



The Impact of COVID-19 on the Justice Voluntary Sector

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Executive summary

This report presents findings from two research projects exploring the impact of the COVID-19 pandemic on third sector justice organisations and workers in Scotland. This work has been funded by the Criminal Justice Voluntary Sector Forum in partnership with Community Justice Scotland, and the Scottish Funding Council COVID-19 Response Scheme. Qualitative individual semi-structured interviews and a group interview explored the impacts of the pandemic on third sector justice organisations, the added value of the sector during the pandemic, efficiencies and good practice that should continue, and key challenges facing the sector.

Key findings

- The sector has adapted to the pandemic with agility and flexibility, continuing to support their service users despite increasing demand and increasing complexity of service users' vulnerabilities. They have additionally filled gaps due to statutory organisations in particular failing to adapt or being unable to keep up with demand.
- Face-to-face working is essential for building and maintaining relationships that underpin effective service provision, as well as reducing isolation, and it is imperative that this be retained.
- Despite difficulties of working remotely, there have been notable positives and good practice that organisations are keen to share and retain.
- Organisations are still reactive rather than being able to develop preventative approaches facilitating early intervention. This was the case prior to the pandemic but has been exacerbated by the events of the last two years.
- The justice voluntary sector faces a staffing crisis resulting from the loss of experienced and dedicated staff, as well as far fewer applicants to vacant posts.
- As is well documented, the precarious funding and short-term funding cycles pose significant challenges to sustainability of the sector in terms of service provision and staffing.
- Though the pandemic has for some facilitated the development of valuable partnerships, third sector organisations are still largely excluded from discussions and decisions impacting them. Their value needs to be more clearly recognised outside of the sector. Local authorities need to genuinely partner with the justice voluntary sector to ensure that the needs of their local populations are met.

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1. Introduction

On 23rd March 2020, the United Kingdom went into a national lockdown in response to the COVID-19 pandemic. Non-essential workers were told to work from home, forcing organisations to find alternative ways to conduct their business. This posed significant challenges to Third Sector Organisations (TSOs) who needed to make rapid changes to service delivery models whilst facing increased demand for services, and in many cases demand for additional services and support. In order to capture learning from this pivotal time and as the COVID-19 pandemic has unfolded, the Criminal Justice Voluntary Sector Forum and Community Justice Scotland mobilised to embark on a 2-phase research project comprising of a thematic literature review and a qualitative interview-based study. One of the key recommendations from the literature review is that work be undertaken to identify the needs of TSOs across a range of justice services, to better understand the challenges being faced in different areas and identify what is needed for recovery and sustainability. This paper reports on findings from the Phase 2 qualitative interview project, which sought to address this gap. Development of this project was shaped by a consultation meeting with CJVSF and member organisations which identified the following aims:

1. To explore the achievements and impact of the justice voluntary sector in Scotland during the COVID-19 pandemic.
2. To identify how changes in working and enhancement of service delivery were facilitated across the period of the COVID-19 pandemic.
3. To capture key learning and good practice from this time, for continuation and dissemination across organisations.
4. To identify the immediate barriers and ongoing challenges facing the justice voluntary sector and their implications for future policy and practice.
5. To explore the implications of the pandemic for sustainability of third sector justice services in areas such as staff wellbeing, recruitment and retention, and financial investment.

2. Background

To provide the backdrop for the current project, it is relevant to briefly reflect on the role of the justice voluntary sector prior to and during the COVID-19 pandemic. TSOs have a long history of

complementing work done by statutory agencies in criminal justice, with this role becoming more significant over time. To this end, it has been proposed that TSOs no longer sit outside the criminal justice system and have instead become increasingly integral to its functioning (Hucklesby & Corcoran, 2016). This increased embedding of the Third Sector within criminal justice may in part be a recognition of its strengths, representing communitarian aspirations with the potential to enhance the role of the sector and create esteem for TSOs. Yet developments in this area must also be understood in their wider context. Corcoran (2009; 2012) describes policy developments in the area as reflective of a neo-liberal approach which sees the increasing marketisation of the voluntary sector. Similarly, it has been noted that the absorption of the voluntary sector into the criminal justice system could result in a 'penal drift', whereby TSOs adopt the ethos of criminal justice, posing a threat to the core values and distinctiveness of the sector (Maguire et al., 2019). In this sense, the justice voluntary sector was already facing a number of economic and political challenges before the pandemic began. During the pandemic, numerous impacts have been identified across the justice system:

“The spread of COVID 19 has also impacted across the whole of the justice system obstructing many citizens from asserting their rights in the courts, and has placed considerable additional demands on the police service, prisons and on criminal justice social work.” (Scottish Government, 2021a, p. 24)

Within this context, where statutory organisations were unable to operate as they usually would, the justice voluntary sector became crucial in the response to the pandemic and its impact on service users and communities. A recent literature review (Community Justice Scotland and the Criminal Justice Voluntary Sector Forum, 2021) serving as Phase 1 of this project identified impacts of the pandemic on the sector, fitting into five key themes: the strain on service delivery due to increased demand with the same or lesser resource, concerns around funding and financial sustainability, mental wellbeing of staff from a combination of increased work pressure, concerns about job stability and direct impacts of the pandemic, and finally improved/increased partnership working which has been recognised as a positive impact.

