in a competitive field. We must therefore keep an open mind when we apply these concepts in a different context: in this case, to public bodies responsible for delivering criminal justice (see also Robinson 2021).

We have previously deployed Suchman's tripartite model as a way of thinking about the general crisis of legitimacy faced by probation services in England and Wales since the implementation of the *Transforming Rehabilitation* reforms in 2014–2015 (Robinson 2021). In that account, we noted the emphasis in academic commentary on how those reforms challenged the *moral legitimacy* of what had been a public sector Probation Service by introducing private providers of probation services,⁴ and we considered the legitimisation strategies that were evident in policy documents published in the run-up to unification. Starting with the same conceptual framework, we now address the important empirical question of how one key group of external stakeholders thinks about the legitimacy of the unified service.

4 | The Research

In this article, we draw upon original empirical data collected as part of a longitudinal study of probation unification that considered this process from a range of perspectives. The project ran from January 2022 (6 months after the date of unification) to March 2025. The research centred on experiences in one probation region, which served as a case study area; but we also sought the views of a wider range of constituents, including policy makers, Probation Directors in all 12 regions and national representatives of key stakeholder groups. In total, the research team conducted 340 interviews across three annual sweeps of data collection.

The data on which we draw in this article concern a sub-sample of interviews with court stakeholders, the majority of whom were working within our case study probation region.⁵ These comprised members of the judiciary (two Crown Court judges; two District Judges and two bench chairs) and employees of HMCTS (five in senior management positions and three Crown Court clerks). We conducted 17 interviews with those in the group of regional stakeholders: the majority ($n = 13$) in 2023, plus a further four follow-up interviews in 2024.⁶ Beyond the probation region, the sub-sample included a senior representative of the Magistrates Association who was interviewed twice, in 2022 and 2024.

Permission to undertake interviews with the court stakeholders in our case study region was granted by the Judicial Office in December 2022. The sample was developed through discussions between members of the research team and a senior manager within HMCTS who identified and then approached on our behalf individuals in a range of roles we wished to include. This was a purposive sample, designed to include individuals whose

roles brought them into regular and meaningful contact with probation staff and who were working in two distinct parts of the case study region: a metropolitan area and a rural location. As far as possible, we sought participants who had significant experience working alongside probation, in their current capacity or during their career. Those who were approached were provided with an information sheet about the research and agreed to participate on a voluntary basis.

Access to the wider sample was agreed with the Magistrates Association and HMPPS National Research Committee. Ethical approval was granted by the academic institutions employing members of the research team. All participants in the research gave their informed consent and understood that we would not use identifiable information about them in our analysis or publications. Interviews were conducted by two members of the research team and were a mix of face-to-face and online interviews that were audio recorded and then professionally transcribed. Data analysis was conducted manually by the lead author, using a coding frame with both inductive and deductive codes. In what follows, we have used role titles (with numbers to differentiate between individuals with similar roles) to indicate the source of quotations, and we have not identified our case study region.

Our empirical research was conducted at a challenging time for the criminal justice system, during which existing challenges had been exacerbated by the impacts of the Covid-19 pandemic. Reporting on the state of public services in 2023, the Institute for Government noted in the criminal justice context a general failure to cope with demand. In respect of the courts, it noted large and growing backlogs in both magistrates and Crown courts, exacerbated by hearing delays arising from a lack of capacity in prisons and a shortage of legal advocates related to cuts in legal aid (see also Leveson 2025). The unified Probation Service was characterised as overstretched, with a rising rate of staff vacancies and a relatively inexperienced workforce, and declining performance according to the regular inspections of HMI Probation (Institute for Government 2023, Chapter 4; see also HMIP 2025a). Our case study probation region was typical in that, since unification, its delivery units that had been subject to inspection had received ratings of ‘inadequate’ and ‘requires improvement’. This context is important for making sense of what we heard in our interviews.

5 | The Relational and Structural Contexts for Legitimacy Perceptions

Our sample of court stakeholders was purposively designed such that the majority had significant experience of working alongside probation services, both in the case study region and, in some cases, elsewhere in the country. In the first part of our interviews, we explored with participants their interactions with probation, with a view to establishing the types and levels of engagement they each had, and whether these tended to be within or beyond the courtroom itself. We also sought to establish their knowledge and understanding of probation organisational reforms over the past decade or so.

Among the judicial sample, current contact with probation was reported at several levels: from (most commonly) everyday

interactions in magistrates and Crown courts; to informal contacts with Senior Probation Officers managing probation court teams; and (less commonly) formal liaison meetings at local or regional levels.⁷ In several interviews, participants named particular individuals from probation with whom they had regular interactions. These included long-serving court-based Probation Officers and court team managers (Senior Probation Officers) as well as heads of Probation Delivery Units.⁸ More senior probation leaders within the region were rarely mentioned by name or role, and our strong impression was of very limited interaction at this level. Members of the judicial sample thus tended to evaluate the contribution of probation on the basis of their regular observations and interactions in the courtroom and via reasonably regular communications with managers of court teams.

