

Introduction to the Family Drug and Alcohol Court

East London LFJB Conference

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Introduce self

FDAC first piloted in central London 2008-2012 and continues. Independent evaluation of the pilot Brunel University funded by Nuffield Foundation 2008-2014 led to national roll out of FDACs. – national roll out

2023 national evaluation- sig better outcomes, cost saving and less collateral damage for the parents going thru proceedings

•we are relationally based – we know many of our parents will have complex trauma which has a fundamental impact on building relationships- so our focus is on relational repair- relational trauma requires relational repair

The pioneering FDAC judge Nicholas Crichton said

- *“What is it that family courts are there to do? Just take children away? Or are we there to provide part of the whole construct of support around families to try to enable children to remain within their family? If we are looking to remove the 8th, 9th or 10th child, the family courts can’t be doing very well by this family.”*



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The strength of the relationship between a judge and parent is a key driver of better outcomes within the literature on problem-solving court

Statistics show that one in four people who lose a child in care proceedings return because the underlying issues have not been dealt with.

Financial cost and the human cost
Ongoing damage- collateral consequences

Lets also remember the alternative to families is not ideal



FDACs multi-disciplinary team works with the family, coordinating the network of local services alongside working with an FDAC problem-solving court.

Targetting multiple risk factors- sustainable change- not superficial

FDAC Aims

We are an alternative to court proceedings – still within the family court legal framework- but combining assessment with intervention and importantly noting the response to intervention as part of the assessment

- To improve permanency outcomes for children - To increase the number of children who can return home safely, but where that is not possible, to enable children to move speedily to an alternative permanent placement
- To achieve higher rates of control/cessation of substance misuse
- To support individuals into the right treatment pathway e.g. mental health
- Provide parents with a problem solving rather than adversarial approach

FDAC problem-solving court

How FDAC differs from ordinary proceedings:

- **Judicial continuity** – parent(s) see the same judge throughout proceedings
- **Non lawyer reviews** – fortnightly review hearings, without lawyers present
- **Problem-solving approach** – Judges role as an agent of change: motivating parents whilst reminding them of consequences and timescales



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An FDAC problem solving court differs from ordinary proceedings –

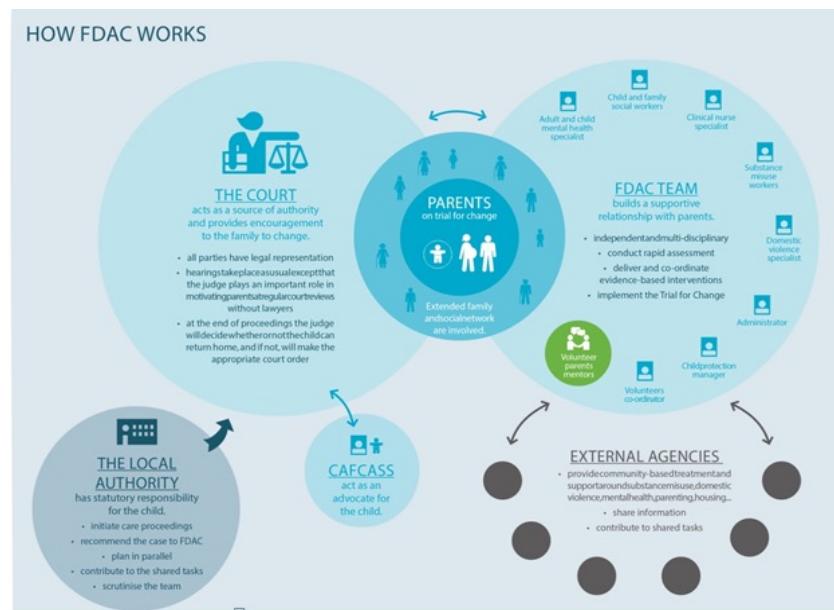
- Judicial continuity
- Non lawyer reviews – fortnightly review hearings, without lawyers present
- Problem-solving approach – Judges role is key in FDAC as an agent for change, motivating parents whilst reminding them of consequences and timescales

Transparent approach from the start, helps the parent understand what evidence is needed for family to stay together.

Feedback from parents clearly evidences the procedural fairness of this approach and better justice for children and families. FDAC has less contested hearings and the feedback states that this is a result of the parents feeling they have a voice, they have been heard, they understand the process and accept the consequences.

