

Problem-solving courts

A guide to practice in the United Kingdom



Purpose of guide

This guide provides an overview of current problem-solving court practice in the United Kingdom for practitioners and policymakers working in, or seeking to develop, problem-solving approaches. It updates the version first published in April 2023, reflecting renewed government interest in this area, including the establishment of new problem-solving court models.

The Ministry of Justice has established four problem-solving courts, known as Intensive Supervision Court (ISC) pilots, including three focused on substance use at Liverpool, Teesside and Bristol Crown Courts and one focused on women with multiple, unmet needs at Birmingham Magistrates' Court. The Government recently closed an Expression of Interest process inviting further areas to apply to pilot additional ISCs, with implementation of new courts expected through 2026 and 2027. These developments represent an important opportunity to expand problem-solving practice across England and Wales and to strengthen the evidence base on their impact.

The guide provides information about the different types of problem-solving courts currently operating in the UK, including an overview of each model, a summary of the supporting evidence and case studies that illustrate how each approach works in practice.

About problem-solving courts

Problem-solving courts are a diverse family of court models, and can be found in adult criminal justice, youth justice and family justice courts in the United Kingdom. Their common features are that they:

- Specialise in a specific set of issues such as substance use or domestic abuse or around a specific target group, such as women at risk of custody;
- Deploy a multi-agency team or partnership to provide intervention and supervision;
- Integrate intervention and supervision with judicial monitoring, a process in which individuals are regularly brought back in front of the same judge to discuss progress and future challenges and opportunities for change;
- Endeavour to create a procedurally fair environment;
- Focus on improving outcomes.¹

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We are aware that there are other problem-solving courts in the UK not covered in this typology, and that internationally there are further models, such as those focused solely on mental health issues. However, for the sake of brevity, we have limited this guide to the main types extant in the UK.



Substance use courts



Substance use, crime and public health

Substance use is a significant driver of both crime and public health challenges in the UK. In 2023, 5,448 deaths were related to the use of drugs in England and Wales and a further 1,172 deaths in Scotland, the highest number since records began and marking an 11% increase from the previous year.² In Northern Ireland, 169 drug-related deaths were registered in 2023, down from the peak in 2020 but still representing a 47% increase since 2013.³ Notably, nearly half of the drug-related deaths in England and Wales involved opiates such as heroin or morphine, and cocaine-related deaths surged by 30%.⁴

The use of opiates and / or cocaine is particularly associated with lower-level acquisitive crimes such as shoplifting and offences related to sex work⁵ and estimates are that almost half of acquisitive crime is drug-related.⁶ Use of alcohol is particularly associated with violent crime, with people committing two in every five (39%) violent crimes believed to be under the influence of alcohol.⁷

Substance use treatment

There is strong evidence to suggest that effective drug treatment can have a significant impact on drug-related crime.⁸ Drug and alcohol treatment often combines psychosocial interventions such as Cognitive Behavioural Therapy (CBT) with pharmacological interventions such as the provision of opioid substitution drugs such as methadone. One UK study, which looked at people who use opiate and crack found that starting treatment in the community was associated with a 46% reduction in all offending and a 49% reduction in acquisitive crime.⁹ A wider-scale study estimated that in 2010/11 drug treatment and recovery systems in England may have prevented about 4.9 million crimes, with an estimated saving to society of £960 million in costs to the public, businesses, the criminal justice system and the National Health Service (NHS).¹⁰

However, it can be difficult to support and motivate those who use substances to engage with treatment. It is estimated that around half of people dependent on opiates and crack are not in any form of treatment.¹¹ In England and Wales, the principal mechanism for supporting individuals into treatment through the courts are the Drug Rehabilitation Requirement (DRR) and Alcohol Treatment Requirement (ATR), which can form part of community or suspended sentence orders. However, use of these requirements has been consistently low, due in part to difficulties in undertaking timely assessments. Similarly, the analogous Drug Treatment and Testing Order (DTTO) in Scotland is not extensively used, and the numbers of orders given fell to a historic low during the pandemic. In Northern Ireland, although legislation provides for a Drug Treatment and Testing Order (DTTO) under Article 9 of the Criminal Justice (Northern Ireland) Order 1998,¹² this has not been implemented in practice.

Instead, the courts may attach treatment-related conditions to community sentences, requiring individuals to attend alcohol or drug rehabilitation programmes or other forms of counselling, with supervision and support delivered by the Probation Board for Northern Ireland (PBNI).¹³

Substance use court model

One approach to improving uptake of treatment among people in the criminal justice system who use substances has been the development of specialist problem-solving courts focused on substance use. Substance use courts, sometimes known simply as drug courts, originated in the USA in the late 1980s. There are now more than 3000 operating in the US and they have spread to more than 25 other countries, including Australia, Canada, New Zealand, Ireland and the United Kingdom.¹⁴ Substance use courts are generally reserved as an alternative to custody and/or targeted at more complex, repeat offending.

The model combines judicial oversight with structured multi-agency treatment, supervision and intervention. The multi-agency team typically involves probation, substance use specialists, health professionals and other partners offering clinical input relating to trauma, mental health, and other relevant issues. The team develops a tailored supervision and intervention plan with the individual that integrates psychosocial and pharmacological drug treatment with supervisory measures such as regular drug testing and monitoring.

The judicial monitoring is characterised by regular court reviews in front of the same dedicated judge. Good practice in these reviews emphasises procedural fairness, where dialogue between the team, the individual and the judge is facilitated, where the individual has a voice in the process and where issues and aspirations for the future are discussed. These courts tend to operate a system of graduated incentives and sanctions as a method of reinforcing motivation.

It is worth noting that while individuals subject to either the DTTO in Scotland or the DRR and ATR in England and Wales can be

subject to judicial monitoring, its deployment is restricted to certain circumstances, and these reviews do not include many of the other features of the substance use court model, such as consistency of judge conducting the monitoring¹⁵ or the use of appropriate and graduated sanctions and incentives schemes.

