



Family Drug and Alcohol Courts in NI

Dr Anne Campbell,

Professor David Hayes

Dr Sharon Millen

QUB & Dept of Justice NI



Context

- FDACs provide an alternative, problem-solving approach to care proceedings in cases where problematic parental substance use is a key factor in initiating proceedings.
- The first FDAC began in London in 2008. The precipitating factors for setting up FDACs were concerns in the family justice and child welfare systems about the proportion of care proceedings involving parental substance use and the number of cases where parents with such problems had other children removed in subsequent care proceedings (Harwin & Ryan, 2007).



Context ctd.

- The FDAC approach and process was an adaptation of the Family Drug Treatment Courts (FDTCs) used for cases of parental substance use problems in the USA.
- FDTCs take a problem-solving approach first developed in the criminal justice setting and considered the court as having a role to play in addressing the 'revolving door' syndrome of repeat offending (Bowen & Whitehead, 2016).
- The model was adapted to fit the English and Welsh legal and welfare systems but key elements of problem-solving court were retained. These key features are:



Context ctd

- Specially trained judges deal with the case throughout and are actively engaged in motivating and challenging parents through regular meetings held during the proceedings,
- The judge uses regular court reviews without lawyers present as the problem-solving forum for engaging parents in tackling the problems that put their children at risk of harm.
- Support for parents and for the court from a specialist multi-disciplinary team, who provide expert skills and knowledge and co-ordinate wider services for the parents,
- Focus on helping parents address and solve the problems that underlie their substance use problems / disorders .

Context ctd



- A UK FDAC pilot ran in London from 2008 until 2012 and was independently evaluated. The evaluation compared outcomes of FDAC cases with similar cases in standard care proceedings in the same court from different local authorities.
- Findings were positive, showing that at the end of proceedings parents in FDAC were more likely to cease using substances than parents in standard proceedings, and that children in FDAC cases were more likely to return home than children in standard proceedings.
- The evaluation also found FDAC was positively viewed by professionals – social workers, lawyers, guardians, adult treatment service providers, and judges – as well as by parents.



Harwin et al 2016 After FDAC- Outcomes 5 Years Later Final Report

- More parents overcame their problems by the end of proceedings.
- 40% of FDAC mothers were no longer misusing substances, compared to 25% of the comparison mothers.
- 25% of FDAC fathers were no longer misusing substances, compared to 5% of the comparison fathers.
- More children remained with or returned to their parents at the end of proceedings.
- When families were followed up a year or more after proceedings ended further neglect or abuse of children occurred in 25% of FDAC families compared with 56% of comparison families.



Context

- A small costs study indicated that FDAC was less expensive than standard care proceedings and likely to produce cost benefits for health, police and justice services in the longer term (Harwin et al., 2014).
- **The researchers observed that it would be fairer if the cost of the specialist team (the main cost of FDAC) was spread across local authority Children's Services, health and justice agencies**
- In late 2021, there were 14 specialist FDAC teams in England, covering 21 courts and 34 local authorities, with another due to open and a pilot FDAC in Wales. The teams have different commissioning structures but are based on the model.



The process

- FDAC process Parental involvement in FDAC is voluntary.
- At the first FDAC hearing, if parent(s) agree, the case will be adjourned to allow the FDAC team to assess the parents.
- Following the assessment which can last for a day or longer, the team hold a formulation meeting to consider parents' situations and agree a draft plan.
- This is discussed with the parents and all relevant professionals at an Intervention Planning Meeting, where the care plan for the child is further developed and agreed.
- At the next court hearing this becomes the care plan and parents are invited to formally sign up to being part of FDAC and the 'Trial for Change'; the FDAC team and judge also sign the agreement (Maycock, 2017).