- A therapeutic problem-solving model
- It is an alternative approach to care proceedings
- There are no changes to the legal framework. It is still a family court.
- However, the FDAC team offer parents a timely and co-ordinated service to help them address their needs
- Assessing parenting capacity over time – dynamic risk assessment. This assessment is run alongside an intervention plan

The FDAC Model



brief overview – collaborative working around family.

This slide is an overall summary of how FDAC model works.

Specialist multi-disciplinary team that hold a trauma informed approach: Social work, substance misuse, child and adult mental health and domestic abuse specialisms;

Works with the family alongside the local authority

And the FDAC team co-ordinates the network of local services working with the family for a whole service/holistic approach around the family.

In some FDACs volunteer parent mentors work with the team to provide additional support to parents

Static vs dynamic risk assessment

Provide parents with building blocks to make changes and own new trajectories.

We utilise the skills and specialisms from within our team (social workers, substance misuse specialists, psychologists, psychiatrists, parent mentors)

Video Interaction Guidance, Circle of Security parenting, emotional regulation, trauma-focussed therapy, systemic therapy, social behavioural network therapy, relationship and DA awareness

In short – we are initially assessing the type and level of risk and then continually re-assessing a parents ability to change and respond to support and interventions.

East London

- Redbridge =3
- Waltham Forest =5



East London Data 2023

- Out of 19 closed cases;
- Care order = 4
- Remain / reunify = 11
- Kin = 4



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Just under 75% remain with families

Also – less contested cases

Less time for social workers in 5 day hearings

Less expert witness

Testing

London FDAC

- 2022 – 2023 - The data is consistent with past analyses conducted by the team. It highlights that on average, over 52 completed cases:
- 87% of final recommendations were not contested
- 81% of final hearing outcomes resulted in children remaining with parents, kin or with a mixture of kin.

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- National evaluation
- Higher rates of reunification (52% vs 12.5%)
- Children in FDAC had lower probability of being placed in LA care compared with non-FDAC care proceedings (28.6% vs 54.7%)
- Higher proportion of FDAC parents had ceased their use of drugs & alcohol by the end of proceedings (33.6% vs 8.1%)
- Cost saving

- **More supportive & gentle process**

Conducted by NatCen, this evaluation was commissioned to assess and understand the impact of FDAC, comparing the outcomes it achieves compared to a similar matched counterfactual group who went through standard care proceedings. It is the first multi-site evaluation of FDAC conducted to date, and builds on the existing evidence base, most notably the [wider international evidence base](#) and the [previous evaluations](#) conducted on the Pan-London FDAC by Lancaster University.

The 2023 report found that FDAC offered parents a better chance to evidence change across a range of indicators including substance misuse and parenting skills, to enable them to be safely reunified with their children. There was also hope that parents who were not able to achieve reunification outcomes would now be able to recognise the needs of their children above their own, accept that they might not be able to care for them and avoid instances of subsequent children being removed from their care. This reflects indications of previous research on FDAC (Harwin et al., 2014, 2016 and 2018)

Higher rates of reunification

The statistically significant findings are:

- Children with a primary carer in FDAC care proceedings were more likely to be reunified with their primary carer at the end of the care proceeding in comparison to children with a primary carer in non-FDAC care proceedings (52.0% versus 12.5%).
- A higher proportion of FDAC than comparison parents had ceased to use drugs or alcohol by the end of the proceedings (33.6% versus 8.1%).
- The proportion of hearings being contested was lower for FDAC than standard care proceedings (4.2% versus 23.8%).
- A lower proportion of FDAC cases used external expert witness assessments compared with non-FDAC care proceedings (7.7% versus 96.1%).
- Children in FDAC sites had lower probability of being placed in LA care compared with non-FDAC care proceedings (28.6% versus 54.7%).

Cost saving

- -We will talk more about this shortly
- Reduced need for independent experts, reduce court time – contested FH
- Sig cost saving for MOJ, emergency services, health services, SM TX, MH TX

More supportive & gentle

process – minimising the very real, chronic and traumatic impact of proceedings

- Reduction in family's returning court
- Reduction in repeat removals
- Reduction in generational pattern of children following similar trajectory to that of parents. Care leavers & removals
- Assist parents in engaging in the right interventions for their longer term wellbeing

The process evaluation found, amongst other things, that two key facilitators of perceived positive outcomes for families were:

- - The package of high-intensity, wraparound,

multidisciplinary support FDAC provided – flexibly tailored for each individual, and coordinated by key workers, with whom parents can develop a trusted relationship;

- The FDAC judges’ role: leading and providing active oversight to the whole process; and having direct contact with parents, encouraging them to make and sustain changes.
- Reduce the risk of trauma and ongoing consequences of child proceedings and removals.