Our HMCTS sample comprised five senior managers and three Crown Court clerks. In common with the judicial sample, the clerks reported that their main contact with probation was inside the courtroom, but with more strategic roles, the senior managers tended to interact with higher levels of probation management, including the Regional Director, the strategic lead for courts in the probation region, and heads of Probation Delivery Units. These interactions centred on attending meetings of forums such as local Criminal Justice Boards and Judicial Liaison groups.

Moving on to participants’ awareness of and knowledge about probation reform, our interviews revealed that awareness of organisational change programmes affecting probation in the last decade was reasonably widespread, but the majority of interviewees in the judicial sample were not confident that they had a good understanding of the details or the reasons behind change. For example, responses to a question about the rationale for the *Transforming Rehabilitation* reform programme in 2014–2015 included the following:

My understanding, I’ll be honest, is rather sketchy. (Judge 1)

I’m not sure really. It was to drive efficiency by competition or something like that, or by siloing groups that they could concentrate on providing their bit of the service well. (Judge 2)

The subsequent unification of probation services was similarly not well understood. For example:

Realistically, I have no idea at all [why that happened] [...] I think it is probably something to do with budgets. In that they suddenly realised that the outsourcing team cost more to run than it did to have them insourced. (Bench Chair 2)

Maybe the whole thing got too unwieldy, and they needed to bring it back into the public sector to keep a bit more control over it all. (Crown Court Clerk 3)

We noted with interest that there were no mentions of ‘official’ communications about probation reform: Indeed, references

to 'the news', television documentaries or conversations with family members who happened to work in probation were more commonly cited as sources of information.

But whilst many of our sample had 'sketchy' understandings of the last decade of probation reform, they concurred that the (re)unification of probation services was a positive step. They also agreed—without exception—with the proposition that building confidence in probation was an important objective. For example:

Oh, my Lord. It's crucially important. The current attitude of the judges toward probation, I've never seen it so low. (Judge 1)

I think so. Was it needed by HMCTS? I would say, yes. Is it needed by the judiciary? I think they would say to you 100% yes. That would be my perception of our judicial colleagues. (Senior Manager 3)

For the majority of our interviewees, the specific drivers of a deficit of confidence in probation were not entirely clear: a legacy of 'poor performance' on the part of CRCs was referred to in several interviews, but many referred to the role of the pandemic in confusing the picture:

I mean the courts were running throughout [the pandemic] But what you could achieve by way of a community order was drastically limited by COVID. Breach proceedings pretty much disappeared because unpaid work, for example, wasn't available for large periods of that time. [And] orders going back to 2018, 2019, that then spilled into the COVID period were getting extended and, you know, work wasn't done or applications were being made to revoke orders really through lapses of time and everything else. (District Judge 2)

It's very hard to separate out what issues we've had because of COVID and what issues have arisen because of the structural changes as well and some of the different ways of working that we've now got. (Senior Manager 4)

Whilst participants roundly welcomed the unification of probation services, views were more mixed about whether unification had delivered any appreciable improvements to date, and the majority struggled to cite concrete examples of positive change. For example:

I did expect there to be an uptick. I expected to have a different relationship with probation and that it would all be stronger and more transparent. I haven't really seen evidence to back that up (District Judge 1).

What emerged in our interviews were two main areas of concern, which were very clearly tied up with evaluations of *pragmatic legitimacy* on the part of probation. These related to the 'front

end' of probation work (viz., the resourcing of court teams and the delivery of PSRs), and the 'back-end' of delivery (i.e., the implementation and enforcement of community sentences). We discuss these in the following section.

6 | Dimensions of Legitimacy: What Mattered, and To Whom?

6.1 | Pragmatic Legitimacy: Front- and Back-End Delivery

In Suchman's framework, *pragmatic legitimacy* rests on the self-interested or instrumental evaluations of an organisation's policies or behaviour on the part of its key audiences or constituents. In other words, it flows from judgements about whether a given activity benefits the evaluator. It was no surprise to us that evaluations of probation on the part of our interviewees were weighted heavily towards their perceived contribution to the efficiency of court processes: that is, 'getting through the list and moving the case along' (Mack and Roach Anleu 2007, 344). This priority was particularly acute given the backlog of criminal cases generated by the pandemic, which was a major preoccupation for interviewees (Criminal Justice Joint Inspection 2022; Leveson 2025). Concerns were expressed about the adequacy of probation's presence in the courtroom and their ability to elicit timely presentence information, but here we found a stark difference between the metropolitan and rural locations: whilst problems in the former were acute, in the rural location (which had fewer, much smaller courts), participants were not experiencing the same issues. The quotes below relate to the metropolitan area:

In an ideal world, you'd have a probation officer in every court. But at the moment, we don't have that. (Bench Chair 1)

We are not getting the service we would like to have. It is not exactly a gold standard at the moment. My understanding is that is principally because of the lack of probation officers really. The current frustration for us is delays in pre-sentence reports, and I know, [it's] because there just aren't enough probation officers to go around to write them [and] it is contributing to the challenges of working through a backlog. (Judge 2)

You ask for a stand down report. And we used to get a dozen a day. You are lucky to get one or two at the moment. (Senior Manager 1)

Delays in the delivery of PSRs that interviewees mentioned ranged from consistently missing targets for on-the-day reports in Magistrates' courts to requests for lengthy adjournments of 4 weeks or more for standard delivery PSRs in the Crown Court, to the problem of nil reports. These various types of delay were a source of concern across the board, and they were roundly understood as a consequence of under-resourced probation teams. However, two of our HMCTS senior managers wondered whether probation's reluctance to produce on-the-day reports could also be a 'hangover' from practice during the

pandemic, when on-site, face-to-face interviews with defendants had not been possible, and telephone contact became the norm (HMPPS 2020; HMIP 2020).