Process ctd

- In the fortnightly non-lawyer reviews, parents attend court to discuss successes and barriers. The FDAC team manager and parents' key workers are present and update on parents' progress, screening results and contextual issues (such as housing problems).
- The core aim is for parents to talk directly with the judge about what is going well and where challenges remain, with the judge affirming what has been achieved, motivating parents to sustain this and explaining what more is required from them.
- These reviews provide opportunities for the judge to help parents understand why certain decisions are being made in the main hearings (no decisions are made in non-lawyer reviews).

MONDAY FDAC COURT DAY	TUESDAY Intervention Planning Meetings	WEDNESDAY	THURSDAY Assessment Day	FRIDAY Intervention Planning Meetings
<p>9-10am FDAC Team and PM attend Court for Briefing with Judge</p> <p>Morning - Non lawyer reviews CMH, FCMH, IRH and other Lawyer Hearings</p> <p><u>2pm - New case</u> For new family – Introduction and engage with family/Lawyer and share information re FDAC</p> <p>If necessary Initial assessment by FDAC worker re current drug use and ability to attend a whole day's assessment</p> <p>If agreement to attend assessment with FDAC – draw up timetable for next 3 weeks with parent and LA</p> <p>If possible consent to share information form signed, and collect all contact information from parents and parties involved for distribution lists. All parties in front of Judge</p> <p>FDAC receives bundle</p> <p>2-5pm Non Lawyer reviews CMH, FCMH, IRH and other Lawyer Hearings</p> <p>Keyworkers attend Non Lawyer reviews on the allocated cases. Manager, Deputy or Senior Prac spend whole day at court supporting keyworkers with Lawyer Hearings – problem solving approach</p> <p>Team not in court will use time for key working, writing reports, assessments etc.</p> <p>Supervision of staff</p>	<p>9.30-11.30 - Formulation Formulate the new case assessed the previous week - Team will have written up assessments where possible</p> <p>11.30 Intervention Planning Meeting Parent (s), allocated SW and Team Manager, new SW if relevant, n's Guardian, treatment workers & any other agencies involved with FDAC team</p> <ul style="list-style-type: none"> • Broker provisional family and interagency agreement for the trial for change as set out in the FDAC Intervention Plan • Submit Intervention Plan <p>1pm – 5pm REVIEW Intervention Planning Meetings – these are scheduled with a 30 minutes' team formulation before each review</p> <p>Keyworkers if not involved in IPMs will be seeing parents for keywork, assessments, testing, observations, VIG etc</p> <p>Identify social work lead for new assessment taking place on thurs - key role to produce summary of issues paper from bundle for the Team on Thursday morning</p> <p>Supervision of staff</p>	<p>10am Team Meeting (Every month Reflective Team Meeting with outside facilitator)</p> <p>12-2 Pre Proceedings Meetings – Deputy Team Manager or Manager attend in LA office</p> <p>Keyworkers will be seeing parents for keywork, assessments, observations, VIG etc</p> <p>Group interventions take place on Wed/Friday:</p> <ul style="list-style-type: none"> • Anxiety group • Parents and feelings • Domestic abuse group <p>Keyworkers may use time for report writing.</p> <p>Keyworkers if not involved in assessment will be seeing parents for key work, testing assessments, observations, VIG etc</p> <p>Supervision of staff</p>	<p>9-10am - Assessing team meeting to plan assessment and read summary of bundle 10-4pm FDAC team carry out an initial assessment of:</p> <ul style="list-style-type: none"> • The timescales for the children • The parents' strengths and difficulties • What needs to change and timescales for change • Identify what monitoring, support and treatment will be required from whom (Undertaken by a social worker and a SM specialist or the clinical nurse – up to 2 or 4 parents a day.) <p>Keyworkers if not involved in assessment will be seeing parents for key work, testing assessments, observations, VIG etc</p> <p>Supervision of staff</p>	<p>10am – 5pm New case or Review intervention Planning Meetings – these are scheduled with a 30 minutes' team formulation before each review and 2 hours for a new case.</p> <p>Keyworkers if not involved in IPMs will be seeing parents for key-work, assessments, observations, VIG etc</p> <p>Report writing and filing for Monday's Court – sent to all parties, parents and the Court/Judge. Each family in court will have a review report filed. Keyworkers will draw together information from all the agencies involved and the parents/children.</p> <p>Supervision of staff</p>
<p>Other activity - parents attend up to twice per week for testing appointments; child's needs meetings; liaison with and training for treatment and other agencies; Steering/Operational meetings, monitoring meetings with commissioners, data collection etc.</p>				