Substance use court practice in the UK and Ireland

Across the UK and Ireland, substance use courts have developed in various forms. In Scotland, two dedicated drug courts were opened in the early 2000s, of which the court in Glasgow remains open while the court in Fife closed in 2013. More recently, courts focused on alcohol use have been established in Glasgow and Edinburgh, followed by the Pan-Lanarkshire alcohol and drug problem-solving court which launched in late 2023. In Ireland, the Dublin Drug Treatment Court has been running since 2001, though is still formally considered a pilot, and in Northern Ireland, the Belfast Substance Misuse Court opened in 2018.

In England and Wales, dedicated drug court pilots were set up in two magistrates' courts in the mid-2000s. These pilots were subject to a process evaluation¹⁶ but no outcome evaluation¹⁷ and ended in the early 2010s. In 2023, the Ministry of Justice launched new substance use-focused problem-solving court pilots, called Intensive Supervision Courts, at Liverpool and Teesside Crown Courts, followed by Bristol Crown Court in 2024. More details can be found about the Belfast and ISC models in our case studies below.

Our reviews of UK problem-solving court practice have identified several features which are seen to improve their effectiveness compared to standard practices. These include:

- **Judicial monitoring and continuity:** Ensuring that participants have the same judge at each court review offering consistent oversight and feedback is important in fostering relationships, building trust and motivating progress.

- **Fast-tracked access to treatment:** Designated referral pathways to community treatment programmes allows for prompt assessments and faster access to interventions. For people with insecure accommodation, those experiencing challenges with stability or routine and those with entrenched substance use, delays to treatment access can lead to missed opportunities for engagement.
- **Customised support:** Participants receive a comprehensive and tailored supervision and intervention plan that combines treatment with supervisory measures overseen by probation. They must agree to engage in treatment, regular drug and alcohol testing, but also receive additional support from third sector agencies for needs such as mental health.
- **Recognition of success:** The use of graduated incentives and sanctions, alongside holding graduations when participants complete the programme, helps to reinforce positive change and acknowledge progress and achievement.

Evidence on substance use courts

There is a robust and extensive international evidence base demonstrating that substance use courts are effective at reducing reoffending and drug and alcohol use. Several meta-analyses of US drug courts have consistently shown lower re-arrest or reoffending rates compared to randomised or matched comparison groups, with additional reductions in drug use and improvements in other health and social outcomes.¹⁸ The Multi-site Adult Drug Court Evaluation (MADCE), which examined the policies and practices linked to positive outcomes across 23 drug courts, encompassing 1,781 participating clients, highlighted that effective judicial engagement, participants' perceptions of fairness, regular drug testing, and a sufficient duration of treatment were key factors in achieving positive outcomes.¹⁹

While there is less direct evidence on courts which target those with alcohol use issues, drug court studies do show improvements in levels of alcohol use. Research suggests that the key components

associated with reduced reoffending include the judge's level of experience, the amount of time a person spends in front of the judge during court reviews, collaboration between different agencies, and a programme length of at least one year.

In the UK, a 2009 evaluation compared outcomes for individuals given DTTOs in the Glasgow and Fife problem-solving courts to those given the same sentence in other Scottish courts. It found that 47% of drug court DTTOs were completed successfully, compared to 35% in other courts.²⁰ More recent evaluations of the Belfast Substance Misuse Court found that participants who completed their sentence showed significant reductions in both drug and alcohol use, a reduced risk of reoffending, and improvements in self-efficacy and well-being.²¹ The interim process evaluation of the ISCs pilots has also reported positive early findings, highlighting high levels of engagement and compliance, low rates of early termination, suggesting that the model offers an effective alternative to short custodial sentences.²²

Case study: Belfast Substance Misuse Court

According to the Probation Board of Northern Ireland, around three-quarters of people under probation supervision in Northern Ireland have an alcohol or drug-related issue that contributes directly to their offending behaviour. The Belfast Substance Misuse Court (SMC) was established by the Northern Ireland Department of Justice in 2018, initially as a pilot and now on a permanent footing, as part of a programme of problem-solving initiatives which aims to reduce reoffending rates by tackling underlying problems.

The SMC offers eligible individuals the opportunity to engage in an intensive treatment programme before sentencing, to help tackle their addiction and change their behaviour. Eligibility screening is carried out by staff from the Probation Board for Northern Ireland and Addiction Northern Ireland. The court works with adults who have pled guilty to committing an offence related to their substance use and who express willingness to cooperate with supervision, to not offend and to address their substance use. It excludes those

involved in the supply of drugs, people found in possession of offensive weapons and anyone with a history of sexual offences, as well as those whose mental illness would impede participation.

People in the SMC receive a comprehensive and tailored treatment and supervision plan which may include custom therapeutic interventions for substance use, opportunities to address issues underlying offending behaviour and access to social support. They are also subject to random drug and alcohol testing and must attend regular reviews of progress with a dedicated judge. The court's harm reduction approach to substance use, which recognises that complete abstinence may not be feasible for every participant, has been highlighted as a strength.

While completing the programme, the individual is subject to court bail conditions and attends review hearings with the judge to monitor progress and discuss any challenges. If the judge feels that progress is not being made, they can terminate the programme and sentence the individual. Upon successful completion of the programme, the judge presides over a final review where they pass sentence, taking into account the individual's engagement with the programme and any other evidence before the court.

Evaluations of the SMC found that around half of participants completed the programme, many achieving abstinence or significant harm reduction in their substance use, with measurable reductions in both substance use and their risk of re-offending.

Case study: Substance Misuse Intensive Supervision Courts (SM ISCs)

The Intensive Supervision Court (ISC) programme, funded by the Ministry of Justice, includes three pilots focused on targeting individuals whose offending is driven by their drug or alcohol dependency with a view to reducing re-offending, improving health outcomes, and increasing access to treatment services. The first two

pilots launched in Liverpool and Teesside Crown Courts in June 2023 with a third opening at Bristol Crown Court in June 2024.

