

Introduction to Problem Solving Courts and the Family Drug and Alcohol Court

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FDAC Cricket




Part of the FDAC family



PROBLEM SOLVING COURTS



JUDGES ARE CENTRAL TO
REHABILITATION AND RECOVERY



‘perceptions of procedural justice – and especially attitudes towards the drug court judge were the strongest predictor of reduced drug use and crime’

The Multi-Site Adult Drug Court Evaluation: The Impact of Drug Courts, Washington DC: Urban Institute. 2011



- For me the difference comes in 2 ways: for those who may be able to make progress, seeing “their” judge regularly, sharing their triumphs and the bumps and getting positive reinforcement of their progress seems to have a motivational element which helps. For those who aren’t able to make the change, they seem to find it easy to see, that they have had a fair chance.
- The different skills are in terms of forging a relationship with the individuals – rather than simply listening to the arguments of lawyers – which a large proportion of ordinary people don’t really understand anyway.
- District Judge Graham Keating
- Family Court and County Court at Croydon

Core components of problem solving courts



- A focus on outcomes



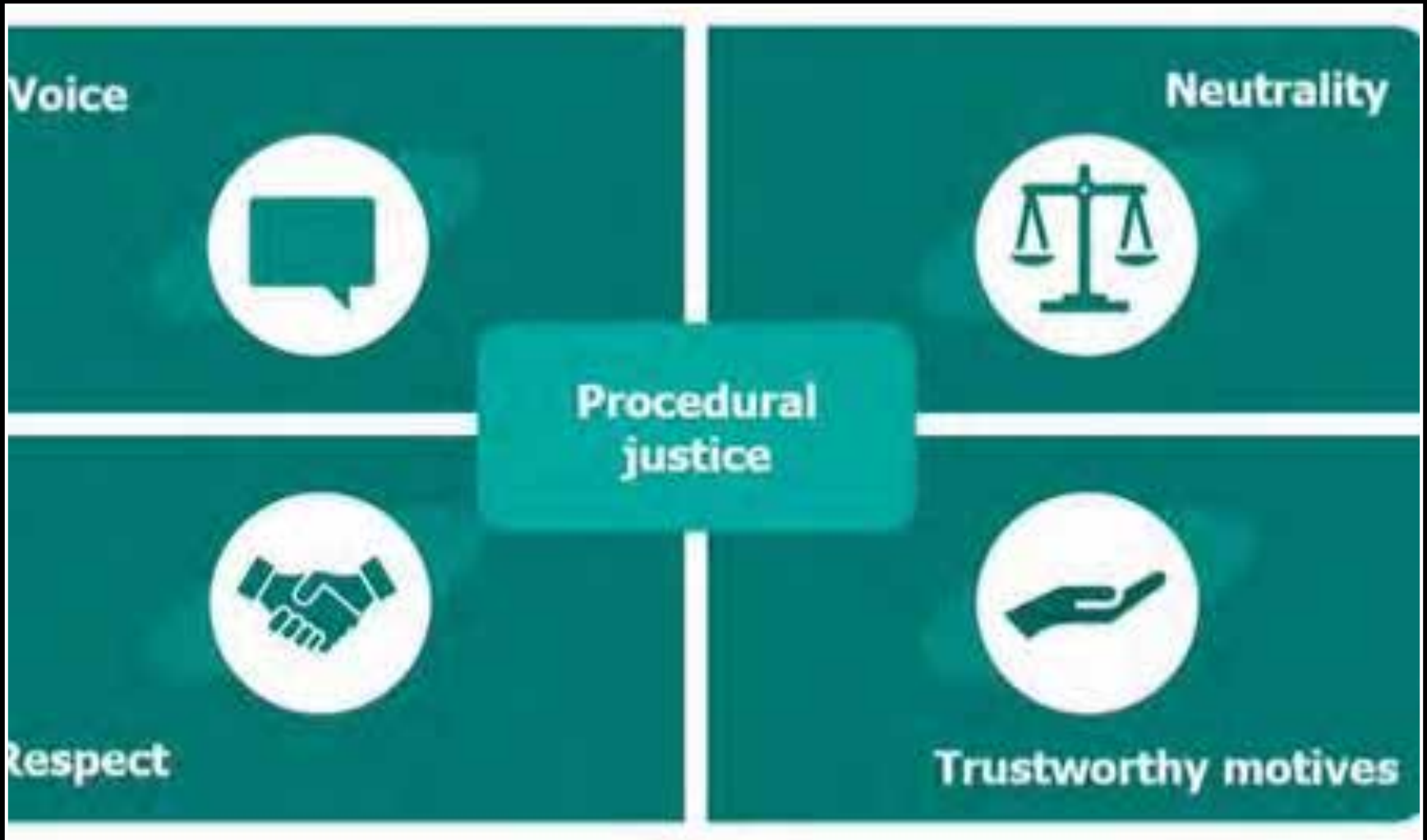
Accountability through (i) legal leverage, and (ii) judicial monitoring