HMCTS interviewees also noted the impact of recent changes in probation policy relating to new mandatory safeguarding procedures prior to making recommendations for community orders with curfew requirements (HMPPS 2022). The requirement to elicit safeguarding information from other agencies in cases where a curfew is being considered had meant an inevitable reduction in speed:

There does seem to be a lot of bureaucracy around what the Probation Service do and I think most of that comes from [being] risk averse on their side of things. It's not always a pragmatic or practical approach that can sometimes be needed; it can be quite black and white rather than working in the grey area sometimes. (Senior Manager 4)

We are about to relaunch *Transforming Summary Justice* again and say: 'Get them in. Deal with them. Don't adjourn cases. One touch only'. Which is counterintuitive to some of the stuff that is going on within the Probation Service, which is actually; 'No, we have actually got to take longer. We have got to be more careful because we need to get [the assessment] right'. (Senior Manager 1)

Here, we see an explicit acknowledgement of tension between the priority of speedy justice (on the part of HMCTS in particular) and the more cautious stance of probation, which was a source of frustration as far as being able to meet 'efficiency' targets (Robinson 2017, 2022). As one HMCTS participant remarked, 'timeliness is kind of my key measure' (Senior Manager 3).

A further issue relating to probation's presence in the courtroom, raised by the Crown Court clerks we interviewed, was the deployment of some less experienced staff on court duty:

The probation officer in court used to be more confident at just standing up and addressing the judge, or intervening, sometimes, if they thought it was going... Whereas now, they tend, maybe, not to do that so much [...] It's probably a structural thing, I imagine, of how they now put in the staff that we have in court now, who do try their best and do a good job, but they don't seem to have the same experience as the others used to have. (Crown Court Clerk 3)

Alongside these concerns about probation's courtroom presence and delivery of pre-sentence information, several participants raised issues about the implementation of community sentences ordered by the court. In this context, timely commencement and (where necessary) enforcement were the primary issues. The judicial sample, in particular, were keen to emphasise the importance of their having confidence in the implementation of

community sentences, particularly when considering cases at the custody threshold:

We don't want to send people to prison. But you only want to do that as a judge if you have confidence that the sanction will mean something, will have some real benefit to the person, and that the requirements you set will be put in place. (Judge 2)

There usually is an alternative to sending someone to prison [so say] I'm looking at a domestic violence programme, for sake of argument. And you can add quite intensive requirements. And for me, it's crucial that if you're going down that route, it's going to deliver what you think it's going to deliver. Probation can't account for how a defendant's going to deal with the order. But what they can do is deliver what the court expects them to deliver (District Judge 2).

The majority of HMCTS participants, and a minority of judicial participants, commented that they had observed some improvements since unification: for example, because court-based probation staff were now working for the same organisation as colleagues managing court orders in the community, lines of communication had improved, and they were better able to inform the court about offenders' progress. There were also some references to better availability of offending behaviour programmes and more timely breach proceedings.

However, we also heard of some operational problems that were perceived to have persisted beyond both the pandemic and the unification process. Senior Manager 5 told us, 'I haven't noticed any improvements [but] I think it will be a long time before any real improvements can be measured from unification, because I think things were in such a state'. They went on to describe a worrying continuation of applications to extend unpaid work requirements, which could not be attributable to the cessation of unpaid work during the pandemic: 'Very often I will see a second application to extend, which really begs the question, what is going on?'. Applications for extensions would suggest that orders are not starting promptly or that they are not being delivered to a timely schedule. Senior Manager 1 similarly remarked, 'When you say to somebody, "Go and do this order", the magistrates assume that they are going to do it very quickly'.

6.2 | Moral Legitimacy: Outputs, Procedures, Personnel and Personality

In Suchman's framework, moral legitimacy differs from pragmatic legitimacy in that it rests on judgements about whether an activity is 'the right thing to do': it has a prosocial logic rather than resting on the self-interest of the evaluator. A related aspect within Suchman's model is 'dispositional legitimacy', which refers to the perceived 'personality' of the organisation: that is, whether it is regarded as being honest, trustworthy, decent or wise. In our research, we found a range of moral themes relating to probation's outputs, procedures, people, and 'personality'. We address each of these below in turn.