In addition to these sector level considerations, it is also important to acknowledge the nature and challenges of criminal justice voluntary sector work, and how this has been impacted by the pandemic. Extant literature on the penal voluntary sector has highlighted a need for more nuanced consideration of the range of organisations and their functioning, and the actors and relations within them (Quinn, 2020; Tomczak, 2019). There are arguably a relatively small number of organisations whose sole purpose is to support justice involved individuals (Clinks, 2014). Rather, most TSOs which find themselves intersecting with criminal justice do so because they seek to support individuals with a particular need which is common among this group (Hucklesby & Corcoran, 2016). As such,

the justice voluntary sector is providing services for already marginalised populations, and while there has been an assumption that the pandemic would act as a 'leveller', it has further exacerbated their pre-existing vulnerabilities and inequalities (Smithson & Axon, 2022). The early impacts of the pandemic for these populations in Scotland (including criminal justice-involved individuals as a priority group) are documented in a notable study by Armstrong and Pickering (2020). This qualitative study identified a number of cross cutting issues experienced during the initial lockdown period, including service disruption and cancellation coinciding with "deepening forms of isolation, neglect and worsening life circumstances" (p. 3). Significantly, the research highlighted the significant contribution made by the third sector in 'filling the gaps' for service users at this time.

In summation, it is evident that the voluntary sector plays a significant role in the criminal justice system, and that this role has gained importance during the COVID-19 pandemic. While the aforementioned literature review (Community Justice Scotland and Criminal Justice Voluntary Sector Forum, 2021) provides significant insight into the emergent themes of note, and sector level empirical research has been carried out in England and Wales (Clinks, 2020), there is currently no in-depth account of the Scottish justice voluntary sector's experiences during the COVID-19 pandemic. Existing studies also tend to capture the early period of the pandemic, focusing on lockdown experiences in 2020, and as such give little insight into the periods 'between' lockdowns, the impact of the Protection Levels framework (Scottish Government, 2020), and changes in practice as COVID-specific public health measures have been reduced and more face-to-face working has resumed. Particularly, research has largely focused on the impacts of the pandemic and less has been done to explore positive changes in practice during this time and what can be taken forward from this period. This study seeks to ensure that the impact of the third sector and crucial learning from this period of rapid change is not lost, through a qualitative project with those working in the justice voluntary sector in Scotland.

3. Methods

3.1 Data collection

To explore individual experiences of and perspectives on the pandemic we adopted a qualitative approach. Through semi-structured interviews we explored impacts on individuals and organisations. These took approximately one hour to complete. One group interview of approximately 90 minutes explored key barriers and facilitators at sector level as well what is

needed for future sustainability of the justice voluntary sector. Five interviews were conducted between May and June 2021, towards the end of the second lockdown. Nine individual interviews and the group interview took place between December 2021 and February 2022, covering the period where the vaccination programme had been rolled out and COVID-related public health measures were gradually being lifted. All interviews took place remotely using either Cisco WebEx or Microsoft Teams.

3.2 Sample

Our sample comprised 18 participants representing a range of TS justice organisations in Scotland. All were aged 18 years and over. These individuals represented organisations of different sizes and structures, national and local, providing a range of services supporting men, women, children and young people. Some participants were recruited through existing contacts and others via the Criminal Justice Voluntary Sector Forum who circulated study information and researcher contact details to their members. Participants ranged from frontline staff responsible for service delivery through to senior managers including Chief Executives. Some organisations were represented at more than one level or from more than one service.

Nine individual interviews and a group interview with four participants were conducted as part of the Community Justice Scotland funded research. Five individual interviews had been conducted as part of a previous Scottish Funding Council project exploring the impact of the pandemic on third sector criminal justice workers in Scotland. We have included these data in our analysis due to the strong alignment of the aims of the two projects. The dataset therefore includes fourteen individual interviews and one group interview.

3.3 Analysis

Interviews were transcribed and researchers coded a sub-set of transcripts together to develop a thematic coding framework. Remaining transcripts were divided between researchers for coding using this framework, which was revised as appropriate. During this period researchers met regularly to discuss the analysis.

4. Findings

The key themes from interviews are discussed in this section, with direct quotations drawn from across the dataset. Respondents are coded numerically 1-18 with an indication of role level, which includes those involved in frontline service delivery (Service provider), those leading projects including leading staff teams (Service manager), and those in senior management positions including Chief Executives (Senior manager).

4.1 The added value of the justice voluntary sector during the pandemic

4.1.1 Expanding service provision

Echoing the findings of Armstrong and Pickering (2020), almost all respondents reported that their organisations expanded the support they provided during the pandemic by providing new services. For some this involved providing food parcels to isolated service users at the very start of the lockdown in March 2020, and for others it involved ‘gap filling’ where statutory support was unavailable or other organisations did not have capacity to take further referrals e.g. for mental health support. Third sector workers referred to feeling like “any port in a storm”, whereby service users came to them with additional needs outside of the remit of their organisation because of the unavailability of services usually provided by others:

“we’ve become this, sort of, point of contact now for, sort of, everything, for all things which can be difficult” (R.3, Service provider)

“we were effectively the only show in town at one time. People had literally nowhere else to go.”
(R.5, Joint role)

As well as difficulties accessing their usual range of support, the additional stress and uncertainty of the pandemic and lockdown public health measures exacerbated existing issues. Far from being the leveller it was purported to be, interviews indicated that the pandemic disproportionately affected already marginalised communities (Smithson & Axon, 2022). Service users’ vulnerabilities were compounded creating more complex needs for organisations to address, coinciding with the procedural delays and disruption documented within the criminal justice system (Criminal Justice Joint Inspection, 2021; Scottish Government, 2021; The Law Society, 2021). One respondent supporting people who had previously been incarcerated described how the national lockdown triggered behaviour echoing prison conditions such as some service users confining themselves to a single room in their home. Another described how a young person due to give evidence remotely

had to have the trial adjourned further because the camera operator was off work on that day with COVID, and outlined the impact on children and young people of court delays:

“I'm just dealing with cases that have been waiting for evidence for two years and two years in the life of someone who's 12, it's quite a long time. And this is...not even, but any young person, you know, and someone who experienced abuse from close people, that is a big thing. People can't move on. People are getting very ill because of this.” (R.11, *Service provider*)

These intersecting procedural delays and increased vulnerability had significant impacts on the wellbeing of service users and several respondents described those they support experiencing setbacks in recovery such as returning to drug and alcohol use to cope:

“a number of them fell back into the bad habits of drinking or recreational drugs, or whatever, or worse. And that impact on them set them back a few years.” (R.1, *Service manager*)

As the quote above suggests, a key finding here was the repetition of previous work with service users because of these setbacks, the implications of which are likely to be lasting for the third sector.