Procedural fairness

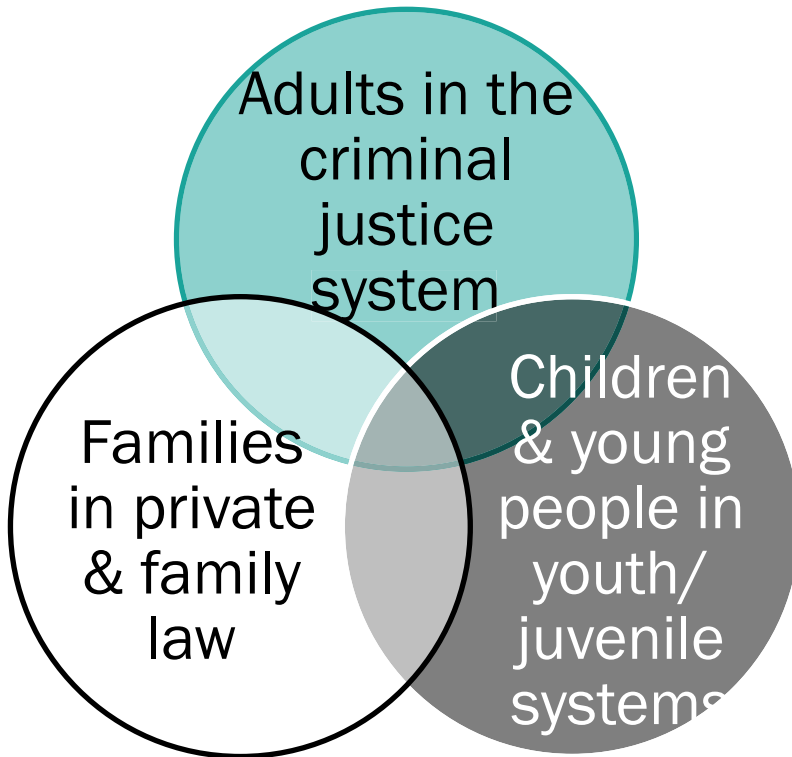


Collaborative intervention and supervision.



PROCEDURAL FAIRNESS

Problem-solving courts have primarily developed to drive behaviour change for three specific groups of individuals who come to court



- Substance use
- Mental health
- Domestic abuse
- Maturity
- Trauma
- Poverty

Putting practitioners and evidence at the heart of justice reform

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Risk-Need-Responsivity (RNR)