The SM ISCs are tailored to individuals whose offences are linked to their drug and/or alcohol use and who would otherwise face a custodial sentence of up to two years. Potential participants must be aged 18 or over, reside in the pilot area and demonstrate motivation to address their problems and willingness to engage with the programme. Individuals with firearms offences, sexual offences, repeat knife offences or links to organised crime are excluded.

Support is delivered by a specially trained multi-agency team that includes probation, treatment providers, police, and other support services. Participants receive a tailored plan combining treatment, drug testing, unpaid work and mental health support. They attend regular reviews at court, conducted by the same dedicated judge, who provides consistent feedback and applies incentives to reward engagement and sanctions for non-compliance.

Early evaluation findings have shown positive results. Participants on ISC orders generally showed good engagement and compliance with their sentence requirements, and many have reported reductions in substance use alongside improvements in health, family life and wellbeing. Judges' consistent involvement, less formal hearings and strong collaboration between agencies have been highlighted as key strengths.

Some initial challenges of the pilots have included high caseload pressures on probation, limited additional resources for some delivery partners, and difficulties securing stable housing for participants. Ensuring wider buy-in from the legal profession and other stakeholders has also been identified as an area for further development. The ISC pilots are subject to a full evaluative strategy. The final process evaluation report is due in autumn 2025, and both impact and economic evaluations are scheduled for completion in 2028.

Problem-solving courts for women



Female offending

In 2023, only 22% of all the people dealt with by the criminal justice system, including arrest, charge, prosecution, conviction and imprisonment were women.²³ While they accounted for 16% of arrests and just 4% of the prison population,²⁴ data shows that women who are convicted are:

- **More likely to have experienced trauma:** 63% of women in prison serving less than 12 months stated they needed help with previous or ongoing trauma, including domestic abuse;²⁵ 53% of women in prison report having experienced emotional, physical, or sexual abuse as a child, compared to 27% of men,²⁶ and 62% of women in prison report having mental health issues, compared to 54% of men;²⁷
- **More likely to be primary carers of children:** While government data do not provide specific statistics, a 2013 study found that six in ten women in prison had dependent children and one-fifth were lone parents before imprisonment;²⁸
- **More likely to offend due to their relationships:** nearly half of women prisoners (48%) reported having committed offences to support someone else's drug use, compared to 22% of male prisoners;²⁹
- **Less likely to be violent:** Women are significantly less likely to be convicted of more serious indictable offences (including violence against the person), accounting for only 13% of all convictions for women, compared with 24% for men in 2023. Summary non-motoring offences accounted for 36% of all prosecutions of women, compared to 19% of prosecutions of men.³⁰ In 2023, 74% of those charged with television licence evasion were women, which accounted for 12% of all prosecutions of women; and women also make up 66% of all prosecutions for truancy.³¹ Theft offences are the most common indictable offence group for women, accounting for 34% of all indictable offences. The most common of these offences, theft from a shop, make up 27% of all female prosecutions for indictable offences, compared to 12% for men.³²

A distinct approach to women in the justice system

The distinctive needs profile of women who offend necessitates a specific approach to providing support. The Ministry of Justice's rapid evidence review, *Better Outcomes for Women Offenders*, identifies that gender responsive approaches to female offending are more effective at reducing rates of re-offending than gender neutral interventions.³³

Based on the evidence reported in the evidence review, the Ministry of Justice set out seven priority areas for intervention: (i) addressing substance misuse problems; (ii) addressing mental health problems; (iii) improving family contact; (iv) building skills in emotion management; (v) helping women to resettlement and build social capital; (vi) helping women to develop a pro-social identity; and (vii) helping women to believe in their ability to control their lives and have goals.³⁴

Women's problem-solving court model

Developing a problem-solving court specifically for women who are likely to receive either a multi-requirement community sentence or short custody is not a model with significant parallels in international practice. As far as we know, it is a model unique to the UK. Currently, there are four examples in the UK: the Greater Manchester Women's Court, the Aberdeen Problem-Solving Approach (PSA) that is targeted both at young adult men and women with complex needs, the Glasgow Female Offenders' Court, and the Birmingham Intensive Supervision Court (ISC).

These courts have a number of common features. All four existing courts focus on women who have offended and who have multiple unmet needs, such as substance use, mental health issues or unstable housing. Their shared purpose is to provide an effective

alternative to custody by tackling the underlying causes of women's offending. Potentially eligible women are identified at an early stage, which can enable referrals into women's centres, often prior to sentencing.

Supervision and intervention are delivered in a gender-responsive manner, with specially trained practitioners from a range of agencies. These agencies meet to discuss the sentence plan, within which the objectives will serve to improve the women's welfare needs.

During their sentence, women appear regularly in front of a specially trained judge (or bench of magistrates), where the woman and agencies involved discuss progress as well as any concerns that have been raised. Wherever possible, continuity of sentencer is maintained, as seeing the same judge at each review helps build trust, foster relationships, and support the development of concrete goals. At these reviews, incentives can be employed by the judge to recognise achievements and encourage continued engagement. This might range from congratulating progress publicly in court to, in some cases of sustained progress, early completion of the order, with the option of continued voluntary support thereafter.

Evidence on problem-solving courts for women

As part of our review of the evidence on problem-solving courts in 2016, we concluded that a problem-solving court for women "who have complex needs or are at risk of custody has the potential to reduce reoffending and address criminogenic needs. We see a strong theory of change for a specialised approach informed by evidence-led trauma-informed and gender-responsive practice which responds to the distinctive needs of women." Moreover, we take the view that implementing a women's problem-solving court as part of a wider Whole Systems Approach to women's offending could

provide an opportunity to holistically and comprehensively address the seven priority areas for intervention outlined above.