Whilst suspension of usual activities was disconcerting for all, for others who were separated from loved ones there was increased concern for the wellbeing of those they couldn't check in on.

Armstrong and Pickering (2020) describe how concern for loved ones on the outside exacerbated anxieties and tensions in prisons; likewise those in communities with family in prison were increasingly concerned for their welfare due to the inaccessibility of prisons and delays in provision of mobile phones.

“We were also absolutely inundated with, particularly with calls to the helpline, because prison visits were suspended and that meant the families had no contact or very limited contact with people in prison, which was a huge stress. So I think our helpline calls went up by 250 percent at one point.” (R.8, *Senior manager*)

As well as increasing the range of service provision, for some there was also an increase in demand for existing services from people who had not needed to access their services previously. This was particularly true of those in precarious employment who were plunged further into poverty by the drying up of work:

“those who had been on zero-hour contracts suddenly didn't have a job and we were seeing a very immediate impact on that because they had nothing. Also there were people who have never used services and then found themselves in a situation with no money, where do I go, who do I turn to, and they couldn't get through to anybody.” (R.14, *Senior manager*)

There was widespread acknowledgement that this involved sector staff working longer hours and working more intensely due to lack of travel time between meetings. In addition, without services tied to building opening hours, staff reported service users contacting them outside of working hours to request support which further impinged on their work-life balance. This impact on staff wellbeing is discussed further in Sections 4.2 and 4.4.1.

4.1.2 Changing service provision

While some organisations were able to adapt their provision to provide the same services in a remote or online format, others whose provision relied on in-person interaction had to develop entirely new activities to support their service user communities and maintain engagement through the pandemic:

“We tried to do film clubs, music clubs, because at that point we were an employability project, but nobody is allowed to do any work. There was no vacancies, colleges are in a lockdown too. So we found that, yeah we had to think up things that were more to do with welfare and all that kind of thing.” *(R.10, Senior manager)*

This was made possible by a dedicated and flexible workforce who pulled out all the stops to support their service users. From electronic resources to support and engage children and young people remotely, to online exercise classes, quizzes, and interviews with famous guest speakers, the sector responded to the first lockdown with enormous energy and creativity despite concern and uncertainty at the unprecedented situation they were in both personally and professionally. There was a real sense of pride in what they had been able to achieve, both individually and at an organisational level, and respondents were keen to retain the positives and share more widely:

“I’ve tried to take the positives as much as possible to make sure that actually we don’t look back on all of that and just go... that was really horrible, wasn’t it, and then think of all the negatives. Because actually even as I’m talking to you... I can hear all the positives that are coming out and think, gosh, there’s more than what I thought, definitely more than what I thought...” *(R.3, Service provider)*

“what I like to think we’re trying to do is any circumstances that we’ve had something like this, take it and take the good things out of it and try and build on them. And that’s all we can try and do, I think.” *(R.1, Service manager)*

The locking down of prisons wasn’t explored in detail within this work but its implications have been documented internationally, with people in custody experiencing disproportionately negative impacts in terms of isolation and mental health, and exacerbating the wider pains of imprisonment

(Maycock, 2022; Shiple & Eamranond, 2021). This study provided insight into the implications for TSOs providing support to those in prison, as several respondents noted the impact that this had on service users, whose mental health was negatively impacted by concern over family members in prison and exacerbated by the fact that there was virtually no contact for four months. In addition, those services relying on prison in-reach for referrals had to rely on the Email a Prisoner system to contact all those eligible for support which was experienced as more time consuming and less effective.

“we really relied solely on the Email a Prisoner system that we use, introducing the service, gathering referrals over that, which was not easy. The system’s got better, but really fiddly, you were trying to scan things in and get referrals back from people. And you encounter all sorts of problems, people’s literacy skills, and you can’t get that basic information from them, how do you know who they are, where they’re going back to, which local authority, so you were, sort of, going blind for a short while...”
(R. 4, Service provider)

With all but emergency face-to-face work suspended, many of those who would provide services to people immediately on release from prison were no longer permitted to do gate pick-ups and take people to their appointments. The impact of this on demands for service is particularly significant when factoring in the early release of people from prison under the Coronavirus (Scotland) Act 2020. Instead, people were issued with liberation packs upon release (Wise Group, 2020), containing key information, a mobile phone and phone numbers of essential contacts, and vouchers for mobile phone top-ups. Though borne out of necessity, staff had felt these to be useful and were keen that they would continue even when gate pick-ups resumed.

4.1.3 Reducing isolation

Organisations also provided personal support to people simply by being available to listen to them. As prison visits were halted and people became more physically and socially isolated, the value of this human connection cannot be overestimated:

“Over the course of the pandemic, it has been starkly notable that the telephone conversations we’re having with prisoners... it’s just about general personal support. They just want somebody to talk to, and to tell them that there’ll be an end to this, and that there’s...they haven’t been forgotten about. There’s someone on the outside that’s still actually cares about them, and that’s what we’ve been doing.” *(R.5, Joint role)*

“within the first four to six weeks of the lockdown we had three [service users] attempted suicide, just through the impact of what was happening to them.” *(R.1, Service manager)*

This increase of the role in service user wellbeing – whereby third sector workers found themselves providing more of this form of care and feeling responsible for the mental health of service users – undoubtedly has a profound impact on staff wellbeing. While the concept of ‘compassion fatigue’ is well documented in healthcare professions such as nursing (Ledoux, 2015), there is limited understanding of the long-lasting impacts of this in the third sector. Our findings suggest that this was likely heightened during the pandemic, even for those in organisations which would not previously have described themselves as mental health care related. This isolation was not restricted to service users, of course, and is recognised as an impact on staff wellbeing (Section 4.3.1).

