

THE FAMILY DRUG COURT

A pioneering court in central London is trying to keep drug- and alcohol-addicted parents and their children together. **Tom de Castella** finds out why it's needed

For a project revolutionising the judicial system's treatment of vulnerable families, it is not much to look at. A room with a few desks, the judge and his assistants at one end, the lawyers, care professionals and struggling parents at the other. We are in the Inner London Family Proceedings Court, not far from bustling Oxford Street.

But this is not just any hearing; it's a unique form of judicial process – the nation's first Family Drug and Alcohol Court (FDAC). Based on a successful American model, it aims to break the cycle of parental drug and alcohol abuse resulting in children being taken into care.

It's when the parents enter the room that the place comes alive. They know that the future of their family is at stake. It has all the drama of the Jerry Springer or Jeremy Kyle shows. There are tears, raised voices and cries for help.

The judge asks one woman: "Is this the moment you're going to change your life?" Sobbing, she nods her head and promises to change. The judge is stern but supportive, setting out what she must do if she is to have a chance, before concluding: "Everyone here wants you to succeed."

It's inspiring to behold but this isn't some melodramatic TV show. These are real, damaged individuals being given a second chance by an innovative partnership.

The FDAC is a three-year pilot that deals with cases from three London boroughs – Camden, Islington and Westminster. It began in January 2008 and is run jointly by the Tavistock and Portman NHS Trust and the children's charity Coram, with

help from the Children and Family Court Advisory and Support Service. Over the three years it will cost £1.34m and is backed by a number of central and local government funders: the Department for Children, Schools and Families (DCSF) has provided £450,000, the Ministry of Justice has given £390,000, and the Home Office has invested £50,000, while the three boroughs have each invested £150,000.

The aim is to help a parent, usually the mother, to beat her drug or alcohol problem and keep responsibility for her child.

Judge Nicholas Crichton and Judge Kenneth Grant run proceedings on alternate Mondays, each having responsibility for 15 families at any one time. Competition for

places on the scheme is tough – only one or two cases are referred to the FDAC a week. Once selected, a family will be assigned to one of the judges and reappear fortnightly or monthly to ensure consistency and build a relationship of trust. Lawyers are present at the beginning but soon disappear once a parent starts receiving therapeutic support.

Breaking the cycle

Judge Crichton mixes judicial authority with a down-to-earth human touch. He is a passionate believer that the FDAC's "problem-solving approach" is superior to the traditional "adversarial" system. "Until now there have not been the kind of programmes for these parents that might actually break the cycle. It's intergenerational. So we see parents appearing who were themselves brought up by drug and alcohol misusing parents."

Under the family court's normal care proceedings, it is routine to see a procession of babies removed from the same woman, with nothing changing to stop it continuing. The current system expects vulnerable parents to find detox places themselves, even though there's often a "huge waiting list", says Crichton. "Most of them have been dragged down by the rest of their problems so the chance of them finding a detox place all by themselves is very slender." In contrast, at the FDAC there is a support structure that can get parents into treatment within 48 hours, he says.

At the first court hearing the judge will ask if the parent wants to commit to the process. If they agree, their assessment begins. In normal care proceedings, a parent is assessed by



The Family Drug and Alcohol Court is held at the



TOM CAMPBELL

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Sophie Kershaw, service manager, Family Drug and Alcohol Court

one expert, says Sophie Kershaw, the FDAC's service manager, but her multi-disciplinary team carries out a wide-ranging assessment resulting in a three-month plan, which includes regular drug or alcohol testing. Lapses are tolerated as long as people are honest, she says.

Six parent mentors work with the families, providing what she calls "a role model of resilience". All this work is backed up by regular appearances in front of the judge. "The American research showed the added value the judge can provide," says Kershaw. "He mixes empathy and authority. And judicial continuity makes a massive difference."

Since the start, the project has worked with 71 families, 12 of whom have successfully beaten their problems to keep their children. That may not sound like a high success rate but in the context of the problems these parents have and the previous sys-



DAVID MCCULLOUGH

Positive support How the FDAC project saved one woman's life

Elaine, who is now 30, first came to the FDAC in June 2008. She was struggling to come to terms with the recent deaths of her parents. She had an alcohol problem and was in danger of losing Becky, her four-month-old baby to social services.

Elaine had a history of depression, anxiety and self-harm, and had been assaulted by a family member. Alcohol had become her way of coping. But when she realised this was incompatible with bringing up a baby, she contacted social services.

They allowed her to keep her baby and placed her in a mother and baby unit, before moving her into a hostel. The mother and baby unit had offered 24-hour support but in the hostel she was isolated.

"Social services were meant to support me but I only saw them every two weeks," she says. "I wasn't allowed to talk to friends or family because they were drinkers." She began drinking again and was referred to the FDAC.

Strong relationship

"I was in bits when I first went into the court," recalls Elaine. "But Judge Grant was really good." Social services were pressing for an interim care order to share responsibility for the child but the judge rejected this.

As time progressed, Elaine built a strong relationship with the project's staff. "The judge would always focus on the good points, whereas social services focused on the bad points. My FDAC worker told me what a good mum I was and it helped build my confidence." The support team carried out assessments on her drinking and came up with an action plan. She was tested twice a week.

Elaine's last appointment at the FDAC was in October 2009. She is no longer drinking and plans to start an accountancy course next year.

It's not easy, and she is bitter about the way social services control her life, making it a condition that she doesn't go out. But she's in no doubt that the FDAC saved her life. "I nearly killed myself. Social services wanted to remove Becky but the FDAC stuck up for me. If I didn't have Becky I wouldn't be here today. So the FDAC saved me."

er London Family Proceedings Court every two weeks. Based on an American model, it aims to break the cycle of drug and alcohol abuse

tem's failure, Kershaw and Crichton argue it is a giant leap forwards.

And there are other less obvious gains, they believe. Under normal care proceedings it can take a year or two to move a child to a permanent placement away from their birth parent. At the FDAC those parents who simply cannot cope have been identified within three months and their children placed with foster carers.

While the focus is usually on the parent, FDAC staff also work with the children and young people affected. The team even includes a professional with experience of youth offending work. "We've got young people up to the age of 15, although most of them are under five," says Kershaw. "It's important with the older children that we try to understand their specific needs."

For new babies on the other hand, it is a race to get the mother clean

before the baby's first birthday. This is the age at which babies need a permanent, stable set-up.

Cost-saving benefits

The project is not just humane – it also saves money. The charity the UK Drug Policy Commission estimates that caring for family members with drug problems, excluding alcohol, costs £1.8bn and affects 1.5 million British adults. Mothers who have 14 or 15 children due to alcohol and drug abuse cost the taxpayer huge sums in social work, health, fostering, court and police time, argues Crichton. "Those families are costing the nation over a million pounds a year. I've got a project that's costing less than half a million a year," he says.

The judge has had talks with the DCSF and the Ministry of Justice about expanding the project to cover south London. But first he wants

to ensure that this pilot wins long-term funding. As things stand the money will run out this December. The three London boroughs are keen to sign up again but unless the government leads with the bulk of the cash, the FDAC will disband and its committed staff will have to look for new jobs.

"The next few months will be critical to making sure we can get this pilot to continue," says Kershaw. She admits that the approaching election is not "great timing" for a pilot looking to get long-term funding.

The job is by its nature difficult: "We're working with families with multiple, complex problems. There are sad days. The parents are trying so hard but sometimes they just don't have the capacity to make those changes." But the rewards are huge and the 12 families they've helped stay together make it all worthwhile, she says. ●