In the same evidence review, we recognised that, in practice, there are only limited examples of them being implemented and, therefore, even more limited evaluation evidence of their impact. However, in recent years, there has been increased interest in the potential impact of gender-responsive approaches at court on women with multiple, intersecting needs. This has resulted in more examples of specialist women's courts being developed, including as part of the government's intensive supervision court pilot programme. As these courts become more established and given time for the formal evaluations to be completed, it is hoped that they will help expand and strengthen the evidence base on the effectiveness of these approaches.

Case study: Birmingham Women's Intensive Supervision Court (ISC)

Operating since June 2023, the Birmingham Women's ISC provides an intensive Community Order or Suspended Sentence Order as a robust and rehabilitative alternative to short custodial sentences. Its aims are to reduce the use of short-term custody, lower the frequency and harm of re-offending, address health and wellbeing needs, and improve engagement and compliance. The court targets women facing multiple and complex challenges who are at risk of up to six months' imprisonment, combining intensive supervision and interventions with holistic support delivered by a multi-agency team including Anawim Birmingham's Centre for Women and Black Country Women's Aid.

Before sentencing, eligible cases are adjourned for a full Pre-Sentence Report (PSR) to assess suitability. PSR assessments are completed within women's centres by probation practitioners and keyworkers complete the Women's Risk and Needs Assessment (WRNA) tool to ensure a trauma-informed approach. Potential candidates with identified drug or alcohol needs are assessed as to their suitability for a Drug Rehabilitation Requirement (DRR),

Alcohol Treatment Requirement (ATR) and/or the standalone drug testing requirement, while NHS involvement has led to increased use of Mental Health Treatment Requirements (MHTRs). A single, specially trained judge oversees each order through regular progress reviews at court and can use clear, consistent, and graduated incentives and sanctions to encourage compliance, and protect victims.

As it remains in its pilot phase, the Birmingham ISC is still under evaluation. The ISC pilots are subject to a comprehensive evaluative strategy, including process, impact and economic evaluations. Early findings from the interim process evaluation report suggest positive outcomes, including good sentence engagement, strong partnership working, and improved relationships between participants and their families.³⁵ Early challenges have included unexpectedly high workloads, staff shortages, limited housing support and a lack of additional funding for partner organisations, all of which affected implementation. Building stakeholder understanding took time, and concerns were raised about narrow eligibility criteria and potential up-tariffing.³⁶ Concerns about delays in access to mental health support have also been raised due to increasing waiting lists for the MHTR intervention.

Case study: Greater Manchester's Problem-solving Court for Women

Manchester's women's problem-solving court launched in 2014 as part of the city's Whole Systems Approach (WSA) to supporting women in the justice system. Central to the WSA is the network of women's centres across Greater Manchester, offering trauma-responsive, holistic support in a safe, welcoming settings. Initially operating in Manchester and Salford, the problem-solving court which offers an alternative to custody, has since expanded across Greater Manchester's nine boroughs.

The court targets women with multiple needs, including substance use, mental health issues and unstable housing, identified during the pre-sentence assessment. Probation officers can recommend referral to the problem-solving court through the PSR. Specialist teams, including legal advisors, probation staff and a panel of magistrates, support the process.

Each woman is allocated a keyworker from a local women's centre and receives a tailored package of support. Regular, less formal court reviews focus on encouraging engagement and compliance and recognising strengths. Since the pandemic, women can attend reviews remotely from their women's centre for added flexibility.

Although there has been no dedicated outcomes evaluation of the WPSC, an evaluation of Manchester's WSA praised the court for its strong multi-agency commitment, describing it as a "gold standard", though some concerns about "up-tariffing" (increasing the punitive burden) were noted.³⁷ The broader WSA has been associated with lower reoffending rates among women than national averages.³⁸ A subsequent study of the WPSC, which focused on participant experiences of the process, highlighted the positive impact of probation practitioners and women's centres, while noting challenges such as intimidating courtroom settings and perceived power imbalances when reviews involved multiple magistrates and professionals.³⁹

Case study: Glasgow Female Offenders' Court

Scotland, and specifically Glasgow, has a longstanding history of problem-solving justice. The Drug Court at Glasgow Sheriff's Court has operated since 2001 and Scotland now hosts a small group of established problem-solving courts tackling issues such as drugs, alcohol, and domestic abuse. In Glasgow, the Alcohol Court opened in 2018 followed by the Young Person's Court in 2021, and the Female Offenders' Court (FOC) opened in January 2023.

Like Aberdeen, the FOC aims to reduce the use of custody and better address the needs of women whose offending is linked to multiple, unmet and intersecting needs such as substance use, trauma and abuse. It follows a deferred sentencing model in which women accepted to the court receive a Structured Deferred Sentence (SDS), allowing them to engage with services and begin addressing their needs before sentencing.⁴⁰ Each woman is supported by a multi-

disciplinary team led by the Criminal Justice Social Worker (CJSW) and includes an offer of support from Tomorrow's Women Glasgow.

Two dedicated Sheriffs preside over the FOC, providing judicial continuity through monthly court reviews where progress and challenges are discussed. Successful engagement can result in admonishment, meaning no further sentence, or a reduced community order, while non-engagement leads to standard sentencing.⁴¹

Due to its short time in operation, the Female Offenders' Court has not yet been evaluated. However, the use of deferred sentencing has shown positive outcomes for women at risk of custody by offering time for them to stabilise and begin addressing their needs.⁴²

Problem-solving courts and domestic abuse



Domestic abuse, crime and harm

In England and Wales, in the year ending March 2024, 108 domestic homicides were recorded by the police: 83 (77%) of these victims were women and 25 (23%) were men. Of the 108 homicides, 66 (61%) involved a partner or ex-partner as the perpetrator.⁴³ This was broadly similar to the previous year, when 107 domestic homicides were recorded with a comparable gender split,⁴⁴ suggesting that little progress has been made in reducing the harms associated with domestic abuse.

