

Family Drug and Alcohol Courts: The case for investment

A summary for local authorities

This paper is a summary of our financial analysis, 'FDAC: The Case for Investment', which is available in full [here](#).

Background

Care proceedings, where local authorities apply to the family court to consider whether to remove children from the care of their parents, represent the most serious and resource intensive child protection intervention. It is estimated that a care proceedings case costs a local authority, on average, £120,000,¹ and that **the overall cost of care proceedings represents 10% of the children's social care system's annual expenditure.**² In addition to their high cost, the detrimental impact of a child needing to be removed from their family and the longstanding trauma that is experienced by families in care proceedings is well evidenced.

FDACs are an alternative model of care proceedings which follow the same legal framework (the Public Law Outline) as standard care proceedings cases, but with key distinctions in practice - an independent multi-disciplinary team provides intensive therapeutic assessment and support, while the case is overseen by a specially trained judge who meets with the family on a fortnightly basis as part of a process of judicial monitoring. FDACs have been in existence since 2008 and are currently available in 39 local authorities. **FDACs have been subject to multiple evaluations which demonstrate the model achieves significantly better outcomes for children and families when compared to standard proceedings³. Most notably, FDAC increases the chance that children will return to the care of their parents, lessens the need for foster and residential care, reduces parental substance use, and offers a less adversarial and more human experience of care proceedings which is experienced more positively by families and professionals.**

"FDAC saved my life, it was the first time I really spoke about what was going on for me, I really believe that if I didn't have FDAC I wouldn't be here today. I had a wonderful keyworker and a wonderful Judge who saw me as a human being, not just someone on a piece of paper".

FDAC Parent

The case for investment

New analysis, developed according to the Green Book guidance issued by HM Treasury and funded by the Department for Education, demonstrates FDACs generate significant savings in comparison to standard care proceedings. The analysis concludes that on average **FDAC costs £18,000 per case and produces an average direct benefit saving per case of £74,068, the vast majority of which (£73,357) goes to local authorities in predominantly cashable savings. For every £1 spent on an FDAC team, £3.20 of net savings are returned to the tax payer.**

Costs and benefits for local authorities

- The main **cost for local authorities specifically is the FDAC multi-agency team (estimated to be £18,000 per case** when fully operational). This figure includes associated costs such as additional drug testing, training, travel etc. The contribution of other agencies, including courts, the child's social worker and Cafcass, is assumed to represent only a reallocation of existing resources rather than additional costs.
- Children in FDAC care proceedings are significantly more likely to remain or be returned to the care

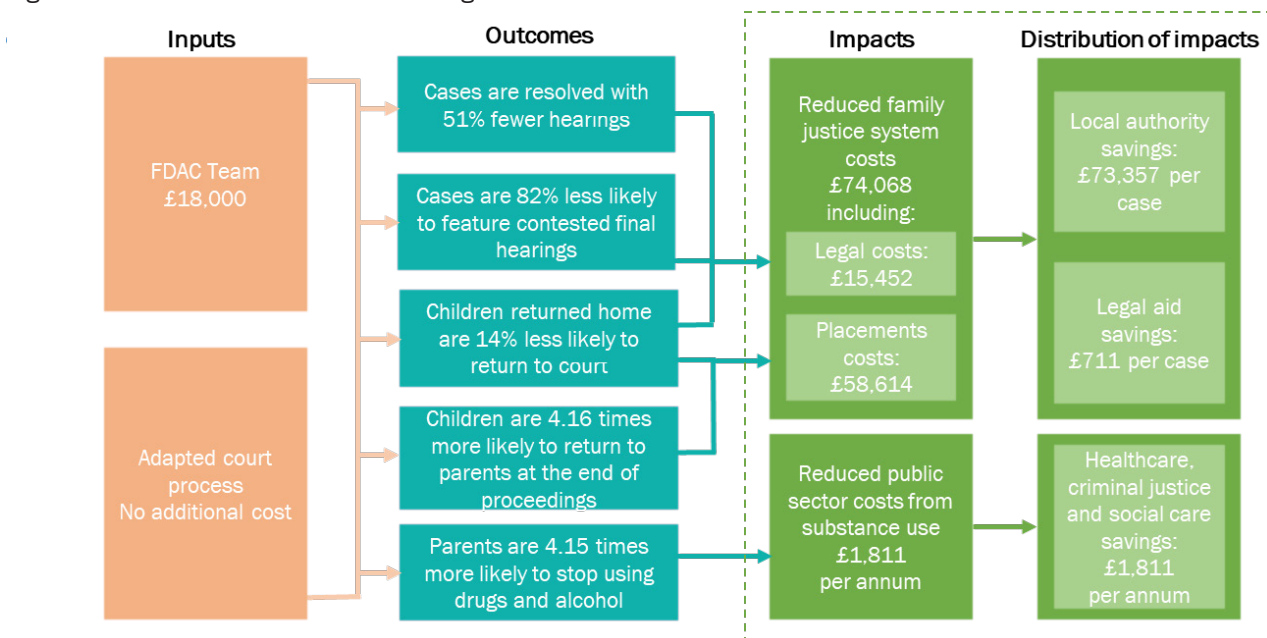
of their parents at the end of proceedings compared to children in standard care proceedings (47% versus 27%⁴), As a result, **FDAC saves local authorities £58,614 per case in local authority placements costs** in the five years after the end of proceedings.