In the context of probation work in courts, we can understand its primary ‘outputs’ as PSRs. Indeed, to the extent that there is prior work on judicial evaluations of probation work, this has focused on the quality of PSRs produced by probation (e.g., Gelsthorpe and Raynor 1995; see also Robinson and Wolcke 2025). We have already discussed participants’ frustrations with delays in their production; but it was notable that when the quality of reports was mentioned, this tended to be in very positive terms. For example:

Certainly some of the reports I’ve been reading are very impressive. Very well written reports, very informative, and they give you the full picture. (Bench Chair 1)

I think the quality of our reports, when we get them, are outstanding. I have no concerns about the quality of reports. (Judge 2)

A less positive perspective was, however, provided by one member of our judicial sample. They commented that ‘a lot of the reports are very formulaic [...] and almost never concentrate on the victim’ (District Judge 1). A related concern for this participant was around the procedural aspect of report preparation, which they understood to be far too reliant on telephone contact. This concern about procedural legitimacy extended to the supervision of people on community orders: examples of telephone contact and frequent changes of supervising officer during a period subject to probation supervision were cited with disapproval. Another judicial participant agreed that, since the end of the pandemic, telephone contact should have been phased out:

That’s not what we want. We want face-to-face contact so that [offenders] are part of a purposeful project or purposeful activity. (Bench Chair 1)

Scepticism was also expressed by one HMCTS participant about the option for offenders to complete up to 30% of unpaid work hours via online activities.⁹ This, again, was perceived to be an unwanted hangover from the pandemic, when the implementation of unpaid work hours became extremely challenging (HMPPS 2020; HMIP 2020).

Turning to perceptions of probation personnel, we found that, regardless of whether their interactions were predominantly with frontline probation staff or with middle- or senior management grades, interviewees reported high levels of positive regard. Overwhelmingly, participants reported that their working relationships were ‘good’ or ‘excellent’:

When it comes to the probation officers in the building, and the senior probation officers here and the probation officers who attend the [probation liaison] committee meeting, we have extremely positive relationships. (Judge 1)

So the relationships are very strong at every level, I would say, but certainly at my level. We get on very well with them, can have an open and frank conversation

and share information, and that is what we tend to do. (HMCTS SM1)

In several instances, individuals were singled out for positive comments. For example:

I don’t know whether you’ve heard of [name of SPO]? I think she is an outstanding local probation manager, about to retire disappointingly. But she would take a bullet for us, frankly, I think. (Judge 2)

There are many truly wonderful probation officers. I work with a couple in particular when I’m in [court-house], who do go absolutely the extra mile, try really hard. (District Judge 1)

Comments such as these suggest high levels of *personal legitimacy* (Suchman 1995). But this positive regard was also found to go deeper, into the realm of what Suchman refers to as ‘dispositional legitimacy’: that is, the ‘personality’ of probation was widely referred to in positive terms. When interviewees talked about ‘probation’ in the abstract, they used adjectives that included ‘professional’, ‘dedicated’, ‘hardworking’, ‘independent’, ‘honest’ and ‘trustworthy’. In a small number of interviews, participants reflected on the ‘aberration’ of the *Transforming Rehabilitation* period, when the private sector had been involved in delivering probation services (2015–2021). For example:

Speaking for myself—I can’t speak for the judges—the concern was around the private aspect. [Were] they really going to be honest with us around, has this person met the criteria that we think is appropriate to deliver justice? That lack of trust in the private sector to deliver something that had been delivered for so long as a public service [...] They’re not necessarily working to the same ethos as you. (Senior Manager 3)

As this quotation suggests, those who commented on the moral integrity of private companies in the realm of justice tended to also express positive views about the return of the previously outsourced parts of probation to the public sector.

In general terms, then, probation was characterised as a trustworthy organisation, driven by public service values; and this positive regard tended to be mirrored in perceptions of individual probation practitioners and managers that our participants interacted with regularly. However, we found among the judicial sample a more cautious stance in respect of probation personnel with whom they had only rare contact: namely, senior managers within the probation region, whose roles were more remote from the everyday operation of the courts. For example, Judge 1, who had a liaison role in their court centre and was thus a conduit for complaints from fellow judges, described a feeling of ‘disconnection’ with these more senior figures:

With people outside the [courtroom], like with senior people that we’ve ever encountered, have been extremely friendly and courteous, but I will say that

they have a different... because we're at the coalface, we don't always understand their issues, their more strategic viewpoint. Perhaps the opposite is true as well. So, I'm not quite sure whether we ever really make a proper connection with them, to be perfectly blunt. They will tend to, and this is not intended to be a criticism, but they use high-level management speak that I don't think I fully understand. We often come out of meetings sensing, 'Well, I'm not quite sure whether we really felt heard there or really understood what they were saying about the way forward here'. They speak in a very high order of generality. That's my sense of it, when I've come out of meetings with them. (Judge 1)

Later in the interview:

I'd like to see more senior managers come and talk to us. I'd like to see them demonstrate, firstly, that they understand the pressures and challenges we're undergoing and, secondly, to come and tell us what's happening to resolve it. [Myself and] all the other judges would love that. (Judge 1)

In these extracts, we see some seeds of mistrust, which are quite clearly connected with the above discussion of pragmatic legitimacy. This judge was not alone in describing concerns about being 'fobbed off' by probation managers. For example:

I go [to meetings of the Judicial Leadership Group] every three months and we've invited probation. I feel we're raising [our concerns] but I don't actually feel we're being listened to. I feel that probation are very defensive about what's happening. They say, 'Well it was COVID'. 'We've got staffing issues'. At Christmas, it was, 'Christmas'. At half term, it was 'half term'. We get 'Oh, we've got 20 people off. We've got this many on holiday'. But that doesn't answer anything. That doesn't solve anything [...] they've got themselves into this rut and I don't think they know how to get out of it. (District Judge 1)

I've no doubt that [the pandemic] has not helped probation in any way. But unfortunately I think that's now become a bit of a smokescreen for things. I think, well hang on a minute: the world has still been spinning since the various lockdowns finished (Senior Manager 5).