Innovative approaches to domestic abuse in court

Evidence suggests that victim-survivor experiences in the criminal courts are inadequate. Victims often report feeling excluded from the court process, and that their safety is not properly addressed, both inside and outside of the court room. Issues such as poor information sharing and a lack of awareness of domestic abuse issues from criminal justice system agencies contribute to disjointed and delayed processes for victim-survivors. Consequently, victim support for prosecution is often withdrawn, which contributes to low charge, prosecution and conviction rates of domestic abuse in comparison to other offences.⁴⁵

Broadly, there are three main types of specialised court responses to domestic abuse, some of which operate in the UK: (i) specialist domestic abuse courts; (ii) problem-solving domestic abuse courts; and (iii) integrated domestic abuse courts.

Specialist Domestic Abuse Courts

Specialist Domestic Abuse Courts (SDACs) aim to increase the rate of successful prosecutions for domestic abuse, improve the safety and satisfaction of victim-survivors, and increase public confidence

in the criminal justice system. Despite this widespread adoption of the model in the early 2000s, SDACs have suffered closures and deterioration over the past 10 years as a result of reduced government funding and court reorganisations and restructures.⁴⁶ Today, there are an estimated 35-40 SDACs in operation in England and Wales (when in 2013, there were 137) and we are aware of two in Scotland, one in Glasgow and one in Edinburgh. SDACs adopt a specialist rather than a full problem-solving model. This means there is no post sentence monitoring. In SDACs, domestic abuse cases are to be heard in fast-tracked, specially convened hearings with specialist court professionals. Victim-survivors are provided support through Independent Domestic Violence Advocates (IDVAs) with specialist training and experience of the criminal justice system.⁴⁷ The evidence on the impact of SDACs on outcomes is good, with high-quality evidence suggesting that they are likely to provide a better experience of justice for victim-survivors and are more likely to keep them safe. However, it is unclear how recent changes in resources may have impacted the operation of SDAC models.⁴⁸

In May 2025, the Independent Sentencing Review, chaired by David Gauke, recommended that the Government expand the provision of SDACs to enable a consistent, specialist response to domestic abuse cases, given the complexity these cases present.⁴⁹

Domestic abuse problem-solving courts

Domestic abuse problem-solving courts do not currently operate in the UK. However, the Ministry of Justice recently confirmed that, as part of their upcoming pilots, they are keen to pilot a domestic abuse problem-solving court.

The international evidence on domestic abuse problem-solving courts is promising and shows that they improve the experience of victim-survivors, are more likely to impose requirements that hold perpetrators accountable than traditional court processes and can

reduce the frequency and seriousness of perpetrator reoffending. This is encouraging when set against the paucity of effective options for reducing reoffending by perpetrators of domestic abuse.⁵⁰

Integrated domestic abuse courts (IDACs)

IDACs extend the domestic abuse problem-solving court model by having a single presiding judge cross-trained to handle all concurrent matters - criminal, civil and family. The aim is to improve defendant monitoring, operate with greater efficiency, and provide better services for victims. The UK's first IDAC was launched in Croydon in 2006. The court was a pilot which sought to bring together cases with a criminal element and concurrent Children Act or civil injunction proceedings at magistrates' court and family court level.⁵¹ However, the pilot was disbanded due to a lack of cases. An early evaluation reported very low throughput and practical difficulties.⁵²

The international evidence on IDACs is promising and indicates there are advantages to bringing together family, civil, and criminal cases; family cases that go through integrated domestic abuse courts are significantly more likely to be settled or withdrawn than comparison cases and were significantly less likely to be dismissed. IDAC defendants were significantly more likely than comparison defendants to be re-arrested in cases that included criminal contempt charges, implying a violation of a previous protection order. These findings suggest that IDACs may be particularly effective in detecting ongoing (and forbidden) contact with the victim-survivor.⁵³

Case study: The Westminster Specialist Domestic Abuse Court

Standing Together Against Domestic Abuse (STADA) is a national charity dedicated to eradicating domestic abuse. In 2002, STADA developed the pioneering West London SDAC at Hammersmith Magistrates' Court, in partnership with the court and other statutory and voluntary sector partner agencies. They later established another SDAC at Westminster Magistrates' Court in 2012. Following the closure of Hammersmith Magistrates' Court, both SDACs continue to operate within Westminster Magistrates' Court and are regarded as leading models of SDAC practice in England and Wales. The intended outcome of this approach is to improve the experience of the victim-survivor and increase their confidence in the process, ultimately to encourage the reporting of future crimes and increase the successful prosecution of cases. An evaluation of the model by the Centre for Justice Innovation elicited the core elements of SDAC and how they work to create impact.⁵⁴

- **DA cases are grouped into a single hearing** overseen by magistrates or a district judge and dedicated court staff, who receive training in domestic abuse issues and apply this training to their conduct in court and decision-making regarding bail, protective orders and sentences.
- **Court Co-ordinators track each case and help the relevant criminal justice agencies** to stay informed on the developments in the case, and access and share information on the risks to the victim, so they are able to make appropriate safeguarding decisions.
- **Victim-survivors are supported during the process by a specialist independent domestic abuse advocate (IDVA)** employed by the domestic abuse charity Advance who has specialist knowledge of the criminal justice system. The IDVA provides emotional support and explains the criminal justice system, assists with safety planning throughout proceedings and provides updates about case hearings.

- **There is an emphasis on making special provisions for victim-survivors** to minimise the fear of threat or intimidation, such as providing a separate entrance and video links or screens inside the court.
- **Partnership working is the key to the model**, which unites disparate actors under a structure of governance and multi-agency protocols, to provide a co-ordinated and consistent approach. This strengthens the ability of busy and strained services to work together and keep the experience of the survivor at the centre of the process.
- **Regular court management steering and operational groups** are hosted with third sector and criminal justice agencies to discuss court practice, to improve co-ordination and accountability between key statutory and non-statutory agencies.

