

Family Drug and Alcohol Courts: An Innovative Approach to Family Justice

Family Drug and Alcohol Courts (FDAC) exist to provide a better way of dealing with legal cases where the Local Authority think that a child might need to be removed from their parents' care due to their alcohol or substance misuse. FDACs are a therapeutic, problem-solving court, that give parents intensive support and treatment to address their drug and alcohol use (and mental health and domestic abuse), in the hope that they can safely retain care of their child.

How significant are the problems that FDAC is intended to address?

Parental misuse of drugs and alcohol is estimated to be involved in two-thirds of care applications in England and Wales, which suggests that it is the leading cause of child neglect and abuse.

What impact does FDAC have?

FDACs have been proven to achieve higher rates of family reunification and higher rates of substance misuse cessation in comparison to normal court proceedings, as well as strong engagement with mothers, low dropout rates and higher re-entry rates after dropout. A longitudinal study over five years showed that mothers who finish FDAC proceedings with the care of their children are more likely to maintain recovery than mothers who go through standard proceedings.

How is FDAC different to what happens normally?

In contrast to normal care proceedings, the same judge oversees FDAC cases throughout and holds fortnightly informal reviews with the parents without lawyers present. Parents also receive intensive support and assessment during the proceedings from an independent multi-disciplinary team, who include them in the legal process and give them opportunities to demonstrate their capacity to change.

What makes FDAC work?

The success of FDAC stems from its capacity to build on parents' potential and desire to recover from substance misuse and improve their parenting. Parents who misuse substances, struggle with poor mental health and domestic abuse are heavily stigmatised, but FDAC judges and teams start with the presumption that change is possible. This creates a different ethos in court which parents are highly receptive to.

When interviewed about their experiences of FDAC, a mother said that she was made to feel 'normal' by the judge, who treated her 'like a human being' and not 'just a junkie'.

Judges have described FDACs as providing a humane and procedurally fair experience for parents. They talk to the judge, are listened to, offered choices and praised for progress. This boosts confidence and motivates parents, giving them a real chance to change.



"I went in as an addict but I was treated as a human being, especially by the judge, and that was the start of my journey"

A parent's reflection on FDAC

“FDAC has services that parents can access straightaway - which makes the process much more hopeful. Outcomes are better in lots of ways – whether or not the children go home. Because it is open and honest and collaborative and working with parents all the way, so when you get to the final hearing it is much more constructive”. A Guardian’s reflection on FDAC.

What are the financial implications of FDACs?

FDAC was designed as a service to interrupt parents stuck in recurrent care proceedings and intergenerational patterns of children being taken into care. Recent research suggests that approximately 1 out of 3 care applications is made regarding a mother who has been through proceedings before, so there can be significant financial savings for Children’s Social Care considering the high costs of proceedings and long-term care of Looked After Children. There are also knock on savings in the longer term across health and criminal justice. Research has set out the savings that FDACs can present for the public purse.

What is the policy context?

The first FDACs started in London in 2008, and because FDACs are not mandated by law, they only operate in some parts of the country. At present, there are nine in operation across England. These sites are expanding with the investment received from the Department for Education’s ‘Supporting Families, Investing in Practice’ programme, and a number of other areas have received grants to set up new courts. This will mean an additional five FDACs will be operating in England in the next year.

For more information, resources and research on the support that FDACs provide, please visit the [FDAC website](#).

About the Centre for Justice Innovation

The Centre for Justice Innovation is a not-for-profit dedicated to building a fair and effective justice system. The Centre’s mission is to spread innovative, evidence-led practice and promote evidence and innovative practice in policy making.

We do this by providing hands-on assistance to practitioners who work in the justice system across the UK, commissioning research into what is working and engaging with policymakers to put the change we want to see into practice.

Our work in family justice

We work to provide national leadership to strengthen, expand and champion Family Drug and Alcohol Courts, in partnership with the Tavistock and Portman NHS Trust and RyanTunnardBrown, building on the legacy of the former FDAC National Unit. We are developing additional projects in family justice and are seeking funders and collaborators.

Our other areas of work

Our work also covers championing problem-solving courts, mapping the best of Britain’s innovative justice practice and improving the use and effectiveness of pre-court diversion. As a research and practice not-for-profit, our role is to support practitioners in the criminal and family justice system to set up new and innovative services.

We provide [three email bulletins](#) that give regular updates on: Family Justice, Youth Diversion, Court Innovation. We also produce a monthly newsletter of publications and news from the Centre. Find out more on [our website](#), and follow us on [Twitter](#) and [LinkedIn](#).