GOOD LIVES MODEL



What works



challenges



Introduction to the Family Drug and Alcohol Court



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.”*



Core Components of FDAC



Therapeutic problem solving model



Court Led



Coordinated approach
Dynamic risk assessment

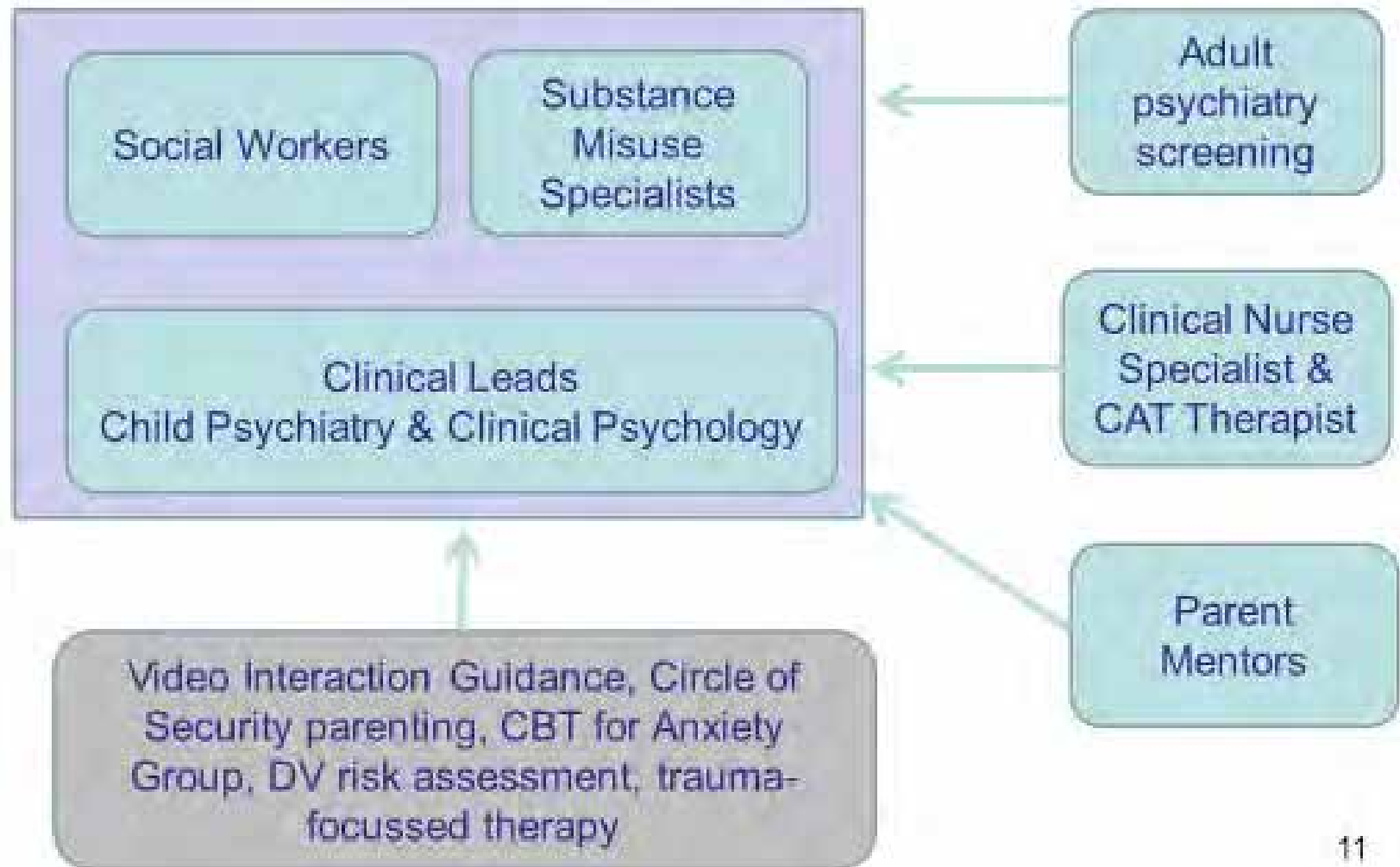


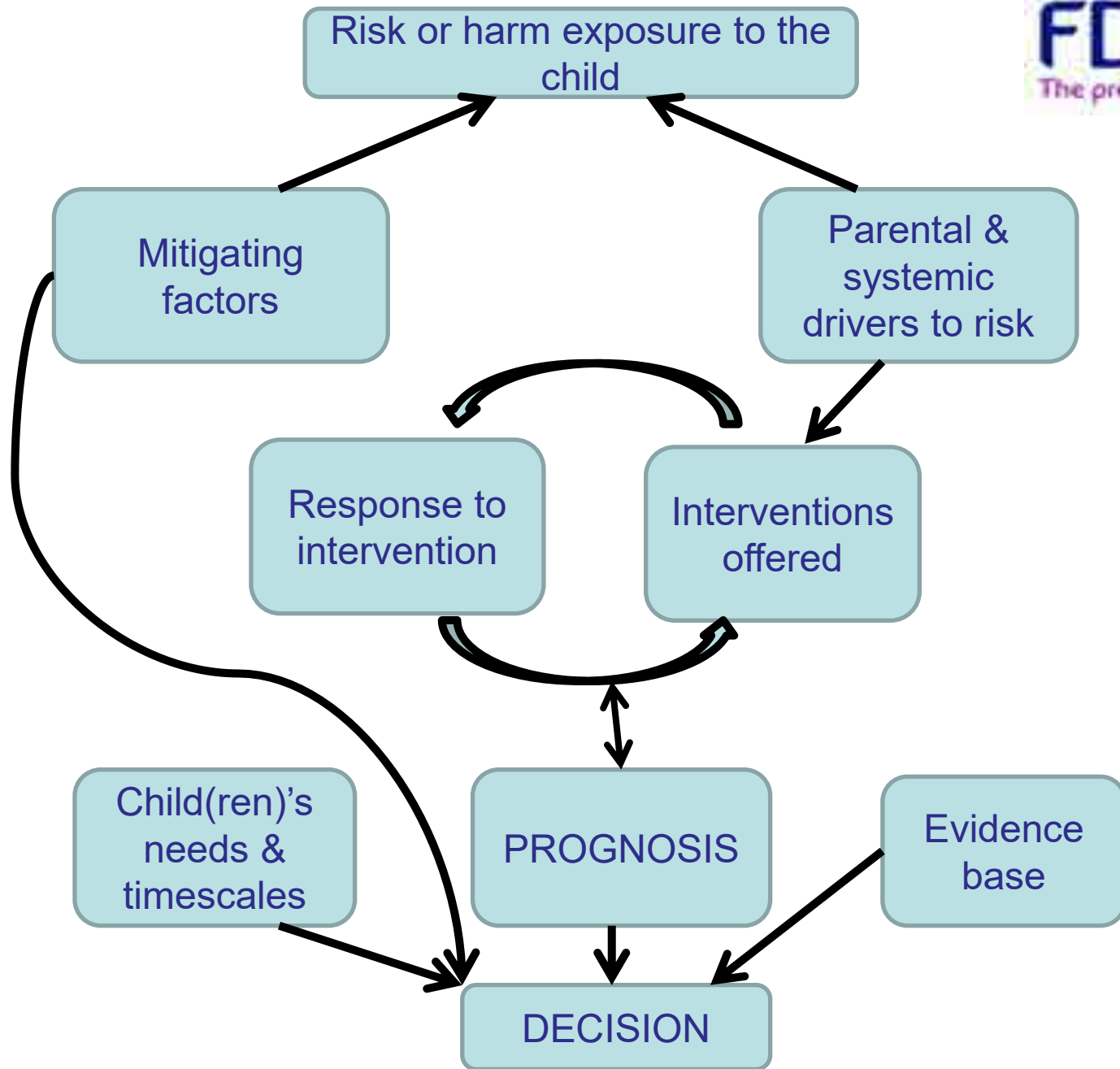
How is FDAC different?