Work package

- Work on substance use
- Trauma Informed practice - CBT
- MI
- Tailored support to each family
- Housing
- education



Review

Zhang, S., Huang, H., Wu, Q., Li, Y., & Liu, M. (2019). **The impacts of family treatment drug court on child welfare core outcomes: A meta-analysis.** *Child abuse & neglect*, 88, 1-14.

Two primary outcomes of the research

- **Outcome one - Family reunification**

Overall, Family Drug and Alcohol Courts tended to show a positive effect on family reunification, compared with usual services

This is based on high strength evidence from 16 research studies and a total number of 7,085 participants.

- **Outcome Two - Care re-entry and re-abuse**

Overall, Family Drug and Alcohol Courts had no effect on care re-entry. This is based on high strength evidence from 8 research studies with a total number of 1,474 participants.



Overall aims of current study

- To investigate whether the SMC has had an impact on offending related to substance use
- To consider whether the programme has an effect on participants' substance use
- To examine other possible effects of the programme including change in coping skills, quality of life, anxiety and depression



FDAC Evaluation NI (Qualitative Phase)

- The FDAC is one of 5 problem solving justice initiatives.
- The overarching objective of the pilot programme was to establish whether a problem solving approach to care proceedings can lead to better outcomes for families in terms of levels of substance misuse and children remaining in the family.
- Pilot based in Newry Family Proceedings Court and the Southern Health and Social Care Trust.



Research Objectives

- Ascertain the views of participants and workers on the problem solving approach to care proceedings (where applicable with reference to experience of traditional proceedings) including process and the role of the Judge.
- Seek the views of participants and workers on the intervention and treatment process and the impact of the model.
- Ascertain the views of participants and workers on the impact of the problem solving approach on outcomes including participant well-being and the well-being of their children at the end of proceedings (to include levels of substance use and other difficulties experienced by the family e.g. health problems, parenting skills, familial relationships, self-efficacy, DV etc.).
- Consider the views of participants on possible refinements or improvements to the model, including identification of potential triggers for disengagement.



Methodology

- All FDAC participants subject to a treatment plan were invited to take part in the study, using a purposive sample technique (Sarantakos 2010). The parents of five families accessing the service were recruited to the study (n=7).
- The FDAC Judge, FDAC Team (n=5), solicitors (n=3) and guardian ad litem (n=3) involved in the process also provided their views through individual interviews and 1 focus group.
- The FDAC team comprised of a consultant psychiatrist from adult community addictions, three senior social work practitioners – one from a childcare and family background, one from addictions and the implementation lead (whose background was also childcare and family). There was also a mental health nurse (part-time).
- Total sample size = n=19



Key Summary points from Service User Interviews

- As part of the assessment process, the team talked with each parent about what was involved and what would be expected of them during the 26-week duration of the process.
- Parents were informed that the process was intensive but would assist them help to stop / reduce using alcohol/ substances. It would require hard work and commitment.
- If they continued to use substances throughout the duration of the process however, they would be removed from the programme.
- Those interviewed felt that they fully understood the process and what was expected of them.



Service user views

- *“Fully understood the process 100%.. I understood I was getting all the support under one roof and it was going to be for me and my kids. It wasn't just treating me on my own, I knew it was going to be intense but because it was intense I was more focused and that if you were willing to put the work in you'll get the support along the way to help you.. hopefully the end goal was then getting your kids back, so I knew what I had to do.”*



Motivating Factors

- The main motivating factor for parents taking part in FDAC was the possibility of the return of their child within a quicker time frame (compared to traditional family court proceedings).
- Other reasons included - the offer of a fresh start, help and support for the adult as well as the children,
- a strong desire for a change in circumstances,
- the opportunity to talk to the team to try and identify the root cause of problems,
- the fact that the process seemed to be much more transparent and inclusive (compared to traditional proceedings) and a lack of understanding of traditional process.