FDAC has a trauma informed approach

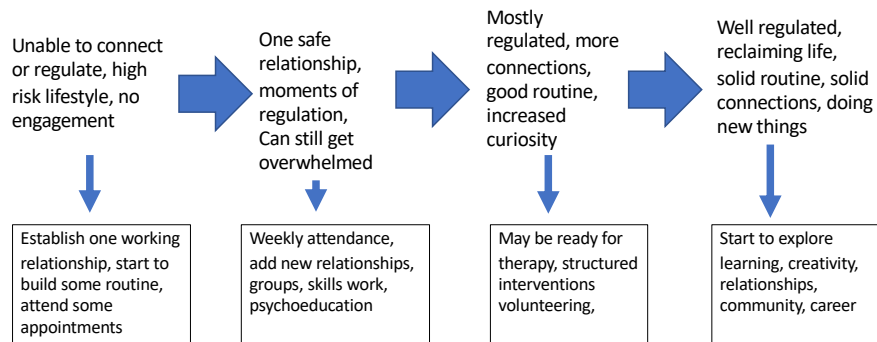
The majority of our cases involve some form of SM within the family network – this is unsurprising considering the intertwined nature of SM/MH/DV

We never see one need in isolation – this is because it is impossible for difficulties within these areas to not impact on other areas of an individuals life.

At the center is complex/developmental trauma – all our cases have some from of trauma

SM isn't a requirement for suitability or eligibility. Our problem solving model offers a suitable and successful approach to supporting families where SM is not a factor.

Journey of recovery from complex trauma



Starting point – living entirely on the run from the past
Ending point – living in the present

When people have a traumatized brain we need to help them build the blocks- but in the right order- for them to access the help they need

This means

- Experience of a safe professional relationship, then another...
- Building blocks for treatment – attending appointments, sitting still, talking, developing a language for emotion
- Building up a rhythm of daily life, moments of living in the present
- Building self-regulation resources
- Building self- acceptance
- Gradually letting go of self-protective behaviours
- Discriminating past from present
- Looking for hidden strengths
- Noticing and labelling successes
- Living in the present instead of running from the past



- Relationships mobilise change
- Problem solving courts require that we make sense of why someone is there rather than providing sanctions- which requires building a relationship!
- Problem solving courts success depends on the quality of relationships

Client feedback

- “I feel as though I am heard and listened to, also have some sort of say. Having NLH’s really helped. I feel supported.”
- “FDAC has given me the chance to better myself and become more confident. Has given me a chance to prove myself and become a better mother.”
- “Having to work with my keyworker, being able to talk, attending groups such as emotional regulation group and therapy.”
- “Explaining the process. What organisations can help me.”
- “Getting the chance to turn my life around.”
- “Helping me realise I can make myself a better person.”

Research & Outcomes

<https://www.thetimes.co.uk/article/how-family-drug-and-alcohol-courts-aid-the-war-on-addiction-36g96ml3g>

[Better Courts: the financial impact of the London Family Drug and Alcohol Court | Centre for Justice Innovation](#)

<https://fdac.org.uk/cost-benefit-analysis>

[Care-Demand-Regional-Variability-Report_2018.02.21_V1.2.pdf \(lancs.ac.uk\)](#)

[The contribution of supervision orders and special guardianship to children's lives and family justice - Nuffield Family Justice Observatory \(nuffieldfjo.org.uk\)](#)

[FDAC_FinalReport_2014.pdf \(lancs.ac.uk\)](#)

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- **Multi Site Evaluation of FDAC's (Aug 2023)** - This has built upon previous evaluations completed in 2014 & 2018
- The Centre for Justice Innovation undertook a financial analysis of the London FDAC in 2015
- Claire Coutinho MP, who is the Minister for Children, Families and Wellbeing at the Department for Education, has written a recent article about the positive aspects of FDAC and a desire to spread its reach and usage in the country



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