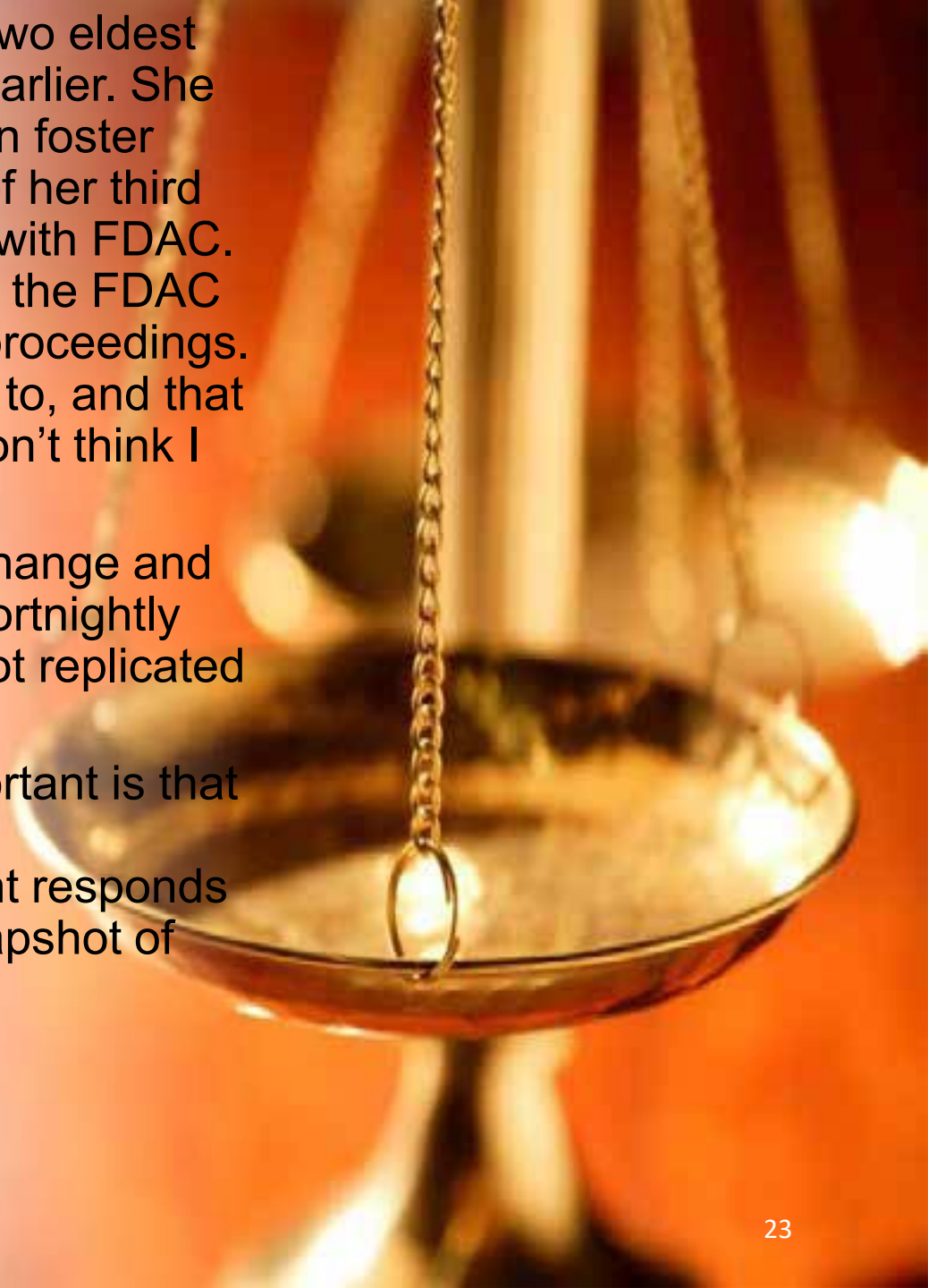
- Judicial continuity
- Non lawyer reviews
- Problem-solving