- Compared to standard care proceedings, **FDAC saves local authorities £9,739 per case in legal representation**. This is attributed to fewer hearings, fewer contested final hearings, and, those contested hearings that do occur being on average much shorter.
- Compared to standard care proceedings, **FDAC saves local authorities £2,533 per case in external expert witnesses**. On average, FDAC cases use significantly fewer external expert witness assessments in comparison to standard care proceedings (0.2 assessments per case versus 2.2 in standard proceedings⁵).
- **FDAC saves local authorities £2,469 per case in court ordered drug testing costs** because, unlike for standard care proceedings, local authorities do not contribute to these costs.

Benefits for the wider system⁶

- Parents in FDAC are much more likely to cease using drugs and alcohol by the end of their case than those in standard proceedings (33.6% versus 8.1%)⁷. **This creates savings to health, criminal justice agencies and social care services and wider society worth £1,811 per case on average.**
- Compared to standard care proceedings, **FDAC saves £711 per case in legal aid for the Legal Aid Agency**. This includes £2,837 of savings in legal aid costs for parents' legal representation, partially offset by an increase in drug testing costs covered by legal aid (£2,125).
- FDAC also provides parents with a range of other support including domestic abuse programmes, psychiatric assessment and care, trauma support and physical health interventions, creating the potential for further savings to accrue to other agencies⁸. Research to explore the wider impact of FDAC is ongoing.

Figure 1: Costs and benefits for an average FDAC case:



Conclusions

Extensive evidence has shown that FDAC offers important benefits to children and families. Parents who have been through FDAC describe how, compared to adversarial standard proceedings, they find the FDAC process to be accessible, fair, supportive and respectful, which directly leads to an increased ability to be engaged with effective interventions and support, increased ability to address their recovery and wider support needs, and, as a result, more children are able to safely return to

their families⁹. This latest analysis demonstrates that as well as being good for families and children, **FDAC represents a strong ‘invest to save’ proposition. The analysis shows that even once set-up costs are taken into account, an FDAC service reaches a break-even point for local authorities in its second year of operations.**

A typical FDAC service, supporting 30 families a year may cost around £540,000. Given the current difficult fiscal environment for local authorities it may be challenging to make a case for the upfront investment in an FDAC service, even given the relatively short timeframe for the service to pay off. However, this analysis shows that, **over the medium term, an FDAC service can make a contribution to reducing the pressure on local authorities’ children’s services budgets by significantly reducing expenditure on care proceedings and on foster and residential care placements.** Local authorities can mitigate the initial burden by sharing an FDAC service across multiple local authorities, or by working in partnership with other local stakeholders who have an interest in addressing substance misuse, domestic abuse, mental health or child well-being. Existing FDACs have supported their running costs by bringing in contributions from PCCs (Police and Crime Commissioners) or Public Health alongside children’s services teams.

At a time when the escalating costs of care proceedings and long-term care placements are contributing to local authority’s financial difficulties it may seem difficult to justify investing in new services for families at the edge of care. But in the case of FDAC, this robust new analysis suggests that this investment will pay itself back many times over.

The Centre for Justice Innovation has produced a new cost benefit tool which allows local authorities to forecast the potential costs and benefits of an FDAC in their area. To get this free tool or find out more about any aspect of FDAC, please get in touch at fdac@justiceninnovation.org.

Our full financial analysis can be found in ‘FDAC: The Case for Investment’, available in full at <https://justiceinnovation.org/publications/fdac-case-investment>. The analysis completed has also involved modelling various scenarios for the possibility of central government funding to mitigate the initial financial obstacles to establish FDACs.

Endnotes

1. Josh McAlister, 2022, The Independent Review of Children’s Social Care: Final Report <https://webarchive.nationalarchives.gov.uk/ukgwa/20230308122449/https://childrensocialcare.independent-review.uk/final-report/>
2. Mutual Ventures (2023) https://www.mutualventures.co.uk/_files/ugd/ee96d5_6d270c17293f4bdfaafe463da9b5f7f7.pdf
3. For a comprehensive overview of the existing evidence on FDACs please see: https://justiceinnovation.org/sites/default/files/media/document/2023/family_drug_and_alcohol_courts_evidence_summary.pdf
4. Foundations (2023) Evaluation of Family Drug and Alcohol Courts. <https://foundations.org.uk/our-work/publications/evaluation-of-family-drug-and-alcohol-courts/>
5. Foundations (2023)
6. Wider system benefits of FDAC are quantified using the Greater Manchester Combined Authority unit cost database, which was adopted as supplementary guidance to HM Treasury’s Green Book.
7. Foundations (2023)
8. Data on services provided is drawn from unpublished data collected through the FDAC national data collection tool managed by the Centre for Justice Innovation.
9. Harwin et al. (2014) Changing Lifestyles, Keeping Children Safe: an evaluation of the first Family Drug and Alcohol Court (FDAC) in care proceedings https://wp.lancs.ac.uk/cfj-fdac/files/2016/11/FDAC_FinalReport_2014.pdf

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