6.3 | Cognitive Legitimacy: 'Part of the Furniture'

In Suchman's framework, cognitive legitimacy refers to a state of 'taken-for-grantedness' that insulates an organisation from significant scrutiny or critique. His work suggests that this is the most difficult 'type' of legitimacy to obtain. However, Suchman was not working in the field of criminal justice nor in the domain

of public services. We should therefore be open to a different finding in the context of this particular research; and, indeed, this was the case.

Participants in our study typically referred to probation as an 'integral' part of the criminal justice system and 'part of the furniture' that they clearly perceived as a permanent fixture. For example,

In a sense [probation] is a constant. They are always there. They are always, like all of us, trying to deliver their service [...] They are a constant piece of the jigsaw throughout everything we have always done as a court. (Senior Manager 1)

This sense of probation as a taken-for-granted 'constant' in the field was expressed by the Magistrates Association representative in a particularly interesting way:

[Probation are] an integral part of what we do in court [...] we can't choose to opt out of that relationship. They're not vying for business against anybody else. It's *the* relationship. (MA, emphasis in original)

This quotation powerfully expresses the notion that courts are engaged in a relationship with probation that is perceived as essential but also non-negotiable. As a result, participants tended to convey a sense that there was no option but to 'wait it out' through a challenging period. For example:

[Probation is] under a significant amount of pressure and I think the judges know that as well. As much as they get frustrated, they've just got to persevere with it, haven't they, for the time being, that hopefully things will get better in the future? (Crown Court Clerk 1)

This element of resignation appeared in a handful of our interviews, but we also found a very high degree of empathy with probation's plight. This was particularly the case among the senior managers, some of whom identified very closely with their counterparts in probation and who conveyed a good understanding of contemporary problems in the recruitment and retention of staff in the context of frequent organisational change. For example:

We are all fishing in the same pool, to some extent. Yeah, we are all in the same boat of just trying to keep going with dynamic change across the board [...] We are all the same. You take in 20 people. They don't actually deliver anything to the organisation for three, six, nine months, depending on what you are training them to do. Yeah, we all appreciate they are in the same boat, which is why in the end we are very accommodating. (Senior Manager 1)

Ultimately, the cognitive legitimacy enjoyed by probation seemed to be about more than a long history and lack of viable alternatives. To a large extent, it rested on an enduring commitment to, and trust in, probation's 'good character' (i.e., its dispositional

legitimacy), and to working in partnership to resolve issues relating to the delivery of justice. As one participant put it, 'We're all in this together' (Senior Manager 4).

7 | Discussion

In this article, we have sought to understand the ways in which court actors think about and evaluate the legitimacy of probation services. We have done so at a particularly challenging time: not only for probation but for the courts and the criminal justice system as a whole (Leveson 2025). Our research was conducted in the wake of a sequence of major structural changes (including a phase of partial privatisation) affecting the Probation Service, as well as the COVID-19 pandemic that had more far-reaching impacts. In our analysis, we have deployed Suchman's tripartite model of organisational legitimacy, which, to the best of our knowledge, has not been utilised in empirical research in criminal justice to date. This model has proven to be very useful in helping us make sense of some quite complex data, from two related but distinct groups of court actors. Although our sample is quite small, and is restricted to one probation region and one HMCTS area, we think this research, and the framework we have deployed, sheds new light on the important question of how court actors consider the legitimacy of probation. We think that it could provide a starting point for further (and potentially larger scale) research in this particular field but that it could also inspire research on (inter-)organisational legitimacy in other parts of the criminal justice system.

Our headline finding is that, two years on from unification, probation was experiencing a crisis of pragmatic legitimacy in the eyes of court actors. There are two aspects to this, concerning what some of our interviewees characterised as 'front-end' services and 'back-end' delivery. At the front end, court actors were experiencing the effects of significant staffing shortages in probation, which meant a reduced presence in court, some less experienced court duty staff, and ongoing delays in delivering PSRs to assist with sentencing decisions. At the back end, when community sentences were being ordered, confidence in their timely delivery and robust enforcement was not high. We also found some concerns about moral legitimacy, particularly as it related to the procedural aspects of probation service delivery (e.g., the use of telephone contact and perceptions of frequent changes of supervising officer). However, these concerns were less pronounced, both when compared with perceptions of pragmatic legitimacy and when compared with the pre-unification period, when the involvement of private companies in the delivery of probation services prompted some significant moral concerns. We further found that probation enjoyed high levels of dispositional legitimacy: that is, there was an enduring perception of probation as being of 'good character'. Finally, we found that probation enjoyed a high degree of cognitive legitimacy: that is, a 'taken-for-grantedness' based on a long history of cooperative endeavour, a shared commitment to public service values and a perception that the court/probation relationship was both inevitable and involuntary rather like an arranged marriage: something to stand by, for better or worse.