4.1.4 Reducing digital poverty and exclusion

To provide support remotely, organisations reported challenges of engaging with service users who would have been excluded due to digital poverty, a large proportion of the populations they support. This ‘digital dimension to inequality’ (Seah, 2020), which was further exposed during the pandemic, applied to a large proportion of the populations supported by organisations in this study, who took steps to mitigate this:

“the biggest thing was actually getting folk Wi-Fi connections, because they say that 90 to 95 per cent of people in the UK have got Wi-Fi contracts and deals, your typical Virgin, BT, Sky, thing, but five to ten per cent that don’t. It’s quite a lot of people still and that’s exactly the kind of people we’re working with” (R.11, Senior manager)

While a range of steps were taken, from buying people data so they could connect using existing devices, to buying devices directly, the above quote highlights an important point. While a key success of the third sector during this period was reaching out to service users to support their continued service accessibility with technology, this took place against a backdrop of poverty. To combat this, some organisations used their own funds – one respondent reported the reduction in travel expenses off-setting costs - whilst others reported accessing emergency funding e.g. from Connecting Scotland, to support these initiatives.

4.1.5 Greater reach

Provision of services online not only enabled existing service users to receive support in the absence of face-to-face contact but also facilitated organisational reach, making services accessible to those living in geographically remote areas, or those with anxieties or disabilities that might obstruct face-to-face engagement with services.

“we work in a lot of rural locations and quite a chunk of the population live in areas where, unless they’ve got easy access to transport, and a lot of our clients haven’t, unless you can get out to them, and that’s just not feasible because outreach working is all very well, but lots of villages, it just isn’t going to happen. So yes, we’ve found that we can increase accessibility to clients and open the service up to clients that we’d never have had the opportunity before” (R.7, Senior manager)

Whilst a few organisations had previously offered service users choice in how to engage, there was widespread recognition that this flexibility should continue to be offered post-pandemic to best tailor support to individual service users’ needs.

4.2 Facilitators to service delivery and enhancement

The agility of the third sector response was key to their contribution during the pandemic and especially important due to the changing nature of required public health measures from the tier system. Some organisations spanning broader geographical areas found themselves having to work to multiple tier measures at the same time. This section highlights some of the key factors identified in enabling them to pivot swiftly to alternate modes of service delivery.

4.2.1 Dedicated workforce

It was widely recognised that staff have gone above and beyond to provide the best support they could in the circumstances and that they have shown enormous resilience in the face of multiple setbacks and disappointments:

“I’m totally knocked out by the way our staff have responded and been flexible. They’ve been asked to jump through so many hoops and taken so many disappointments and hits and knock-backs... trying desperately to keep the workloads up and do everything that they used to do, but in a far more difficult situation. With no real recognition that that is far more difficult, almost impossible to do. But we’ve asked them to do the almost impossible and they’ve done it, so I couldn’t be prouder.” (R.7, Senior manager)

Besides the direct effect of the pandemic on service users’ needs and associated implications for staff workload, remote working presented significant challenges for some multi-agency and partnership working:

“I had a situation with one of my clients where she needed an assessment for her Universal Credit. [She] wanted to get back on her enhanced rates because she just was struggling, and, you know, she

was entitled to... those benefits. And... we were in this ridiculous situation where I wasn't allowed to meet her face to face and yet she couldn't manage the assessment on her own, so... I had... a meeting with my manager and we cleared it and obviously risk assessed it and I could meet her outside and we could do it together. But DWP wouldn't accept that because you're not allowed to have an assessment outside, it's got to be inside. And it was just like all these ridiculous barriers, you know? So...it took months and months to try and get this sorted and it was just such a ridiculous headache..." (R.12, *Service provider*)

This quote highlights that many of the challenges facing the third sector – which comprised of pre-existing barriers posed by organisational structures and partnership working, and pandemic related delays and changes – were overcome solely by the determination of staff. Some participants highlighted how the sector had one key advantage over statutory organisations, in that they are generally smaller with fewer layers of bureaucracy, which enabled them to respond more quickly and with greater flexibility:

"[the third sector] have probably seen the greatest amount of creativity, kind of diversity, being able to adapt, be flexible to change. And I think there's an element that we've got the autonomy around that, to be able to make those changes much more quicker, and seamlessly, than perhaps statutory organisations". (R.17, *Project manager*)

This flexibility further evidences the added value of the sector and should be retained.

4.2.2 Effective partnerships and collaboration

Whilst the above demonstrates the significant challenges posed in some multi-agency and partnership working, other staff described how they were able to network more widely and work more effectively in a remote format. Consistent with Buchan et al. (2021) there was a sense of the common goal transcending the usual roles and boundaries, with organisations focused on what they could collaboratively achieve to support their service users.