FDAC specialist team

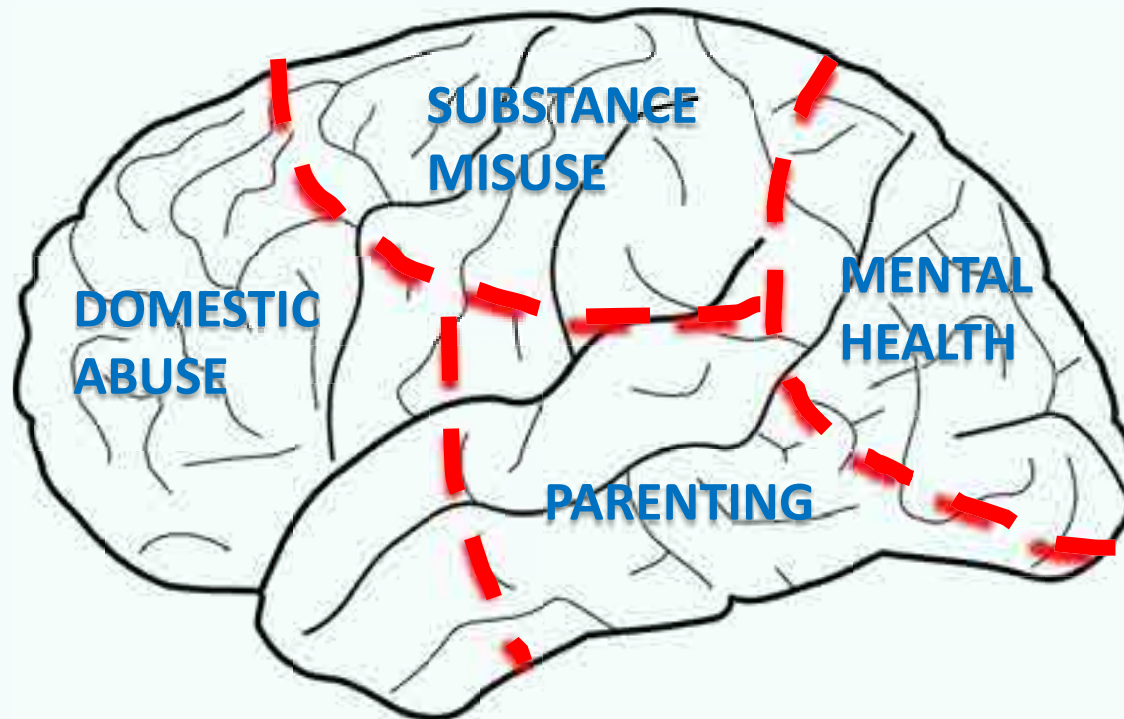




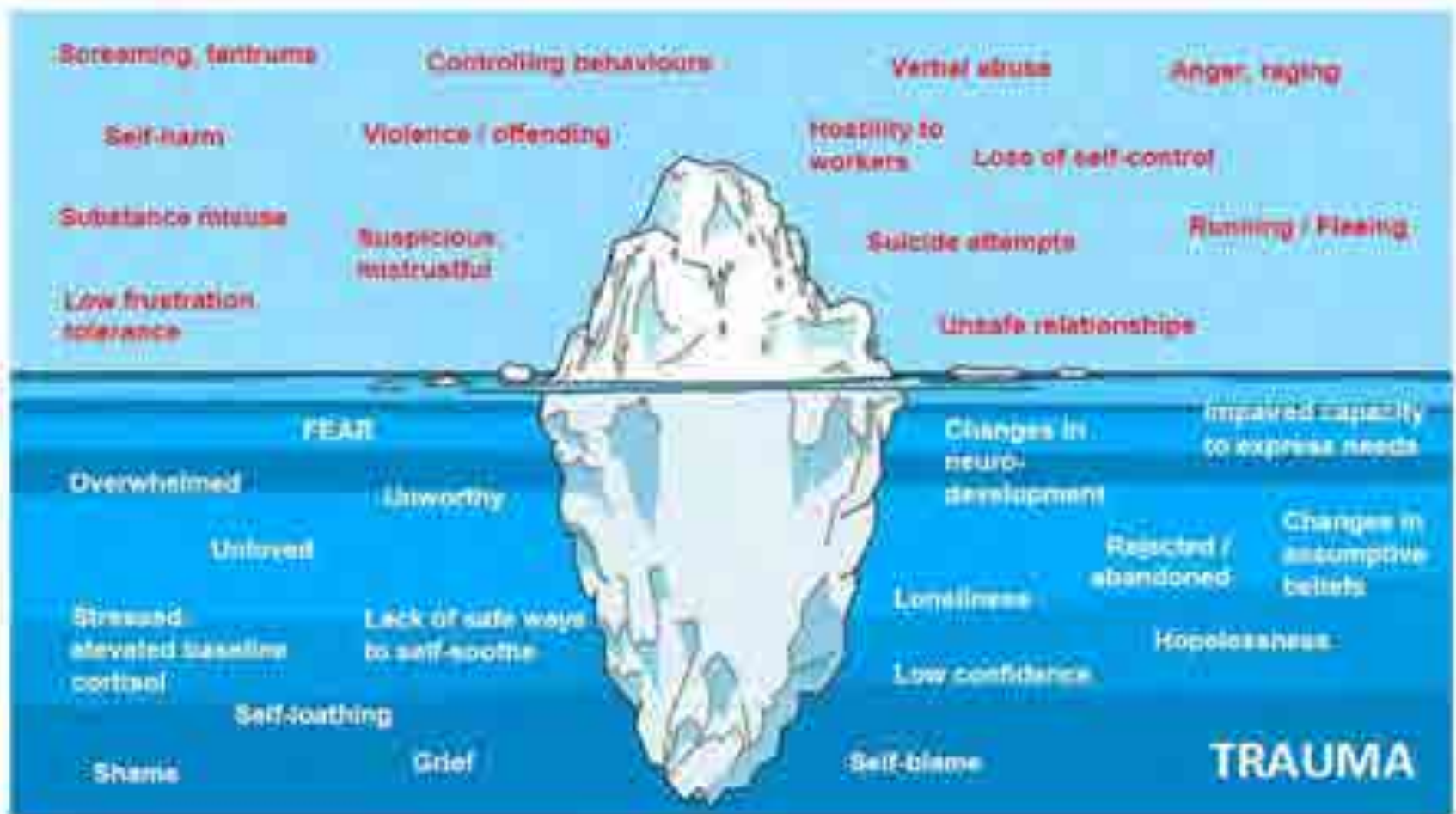
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- A mother had lost the care of her two eldest children in care proceedings years earlier. She had a third child, and after a period in foster care, managed to resume the care of her third child following successfully working with FDAC. I asked her what was different about the FDAC proceedings from the previous two proceedings. She said that she had been listened to, and that she got the support she needed. I don't think I could sum it up any better than that.
 - My ability as a judge to promote change and recognise it, is underpinned by the fortnightly meetings with the parents. That is not replicated in standard care proceedings.
 - The other aspect I think is so important is that the FDAC process allows the FDAC professionals to assess how a parent responds to intervention. This is no simple snapshot of how a parent is.
 - District Judge Stewart Hughan
 - Central Family Court




The divisions between services don't exist in people









- I think what makes the difference is the holistic nature of the support and the assessments which gives parents confidence that they have been fully understood and given every opportunity to really deal with the inter-related issues that they have – drugs / alcohol usually being ‘just’ one of a number of issues.

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- From my point of view what I really like (and I wish I sat more often in the FDAC) is the opportunity to get to know the parents, speak directly to them, nudge them along, essentially being part of the team that can hopefully get them and therefore their children to a better.