In his theoretical discussion of the potential interactions between 'types' of organisational legitimacy, Suchman suggested that, in times of adversity, dispositional legitimacy could potentially

insulate organisations from serious reputational damage, essentially 'dampening' the delegitimising effects of 'isolated failures, miscues or reversals' (1995, 579). Again, it is worth remembering that Suchman's framework was developed within a corporate field, such that we should be alert to important structural and relational differences when we export it to a different context. Nonetheless, his argument does seem to pertain in the current context: probation's positive dispositional legitimacy did seem to function as a protective factor in the face of other (pragmatic and moral) legitimacy challenges. This is an important finding, we think, and one that prompts some key questions. For example, just how durable is probation's dispositional legitimacy? To what extent does (or will) it pertain with court actors who are newer to the field than those in our sample? And what might be done to preserve probation's positive disposition, in a context where pragmatic legitimacy in particular continues to pose challenges, and in which the more experienced staff who have earned the trust of court actors over many years are being lost?

A finding that we did not anticipate, and which does not fit neatly into Suchman's framework, was a strong sense of empathy with probation on the part of court actors: particularly the HMCTS senior managers. This finding was somewhat surprising, given the significant pragmatic issues our participants were experiencing. These issues were very clearly preventing court actors meeting their own targets, such as the timely administration of justice, and were the cause of significant frustration. Evidence of empathy among court actors could be an indication of their own experiences of top-down reforms, relentless pressures to perform in line with centrally determined targets and perceived challenges to their own legitimacy. These are experiences that are likely shared by criminal justice practitioners and managers throughout the whole system. So too are the particular structural and personal after-effects of the pandemic, which have included (among other things) shrinking pools of people wishing to work in highly pressured but relatively low-paid positions. As the recent Leveson review of the criminal courts attests, criminal justice *as a whole* is 'in crisis', 'many aspects of the overall system are under scrutiny', and each part of the system is under pressure to change if the current crisis is to be averted (Leveson 2025, 4, 9, 35). It seems reasonable to suggest that there may be a collective sense of vulnerability within the criminal justice system at the present time, and we can hypothesise that this—alongside high levels of dispositional legitimacy—is serving as an additional protective factor for probation as far as legitimacy perceptions are concerned at the present time.

Another finding that we did not anticipate, but which we think is important, concerns the different extents to which the judicial and non-judicial actors in our sample were informed about and understood the recent history of probation reform and any work that probation (and HMPPS more broadly) might be doing to improve performance. That the judicial participants were far less well informed than the HMCTS managers in our sample was related to their different regular interactions with probation personnel: whilst the judicial participants mostly dealt directly with members of probation court teams in 'frontstage' roles on site, the senior managers in our sample were interacting with more senior probation representatives in 'backstage' roles. Although all our participants described excellent relationships with the probation staff they interacted with regularly, the judicial participants

were experiencing considerable frustrations around access to information to help them make sense of ongoing issues. When opportunities had arisen to meet with more senior probation managers, these individuals were perceived as somewhat remote, sometimes defensive and even obfuscating. Although we need once again to note that our sample was small, this is a concerning finding, which suggests a basic failure of communication between probation and the judicial actors whose everyday decisions are so crucial to the service. It may also suggest a misplaced assumption on the part of probation leaders about levels of knowledge and understanding about probation within the judiciary.

In this article, we have not examined the Probation Service perspective on its relationship with the courts, nor any attempts on the part of the service to (re-)build its legitimacy since unification, either in our case study region or more widely (though see Robinson 2021). However, we noted earlier the publication of a *Judicial Engagement Charter* as part of HMPPS's commitment to improving sentencers' understanding of and confidence in probation when the service was unified (HMPPS 2021b). This development suggests a good understanding of the importance of the communicative aspect of legitimacy emphasised by Suchman, Bottoms and Tankebe, and others; but our research suggests that the *Charter* has had a limited impact, especially from the perspective of our judicial participants. In the course of our interviews, only one participant in our judicial sample—a Bench Chair—referred to receiving the quarterly *Sentencer Newsletter* that has been produced by probation regions as part of their responsibilities under the *Charter* since unification.

Despite the best intentions, then, it did not appear that the *Charter* was having the desired effect of enhancing communication or understanding. This suggests that too much reliance has been placed on the effectiveness of written communications, or on other parties (such as HMCTS managers) to act as conduits of information to the judiciary. Communications between senior managers in probation and in HMCTS were certainly more open and effective; but our judicial participants felt shut out and excluded. They expressed significant frustrations around making sense of probation's extant problems, understanding what positive steps might be being taken to remedy those problems, or how they might be able to contribute to problem-solving; something several said they were keen to do. Ultimately, they lacked the transparency and the reassurance that they craved.¹⁰ Several of our judicial participants lamented the fact that it had been many years since they had been offered any opportunity to observe probation in action, for example, spending time with probationers performing community service or taking part in other groupwork activities. As one participant put it, 'We are part of the process, and yet we are kept very much at arm's length' (District Judge 1). We would urge probation to capitalise on this evident appetite on the part of the judiciary to learn more, to better understand and to participate in solution-focused work together. Taking this challenge seriously will, we think, be an effective way to enhance all three dimensions of the service's legitimacy in the eyes of the courts.