"I think [partnerships] got better... because we were probably communicating with people more... you spend probably more time chatting to people, or actually more focused time on Teams over calls, and people are networking, I think, perhaps better than they were before. We linked in with partners we hadn't linked in with before... I think it streamlined a lot of those relationships, and you probably got to know some partners a lot better because you would just pick up the phone, rather than waiting for that once a month meeting" (R.4, *Service provider*)

"inter-agency work when you have had to come together with people and fix a problem really quickly. All those professional boundaries and, oh, I don't know if that's my job, or, oh, I am not sure if that is

possible, went out the window. And we just got on and we made alliances and we made things happen with other agencies as well, which was great.” (R.6, Senior manager)

Thus the experience of multi-agency and partnership working seemed mixed, and some noted how this is often related to *who* in an organisation they spoke with:

“I experience the sort of gatekeeping from some types of organisations... And yeah, it is patchy, and it, kind of, does very much depend on the particular [person] that I'm maybe speaking to... how likely it is that I'm going to be able to ask for [support], or whether that's going to be something that they're going to take on board quite easily, or whether I'm going to have to write a letter defending why.” (R.18, Service provider)

4.2.3 Release of emergency funds

The poverty prevalent in service user populations is a significant barrier to remote delivery, as noted elsewhere in this report. Respondents noted that their agile response to the pandemic was facilitated by the release of emergency funding, for example Connecting Scotland who enabled organisations to purchase devices and data to provide to service users:

“we very quickly realised when we handed out our first lot of tablets and we're going, there you go, look at this, fantastic, everybody can do X, Y and Z. And then we suddenly realised that half of them didn't even have wifi, you know, and we're kind of going, ah right, okay. So then we had to apply and get them their wee dongles, and stuff like that.” (R.16, Service manager)

Many service users would simply not have been able to access support were it not for initiatives like this. The need to create provision to address digital poverty at a national level is a key finding of this study.

4.2.4 Relaxation of reporting requirements for funders

Some respondents also noted that commissioners and funding bodies had been incredibly supportive in terms of their flexibility around spending, but were uncertain whether this would continue:

“we didn't know how commissioners were going to react. We didn't know whether they were going to say, well you're not going to need the whole budget, because you're not meeting contract compliance, et cetera. So, we quickly had to meet with all our commissioners, and to be honest, all our commissioners were absolutely fantastic. Will that continue – hmm, not so sure.” (R.15, Senior manager)

Others however noted how a lack of flexibility from funding bodies posed significant challenges when public health measures prohibited gathering the evidence required to be paid for their services:

“funding bodies who were not quite as quick or willing to relax their scrutiny and evidence criteria. So we were expected to... There was no relaxation on what we were expected to do and our outcomes and our outputs, that was all the same, as was you don’t get paid unless you get a wet signature.” (R.7, *Senior manager*)

4.3 Key learning and good practice to share

One of the key motivators for this work was to identify key learning to take forward post-pandemic and to ensure that good practice is not lost. The main theme arising across interviews was that the benefits of face-to-face contact cannot be replicated through remote means. Regardless of the success of many aspects of remote working and service delivery, respondents argued that face-to-face working is crucial for the success of the sector.

4.3.1 Face-to-face working is essential for effective service delivery

A key concern for service providers had been how to effectively support particularly vulnerable service users remotely, noting that without knowledge of who was in the home there were serious issues around privacy and safeguarding:

“in terms of domestic abuse. And actually having an understanding in terms of children’s positions within that. We had to really consider safeguarding in terms of Zoom, you know, it wasn’t considered to be appropriate to be able to do that. Because we didn’t have a full understanding, actually, who was in the home, and was it going to be confidential and safe for them to be able to have these conversations. And also for adults as well (R.17, *Project manager*)

“I support people with police statements. And obviously, police statements weren’t something that was stopped because of lockdown... I had to come into the office... and that was the only way that I was able to support people” (R.18, *Service provider*)

This issue was raised by several staff who noted that they, or colleagues, had not had a private space in the home in which to have these confidential and often difficult conversations with their service users. Once socially-distanced one-to-ones were allowed, many staff were keen to get out and meet their service users outdoors for “walk-and-talks”. Though there was administrative burden of risk

assessments for these meetings, workers felt that the quality of the support they could provide in this way was much improved and they were much better able to judge how a service user genuinely was. Several expressed unease at not being able to physically see their service users and noted that for some their levels of engagement increased once face-to-face contact resumed:

“I went from having a blank screen and people forgetting to turn up to actually everybody turning up face to face because it meant a wee bit more human contact.” (R.3, *Service provider*)

In-person service delivery also helps to build communities and reduce isolation, supporting service users’ personal resilience as well as their support network, though it was noted that in some cases this was facilitated by being able to gather large numbers of people together online.

Without exception respondents emphasised the importance of relationships to build the trust needed for effective service delivery. These relationships are much more difficult to build and maintain if the service provider and service user cannot meet face-to-face:

“One of the most important aspects of the work that we do with clients in prison is by going and seeing them, giving them the time of day, giving them personal support, we, thereby, develop the trust in us, which is essential if we are to, successfully, later deliver the aftercare service... We spend a long time... earning trust, so that we then use that trust to allow us to deliver the service in terms of aftercare and reintegration, which is where we try and put them back together” (R.5, *Joint role*)

Many also noted the importance of face-to-face contact with colleagues. Some workers who lived alone struggled with isolation, while others missed the ‘water-cooler conversations’, the non-work chat that is frequently absent in Zoom and Teams calls when meetings have packed agendas. Having colleagues around was also felt important for decompression after difficult conversations or upsetting events.

4.3.2 Organisational initiatives for supporting staff

In addition to ensuring service users were supported, organisations needed to ensure the health and wellbeing of their employees. Respondents described how as well as colleagues and managers checking in on each other informally to provide some peer support, organisations had put in place other formal and informal measures to ensure staff had time during the day to take a break, or to access training and support packages and counselling where it was needed.