Initial Perceptions

- At the beginning of the process the majority of participants reported feeling fearful of saying 'the wrong thing' to the FDAC team and to the judge. They were cautious of over sharing and making their situation worse due to the significant consequence of losing their child.
- The prospect of meeting the judge to discuss their circumstances and progress felt 'weird and scary' at first. Others reported feeling 'angry and frustrated' at themselves for allowing things to progress to the stage of court proceedings.



Initial Perceptions ctd.

- *“Angry, but at myself, because if I had of went and asked for the help beforehand it probably wouldn’t have ended up the way it did with my child being removed.”*
- *“At the start oh god I remember the first couple of weeks going in and that was before rehab and everything and I would have been sweating and shaking you know cause just the thought of having to sit across the table from him (the judge)”*



Perspectives on the Judge

- Overall, very positive feelings towards the Judge..
- The prevailing initial shock that we was so ‘ down to earth’ and ‘interested in what they had to say’.
- *“If I had a problem with something I can just raise it and say like this is what I think. Do you know.it was like a two-way thing? It wasn’t a case of you just sit down and do what you’re told, do you know the judge encourages you to ask questions and to tell him how you’re feeling and what you think, rather than just sit there.... Felt I could be honest with him... Because he was being honest with me. Like that was the whole point of the whole thing.”*



Comparison between traditional Court P Proceedings & FDAC

- Those who had previous involvement with family court proceedings described the process as traditional process as complex and unclear.
- All respondents agreed that the FDAC process was a much better way of working as they were involved throughout and had the opportunity to contribute to discussions regarding their own personal circumstances. This was considered to be a huge step forward.
- Another advantage of FDAC was the opportunity to get a decision from the courts in a much shorter time frame i.e. 26 weeks as opposed to up two years.
- In addition, the fact that parents were offered intensive wrap around therapeutic support and practical help with their addictive behaviours and other problems was considered hugely beneficial:



Traditional Court System

- *“It was the thing.. sitting outside, didn’t know what was being said about me, had no idea what was going on, right, they just came out and told me, it’s just been adjourned or whatever do you know what I mean”.*

FDAC

- *“In this in the FDAC you’re told about everything and you know everything that’s happening, everything that’s going on, you know you’re involved in everything which made it a lot better as well ... so then cause like I know the way I would have thought maybe about social workers and everything beforewhere that’s completely different to the way I think about them now”.*

“They’re standing waiting on you. They are waiting on you till relapse to fall, grab you and put you back again. Like most meetings that I went to they said look it is ok. It is ok if you took a drink. It is ok if you relapse just as long as we get you sorted and get you back on to the track again.”



- *“I started in February and I had my children back in July, do you know and if I was going through the court thing you would be talking years and you know contact maybe a couple of hours a week, so the relationship with your kids would be fractured and also you would have no motivation to stop drinking, you know what I mean, because you’d nothing to focus on ...just hopelessness you’ve no idea.”*
- *“I’ve got a better relationship now with my children.. like I now spend quality time with my children.. I can just see it in them, I am able to talk to them, play with them, where beforehand that relationship wasn’t there I was a parent, I was a mother, whereas now I feel as if I’m a full-time mummy now.. I’ve got time for them where beforehand they were like an inconvenience sort of, you know I loved them but with the drinking and all, they were just another thing I had to deal with. whereas now they’re my focus”.*



Next steps.... (waiting on the outcome measures)

- continuing to roll out and sustain the FDAC model across NI
- gaining regular feedback from FDAC families and the professionals involved
- testing the findings of this small study against practice in other courts to add to a formal systematic review of evidence for UK based initiatives
- Publication of final report



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