Problem-solving in the youth court



Responding to the changing youth justice system

Recent years have seen a welcome decline in children entering the youth justice system in England and Wales. Over the decade to March 2021, the number of first-time entrants fell by 81 %, and the number of children proceeded against in court fell by 80 %. According to the most recent Youth Justice Statistics 2023 to 2024, there were just under 8,300 first time entrants to the youth justice system - a further 3 % decline from the previous year, and the lowest level on record.⁵⁵ Meanwhile, the number of occasions on which children were sentenced at court increased by 8 % to around 12,900, though this is still far below historic levels.⁵⁶

However, the paradox of this success is that those remaining in the system tend to have a more extensive history of offending, with a greater concentration of vulnerabilities and complex needs. Whilst there has been a recent increase, the long-term drop in court volume offers a prime opportunity to develop new approaches to better respond to this more challenging cohort. In our research report, [Time to get it right: Enhancing problem-solving practice in the Youth Court](#), we recommend a greater focus on problem-solving to best leverage this opportunity.⁵⁷ The Carlile Inquiry (2014),⁵⁸ Taylor Review (2016)⁵⁹ and Lammy Review (2017) also advocate further adoption of problem-solving courts to address children's underlying needs.⁶⁰

Existing problem-solving practice in the youth court

Problem-solving is already somewhat embedded in youth courts in England and Wales. Specialisation, a key marker of problem-solving courts, is embedded in youth courts whereby cases are informed by youth-specific assessments and heard by specially trained magistrates and district judges often in a specialised courtroom designed to promote engagement with children. In terms of collaborative intervention and supervision, the Youth Justice Service

(YJS) are present at court, and they inform decision-making, supervise orders, and are typically involved with youth court user groups where these exist. Moreover, youth courts' mandate encourages a problem-solving orientation, i.e. an approach that targets the underlying issues of a child's offending. The principal aim of the youth justice system is to prevent offending and youth courts must pursue this aim while having regard to the welfare of the child. One of their six key objectives according to the Youth Justice Board (as cited in the Judicial College's Youth Court Bench Book) is to order 'intervention that tackles particular factors that lead youths to offend'.⁶¹ Guidelines from the Sentencing Council – directing courts to pay greater attention to the child's background and personal circumstances – further enable youth courts to address the inter-connectivity between offending and life circumstances.⁶²

However, our research highlighted problems on the ground, including: long delays, especially in cases coming to court; lack of availability of professionals with the required specialisms for youth court; poor engagement of children in court; limited services to respond to children and young people's speech, language and communication or mental health needs; limited engagement by children's services; and generally, a more difficult operational environment resulting from the twin impacts of constant court modernisation (including court closures and mergers) and reductions in funding.⁶³ These shortcomings limit the problem-solving potential of youth courts.

Enhancing problem-solving practice in the youth court

In contrast with adult problem-solving courts, there is limited research evidence on the comparative effectiveness of specific problem-solving youth court models.⁶⁴ However, wider research suggests that the principles of the problem-solving approach may help courts better address youth offending, such as procedural fairness, specialisation and accountability.⁶⁵

It is our understanding that as part of the MoJ's 2025 expansion of ISCs, at least one of the new pilots will be a youth problem-solving court. The location and exact model are yet to be determined but it is likely to be announced by the end of 2025.

Case study: Review Panels in Northamptonshire

Northamptonshire Youth Offending Service (YOS), in collaboration with the Northamptonshire Youth Magistrates Panel, delivers out-of-court reviews of Youth Rehabilitation Orders. These reviews aim to track progress against the interventions proposed by the original sentencing court. The informal, child-friendly reviews are held at the YOS office, with magistrates, children, their carers, and the practitioners involved in the management of the orders in attendance. Children are encouraged and supported to ensure that their voices are heard, they understand the progress made, and they can take more ownership of their intervention programme. The reviews adopt a collaborative approach to best troubleshoot problems and take solutions forward. Although they involve the participation of magistrates, the reviews are not a formal part of the work of the court and magistrates do not have the power to make amendments to orders or to make a formal response to non-compliance during the review meetings. Northamptonshire's review panels have been overwhelmingly positively met. Benefits reported include securing the ongoing positive engagement of children; actively tackling negative attitudes towards the criminal justice system; and magistrates gaining a fuller understanding of the issues facing the children they sentence.

Northamptonshire also operates problem-solving hearings whereby the child and their family, together with the broad range of professionals needed to tackle complex cases, are brought together in court to help collaboratively determine the dimensions of the court order.

Family problem-solving courts



Although problem-solving originated in criminal courts, it has also been extended to other courts which deal with entrenched social problems, most notably within the family justice system.

Complex problems in family court proceedings

From April 2024 to March 2025 there were over 16,000 applications for children's public law cases.⁶⁶ In 2024, there were nearly 84,000 children in care in England alone.⁶⁷ Abuse and neglect, stemming from complex issues such as parental substance use, mental health concerns, the impact of domestic abuse, and the wider interrelating factors often associated with deprivation and poverty, can lead families into contact with the

courts through public law care proceedings. Parental conflict, not uncommonly arising from similar issues, may bring families into the courts through private law proceedings.

Unfortunately, a significant number of these families will return to the courts for subsequent proceedings. A third of children in private law cases have been subject to previous proceedings,⁶⁸ while one in four mothers enter into a second set of public law care proceedings within seven years, with 60% of these happening in short succession of one another.⁶⁹ The harms and trauma that children whose parents are in conflict and/or are involved in harmful behaviours are often deep and long-lasting, marked by an increased likelihood of emotional and physical abuse, neglect, as well as a range of further negative impacts on their future life chances.

Research and conversations with families that have been through family court proceedings show that families find the process inaccessible, they feel unsupported and traumatised by the process. Families feel silenced and like a bystander within their own proceedings with little understanding of what is happening or what is expected of them.⁷⁰

The difficult issues facing the family courts have also previously been compounded by the additional strain of court delays and case backlogs.⁷¹ However, unlike Criminal Justice Courts, Family Courts are believed to have recovered better since the global pandemic, with a reported 28% decrease in outstanding cases since its peak in August 2021.⁷² Additionally, cuts to legal aid provision and the introduction of the no-fault divorce has led to reports by those working in private family law of higher numbers of litigants in person (LiPs) - parties representing themselves through often highly stressful legal proceedings. In most cases, LiPs require more time and support from the court, which is likely to slow down the system and increase overall costs.