“you have a half hour lunch break so during the kind of dark days, the winter days, we increased it to an hour lunch break and that other half hour was paid... So it was looking at innovative ways to let our staff

know that they were appreciated but also looking after their mental wellbeing... We've introduced kind of counselling service and support services so we've got packages for that too so treating our staff the same as they would treat the people they work with, making sure that everybody was safe and encouraging staff to recognise that if you're finding it tough, it's fine, just take half an hour out for yourself..." (R.14, Senior manager)

The vast majority of respondents recognised additional measures put in place by their employers and had felt well-supported throughout the pandemic thus far. Some senior managers noted how employee health and wellbeing had become a key priority for them to ensure staff satisfaction and retention, maintenance of excellent service delivery standards, and attracting new staff to the organisation. One notable aspect of this was expectations of online working, both in terms of staff perhaps needing to feel visible, but also in expectations of response times to emails. Some suggested that organisations should implement email policies to set expectations.

As well as resources to support staff wellbeing, some organisations had developed online training and development packages ultimately making staff development opportunities easier to access and more efficient in terms of resourcing.

4.3.3 Unanticipated benefits

Respondents noted many unanticipated benefits of the pandemic, one of the most notable being that progress was made that was felt needed but that organisations wouldn't have otherwise found the time to make:

"[The pandemic] allowed me to maybe sit back and say, right, okay, let's just stop the bus, let's see what we're actually trying to do, how can we improve what we can do, and how can we reach more people." (R.1, Senior manager)

Some of these enhancements related to working with other organisations, for example one respondent noted that their organisation had been advocating for ten years that people in custody should have access to mobile phones. Though clearly enormously challenging, the Scottish Prison Service managed to achieve this within four months of the pandemic hitting. Others noted how through increased online meetings and forums they had linked in with individuals in other organisations and made valuable connections that helped raise the profile of their organisation or service:

"actually all of that work that we've done in the last year, you know, all of those building relationships and keeping things going and trying to enable people, it's all worked, you know, it's come back to us

in a really positive light. And that positivity is taking the shape of people knowing who we are, trusting who we are, knowing that we're reliable." (R.3, Service provider)

Other respondents outlined how working remotely and the necessary pausing of some services had facilitated the development of new partnerships. One senior manager described how they were increasing capacity and broadening the reach of their services by providing training for local organisations to be able to deliver their programmes.

There were also benefits on an individual level where the challenges of working from home forced workers to make changes to improve work-life balance and ultimately improve their health, wellbeing, and personal relationships:

"I've got a lot of friends who don't live up this way and I speak to them way more often than I would have... And I think that applies to family as well. I check in with them far more regularly than I would have, making sure that, you know... If I've got time to FaceTime them, I will" (R.4, Service provider)

"early on, I was like rolling out of bed at five to nine and starting work at nine and it was just awful... But now I have to do something because I was like, I'm sitting at home all the time, actually I walk a lot more... So, I get up at seven, I go for walk and then I do 10 minutes of yoga, do some meditation, do some journaling and then read 10 pages of my book and I think that's definitely helped me, mentally, massively. And if I don't do it for a few days or a week, or take a week off, I really notice it... I wouldn't have had the time to do that every morning if it wasn't for COVID. But I don't think I ever would have realised the importance of doing stuff like that if it wasn't for COVID. (R.2, Service provider)

4.4 Implications of the pandemic for sustainability of the third sector justice

4.4.1 Retention of current staff

The third sector by its very nature attracts staff who are dedicated to bring positive change to others' lives, however COVID-related public health measures have frustrated their efforts to have the impact they had envisaged having. Several respondents described how the job they had now was not the job they had applied for and how they felt that despite their efforts they were falling short of the support they would like to be able to provide. Though respondents recognised the significant contribution they had made and they were positive about the organisation they worked for, some senior managers described how they are losing experienced and dedicated staff:

"every exit interview bar one has been absolutely glowing about the organisation and how sorry they are to leave and how much they'll miss being with us." (R.8, Senior manager)

Managers were acutely aware of the sacrifices their staff had made during the course of the pandemic, and acknowledged that more flexible working options might be a way of ‘paying back’ their staff:

“we’re going to have a great debt to repay a lot of people for how resilient they’ve been over the course of the last year or two” (R.9, Senior manager)

Consideration of ways to ensure the retention of experienced and dedicated staff should be prioritised for the sector as we move out of the pandemic.

4.4.1.1 Workload intensity

With a few exceptions, respondents had primarily been performing their roles from home throughout the various phases of the pandemic. Even where face-to-face meetings such as “walk-and-talks” have been possible, other aspects of the role continue to be performed remotely. While respondents noted some clear benefits to this including convenience of working from home for example receiving deliveries, doing the school run, and saving money in petrol, there has been a muddying of boundaries between work and home with staff noting a temptation or tendency to work longer hours because work is always there. Supporting service users from home has also brought difficult and distressing conversations into private space, making it more difficult to leave work behind and relax at the end of the working day:

“some of the conversations were hard conversations... and you’re dealing with their trauma and you’re sitting in your house and that’s what I found difficult, trying to separate then my work area from when it was 5 o’clock and my work was finished. Like, I did struggle a lot with that.” (R.2, Service provider)

“So, lengthy phone calls, a lot of trauma, a lot of difficulty... and I think there was quite a toll on the mentors. I think we just all rallied and thought, right, we have to do this, we’ve got to do as much as we can. And of course we did and, you know, worked well over our hours and I think it definitely took a bit of a toll. There was definitely quite a lot of burnout, I think, towards the end of that year, which for everybody, I think everybody felt the same, you know?” (R.12, Service provider)

There is also a greater intensity during the working day as respondents described meetings being scheduled consecutively without any time for breaks - because everybody was working from home, if their diary is free at a given time that must mean they are available. Academic research recognises so-called ‘Zoom fatigue’, the experience that online meetings are more demanding and tiring than face-to-face meetings. Reasons for this include increased close-up eye gaze, additional cognitive load from more closely monitoring one’s own non-verbal communication as well as others’, more intense

self-evaluation from long periods of seeing oneself on camera, and reduced mobility (Bailenson, 2021). Staff sickness was a key challenge during the pandemic, with Armstrong and Pickering (2020) reporting that almost 60% of TS staff surveyed reported their work intruding into their home life, with 52% working longer hours. Over a third had taken non-COVID related sick leave, often due to work stress.