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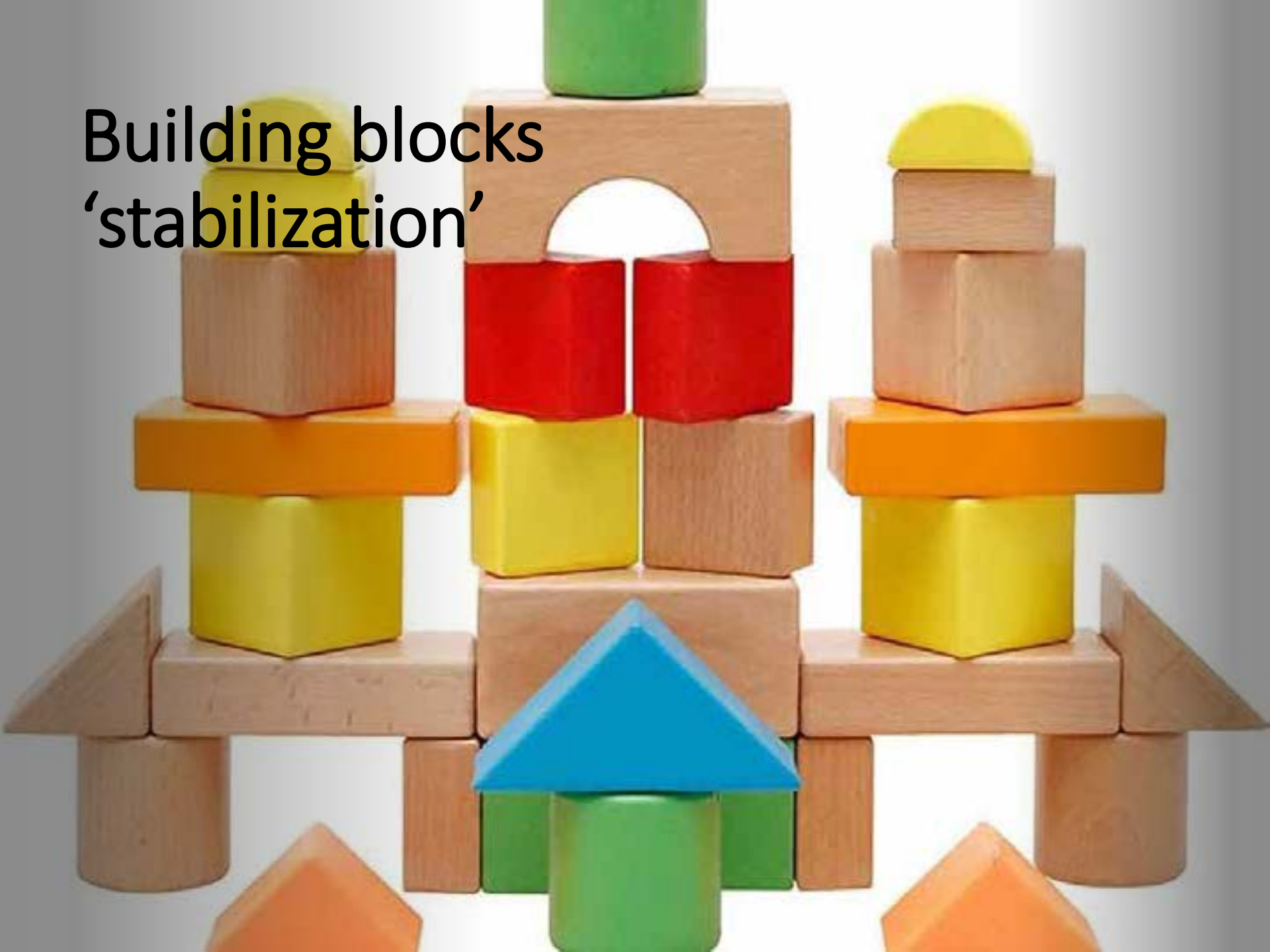
- In terms of skills, its really all about empathy, compassion and good communication.