8 | Conclusion

At the start of this article, we referred to the mixed picture of 'judicial confidence' in probation that emerges when we review

the available 'official', quantitative measures, such as the judicial survey, demand for PSRs and the use of community sentences. Our research has revealed that when we take a qualitative approach, a great deal of nuance emerges in respect of how court actors think about the legitimacy of probation services. This nuance, we think, is likely to be evident in other inter-organisational contexts in criminal justice. Using Suchman's tripartite framework has helped us to understand: first, that there are several dimensions that come into play when the legitimacy of probation services is considered; second, that these dimensions (pragmatic, moral and cognitive) may point in different directions; and third, that there are important differences between the perspectives of judicial and non-judicial actors in the court arena, which have not previously been exposed.

Thus, we have demonstrated the utility of the framework offered by Suchman, but we have also pointed to some of the ways in which it is refracted when taken outside the commercial context in which it was developed. For example, Suchman's observation about the elusiveness of cognitive legitimacy does not seem to pertain in the context of public (including criminal justice) services like probation: a long history and established relationships in a wider organisational field endow them with a 'taken-for-grantedness' that is clearly much harder to obtain in commercial contexts. Relatedly, we have revealed the particularly important role of dispositional legitimacy to probation vis-a-vis the courts: here, positive perceptions of 'organisational personality', developed via regular and ongoing interactions over significant periods of time, have been shown to insulate the service from the delegitimising effects of more pragmatic failures. Whether this particular dynamic holds for other parts of the criminal justice system (such as the police) is an empirical question. We conclude with the hope that the research presented here may inspire future research on inter-organisational legitimacy in the criminal justice field.

Acknowledgements

The authors would like to thank all the participants in our research for their time and willingness to share their experiences with us. We would also like to thank Kathryn Hollingsworth for her helpful feedback on an earlier draft of this article.

Funding

This work was supported by the Economic and Social Research Council [Grant Number ES/W001101/1].

Conflicts of Interest

The authors declare no conflicts of interest.

Endnotes

- ¹Except for individuals assessed as posing a high risk to the public.
- ²In his *Review of Efficiency in Criminal Proceedings*, Sir Brian Leveson suggested that 'greater use can and should be made of the discretion to dispense with reports' and further encouraged the re-use of recent reports, accompanied by an oral update where necessary (2015, 43).
- ³The measure is an aggregate of responses to four questions that focus on judicial satisfaction/confidence in probation court delivery, sentence management, enforcement and communication (personal communication—HMPPS central courts team, January 2023).

- ⁴For an earlier analysis of the moral (and other) implications of the ‘commodification’ of probation services within the public sector, see McCulloch and McNeill (2007).
- ⁵Note that there are 12 probation regions across England and Wales and seven HMCTS regions. Our case study probation region has a smaller footprint than the corresponding HMCTS region.
- ⁶Follow-up interviews were conducted with two senior managers within HMCTS and two Crown Court Judges. In this article, we primarily draw upon the first round of interviews, which took place in 2023.
- ⁷For example, the sample included a Probation Liaison Judge; a District Judge who was a member of a Judicial Leadership Group; and a Bench Chair who attended meetings of a Judicial Delivery Group.
- ⁸There are 108 Probation Delivery Units across the 12 regions which make up the unified Probation Service in England and Wales. Each region has between five and 12 PDUs.
- ⁹At the time of writing, up to 30% of an individual’s requirement can be completed by undertaking education, training and employment (ETE) activities, through practical courses or online learning. The use of online learning for UPW was introduced during the Covid-19 pandemic and continued to be a part of UPW delivery (HMIP 2025b, 9).
- ¹⁰Since the research was completed, the Magistrates’ Association’s (2025) response to the Independent Sentencing Review expresses these same frustrations around transparency, a lack of feedback loops and data pertaining to the effectiveness of community sentences.