4.4.1.3 Job insecurity

Many respondents referred to the precarious nature of employment contracts within the sector due to the short-term cycles of funding. It was also noted that funding announcements seem to come later each year, making it a real challenge to recruit staff and complete projects before funding ends. Despite staff finding the work fulfilling, the lack of certainty about whether contracts will be renewed was noted as a likely driver of people leaving the sector for more secure employment elsewhere:

“I will have eight or nine people on redundancy notices while we’re waiting [for confirmation of funding]... And this happens to these people every year. You know, they’re kind of resigned to it but... No matter what way you look at it, it’s traumatic for people. It’s hard to plan. So they go, do you know what, I’m out of this. I’m done with this.” (R.10, Senior manager)

One senior manager described how they had been asked to substantially cut their running costs, ultimately resulting in statutory redundancies after months of consulting with staff and doing their utmost to avoid having to make staff redundant. This had a lasting effect on staff morale.

“from having spent the previous year trying to build up the staff team and ensure their wellbeing and so on, to then come and basically pull the rug out from under them, was just awful... I think the staff team is still quite unsettled as a result of it.” (R.8, Senior manager)

The impact of this job insecurity for staff is an area which warrants policy consideration within the third sector and at a national level. Research highlights the threat to identity and wellbeing posed by job insecurity (Selenko et al., 2017) and this has likely been amplified for those in the justice voluntary sector, who have demonstrated immense dedication in the context of unprecedented trauma.

4.4.2 Recruitment of new staff

Senior managers noted that there are current difficulties in attracting staff to the sector, and although these go beyond the third sector, this poses significant challenges to being able to meet the needs of service users and to the future of the organisation.

“We used to get, you know, between 30 and 90 applications for every post we advertised and suddenly to have none, or to have one or two, it makes it really difficult to fill the posts that we need filled and to carry on.” (R.8, Senior manager)

There was apprehension about how growing needs could be met as the world opens up, for example with courts picking up the pace to clear the backlog of trials (Scottish Courts and Tribunals, 2021), whether there would be sufficient workforce to help those needing assistance through the trial process, such as victims and witnesses, especially children and young people. These unfilled posts also place additional burden on senior staff who are diverted away from strategic work supporting organisation development and growth:

“trying to keep a growing organisation together while we have myself and one other person trying to do all the funding applications and funding reports... I know it’s not just me but some of my other managers as well who are...we feel like we’re doing a lot of firefighting because we’re just trying to keep things going. So, you know, in terms of any kind of planning or development or kind of wider, strategic work, it’s...everything has to be on hold.” (R.8, Senior manager)

The frequently 12-month funding cycles and increasingly short notice of funding also presents particular challenges for being able to recruit and train staff to deliver a service before the funding runs out:

“we don’t know whether we’ll be here in three months’ time because the government has... You know, they do their budget in December and by the time it all works through the system they’ll tell us in February that we have the money for, you know, for 1 April” (R.11, Senior manager)

Others noted how recruitment of new staff needs to take into consideration what services may look like in the future – that is there is a need for workforce planning to ensure the right staff are in place to support more blended and flexible service delivery models.

4.4.3 Financial investment

It has long been known that the sector is not adequately funded, and as outlined above much funding is of a short-term nature meaning that organisations cannot properly plan. One key issue is that they often receive funding to deliver specific packages of work but funding does not cover the running costs of the organisation. This compromises their long-term sustainability. Compounding

this, competitive commissioning means that organisations are competing for the same small pots of funding to deliver specific work, exacerbating their struggles to exist:

“we're all fighting for the same or similar funding and we're all justifying our position within...you know, battling...to be that service that's needed the most.” (R.12, *Service delivery*)

The short-term and precarious nature of funding means that organisations are unable to guarantee long-term support from specific services, even though this is what's needed to make meaningful difference to people's lives:

“We don't like... giving time limited services because we understand that positive change really takes time. People didn't get themselves into these situations in six months... we're looking at intergenerational, structural inequality, experiences of trauma in youth, exclusion right along the way, drug use, whatever it might be. You can't fix it in six months or a year. So... funding models need to reflect that and acknowledge that long-term work is needed if real, positive progress is to be made.” (R.10, *Senior manager*)

In spite of this, the sector has achieved an enormous amount during the pandemic, doing their own jobs as well as filling gaps left by other organisations who did not effectively adapt their service delivery or could not keep up with demand. Though there may be increasing recognition of their contribution, this was felt to be meaningless without commitment to changes in how they are funded to do their crucial work:

“I think there is loads of words being said, at a national level, around, yeah, the role of third sector, couldn't have done it without them. But actually, for me, that still needs to translate into how we're funded.” (R.15, *Senior manager*)

4.5 Current and future challenges

Aside from challenges arising from lack of financial investment, covered above, staff identified a number of challenges facing the sector and concerns about what lies ahead.

4.5.1 'Digital creep'

One immediate concern is that organisations may relinquish buildings to cut running costs, especially given that there are some clear advantages of working remotely such as reduction in travel time and associated costs and related increase in availability of staff. Alongside the numerous challenges staff identified in working from home, a physical organisational presence is felt to be important for

organisational identity and awareness, as well as providing physical space for face-to-face delivery of services.