Problem-solving in family courts exists to address the difficulties that families are facing and the issues that bring them back to court, as well as to enable the family justice process to be much more efficient and effective.

Problem-solving practice in family court: public law proceedings

Public law problem-solving courts offer an intensive package of dynamic assessment and therapeutic interventions provided by a multi-disciplinary team throughout the duration of care proceedings. Typically, parties also attend regular non-lawyer reviews with a specialist judge, who remains consistent across the duration of the case. Parents are not subject to intermediate sanctions or incentives in the way that they might be in a criminal problem-solving court, but they are aware that their parental responsibility or continued relationship with their children is dependent on their progress in the intervention.

Case study: Family Drug and Alcohol Courts (FDACs)

The most established and well-evidenced problem-solving court model in the UK is the Family Drug and Alcohol Court (FDAC). Piloted in London in 2008, there are currently 14 FDACs across England, covering 37 local authorities and working out of 19 courts.

FDAC is a therapeutic, problem-solving court approach to care proceedings for parents with substance use, domestic abuse, and/or mental health issues. FDAC employs motivational and trauma-informed approaches designed to support parents in making the changes necessary to safely care for their children. The model follows the Public Law Outline but also provides intensive support from an independent specialist multidisciplinary team. This team offers expert advice and dynamic assessment to the court, co-ordinates and delivers tailored intervention programmes for the family, and ensures all work is underpinned by psychological formulation. Parents are regularly drug tested and the specialist team work collaboratively with the court, children's social care, and other key agencies to provide parents with the best possible chance to overcome their problems and meet the needs of their children. In addition to the support from the expert multi-disciplinary team, families benefit from a specially trained FDAC judge who remains

consistent across the duration of the case. Parents meet every two weeks with their FDAC judge without the lawyers present. These non-lawyer reviews are an opportunity for the judge to motivate parents about the progress being made, problem-solve the remaining issues, and remind parents of the timescales and consequences.

FDAC has a strong evidence base. Research shows that families that go through the FDAC process are more likely to achieve reunification, and that their return home will be safer and more sustainable than in standard proceedings.⁷³ In 2023, a national evaluation found that 52% of children were able to be returned to their parents through FDAC, compared to 13% of children in standard care proceedings cases.⁷⁴ Furthermore, for families where it is not the right choice for children to be reunified with their parents, it is more likely that children will be placed in a kinship placement than in standard proceedings.⁷⁵ Overall, through the FDAC process, children are more likely to find permanence and be placed in a safe and sustainable home.

FDAC also significantly increases parental substance use cessation, and decreases the likelihood of future child neglect and abuse and recurrent care proceedings. Research, looking at a five-year

follow-up period after proceedings end strongly suggests that FDACs' positive outcomes are durable over time.⁷⁶ Qualitative research suggests that these positive outcomes are due to FDACs' intensive, holistic approach and the non-antagonistic supportive culture it creates around families. There is clear evidence that parents find the FDAC process much more supportive, with a high number of parents identifying the role of the judge as a key factor in motivating them to change.⁷⁷

As a result of the strong evidence base, there have been a number of calls to implement FDAC more widely in England and Wales. In May 2022, the Independent Review of Children's Social Care recommended bringing 'learning from FDACs and other problem-solving approaches into public law proceedings, to make proceedings less adversarial and improve parents' engagement'.⁷⁸ In June 2022, DfE-funded research on supervision orders and care orders at home recommended setting up a task force to review possibilities of incorporating features of FDAC into

mainstream care proceedings.⁷⁹ Wider research exploring the impact of contact with children's services and outcomes around education and offending and research looking at barriers for women accessing treatment services speak to FDACs being an example of good practice.⁸⁰ The President of the Family Division, Sir Andrew MacFarlane has continued to endorse FDACs; sharing the wish for there to be an FDAC in every area, and recognising the value of the model to support families on presenting difficulties such as domestic abuse.⁸¹

Beyond the name of FDAC in problem-solving courts

The name Family Drug and Alcohol Court suggests that FDACs focus solely on substance use challenges. In practice, through a range of therapeutic interventions, FDAC teams address a wide range of interrelated issues that give rise to care proceedings such as substance use, domestic abuse, health and mental health, and any other issues that are preventing a parent from meeting their child's needs.

Parents work collaboratively with the team and the judge to actively problem-solve and build self-sufficiency and long-term solutions to these difficulties. Given this, examples of problem-solving courts that follow the FDAC model but operate under different local names have been established. The West Yorkshire Problem Solving Court and Dorset's emerging Safeguarding Families Together Court are examples of this.

Problem-solving practice in family court: private law proceedings

In 2020, the 'Harm Report' recommended that the family courts should pilot and deliver a reformed Child Arrangements Programme in private law children's cases, advocating for a 'non-adversarial, problem-solving approach in which judicial continuity is a key feature'.⁸²

Case study: Pathfinder courts

The Pathfinder pilot was designed in response to this recommendation to achieve the reform of private law by trialling a more investigative, problem-solving approach, one which better supports victims of domestic abuse and other harms. The model aims to avoid the circumstances where a family's case is being debated in the courtroom, which often exacerbates the conflict between parents. Instead, it supports families to work in collaboration with Cafcass and Cafcass Cymru, local authorities, domestic abuse services and wider support in a much more timely and tailored way. The voice and experiences of the children are central to the Pathfinder model, with their views and wishes being actively shared and included if they are safe and able to do so.