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- District Judge Elizabeth Baker

Building blocks
'stabilization'





The Language of Recovery

And there's this:

- **“The Parent-Child connection is the most powerful mental health intervention known to mankind”**

- Dr Bessel Van Der Kolk

FDAC Multi Site National Evaluation 2023

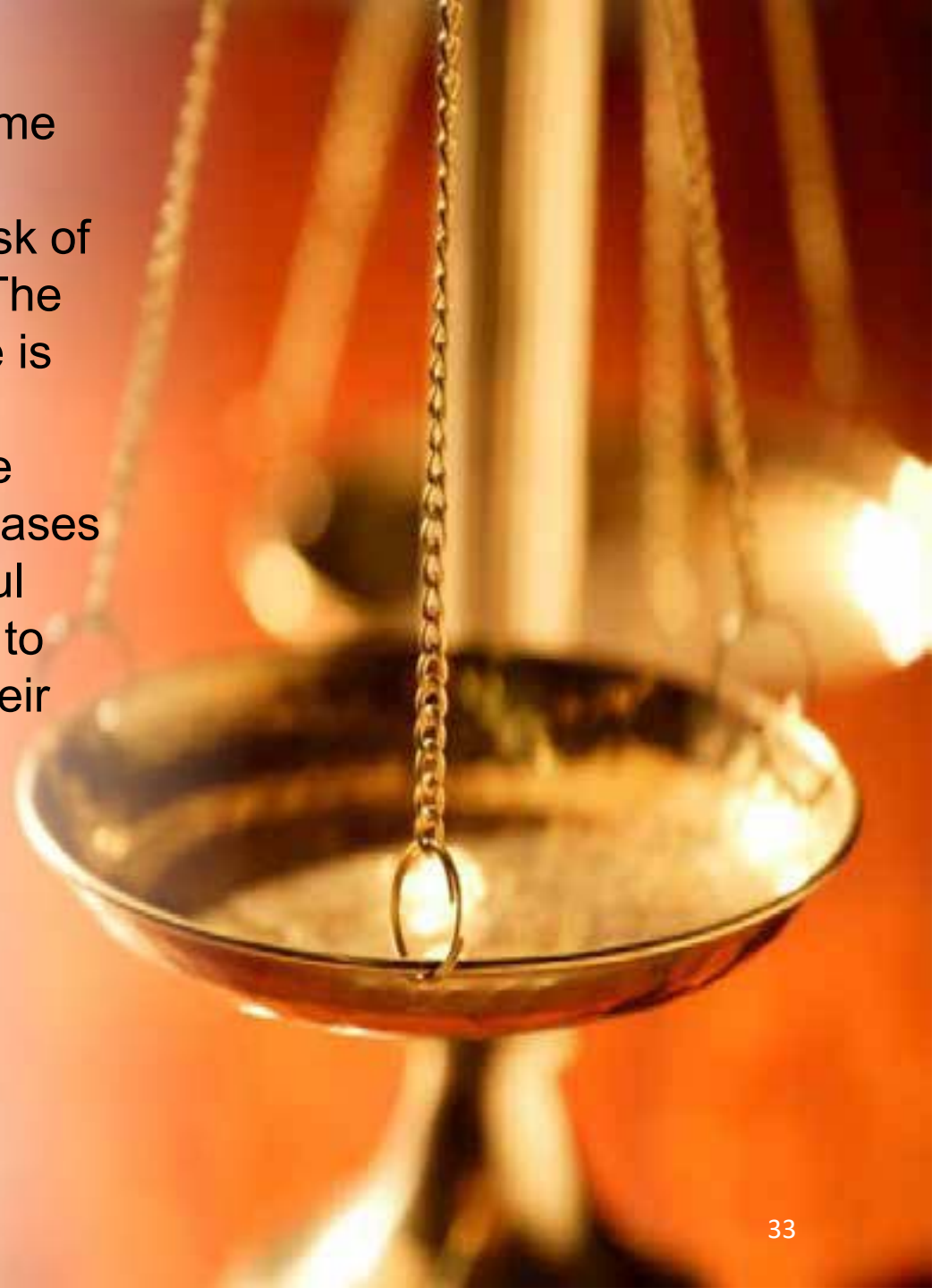


- REUNIFICATION (52% vs 12.5%)
- SUBSTANCE CESSATION (33.6% vs 8.1%)
- COST SAVING – every £1 invested saves £2.30
- LESS CONTESTED CASES (4.2% vs 23.8%)
- MORE SUPPORTIVE AND GENTLE PROCESS

“ FDAC courts are a humane and empathetic way of dealing with some of the most difficult and sad cases involving children removed or at risk of removal from their birth families. The exercise of this power by the State is acknowledged as a fundamental interference in the right to a private and family life. Conducting such cases in a way that provides a meaningful opportunity for parents and carers to change the course of theirs and their children’s lives is progressive and worthwhile”.


Karen Hammond

District Judge
Central Family Court



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.”



“The only lost
cause is one we
give up on before
we enter the
struggle.”

• *by Vaclav Havel*

Research & Outcomes

<https://www.thetimes.co.uk/article/how-family-drug-and-alcohol-courts-aid-the-war-on-addiction-36q96ml3g>

[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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