“For identity reasons, a sense of belonging, clients’ identification, community identification. You know, this is [organisation] and that’s their office and we know what they do. Whereas if you lose that, then nobody will ever know what you do.” (R.7, Senior manager)

Respondents noted that although organisations have been very effective at equipping service users with the technology to access support remotely, the reactive nature of this means they have not been able to support them with the education about safe and secure online interaction. There is a need for skills development and training if services continue to be delivered remotely.

4.5.2 Strategy/vision for the third sector justice

There were felt to be several challenges around a strategy or vision for the sector. Several respondents described how the sector is largely excluded from conversations about decisions that concern them, meaning that decisions are imposed on them that they have no say in. One senior manager described how expectations are made of the sector from outside, without them ever being consulted about how these expectations might be met:

“Every time there’s a big policy, we want to see our... What is it? A dynamic and vibrant third sector, without any sense below that of how that would happen.” (R.7, Senior manager)

Related to this was a sense that the sector is undervalued. Though some argued that they felt this had changed over the pandemic, there was still a sense that they were almost disliked rather than there being clear recognition of their added value and contribution:

“I tend to refer to the third sector as being like seagulls, where we’re always there, we always will be there, but nobody likes us, but we do quite a valuable job.” (R.7 Senior manager)

This reluctance to genuinely involve the sector in discussions and decisions was felt to be a barrier to them achieving their potential. As noted earlier in this report there was also recognition that organisations were not always working effectively together to ensure the wraparound support that service users need, and that to some extent partnership and multi-agency working depended on local relationships:

“In terms of people accessing services... our experience is that people are still under in their silos. [service users] either get one and they don't get the other, or else one service won't see them until

they've got their mental health addressed. And in some ways, I think that's heightened..." (R.17, Service manager)

4.5.3 Local community justice partners don't understand local population needs

As well as barriers to effective service delivery arising from poor multi-agency working, some respondents noted how local authorities and agencies were not cognisant of the needs of their local population, thus money was not always being allocated to where it was most needed:

"Services should be developed around what the population needs, there needs to be community engagement and participation, and that should be reviewed on a regular basis. Third sector need to be a partner in that, [health and social care partnerships] can't do it all on their own, they just can't." (R.15, Senior manager)

There therefore seems to be a clear need for organisations to be more collaborative and communicative with one another to increase effectiveness of provision at the local level.

4.5.4 Increasing poverty

Finally poverty was a prominent theme across interviews and was a key contributor to the additional demand placed on the third sector during the pandemic. Two years on from the first lockdown, the cost of living has increased significantly and is projected to increase further over 2022 (UK Parliament, 2022) largely due to rising costs of fuel. Respondents were concerned that increased poverty added to the long-term impacts of the pandemic means the worst is yet to come:

"it just feels like a perfect storm's coming" (R.15, Senior manager)

5. Conclusion: Insights for Policy and Practice

Despite its challenges, the pandemic has afforded opportunities for enhancement which have been firmly grasped by third sector justice organisations. There was real pride in the accomplishments of organisations and the sector more widely and staff reported personal satisfaction in recognising the difference they had made to individual service users and communities. One priority now for organisations is to evaluate changes so that good practice can be retained and shared more widely for future enhancement of service provision. The overarching response of participants in this study was a desire to learn from this period. While there was a unanimous feeling that the ways of

working devised during the pandemic were in many ways undesirable, there was also a recognition that a wholesale return to pre-pandemic working was not in the interests of staff or service users as we move forward. As such, this report provides the following areas for consideration at policy and practice level:

- **Principles for Blended Service Delivery:** As there have been some great successes in some aspects of remote service delivery. The sector now needs an agreed set of principles for blended service delivery, which must involve support for service users in developing digital literacy and safe and responsible online engagement. The development of these principles would benefit from involvement of service user stakeholders and frontline service providers.
- **Flexible Working:** While staff have at times found home working a challenge, there have been benefits to flexible approaches to working. At organisational level, there is a need to retain dedicated premises for more visible and accessible service delivery where this is required. The development of flexible working policies which adopt a basic principle of enhancing work-life balance for staff through this approach, should be prioritised.
- **Staffing Consultation:** The sector is facing serious issues in staffing that must be acknowledged and discussed. While we were not able to explore this within our sample, staff health and wellbeing as well as the precarity of employment contracts likely plays a part. Organisations should prioritise the wellbeing of their workforce to retain their experienced and dedicated staff. A consultation with existing staff and sharing of good practice across organisations is recommended. This report acknowledges that staffing is often directly linked to financial decisions made at a level above TSOs. At a national level, consideration should be given to more sustainable funding of the sector. Opportunities to ringfence funding for crisis scenarios such as the Covid-19 pandemic, given the vital role which has been played in filling the gaps by the sector, should be explored.
- **Working with Statutory Organisations:** The study has identified many changes to working practices during the Covid-19 pandemic for TSOs, and the likelihood that some of these will be retained. Similarly, there have been noted impacts and changes to practice for statutory organisations and it is similarly feasible that these new ways of working – e.g. video conferenced trials – will continue post-pandemic. Given the noted impact on service users and demand for services from TSOs, opportunities for dialogue and policy formation between TSOs and related statutory organisation should be created to ensure that the

implications for partnerships are taken into account as we leave the pandemic and changes to working practices become entrenched.

- **Following up:** At the time of writing this report the UK is facing imminent lifting of remaining COVID-related public health measures and organisations will be working to implement more flexible working practices for the benefit of their service users and staff. Other changes to working life and service delivery may also be retained, and as such we recommend that a follow-up study be undertaken in a year's time to assess which changes have been implemented and identify their early impacts.

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