The Ministry of Justice launched Pathfinder in Dorset and North Wales in February 2022, a specialist court model that incorporates problem-solving approaches. Pathfinder expanded to South East Wales and Birmingham in 2024, with Mid West Wales and West Yorkshire launching in 2025. In early 2025 an additional £12.5 million of funding was announced to support the expansion of the Pathfinder model across additional local authorities. Ministry of Justice data from February 2022 to November 2024 showed average case duration reducing by 11 weeks, a reduction of the open private law caseload by 50% and significantly fewer court hearings needing to take place per application.⁸³ This not only reduces the trauma and delays that families experience in private proceedings but also allows the family justice system to support those who do attend court to resolve their disagreements more effectively.

A Process Evaluation and Exploratory Financial Analysis⁸⁴ of the initial Pathfinder Pilot sites was completed and published in early 2025. A stage 2 evaluation that explores the views and experiences of families who went through the Pathfinder process is due to be published.⁸⁵

Implementing problem-solving courts



The key ingredients

There is significant research on why problem-solving courts work. In general, this research highlights four factors:

- **Procedural fairness:** Procedural fairness refers to the strong evidence⁸⁶ indicating that individuals' perceptions of being treated fairly during the court process is an important influence on their future behaviour and compliance with court orders.⁸⁷ In practice, problem-solving courts have been shown to deliver greater procedural fairness through judicial monitoring, the process by which individuals are regularly brought back in front of the same judge to discuss progress and future challenges and opportunities for change.
- **Risk, need and responsivity:** Evidence indicates that problem-solving approaches should apply the principles of risk, need and responsivity (RNR) consistently and equally. The RNR model provides an empirical framework for identifying who should receive treatment, what needs should be addressed, and how treatment should be delivered. It focuses on targeting the specific needs that drive behaviour, identified through validated assessment tools, rather than addressing secondary needs that are not empirically linked to that behaviour.⁸⁸ In the context of problem-solving courts, RNR emphasises the need to develop customised sentence plans which respond to the individual circumstances of the individual, focusing on the factors driving their behaviour while avoiding "overdosing" lower-risk individuals with complex and intensive interventions.
- **Integrated intervention and supervision:** The evidence indicates that effective collaboration between agencies ensures that service users have co-ordinated access to the treatment and support services they need. Clear and understandable treatment plans, including defined goals and rules for compliance, help to promote engagement and participation in the treatment process.⁸⁹
- **Legal leverage:** There is consistent evidence that the perceived severity of the consequences for failing to comply, sometimes referred to as legal leverage, can be an important motivating factor in promoting compliance.

In practice, this is often applied by positioning problem-solving courts as explicit alternatives to imprisonment in criminal justice settings or as the alternative to child removal in public family law.⁹⁰

Implementation lessons

Through our work, and the work of similar organisations like our sister organisation, the Center for Justice Innovation US and All Rise (formerly the National Association of Drug Court Professionals) in the USA, we highlight the following lessons:

- **Build sustainable projects:** A successful practice development approach should place a strong emphasis on the co-design of interventions with the people and institutions responsible for delivering them. This not only builds the ownership needed for effective implementation but also ensures that approaches are appropriate to the local context. Moreover, the long-term sustainability of problem-solving courts depends on their integration with local services and existing court processes. While initial investment is often required to build the capacity of new sites to establish and deliver projects, problem-solving courts should ultimately operate within existing resources, and the resourcing of additional services should primarily be determined and supported locally.
- **Provide training:** Problem-solving courts require judges, court staff, probation and partner services to work in a new and different way. Their emphasis on multi-agency collaboration and focus on procedural fairness requires practitioners to re-think processes, procedures, court environments, and their interactions with service users. Our experience of training and supporting new teams and judges to work together highlights the importance of dedicated training and the continued reinforcement of learning through team-building. Second, training should also encompass specific support for judges. Although there is sometimes a perception that problem-solving is the preserve of a finite number of naturally charismatic individual judges, the evidence shows otherwise. Rather, there

are specific, well-understood, teachable techniques that judges can deploy to promote outcomes. For example, simple practices demonstrating procedural fairness, such as maintaining eye contact and providing individuals with meaningful opportunities to speak, can significantly enhance engagement and support effective judicial monitoring.

- **Build communities of practice:** In our experience, once the initial set-up phase is complete, practitioners should be encouraged to continue learning, reflecting and improving as their practice develops. Creating spaces for practitioners from different but complementary problem-solving courts to swap ideas, share problems and draw inspiration from emerging good practice helps to build a sense of shared purpose and supports the development of a dynamic, learning community.
- **Evaluate:** Once problem-solving courts have been set up and had time to embed and operate sustainably, they should welcome rigorous outcome and qualitative evaluation. Success criteria, along with the data needed to assess progress, should be defined during the development phase. Given that different models of problem-solving courts are likely to vary in terms of their aims, target populations, services and court procedures, it is important to consider whether different sites should be evaluated individually or whether commissioning a single evaluation covering multiple sites would be more appropriate.
- **Document wider benefits:** Non-justice providers and commissioners should be made aware that justice resources are being used to deliver outcomes that align with the objectives of a range of agencies, such as reducing drug use. Moreover, even when justice resources are required, problem-solving courts can generate non-cashable benefits. For example, criminal problem-solving courts may initially lead to a modest increase in the immediate caseloads of probation services, but this is likely to be offset by reductions in the use of custody and in the costs associated with post-custodial supervision.

Conclusion

The establishment of the ISC pilots and the Government's plans for further expansion signal growing recognition of the value of problem-solving approaches in the UK. As new courts are embedded over the coming years, they will contribute to the growing body of evidence on effective practice and help refine understanding of what works in different contexts. Continued collaboration between practitioners, policymakers and researchers will be vital to ensure that this next phase of implementation builds on existing learning and supports the development of sustainable, evidence-led models.

Find out more

Visit our website for more information on [problem-solving courts](#) and [how we can support you](#).



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About the Centre for Justice Innovation

The Centre for Justice Innovation seek to build a justice system which all of its citizens believe is fair and effective. We champion practice innovation and evidence-led policy reform in the UK's justice systems. We are a registered UK charity.

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