References

- Magistrates’ Association. 2025. “Response to Independent Sentencing Review.” Magistrates’ Association. Accessed May 29. <https://www.magistrates-association.org.uk/wp-content/uploads/2025/01/MA-cr-independent-sentencing-review-2025.pdf>.
- Bottoms, A., and J. Tankebe. 2012. “Beyond Procedural Justice: A Dialogic Approach to Legitimacy in Criminal Justice.” *Journal of Criminal Law and Criminology* 102, no. 1: 119–170.
- Deephouse, D. L., J. Bundy, L. Plunkett Tost, and M. Suchman. 2017. “Organizational Legitimacy: Six Key Questions.” In *The SAGE Handbook of Organizational Institutionalism*, edited by R. Greenwood, C. Oliver, T. B. Lawrence, and R. E. Meyer SAGE Publications.
- Gelsthorpe, L., and P. Raynor. 1995. “Quality and Effectiveness in Probation Officers’ Reports to Sentencers.” *British Journal of Criminology* 35, no. 2: 188–200.
- HMIP 2018. *Enforcement and Recall*. HMIP.
- HMIP 2020. *A Thematic Review of the Exceptional Delivery Model Arrangements in Probation Services in Response to the COVID-19 Pandemic*. HMIP.
- HMIP 2025a. *2024 Annual Report: Inspection of Probation Services*. HMIP.
- HMIP 2025b. *A Thematic Inspection of the Delivery of Unpaid Work*. HMIP.
- HMPPS 2020. “COVID-19: Probation Roadmap to Recovery.” HMPPS. Accessed May 14, 2025. <https://www.gov.uk/government/publications/covid-19-probation-roadmap-to-recovery>.
- HMPPS 2021a. *Target Operating Model for Probation Services in England and Wales*. HMPPS.
- HMPPS. 2021b. *HMPPS Judicial Engagement Charter, (March 2021)*. HMPPS.
- HMPPS. 2022. “A Response to the HMI Probation Inspection: A Thematic Inspection on the USE of electronic Monitoring as a Tool for the Probation Service in Reducing Reoffending and Managing Risk. HMPPS. Accessed April 10, 2025. <https://www.gov.uk/government/publications/thematic-inspection-report-on-electronic-monitoring>.
- Centre for Justice Innovation. 2019. *Renewing Trust: How Can We Improve the Relationship Between Probation and the Courts*. CJI.
- Criminal Justice Joint Inspection. 2022. *The Impact of the Covid-19 Pandemic on the Criminal Justice System—A Progress Report*. Criminal Justice Joint Inspection. <http://cjjj.justiceinspectors.gov.uk/inspection-report/the-impact-of-the-covid-19-pandemic-on-the-criminal-justice-system-a-progress-report/>.
- Institute for Government 2023. *Fixing Public Services: Priorities for the New Labour Government*. IFG.
- Ministry of Justice. 2024a. *Community Performance Annual Statistics: Update to March 2024*. Ministry of Justice and HM Prison and Probation Service. <https://www.gov.uk/government/statistics/community-performance-annual-update-to-march-2024>.
- Ministry of Justice. 2024b. *Offender Management Statistics Quarterly: October to December 2023*. Ministry of Justice and HM Prison and Probation Service. <https://www.gov.uk/government/statistics/offender-management-statistics-quarterly-october-to-december-2023>.
- Leveson, B. 2015. *Review of Efficiency in Criminal Proceedings*. Judiciary of England and Wales.
- Leveson, B. 2025. *Independent Review of the Criminal Courts: Part 1; Ministry of Justice*. Judiciary of England and Wales. <https://www.gov.uk/government/publications/independent-review-of-the-criminal-courts-part-1>.
- Mack, K., and S. R. Anleu. 2007. “Getting Through the List: Judgecraft and Legitimacy in the Lower Courts.” *Social and Legal Studies* 16, no. 3: 341–361.
- McCulloch, T., and F. McNeill. 2007. “Consumer Society, Commodification and Offender Management.” *Criminology and Criminal Justice* 7, no. 3: 223–242.
- Ministry of Justice 2013. “*Transforming Rehabilitation: A Strategy for Reform*.” CM8619. Ministry of Justice.
- Ministry of Justice 2018. *Strengthening Probation, Building Confidence*. Ministry of Justice.
- Ministry of Justice 2019. *Strengthening Probation, Building Confidence: Response to Consultation*. Ministry of Justice.
- Morgan, R. 2003. “Thinking About the Demand for Probation Services.” *Probation Journal* 50, no. 1: 7–19.
- National Audit Office 2019. *Transforming Rehabilitation: Progress Review*. National Audit Office.
- Robinson, G. 2017. “Stand-down and deliver: Pre-sentence reports, quality and the new culture of speed.” *Probation Journal* 64, no. 4: 337–353.
- Robinson, G. 2021. “Rehabilitating probation: Strategies for re-legitimation after policy failure.” *Howard Journal of Crime and Justice* 60, no. 2: 151–166.
- Robinson, G. 2022. “Probation work in the juridical field: A dance to the music of time.” In *Time and Punishment*, edited by N. Carr and G. Robinson. Palgrave Macmillan.
- Robinson, G., and A. Wolcke. 2025. Pre-Sentence Reports: A review of policy, practice and research. Sentencing Academy.
- Robinson, G., H. Annison, L. Burke, N. Carr, M. Millings, and E. SurrIDGE. 2026. “Whose confidence? Regional leaders’ perspectives on building confidence in a reconfigured probation service.” *Criminology and Criminal Justice* 26, no. 1: 288–307.
- Suchman, M. 1995. “Managing Legitimacy: Strategic and Institutional Approaches.” *Academy of Management Review* 20, no. 3: 571–610.
- J. Tankebe, and A. Liebling, eds. 2013. *Legitimacy and Criminal Justice*. Oxford University Press.
- Vanstone, M. 2004. *Supervising Offenders in the Community*. Ashgate.
- Woolford, R., and P. Salami. 2019. “The Right to an Audience at Court: Realities, Risks and Challenges.” *Probation Journal* 66, no. 3: 303–317.
- Worrall, A., and C. Hoy. 2005. *Punishment in the Community: Managing Offenders, Making Choices*. Willan Publishing.